

ARTICLE I. NAME AND LOCATION. The name of this organization is Four Corners Estates Property Owners Association hereafter referred to as the "FCEPOA". The FCEPOA is a non-profit corporation organized under the Texas Nonprofit Corporation Law. The principal mailing address of the FCEPOA shall be 671 Westridge Park, Livingston, Texas 77351, meetings of members and directors will be held within Polk County, Texas as may be designated by the Board of Directors.

## ARTICLE II. PURPOSE AND PARTIES

Section 2.01. PURPOSE. The purpose for which the FCEPOA is organized is to be and constitute, and to exercise all powers and privileges and perform all duties and obligations of the FCEPOA to which reference is made in those certain Deed Restrictions (herein referred to as the "Declaration") pertaining to the single-family subdivisions known as Phase One (I), Phase Two (II), Phase Three (III), Phase Four (IV) The Park and Phase Five (V) in Four Corners Estates Subdivision, in accordance with the Plats of said subdivisions recorded in the Plat Records of Polk County, Texas, which Declarations are recorded in the Real Property Records of Polk County, Texas. FCEPOA shall not engage in any purpose, action or activity that is prohibited by the Texas Nonprofit Corporation Law and by other applicable law. FCEPOA does not contemplate pecuniary gain or profit, direct or indirect, to its members.

Section 2.02. PARTIES. All present or future owners ("Owners") of the lots in Four Corners Estates Subdivision ("Lot/s"), tenants or future tenants of any Lot, or any other person who might use in any manner the facilities of the properties owned, managed or controlled by the FCEPOA ("Properties") are subject to the provisions and the regulations set forth in these Bylaws. The mere acquisition, lease or rental of any Lot or the mere act of occupancy of a Lot will signify that these Bylaws are accepted, approved, ratified, and will be complied with.

## ARTICLE III. MEMBERSHIP AND VOTING RIGHTS

Section 3.01. Membership. Each and every Owner shall automatically be a Member of the FCEPOA ("Member") without the necessity of any further action on his/her part, subject to the terms of the Declaration, the Certificate of Incorporation, these Bylaws, and the rules and regulations with respect to the Properties from time to time promulgated by the FCEPOA. Membership shall be appurtenant to and may not be separated from the interest of such Owner in and to any portion of the Lot owned by such Owner. Ownership of any portion of the Lot/s shall be the sole qualification for being a Member. Persons or entities shall be Members by reason of ownership of land dedicated and accepted by the local public authority and devoted to public use and such land shall be owned subject to all of the terms and provisions of the Declaration except that: (i) ownership of land devoted to purposes described in this sentence shall not create any votes in the Members owning such land, and (ii) such non-voting Members shall not be required to pay any assessments other than special individual assessments as described and authorized in the Declaration. No person or entity shall be a Member by reason of ownership of any easement, right-of-way, or mineral interest. In addition, any person or entity that holds an interest in and to all or any part of the Lots merely as security for the performance of an obligation shall not be a Member.

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Section 3.02. Transfer. Membership may not be severed from the Lots nor may it be in any way transferred, pledged, mortgaged or alienated except upon the sale or assignment of the Owner's interest in all or any part of the Lots and then only to the purchaser or assignee as the new Owner thereof. Membership shall not be severed by the encumbrance by an Owner of all or any part of the Lots. Any attempt to make a prohibited severance, transfer, pledge, mortgage or alienation shall be void and of no further force or effect and will be so reflected upon the books and records of the FCEPOA. Any transfer of the fee title to a Lot shall automatically operate to transfer membership to the new Owner thereof. In the event an Owner should fail or refuse to transfer the membership registered in such Owner's name to the transferee, the FCEPOA shall have the right to record the transfer upon its books and records.

Section 3.03. Voting Rights. Each Owner shall be entitled to cast one vote for each lot owned within the Four Corners Estates subdivision. The current developer lots that are available for sale and paying assessments will be allocated votes. Owners may cast Votes in person or by proxy at a meeting of the FCEPOA or by absentee ballot or electronic ballot. Absentee or electronic ballot may be counted as an owner present and voting for the purpose of establishing a quorum only for the items appearing on the ballot.

