

Hood County Clerk  
201 W Bridge Street  
PO BOX 339  
Granbury Texas, 76048  
Phone: 817-579-3222

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BY-LAWS

Grantor: BLUE WATER SHORES POA

Pages: 9

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<b>Recorded On:</b> 12/29/2011 10:48 AM	<b>Notes:</b>     
<b>Document Number:</b> 2011-0014030	
<b>Receipt Number:</b> R1114032	
<b>Amount:</b> \$44.50	
<b>Recorded By:</b> Virginia Chavero	

Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**I hereby certify that this instrument was filed and duly recorded in the Official Records of Hood County, Texas**



Mary Burnett  
County Clerk  
Hood County, Texas



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BLUE WATER SHORES POA  
6501 BLUE WATER CT  
GRANBURY, TX 76049



**BYLAWS  
OF  
BLUE WATER SHORES PROPERTY OWNERS' ASSOCIATION**

**Article I  
NAME AND LOCATION**

The name of the corporation is Blue Water Shores Property Owners' Association, hereinafter referred to as the "Association."

The principal office of the Association shall be located at 6501 Blue Water Court, Granbury, Texas 76049, but meeting of members and directors may be held at such places within the State of Texas, County of Hood, as may be designated by the Board of Directors.

**Article II  
DEFINITIONS**

Section 1. "Association" shall mean and refer to Blue Water Shores Property Owners' Association, its successors and assigns.

Section 2. "Properties" shall mean and refer to that certain real property described in the Declaration of Restrictions and Reservations, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

Section 3. "Common Area" shall mean all real property owned by the Association for the common use and enjoyment of the owners.

Section 4. "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of the properties with the exception of the Common Area.

Section 5. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 6. "Declaration" shall mean and refer to the Declaration of Restrictions and Reservations applicable to the Properties recorded in the Office of the County Clerk of Hood County, Texas.

Section 7. "Member" shall mean and refer to those persons entitled to membership as provided in the Declaration.

**Article III  
MEETING OF MEMBERS**

Section 1. Annual Meetings. An annual meeting of the members shall be held each year, on the first Saturday in the month of August, at the hour of 10:00 a.m. (ten o'clock a.m.) Central

Standard Time. If the day of the annual meeting of the members is a legal holiday, the meeting will be held at the same hour on the first Saturday following which is not a legal holiday.

Section 2. Special Meetings. Special meetings of the members may be called at any time by the president or by the Board of Directors, or upon written request of the members who are entitled to vote a majority of the votes of the membership.

Section 3. Notice of Meetings. Written notice of each meeting 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 30 but not more than 60 days before such meeting to each member entitled to vote thereat, addressed to the member's address last appearing on the books of the Association, or supplied by such member of the Association 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.

Section 4. Quorum. The presence at an annual or special meeting of members entitled to cast, or of proxies entitled to cast the votes of the Association membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration, or these Bylaws. If, however such quorum is less than 10% (ten per cent) of the membership at any meeting, the members entitled to vote thereat shall have the power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

Section 5. Proxies. At all meeting of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with proxy secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his or her Lot.

#### Article IV BOARD OF DIRECTORS, SELECTION, TERM OF OFFICE

Section 1. Number. The affairs of this Association shall be managed by a Board of seven (7) Directors, who must be members of the Association. Directors shall be elected at the annual meetings of the members, on a three year periodic cycle. In years one and two of the cycle, three (3) directors shall be elected, and in year three one (1) director shall be elected.

Section 2. Term of Office. The term of office of each director elected at the annual meetings of the members shall be three (3) years. At each annual election of Directors, the two non-elected candidates receiving the highest number of votes shall serve as alternate directors until the next annual meeting and shall be entitled to nomination for replacement of any director and shall be available by written proxy to represent any absent director as required to have a quorum for the Board of Directors meetings.

Section 3. Removal. Any director may be removed from the Board with or without cause, by a 2/3 majority vote of the Board of Directors. In the event of death, resignation or removal of a director, the successor shall be selected by the remaining members of the Board in compliance with Article IV, Section 2, and shall serve until the next meeting of the Association membership.

