

**BYLAWS OF
RIO VISTA PROPERTY OWNERS ASSOCIATION
A NONPROFIT CORPORATION
AMENDED 2/7/2014**

ARTICLE I

NAME AND LOCATION

The name of the corporation is RIO VISTA PROPERTY OWNERS ASSOCIATION. The principal office of the corporation will be located 22812 FM 1314, ✓ Porter, Texas 77365: but, meetings of members and directors may be held at such places within the State of Texas as may be designated by the Board of Directors.

ARTICLE II

DEFINITIONS

Section 1. “Association” means and refers to RIO VISTA PROPERTY OWNERS ASSOCIATION, its successors and assigns.

Section 2. “Common Area” means all real property owned by the association for the common use and enjoyment of the owners.

Section 3. “Declarant” means and refers to RIO VISTA, LTD., its successors and assigns if such successors or assigns should acquire more than one undeveloped lot from the Declarant for the purpose of development.

Section 4. “Declarations” means and refers to the declaration of covenants, conditions, and restrictions applicable to the subdivision and recorded on October 29, 2007 in the office of the County Clerk of Montgomery County, Texas under File 2007-124644.

Section 5. “Lot” means and refers to any plot of land shown on the recorded subdivision plat with the exception of the common area.

Section 6. “Member” means and refers to those persons entitled to membership in the association as provided in the declaration.

Section 7. “Owner” means and refers to the record owner, whether one or more persons or entities, of the fee simple title to any lot which is part of the subdivision, including contract sellers, but excluding those holding title merely as security for the performance of an obligation.

Section 8. "Subdivision" means and refers to that certain tract of real property described in the declaration, and such additions to that tract as may be brought within the jurisdiction of the association pursuant to the provisions of the declaration.

ARTICLE III

MEETINGS OF MEMBERS

Section 1. Annual Meetings. The first annual meeting will be held by the Declarant only in February, 2009. Subsequent annual meeting of members will be held on the same day of the same month of each year thereafter at such place as designated by the Board of Directors. If the day for the annual meeting of members is a legal holiday, the meeting will be held at the same hour on the next following day which is not a legal holiday.

Section 2. Special Meetings. Special meeting of members may be called at any time by the president or by the Board of Directors.

Section 3. Notice of Meetings. Written notice of each meeting of members will be given by, or at the direction of, the secretary or other person authorized to call the meeting, shall be delivered not less than ten (10) nor more than thirty (30) days before the date of the meeting, either personally, by mail, electronic transmission or notice posted at the entrance of the subdivision. The notice will specify the day, hour, and place of the meeting, and in the case of a special meeting, the purpose of the meeting.

Section 4. Quorum. The presence at the meeting, in person or by proxy, of members entitled to cast a vote will constitute a quorum for authorization of any action, except as may otherwise be provided in the Declaration, the Articles of Incorporation, or these Bylaws.

Section 5. Proxies. At all meetings of members, each member may vote in person or by proxy. All proxies will be in writing and filed with the secretary. Proxies will be revocable, and the proxy of any owner will automatically terminate on conveyance by such owner or his or her lot.

ARTICLE IV

BOARD OF DIRECTORS

Section 1. Number and Qualifications. The affairs of the association will be managed by a board of three (3) directors, who need not to be members of the association.

Section 2. Nomination. Nomination for election to the Board of Directors may be made from the floor at any annual meeting of members.

Section 3. Election. Election to the Board of Directors will be by secret ballot and/or visual hand count. At such election the members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration. Persons receiving the largest number of votes will be elected.

Section 4. Meetings.

a. Regular Meetings. Regular meetings of the Board of Directors will be held annually without notice, at such place and hour as may be fixed from time to time by resolution of the Board. In the event the regular date for a meeting falls on a legal holiday, such meeting will be held at the same time on the next following day which is not a legal holiday.

b. Special Meetings. Special meeting of the Board of Directors will be held when called by the President of the Association, or by any two directors, after not less than three (3) days' notice to each director.

c. Quorum. A majority of the directors will constitute a quorum for the transaction of business. Every act performed or decision made by a majority of directors present at duly held meeting in which a quorum is present will constitute the act or decision of the board.

Section 5. Powers. The Board of Directors will have power to;

a. Adopt and publish rules and regulations governing the use of the common areas and facilities, including the personal conduct of the members and their guest in using them; and to establish penalties for infractions of such rules and regulations;

b. Exercise on behalf of the Association all powers, duties, and authority vested in or delegated to the Association and not specifically reserved to the membership by the Declaration, Articles of Incorporation, or by other provisions of these Bylaws;

c. Declare the office of a member of the Board of Directors to be vacant in the event that such member is absent from two (2) consecutive regular meetings of the Board of Directors; and

d. Employ a manager, independent contractors and such other employees as they deem necessary, and to prescribe their duties.