Section 3.04. Multiple Owner Votes. Where there are multiple Owners of a Lot it is not intended by any provision of the Declaration or these Bylaws that each of said Owners shall not be entitled to cast the vote allocated to such Lot nor may fractional votes be cast. When more than one person or entity owns the interest or interests in and to any Lot, as required for membership in the FCEPOA, each and every person or entity shall be a Member, and the vote for any such Lot shall be exercised as they, among themselves, collectively determine and they shall designate one person to cast the vote or execute a written consent, as applicable. The Owners of such a lot will notify the FCEPOA, in writing, of the person so designated. Such notice will not be valid unless signed by all Owners of such Lot. The FCEPOA shall not be required to recognize the vote or written assent of any such multiple Owners except the vote or written assent of the Owner designated in writing executed by all such multiple Owners and delivered to the FCEPOA. If such Owners are unable to agree among themselves as to how the one vote per Lot shall be cast, they shall forfeit the right to vote on the matter in question. If more than one person or entity purports to exercise the voting rights with respect to any such Lot on any matter in question, none of such votes shall be counted in tabulating the vote on such matter and such votes shall be deemed void.

Section 3.05. Quorum, Notice of Election or FCEPOA Vote and Voting Requirements.

(a) Subject to the provisions of Paragraph (d) of this Section, any action taken at a meeting of the Members for which voting requirements are not specifically addressed by the Declaration shall require the assent of the majority of all of the votes of those who are voting in person or by proxy, at a duly called meeting at which a quorum is present.

(b) The presence at the initial meeting of Members entitled to cast, or of proxies entitled to cast, sixty percent (60%) of the votes of all Owners shall constitute a quorum for any

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action except as otherwise provided in the Certificate of Formation, the Declaration or these Bylaws. If the required quorum is not present or represented at the meeting, subsequent meetings may be called, subject to the notice requirements set forth below, and the required quorum at each subsequent meeting shall be one-half (1/2) of the required quorum at the preceding meeting; provided, however, that no such subsequent meeting shall be held more than sixty (60) days following the preceding meeting, and provided that once the required quorum for the subsequent meeting is present or represented at the meeting, no further subsequent meetings with reduced requirements for a quorum shall be held.

(c) Written Notice of a meeting or election or vote of the Members shall be given by, or at the direction of the secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least ten (10) but not more than sixty (60) days before such meeting to each Member, addressed to the Member's address last appearing on the books of the FCEPOA, or supplied by such Member to the FCEPOA for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting. Owners may opt for alternative method of notice via email by requesting "Email Notice" and register a current email address with the FCEPOA. Members receiving notice by e-mail are required to keep an updated email address registered with the FCEPOA.

(d) As an alternative to the procedure set forth above, any action referred to in this Section may be taken without a meeting if a consent in writing, approving of the action to be taken, shall be signed by all Members or the percentage of Members required by the Declaration to take such action.

(e) In the event of a conflict between these Bylaws, the Declaration and the Certificate of Formation in the notice, voting and quorum requirements for actions to be taken by the FCEPOA, the requirements under the Declaration shall control.

Section 3.06. Proxies. At all meetings of Members, each Member may vote in person or by proxy. All proxies shall be in writing and filed with the Secretary before the appointed time of each meeting. Proxies shall be revocable and shall automatically cease upon conveyance by the Member of his Lot, or upon receipt by the Secretary of the FCEPOA of notice of the death or judicially declared incompetence of such Member. Unless otherwise provided in the proxy, no proxy shall be valid after the expiration of eleven (11) months from the date thereof unless otherwise provided therein, except that the maximum term of any proxy shall be three (3) years from the date of execution.

Section 3.07. Action Without Meeting By Written Consent. Any action which may be taken by the Members at a regular or special meeting, other than the election of directors, may be taken without a meeting if done in compliance with relevant provisions of the Texas Nonprofit Corporation Law and these Bylaws.

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ARTICLE IV. MEETINGS

Section 4.01. Annual Meeting. The annual meetings shall be set by the Board of Directors (The Board) so as to occur between October 1<sup>st</sup> and November 15<sup>th</sup> each year. The time and place of all annual meetings shall be determined by The Board. The Board shall give written notice of the place of holding of the meeting to all Members.

Section 4.02. Special Meetings. Special meetings of the Members may be called at any time by the President, by The Board, or upon the written request for a special meeting from Members who are entitled to vote at least sixty percent (60%) of the outstanding votes of the Members.

Section 4.03. Parliamentary Procedures. Robert's Rules Of Order is the standard for facilitating all FCEPOA meetings.

ARTICLE V. BOARD OF DIRECTORS/OFFICERS

Section 5.01 All Directors/officers of the board must be a property owner in Four Corners Estates subdivision.

