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**Third AMENDED BYLAWS OF  
ARLINGTON LV HOA, INC.**

1. DEFINITIONS

1.1 **“Association”** shall mean ARLINGTON LV HOA, INC., a non-profit corporation which has the power, duty, and responsibility of maintaining and administering the Common Properties (as defined below), and collecting the assessments and charges prescribed in the Declaration (as defined below), and has the right of administering and enforcing the Declaration.

1.2 **“Board”** shall mean the governing body of the Association, elected pursuant to the bylaws of the Association.

1.3 **“Common Properties”** shall mean and refer to the “Common Property” as defined and referred to in the Declaration.

1.4 **“Declaration”** shall mean and refer to the Declaration of Covenants, Restrictions, and Easements for Lago Vista, as recorded in the deed records of Tarrant County, Texas, along with all amendments, annexations, and supplements made in accordance with its terms or the laws of the State of Texas.

1.5 **“Lot”** shall mean any parcel of land shown upon a subdivision plat or re-plat recorded in the plat records of Tarrant County, covering any portion of the Property.

1.6 **“Member”** shall mean and refer to each Owner (as defined below) who shall be a member of the Association.

1.7 **“Owner”** shall mean the record owner, whether one or more persons or entities, of a fee simple title to any Lot.

1.8 **“Property”** shall have the meaning specified in the Declaration and refer to the property which is the subject of the Association.

2. OFFICES

2.1 Registered Office and Agent. The registered office of the Association is 515 Houston St, Suite 701, Fort Worth Texas 76102. The registered agent of the Association is L. Kelly Jones, Esq., and his office is the above address.

2.2 Management Certificate. The Board shall record, in the real property records of the county, a management certificate, signed and acknowledged by an



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Fees: \$67.00

NOTICE

SUBMITTER: DAVID CRAWFORD

*Mary Louise Nicholson*  
MARY LOUISE NICHOLSON  
COUNTY CLERK

officer or the managing agent of the Association, stating the name of the subdivision, the name of the Association and mailing address of the Association, the recording data for the subdivision, the recording data for the Declaration, the name and mailing address of the person managing the Association or the Association's designated representative, and other information the Association considers appropriate. The Board shall record an amended management certificate not later than the 30<sup>th</sup> day after the date the Association has notice of a change in any information in any prior recorded certificate.

### 3. MEETINGS

3.1 Place of Meetings. All meetings of the Members for the election of directors will be held at an announced location in Tarrant County, as specified in the notice of the meeting. Meetings of Members for any other purpose may be held at such time and place, within Tarrant County as stated in the notice of the meeting.

3.2 Annual Meeting. An annual meeting of the Members will be held on the second Monday of February of each year, at the hour of 7:00 o'clock p.m.; provided, however, that should said day fall upon a legal holiday, then at the same time on the next available date. At such meeting reports of the affairs of the Association will be considered, and any other business may be transacted which is within the power of the Members. Based on the results of the recent election, the new board of directors will assume their responsibilities at the conclusion of this meeting.

3.3 Board Meetings. Regular Board meetings will be held at least quarterly, or more frequently if called by the president or by a majority of board members, at such time and within Tarrant County as determined by the Board. Notice of all meetings of the directors will be given to the Members, at least 6 days in advance via email and by posting on the association website or posting in a conspicuous manner within the community. All meetings of the directors will be open to any Member to attend. Minutes will be taken and furnished to all members within ten days of such meeting. Executive sessions of the Board are allowed in accordance with the laws of the State of Texas.

3.4 Call for Special Meetings. Special meetings of the Members for any purpose or purposes, unless otherwise prescribed by statute, the certificate of formation, or these bylaws, may be called by the president, the majority of the Board or not less than 13 Members entitled to vote at the meetings. Business transacted at any special meeting will be confined to the subjects stated in the notice of the meeting.

3.5 Notice for Special Meetings. Written or printed notices stating the

place, date, time, agenda, and the purpose or purposes of the meeting, including a general description of any matter to be brought up for deliberation in the special meeting, will be mailed no later than 10 days and no earlier than 60 days before the meeting or provided at least 72 hours prior to the meeting by posting in a conspicuous manner within the community or on a community webpage and sending the notice by email to each owner who has registered an email with the Association.

3.6 List of Members. The secretary of the Association shall compile, at least ten days before each meeting of Members, a complete list of the Members entitled to vote at such meeting, arranged in alphabetical order, with the physical address of each Member, as well as any registered email address, which shall be kept on file at the principal office of the Association, and such other locations determined by the Board, and shall be subject to inspection by any Member at any time during usual business hours. Such list shall also be produced and kept open at the time and place of the meeting, and shall be subject to inspection by any Member during the meeting. A Member may change his or her mailing address or email address in the Association records by giving notice of the change to the secretary of the Association.