Section 4. Compensation. No director or officer shall receive compensation for any service he or she may render to the Association. However, any director or officer of the Association may be reimbursed for actual expenses incurred in the performance of his or her duties.

Section 5. Action Taken Without a Meeting. 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 a majority of all the directors. Any action so approved shall have the same effect as though taken at a meeting of the Directors.

#### Article V NOMINATION AND ELECTION OF DIRECTORS

Section 1. Nomination. Nomination for election to the Board of Directors 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 of Directors, and two or more members of the Association. The Nominating Committee shall be appointed by the Board of Directors 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. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall at its discretion determine, but not less than the number of vacancies that are to be filled. Such nominations may be made from among the members. Husband and wife may not serve on the Board at the same time.

Section 2. Election. Election to the Board of Directors shall be by secret written ballot. 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. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

#### Article VI MEETING OF DIRECTORS

Section 1. Regular Meetings. Regular meetings of the Board of Directors shall be held monthly without notice, at such place and hour as may be fixed from time to time by resolution of the Board. Should said meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday.

Section 2. Special Meetings. Special meetings of the Board of Directors shall 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.

Section 3. Quorum. A majority of the number of directors shall constitute a quorum for the transaction of business. Every act or decision done or 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.

Article VII  
POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 1. Powers. The Board of Directors shall have the power to:

- (a) Adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof;
- (b) Suspend the voting rights and the right to use of the recreational facilities of a member during any period in which such member shall be default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed 60 days for infraction of published rules and regulations;
- (c) Exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these bylaws, the Articles of Incorporation, or the Declaration;
- (d) Declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors; and
- (e) Employ a manager, an independent contractor, or such other employees as they deem necessary, and to prescribe their duties.

Section 2. Duties. It shall be the duty of the Board of Directors to:

- (a) Cause to be kept 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 a majority (50% plus one vote) of the members who are entitled to vote;
- (b) Supervise all officers, agents and employees of this Association, and to see 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 thereto 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 thirty (30) days after due date or bring action at law against the owner personally obligated to pay the same.
- (d) Procure and maintain adequate liability and hazard insurance on property owned by the Association;



- (e) Cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate; and
- (f) Cause the Common Area to be maintained;
- (g) Cause the exterior of the dwellings to be maintained.

#### Article VIII OFFICERS AND THEIR DUTIES

Section 1. Enumeration of Officers. The Officers of this Association shall be a president and vice president, a secretary and a treasurer, and such other officers as the Board may from time to time by resolution create, who shall at all times be members of the Association.

Section 2. Election of Officers. The election of officers shall take place at the first meeting of the Board of Directors following each Annual Meeting of the members, which shall occur within thirty (30) days of such Annual Meeting.

Section 3. Term. The Officers of this Association shall be elected annually by the Board and each shall hold office for one (1) year unless she or he shall sooner resign or shall be removed or otherwise be disqualified to serve.

Section 4. Special Appointments. The Board may elect such other officers as the affairs of the Association may require, each of whom shall 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, with or without cause, by the Board. Any officer may resign at any time, giving written notice to the Board, the president or the secretary. 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 6. Vacancies. A vacancy in any office will be filled by appointment by the Board. The officer appointed to such vacancy shall serve for the remainder of the term of the officer replaced.

Section 7. Multiple Offices. The offices of Secretary and Treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices except in the case of special offices created pursuant to Section 4 of the Article.

Section 8. Duties. The duties of the officers are as follows:

##### President

- (a) The president shall preside at all meetings of the Board of Directors; shall see that orders and resolutions of the Board are carried out; shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all checks and promissory notes.

Vice President

(b) The vice president shall act in the place and stead of the president in the event of his or her absence, inability or refusal to act, and shall discharge such other duties as may be required of him or her by the Board of Directors.