Section 5.02. Enumeration of the Board. The affairs of the FCEPOA shall be managed by a Board of not less than five (5) or more than seven (7) directors/officers (herein, the "Board"). The officers of the FCEPOA shall be Board members as follows, President, Vice President, Secretary, Treasurer, and Member-At-Large Representative. Other officers or directors may be designated by the FCEPOA Members. The number of directors/officers may be changed by amendment of these Bylaws.

Section 5.03. Term of Office. Directors/officers shall serve a term of two (2) years, with no limitations on future terms.

Section 5.04 Removal and Resignation. Any director/officer or the entire Board may be removed from office by a majority of the FCEPOA members vote with or without cause. Any director/officer may resign at any time by giving written notice to any board member. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 5.05. Vacancies. Vacancies on the Board shall be filled by a vote of board members. Such director/officers shall serve until the next member meeting.

Section 5.06. Indemnification of Officers and Directors. Except in cases of fraud, willful malfeasance, gross negligence or bad faith of the director or officer in the performance of duties, and subject to the provisions of applicable Texas law, each director and officer shall be indemnified by the FCEPOA and the Members against all expenses and liabilities, including

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attorneys' fees, reasonably incurred by or imposed upon him or her by judgment or settlement in connection with any proceeding to which he or she may be a party, or may become involved by reason of being or having been a director or officer of the FCEPOA. The FCEPOA may indemnify its officers and directors to the extent permitted by the Texas Business Organizations Code. The FCEPOA may purchase and maintain insurance on behalf of any director or officer or may enter into other arrangements, such as creating a trust fund, establishing a form of self-- insurance, or establishing a letter of credit, guaranty or surety arrangement, in connection with indemnification of directors and officers, provided, however, that in no event shall the grant of a security interest or other lien on the assets of the FCEPOA ever be given to secure an indemnity obligation under this Section 5.05.

Section 5.07. Compensation and Loans. No board member shall receive compensation for any service such director may render to the FCEPOA. However, directors shall be reimbursed for actual expenses incurred in the performance of his or her duties of office. No loans may be made by the FCEPOA to any officer or director of the FCEPOA.

Section 5.08. Action Without Meeting and Telephone Meetings. The directors shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of the number of directors necessary to take that action at a meeting at which all of the directors are present and voting. Any action so approved shall have the same effect as though taken at a meeting of the directors. The Board may hold duly called meetings between directors by conference, telephone or other similar communications equipment by means of which all participants in the meeting can hear each other and be heard. All owners in attendance must be able to hear all other board members and/or be allowed to listen using any electronic or telephone communication method used by the board members.

Section 5.09. Duties. The duties of the officers are as follows:

(a) President. The President shall (i) preside at all meetings of the Board; (ii) see that orders and resolutions of the Board are carried out; (iii) sign all contracts, leases, mortgages, deeds and other written instruments; provided, however, that any duly Authorized officer may sign checks and promissory notes; and (iv) shall perform such other duties as may be required by the Board.

(b) Vice President. Vice President shall (i) act in the place and stead of the President in the event of the President's absence, inability or refusal to act; and (ii) shall exercise and discharge such other duties as may be required by the Board.

(c) Secretary. The Secretary shall (i) record the votes and keep the minutes of all meetings and proceedings of the Board and of the Members; (ii) serve notice of meetings of the Board and of the Members; (iii) keep appropriate current records showing the Members of the FCEPOA together with their addresses, phone number and Email address; and (iv) perform such other duties as required by the Board.

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(d) Treasurer. The Treasurer shall (i) receive and deposit in appropriate bank accounts all monies of the FCEPOA; (ii) disburse such funds as directed by resolution of the Board; (iii) maintain the financial records of the FCEPOA; and (iv) perform such other duties of a similar nature as may be required by the Board.

(e) Member At Large. The Member at Large shall; (i) serve as the chairperson for the New Construction/Modification/Restrictions Committee, (ii) keep records of all construction or building modification approved or denied, (iii) forward any deed restriction violation to the board for action, and (iv) perform such other duties of a similar nature as may be required by the board.