#### 4. VOTING

4.1 Voting. Members will have the right to vote on any Association ballot in person, by absentee ballot, mail, or electronically. However, absentee or electronic ballots shall not be counted if the Member attends the meeting to vote in person, or if the motion is amended at the meeting to be different from the exact language on the absentee or electronic ballot. All ballots must be written and signed by the Member. Valid electronic votes constitute written and signed ballots.

a. The Board will provide written notice of any meeting requiring a vote by Members using one of the options provide in article 3.5 above.

b. Members will have the right to make motions from the floor for Member voting.

c. Absentee and electronic ballots will be provided on the website or on request by the Member to the Secretary and must contain each proposed action, provide an opportunity to vote for or against each proposed action, contain instructions for delivery, and contain the following language:

"By casting your vote via absentee ballot you will forgo the opportunity to consider and vote on any action from the floor on

these proposals, if a meeting is held. This means that if there are amendments to these proposals, your votes will not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person. You may submit an absentee ballot and later choose to attend any meeting in person, in which case any in-person vote will prevail."

4.2 Prohibition of Cumulative Voting. Directors will be elected by plurality vote. Cumulative voting will not be permitted.

4.3 Quorum. Valid absentee and electronic votes shall be counted as a Member present and voting for the purpose of establishing a quorum only for items appearing on the ballot.

4.4 Board Quorum. At all meetings of the Board, the presence of three of the directors, in person, virtually, or by telephone, is necessary and sufficient to constitute a quorum for the transaction of business.

## 5. DIRECTORS

5.1 Powers. The business and affairs of the Association will be managed by its Board who may exercise all powers of the Association, and may do all lawful acts and things which are not by statute, the Declaration, the certificate of formation, or these bylaws directed or required to be exercised or done by the Members.

5.2 Duties. Directors will discharge their duties, including any duties as officers or committee members, in good faith, with ordinary care, and in a manner they reasonably believe to be in the Association's best interest. In this context, the term "ordinary care" means the care that ordinarily prudent persons in similar positions would exercise under similar circumstances. In discharging any duty imposed, or power conferred upon directors, directors may, in good faith, rely on information, opinions, reports, or statements, including financial statements and other financial data, concerning the Association or another person, that has been prepared or presented by a variety of persons, including officers and agents of the Association, professional advisors, or experts, such as accountants or legal counsel. A director is not relying on information in good faith if he or she has knowledge concerning a matter in question that renders reliance unwarranted. Directors are not deemed to have the duties of a trust

with respect to the Association, or with respect to any property held or administered by the Association, including property that may be subject to restriction imposed by the donor or transferor of the property.

5.3 Number and Election. The Board will consist of five Directors. The directors will be elected in advance of the annual meeting of the Members, except as hereinafter provided, and each director elected will hold office until his successor has been elected and qualified. A minimum of two directors will be elected each year. Only one owner per lot may serve on the Board at a time. The ballot of the candidates will be available 30 days prior to the election. The election process shall occur not less than 20 days before the annual meeting of the Members, in accordance with any reasonable procedure approved (from time to time) by the Board, so that the tabulated results can be announced at the annual meeting.

5.4 Candidacy of Directors. Prior to each annual meeting of Members, the Board shall prescribe:

a. the opening date and the closing date of a reasonable filing period in which each and every Member who has a bona-fide interest in serving as a director may file as a candidate for such position;

b. that each and every Member who has properly filed shall be included within the ballot;

c. that where three or more candidates are vying for one position, election may occur by a plurality (rather than a simple majority) of the votes cast; and

d. such other rules and regulations which may then be appropriate to conduct the nomination and election of directors in a fair, efficient, and cost-effective manner. Each candidate shall be given a reasonable, uniform opportunity to communicate their qualifications to the voting Members and to solicit votes.

5.5 Term of Office. Directors will be elected for a term of two years unless 4 or more members are newly elected in which instance 1 or 2 directors will hold office for only one year to allow for continuity on the Board.

5.6 Removal; Filling Vacancies. Any director may be removed, with or without cause, at any special meeting of the Members in which there is a quorum by the affirmative vote of a majority of the Members present in person or by absentee ballot at such meeting and entitled to vote for the election of such director, if notice of intention to act upon such matter was given in the notice calling the meeting. If any vacancies occur in the Board, for any reason, a new

director will be elected for the unexpired term of the predecessor in office. The Board shall notify the membership within 48 hours of any vacancy either by resignation or removal and an election shall be held 30 days from such notice.