- e. Officers and Directors of Rio Vista Property Owners Association cannot adopt, amend, or change any of the sections of the Declaration of Covenants and Restrictions of the Rio Vista Subdivision Recorded in Montgomery County under File Number 462-11-2168 without a vote of 65% of all registered property owners.

Section 6. Duties. It will be the duty of the Board of Directors to:

- a. Cause to be kept a complete record all its acts and corporate affairs and to present a statement of such acts and affairs to the members at each annual meeting, or at any special meeting at which such a statement is requested in writing by a majority of the Class A members entitled to vote at the meeting;
- b. Supervise all offers, agents, and employees of the Association and see to it that their duties are properly performed;
- c. As more fully provided in the Declaration , to:
 - (1) Fix the amount of the annual assessment against each lot at least thirty (30) days in advance of each annual assessment period;
 - (2) Send written notice of each assessment to every owner subject to the assessment at least thirty (30) days in advance of each annual assessment period; and
 - (3) Foreclose the lien against any property for which assessments are not paid within ninety (90) days after the due date, or to bring an action at law against the owner personally obligated to pay the same.
- d. Issue, or cause an appropriate officer to issue, on demand by any person and on imposition of a reasonable charge, a certificate setting forth whether or not any assessment has been paid, a statement in a certificate to the effect that an assessment has been paid constituting conclusive evidence of such payment.
- e. Cause the common area to be maintained.

Section 7. Term of Office. One (1) year or until his/her successor shall have been elected or qualified.

Section 8. Compensation. No Director will receive compensation for any service he or she may render to the Association. However, any director may be reimbursed for his or her actual expenses incurred in the performance of his duties.

Section 9. Removal. Any Director may be removed from the Board, with or without cause, by a majority vote of the members present at the special meeting of the Association. In the event of death, resignation, or removal of a Director, his or her successor will be selected by the remaining members of the Board and will serve for the unexpired term of his or her predecessor.

ARTICLE V

OFFICERS

Section 1. Enumeration of Officers. The officers of the Association will be a President, Vice President, Secretary, Treasurer and such officers as the Board may from time to time resolution create.

Section 2. Election of Officers. The election of officers will take place at the first meeting of the Board of Directors following each annual meeting of members.

Section 3. Term. The officers of the Association will be elect by the Board. Each will hold office for a term of one (1) year unless he or she will sooner resign, or will be removed or otherwise disqualified to serve.

Section 4. Special Appointments. The Board may elect such other officers as the affairs in the Association may require, each of whom will hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.

Section 5. Resignation and Removal. Any officer may be removed from office by the Board at any time with or without cause. Any officer may resign at any time by giving written notice to the Board, the President, or the Secretary. Such resignation will take effect on the date of receipt of such notice or at any later time specified in the

notice, and unless otherwise specified in the notice, the acceptance of such resignation will not be necessary to make it effective.

- Section 6. Vacancies. A vacancy in any office may be filled by appointment of the Board. The officer appointed to such vacancy will serve for the unexpired term of the officer he or she replaces.
- Section 7. Multiple Offices. The offices of Secretary and Treasurer may be held by the same person. No person will simultaneously hold more than one of any of the other offices, except in the case of special offices created pursuant to Section 4 of this Article.
- Section 8. Duties. The duties of the officers are as follows:
- a. President. The President will preside at all meeting of the Board of Directors, will see that orders and resolutions of the Board are carried out, will sign all leases, mortgages, deeds, and other instruments, and will sign all checks and promissory note. A co-signer may required as directed by the Board of Directors.
 - b. Vice President. The Vice President will act in the place of the President in the event of his or her absence, inability, or refusal to act, and will exercise and discharge such other duties as may be required of him or her by the Board.
 - c. Secretary. The secretary will record the votes and keep the Minutes of all meetings and proceeding of the Board and of the member keep corporate seal of the Association and affix it to all papers so requiring; serve notice of meetings of the Board and of members, keep appropriate current records showing the members of the Association together with their addresses, and perform such other duties as may be required by the Board or by law.
 - d. Treasurer. The Treasurer will receive and deposit in appropriate bank accounts all funds of the Association, and will disburse such funds as directed by resolution of the Board of Directors; will keep proper books of account; and will prepare an annual budget and statement of income and expenditures, a copy of which documents will be delivered to each member, and report on which will be given at the regular annual meeting of members.

ARTICLE VI

ARCHITECTUARAL CONTROL COMMITTEE

Architectural control committee (ACC) will approve all house plans meeting the minimum requirement by the Declaration of Covenants, Conditions and Restrictions of Rio Vista Subdivision.

The ACC from time to time may propose and put into effect rules and regulations pertaining to all common areas.

ARTICLE VII

ASSESSMENTS

As more fully provided in the Declaration, each member is obligated to pay to the Association annual and special assessments which are secured by a continuing lien on the property against which such assessments are made. Any assessments which are not paid when due are considered delinquent. The Association may bring an action at law against the owner personally obligated to pay the same, or may foreclose the lien against his or her property. Interest, costs, and reasonable attorney fees of any such action will be added to the amount of any assessment due. No owner may waive or otherwise escape liability for assessments by nonuse of the common area or abandonment of his or her lot.