#### ARTICLE VI. NOMINATION AND ELECTION OF DIRECTORS/OFFICERS

Section 6.01. Nominations. Nominations for election to the Board shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting. The Nominating Committee shall consist of a Chairman, who shall be a member of the Board, and two or more Members. The Nominating Committee shall be appointed by the Board not less than sixty(60)days prior to each annual meeting of the Members, to serve from the close of such annual meeting until the close of the next annual meeting and such appointment shall be announced at each annual meeting. The Nominating Committee shall disseminate a Solicitation Notice to all Members at least thirty (30) days prior to absentee ballots or other ballots being disseminated, providing the opportunity for each Members to submit their candidacy. The Nominating Committee shall include the names of all Members who submit their name for candidacy and any recommendation by the Nominating Committee. The Nomination Committee must submit enough candidates to fill the vacancies on the Board. Such nominations must be made from Owners or, where such Owner is not an individual person, an officer, director, shareholder, partner or representative of an Owner.

Section 6.02. Election of Board. At each annual duly called meeting thereafter at which a quorum is present, the Members, voting, shall elect to replace those directors/officers whose terms have expired. At such elections 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 these By-Laws. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

#### ARTICLE VII MEETINGS OF DIRECTORS/OFFICERS

Section 7.01. Regular Meetings. Regular meetings of the Board shall be held quarter-annually at such place within the Polk County, State of Texas, and at such hour and date by resolution of the Board. Notice of the agenda, the time, the date and place of the meeting shall be delivered either personally, by mail, by Email, by telephone, telegraph, or facsimile communication equipment to all directors and FCEPOA members, not less than four (4) days prior to the meeting. Attendance in person at a meeting, except where such director attends for the express purpose of objecting to the transaction of any business on the ground that the

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meeting is not lawfully called or convened, shall constitute waiver of notice and such director's consent to the holding of said meeting. Participation by a director in a meeting by telephone or similar communication equipment shall constitute waiver of notice and attendance in person at such meeting.

Section 7.02. Special Meetings. Special meetings of the Board shall be held when called by written notice signed by the President or by any two (2) directors other than the President. The notice shall specify the date, time and place of the meeting and the nature of any special business to be considered. The notice shall be sent to all directors and FCEPOA members by phone, by mail or Email not less than three (3) days prior to the scheduled date of the meeting. Attendance in person at a meeting, except where such director attends for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened, shall constitute waiver of notice and such director's consent to the holding of said meeting. Participation by a director in a meeting by telephone or similar communication equipment shall constitute waiver of notice and attendance in person at such meeting.

Section 7.03. Quorum. A majority of the total number of directors constituting the Board shall constitute a quorum for the transaction of business. Every act performed or decision made by a majority of the directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

Section 7.04. Open Meetings. All meetings of the Board shall be open to all Members, but Members other than directors may not participate in any discussion or deliberation unless expressly so authorized by a majority of a quorum of the Board.

Section 7.05. Executive Session. The Board may, with approval of a majority of a quorum of the Board, adjourn a meeting and reconvene in executive session to discuss and vote upon personnel matters, litigation in which the FCEPOA is or may become involved, disciplinary matters, and orders of business of a similar nature. The nature of any and all business to be considered in executive session shall first be announced in open session.

ARTICLE VIII. GENERAL POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 8.01. Powers and Duties. The affairs of the FCEPOA shall be conducted by the Board. In addition to the powers and duties enumerated in the Declaration or elsewhere herein, and without limiting the generality thereof, the Board, for the mutual benefit of the Members, shall have the powers and/or duties set forth in the Declaration and the following powers and/or duties:

(a) If the Board, in its sole discretion, deems necessary it may take such action to enforce the terms and provisions of the Declaration, the Certificate of Formation and these Bylaws by appropriate means and carry out the obligations of the FCEPOA thereunder, including, without limitation, the expenditure of funds of the FCEPOA, the employment of legal counsel and accounting services, the commencement of legal causes of action, the promulgation and

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enforcement of the FCEPOA rules which may include the establishment of a system of fines and/or penalties enforceable as special individual assessments as provided in the Declaration and to enjoin and/or seek legal damages from any Member for violation of such provisions or rules;

(b) To contract for and maintain such policy or policies of insurance as may be required by the Declaration or as the Board deems necessary or desirable in furthering the purposes of and protecting the interest of the FCEPOA and its Members;

(c) To enter into contracts for legal and accounting services, maintain bank accounts, and generally, to have the powers necessary or incidental to the operation and management of the FCEPOA.