Secretary

(c) The secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; service notice of meetings of the Board and of the members; keep appropriate current records showing the members of the Association together with their addresses, and shall perform such other duties as required by the Board. Within thirty (30) days of the annual meeting of the members, the secretary shall file a Form 802/9.01 Report, or its successor, with the Corporations Section of the Secretary of State for Texas.

Treasurer

(d) The treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall sign all checks and promissory notes of the Association; keep proper books of account; cause an annual audit of the Association books to be made by a public accountant at the completion of each fiscal year; and shall prepare an annual budget and a statement of income and expenditures to be presented to the members at its regular Annual Meeting, and deliver a copy of each to the members.

Article IX  
COMMITTEES

The Association shall appoint an Architectural Control/Restriction Committee and a Nominating Committee. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purpose, including standing committees for maintenance, security and membership. Each of these committees will be chaired by a Director and consist of at least three members and shall serve for 1 year or until the next Annual Meeting. Each committee will establish rules for that committee's activity. The President shall be an ex-officio member of each committee.

Article X  
BOOKS AND RECORDS

The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any member. The Declaration, the Articles of Incorporation and the Bylaws of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at reasonable cost as specified by the Board of Directors.

**Article XI  
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 upon the property against which the assessment is made. Any assessment which is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of the delinquency at the rate of ten percent (10%) per annum, and the Association may bring action at law against the Owner personally obligated to pay the same or foreclose the lien against the property, and interest, costs and reasonable attorney's fees of any such action shall be added to the amount of such Assessment. No Owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Common Area or abandonment of his or her Lot.

**Article XII  
PROPERTY USAGE**

All present or future owners, tenants, future tenants of any Property, or any other person who might use in any manner the facilities of that Property are subject to the provisions and any regulations set forth in or derived from these Bylaws. The mere acquisition, lease or rental of all or any portion of a Property or the mere act of occupancy of all or any portion of a Property will signify that these Bylaws are accepted, approved, ratified and will be complied with, without exception.

**Article XIII  
AMENDMENTS**

Section 1. These Bylaws may be amended, at an annual or special meeting of the members, by a vote of a majority (50% plus 1 vote) of a quorum of members present in person or by proxy, as defined in Article III, Section 4 above.

Section 2. In case of any conflict between the Articles of Incorporation and these Bylaws, the Articles shall control; and in the case of any conflict between the Declaration and these Bylaws, the Declaration shall control.

**Article XIV  
MISCELLANEOUS**

The fiscal year of the Association shall begin on the first day of August and end on the 31st day of July of every year.


**Article XV  
PARLIAMENTARY PROCEDURES**


All meetings shall be conducted under parliamentary procedures rules established by Roberts Rules of Order Revised. The President shall appoint a parliamentarian to be responsible for ensuring that all meetings are conducted in an orderly/time efficient manner.




These revised Bylaws supercede the original Bylaws, dated June 8, 1987, as thereafter amended. The effective date of these Bylaws shall be August 2, 2008.

In witness whereof, we, being all of the directors of Blue Water Shores Property Owners' Association, have hereunto set our hands on this 27 day of August, 2008.

  
James E. Cottle

  
Robert J. Oller

  
Charley LaFontaine, Jr.

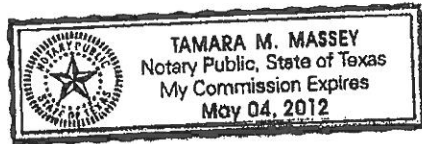
  
Tom LaCourse

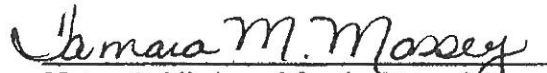
  
Carol L. Bane

  
Paula Green

  
LaLonnie Marschel

SWORN TO on this the 27<sup>th</sup> day of August, 2008, by the above-named directors.



  
Notary Public in and for the State of Texas

RET.  
BLUE WATER SHORES PROPERTY OWNERS ASSOCIATION  
6501 BLUE WATER ST. GRANBURY, TX 76049