Section 1. Special Assessments. Special Assessment” means as assessment, a charge, a fee or dues, other than a regular assessment, that each owner of a lot or property located in a residential subdivision is required to pay to the property owner’s association, according to procedures required by the dedicatory instruments, for: (i) defraying, in whole or in part, the cost, whether incurred before or after assessment, or any construction or reconstruction, unexpected repair, or replacement of a capital improvement in common areas owner by the property owners’ association, including necessary fixtures and personal property related to the common areas, (ii) maintenance and improvement of common areas owned by the property owners’ association, or (iii) other purposes of the property owners’ association as stated in the certificate of formation or the dedicatory instrument for the residential subdivision. No special assessment will be assets without at least 65% of all qualified voters.

ARTICLE VIII

VIOLATIONS

“Required Notice of Violation” shall mean and refer to all applicable provisions of the Texas Property Code, Chapter 209, Texas Residential Property Owners Protection Act, (the “ACT) as amended. The written notice Must: (1) describe the violation or property damage that is the basis of the suspension action, charge, or fine and state any amount due the Association from the Owner; and (2) inform the Owner that the Owner: (A) is entitled to a reasonable period to cure the violation and avoid the fine or suspension unless the Owner was given notice and a reasonable opportunity to cure a similar violation within the preceding six months; and (B) may request a hearing under Section 209.007 of the ACT on or before the 30th day after the date the owner receives the notice.

Section 1. In the event that a violation cannot be settled or cured then a fine may be established by the board of directors as posted on the website under fines.

ARTICLE VIII

AMENDMENTS

These Bylaws may be amended, at a regular or special meeting of members, by a vote of 65% of all qualified members.

ARTICLE IX

CONFLICTS WITH ARTICLES OF INCORPORATION OR DECLARATION OF COVENANTS

In the case of any conflict between the Articles of Incorporation and these Bylaws, the Articles will control. In the case of any conflict between Declaration and these Bylaws, the Declaration will control.

ARTICLE X
FISCAL YEAR

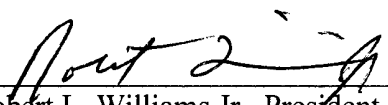
The fiscal year of the Association will be the calendar year.

ARTICLE XI
BOOKS AND RECORDS; INSPECTION

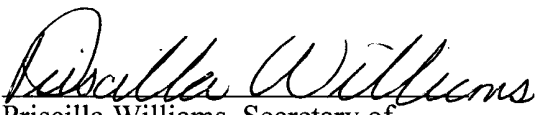
The books, records, papers of the Association will be subject to inspection by any member during ordinary business hours. The declaration, Articles of Incorporation, and Bylaws of the Association will be available for inspection by any member at the principal office of the Association, where copies will be made available for sale at a reasonable price.

ARTICLE XII
CORPORATE SEAL

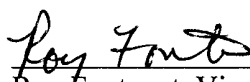
The Association will have a seal in circular form having within it circumference the words: Rio Vista Property Owners Association.



Robert L. Williams Jr., President of
Rio Vista Property Owners Association



Priscilla Williams, Secretary of
Rio Vista Property Owners Association



Roy Fontenot, Vice President of
Rio Vista Property Owners Association

The State of Texas }
 }
County of Montgomery }

BEFORE ME, the undersigned authority, on this day personally appeared **Robert L. Williams Jr.**, President of **Rio Vista Property Owners Association**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this February 7, 2014



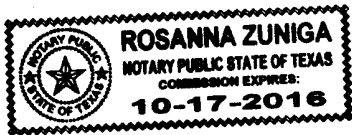
Rosanna Zuniga

Notary Public in and for the
State of Texas

The State of Texas }
 }
County of Montgomery }

BEFORE ME, the undersigned authority, on this day personally Roy Fontenot., Vice President of **Rio Vista Property Owners Association**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this February 7, 2014



Rosanna Zuniga

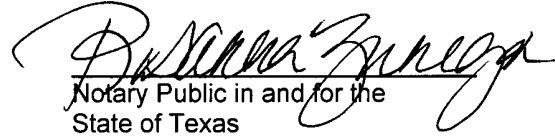
Notary Public in and for the
State of Texas

The State of Texas }
 }
County of Montgomery }

BEFORE ME, the undersigned authority, on this day personally Priscilla Williams, Secretary of **Rio Vista Property Owners Association**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this **February 7, 2014**




Notary Public in and for the
State of Texas

FILED FOR RECORD

02/18/2014 1:17PM

Mark Jumball

COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS

COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in file number
sequence on the date and at the time stamped herein
by me and was duly RECORDED in the Official Public
Records of Montgomery County, Texas.

02/18/2014



Mark Jumball

County Clerk
Montgomery County, Texas