(d) If, the Board, in its sole discretion, deems it necessary it may, but shall not be obligated to, sue and defend in any court of law on behalf of the FCEPOA or one (1) or more of its Members;

(e) To establish and maintain a working capital and/or contingency fund in an amount to be determined by the Board;

(f) To make reasonable rules and regulations for the use of the Common Areas and to amend same from time to time;

(g) To make an unaudited annual report available, within one hundred twenty (120) days after the end of each fiscal year to each Owner;

(h) Subject to the terms of the Declaration, to adjust the amount, collect and use any insurance proceeds to cover any insured liability of the FCEPOA;

(i) To delegate its powers and duties to committees, officers or employees as provided in these Bylaws, employ a manager or other persons and contract with independent contractors or managing agents who have professional experience to perform all or any part of the duties and responsibilities of the FCEPOA, provided that any contract with a person or entity appointed as a manager or managing agent shall be terminable with or without cause on not more than ninety (90) days written notice by the FCEPOA and shall have a term of not more than one (1) year with successive one (1) year renewal periods upon the mutual agreement of the parties;

(j) To maintain a complete record of all its acts and corporate affairs and to present a statement thereof to the Members at the annual meeting of the Members, or at any special meeting when such statement is requested in writing by twenty-five (25) percent or more of the outstanding votes of the Members.

(k) Generally, to have the powers necessary or incidental to the operation and management of the FCEPOA.



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SECTION 8.02. ACTION THE BOARD MAY NOT CONSIDER or VOTE ON. Unless done in an open board meeting with notice to members, the Board may not consider or vote on the following specific issues:

- (a) Lending or borrowing money
- (b) The adoption or amendment of a dedicatory instrument or Bylaws.
- (c) The approval of annual budget.
- (d) The sale or purchase of real property.
- (e) Filling of vacancy on the board
- (f) Construction of capital improvements other than repair, replacement or enhancement of existing capital improvements.

Section 8.03. Contracts Terminable. The Board shall not enter into any contracts or agreements unless such contracts or agreements are terminable by the Board upon ninety (90) days prior written notice or less.

ARTICLE IX. COMMITTEE

Section 9.01. New Construction/Modification/Restriction Committee. The New Construction/Modification/Restriction Committee is chaired by the member at large board officer. Other committee members shall be appointed by the Board, as provided in the declaration. The provisions of the Declaration specifically set forth the rights, duties, obligations, responsibilities and liabilities of the New Construction/Modification/Restriction Committee and its members.

Section 9.02. Additional Committees. The Board shall appoint other committees as deemed appropriate in carrying out the purpose of FCEPOA.

ARTICLE X. CORPORATE SEAL

The FCEPOA may adopt a seal, but FCEPOA shall not be required to adopt a seal, and the absence of seal shall not affect the enforceability of any document or action.

ARTICLE XI. BOOKS AND RECORDS

Section 11.01. Inspection by Members. The membership register, books of account and minutes of meetings of the Members, of the Board and of committees shall be made available for inspection and copying by any Member or by the Member's appointed representative, at any reasonable time and for a purpose reasonably related to the Member's interest, at the office of the FCEPOA or at such other place as the Board may designate.

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Section 11.02. Rules for Inspection. The Board shall establish reasonable rules with respect to:

- (a) Notice to be given to the custodian of the records by the Member desiring to make the inspection;
- (b) Hours and days of the week when such an inspection may be made; and
- (c) Payment of the cost of reproducing copies of requested documents.

Section 11.03. Inspection by Directors/Officers. Every director/Officer shall have the absolute right at any reasonable time to inspect all books, records, and documents of the FCEPOA and the physical property owned by the FCEPOA. The right of inspection by a director/Officer includes the right to make extra copies of documents.

#### ARTICLE XII ASSESSMENTS

The provisions of the Declaration specifically set forth the rights, obligations and liabilities of the FCEPOA and its Members relative to the levy, collection and use of assessments and those provisions are incorporated herein by reference for all purposes.

ARTICLE XIII INDEMNIFICATION. Subject to the provisions of Title I, Chapter 8 of the Texas Business Organizations Code, the FCEPOA may indemnify directors, officers, agents and employees as follows:

##### Section 13.01 Extent.

(a) Statutorily Required Indemnification. The FCEPOA shall indemnify its directors and officers against reasonable expenses incurred in connection with a proceeding in which the director or officer is named as a defendant or respondent because he is or was a director or officer of the FCEPOA if he has been wholly successful, on the merits or otherwise, in the defense of the proceeding. The FCEPOA may, at the direction and in the sole discretion of the Board, pay for or reimburse the director or officer for the payment of his reasonable expenses in advance of the final disposition of the proceeding, provided that the FCEPOA receives in writing (i) an affirmation by the director or officer of his good faith belief that he has met the standards of conduct necessary for indemnification under Section 8.101 of the Texas Business Organizations Code, and (ii) an undertaking by or on behalf of the director or officer to repay the amount paid or reimbursed if it is ultimately determined such standards of conduct have not been met or that indemnification is prohibited by the Texas Business Organizations Code.

(b) Permitted Indemnification. The FCEPOA, at the direction of and in the sole discretion of the Board, shall have the right, to such further extent as permitted by law, but not the obligation, to indemnify any person who (i) is or was a director, officer, employee, or agent of

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the FCEPOA, or (ii) while a director, officer, employee, or agent of the FCEPOA, is or was serving at its request as a director, officer, partner, venturer, proprietor, trustee, employee, agent, or similar functionary of another foreign or domestic corporation, partnership, joint venture, sole proprietorship, trust, employee benefit plan, or other enterprise.

Section 13.02. Insurance. The FCEPOA may purchase and maintain insurance or another arrangement on behalf of any person who is or was a director, officer, employee, or agent of the corporation or who is or was serving at its request as a director, officer, partner, venturer, proprietor, trustee, employee, agent, or similar functionary of another foreign or domestic corporation, partnership, joint venture, sole proprietorship, trust, employee benefit plan, or other enterprise against any liability asserted against him and incurred by him in such a capacity or arising out of his status as such a person, whether or not the FCEPOA would have the power to indemnify him against that liability pursuant to the provisions of the Texas Business Organizations Code. Furthermore, the FCEPOA may, for the benefit of persons indemnified by the FCEPOA, (i) create a trust fund; (ii) establish any form of self-insurance, (iii) secure its indemnity obligation by grant of a security interest or other lien on the assets of the FCEPOA; or (iv) establish a letter of credit, guaranty, or surety arrangement.

#### ARTICLE XIV AMENDMENTS

These Bylaws or the Certificate of Formation may be amended at a regular or special meeting of the Members by a vote (in person or by proxy) or written consent, as provided in Article III of these Bylaws. Additional these Bylaws or the Certificate of Formation may be amend as necessary: (i) to bring any provision into compliance with any applicable governmental statutes, rule, regulation or judicial determination; (ii) to comply with the requirements of the VA, HUD (Federal Housing Administration), FHLMC or FNMA or any other applicable governmental agency or secondary mortgage market entity; or (iii) as necessary to clarify or to correct technical, typographical or scrivener's errors; provided, however, any amendment pursuant to clause (i), (ii) and/or (iii) immediately above must not have a material adverse effect upon any right of any Owner. Amendment to the Certificate of Formation shall be effective upon Recording. Amendment to these bylaws shall be effective upon ratification by the members.

#### ARTICLE XV MISCELLANEOUS

Section 15.01. Fiscal Year. The fiscal year of the FCEPOA shall begin on the first day of January and end on the 31st day of December of every year.

Section 15.02. Interpretation. In the case of any conflict between the Certificate of Formation and these Bylaws, the Certificate of Formation shall control; in the case of any conflict between the Declaration and these Bylaws, the Declaration shall control; and in the case of any conflict between the Declaration and the laws of the State of Texas governing non-profit corporations, the laws of the State of Texas shall control; provided, however, to the extent reasonably practical, the Certificate of Formation, Bylaws and Declaration shall be construed and interpreted together as consistent and non-conflicting documents, such being the intent thereof.

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CERTIFICATION

I, the undersigned, am the duly elected President of Four Corners Estates Property Owners Association (FCEPOA), a non-profit corporation, and I do hereby certify:

That the within and foregoing Amended, and Restated Bylaws were adopted as the Bylaws of said corporation, that the same do now constitute the Bylaws of said corporation, and that they have been modified, amended from the original Bylaws.

As modified and amended hereby, the Bylaws where ratified at the 2019 Annual Member meeting and confirmed as in full force and effect. EXECUTED as this 6<sup>th</sup> day of August 2020.

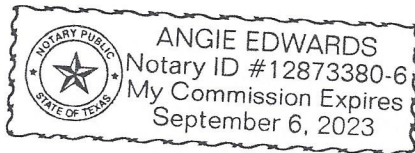
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By: *Allen W Borchers*  
Allen W. Borchers  
Director – President FCEPOA

STATE OF TEXAS }

COUNTY OF POLK }

This instrument was acknowledged before me on August 6, 2020 by Allen W. Borchers, President Four Corners Estates Property Owners Association a Texas non-profit Corporation.



*Angie Edwards*  
Notary Public, State of Texas