5.7 Special Committees. The Board may appoint such other special committees as it deems necessary, who will be appointed for approved short term projects, and will exercise such powers and perform such duties as determined by the Board. All special committees will consist of at least three members.

## 6. NOTICES/INFORMATION

6.1 Formalities of Notices. Whenever, under the provisions of the statutes, the certificate of formation, or these bylaws, notice is required to be given to any director or Member, such notice may be given either electronically, personally, or by mail. Special meetings will be called in accordance with article 3.4 above. Any notice required or permitted to be given by mail will be deemed to be given at the time it is deposited in the United States Mail. A person's attendance at a meeting constitutes waiver of notice of the meeting, unless the person attends for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened.

6.2 Website. The Association will establish an Association website, for all activities that affect the Association. Association matters, minutes of meetings, Association bylaws and covenants, budgets, quarterly financial statements, and events calendar will be posted for the Association members. Dues will not be collected by the website, and must be paid by mail, in person, by bank transfer, or by direct deposit to the treasurer.

## 7. OFFICERS

7.1 Election. The Officers of the Association will be elected by the directors, and include a president, first vice-president, second vice-president, secretary, and a treasurer.

7.2 Powers. Officers will have the powers and duties usually associated with such office, subject to limitations or extension by the Board.

7.3 Duties. The duties of the officers are as follows:

a. President. The president will preside at all meetings of the Board; will see that orders and resolutions of the Board are carried out; will sign all contracts, mortgages, tax returns, and other written instruments; will co-sign all

checks over \$1,000, and promissory notes; will appoint special committee chairmen and Members of committees with the concurrence of the Board; and will carry out such other duties as may be assigned by the Board or the policies adopted by the Board.

b. First Vice President. The first vice president in the absence of the president will assume the duties of the president. Perform all other duties as may from time to time be assigned by the Board.

c. Second Vice President. The second vice president, in the absence of the president and first vice president, will assume the duties of the president and perform all other duties as may from time to time be assigned by the Board.

d. Secretary. The secretary will perform or cause to be performed the following secretarial activities: record the votes and keep the minutes of all meetings and proceedings of the Board and of the Members; serve notice of meetings of the Board and Members; keep the appropriate current records showing the ownership of Lots and membership of the Association, together with their addresses; and perform such other duties as required by the Board or the policies as adopted by the Board.

e. Treasurer. The treasurer will perform, or cause to be performed, the following financial activities: receive and deposit in appropriate bank accounts all monies of the Association, and disburse as directed by a resolution of the Board; sign all checks under \$1,000, and co-sign all checks over \$1,000; where an electronic payment method is used the Treasurer will receive and retain email approval from the President to maintain the dual review prior to payment. The Treasurer will cause an annual review of the association books to be made and the completion of each fiscal year by one or more members of the association who is not currently a director; prepare an annual budget, and prepare a quarterly statement of income and expenditures which will be available to any member upon request and to be presented to the membership at its regular annual meeting; and deliver a copy of the budget and assessments adopted by the Board to each Member. The treasurer will perform such other duties as required by the Board, or the policies as adopted by the Board.

f. One director (first vice president or second vice president) will be appointed as chairperson of the Landscape Committee (“LC”).

g. The Board will appoint the ACC Chairperson who will then assemble two additional Members to carry out the responsibilities of the ACC. No active Board member, the spouse of an active Board member or any person residing in the home of an active Board member can serve on the ACC. The chairperson will enforce the restrictions as set forth in the Declaration. The chairperson will also consider and approve or disapprove all architectural

changes proposed by Members, having these signed and dated by the chairperson and at least one other committee member, as deemed necessary.

h. The chairperson for the LC will assemble a group of at least three members to carry out the responsibilities of the LC, as needed. The LC may prepare an annual budget and present it to the Board for approval, seek and oversee repair work of contractors working in the Common Properties including, but not limited to: fence, pool, trees, pond, and sprinkler system, and prepare plans for any proposed improvements to present to the Board.

7.4 Tenure; Removal; Vacancies. Each Member of the ACC and LC of the Association will hold office for a term of one year, or until reappointed, or his successor is chosen and qualified in his stead, or until death, resignation, or removal from office. Any Member of any committee appointed by the Board may be removed at any time by the affirmative vote of a majority of the whole Board, but such removal will be without prejudice.

## 8. GENERAL PROVISIONS

8.1 Compensation. All officers and directors of the Association will serve without compensation. No director, officer, or committee member will receive anything of value from a vendor or provider of services for the Association which is not also offered to the entire membership, including, but not limited to, from developers, home builders, and contractors. However, a director, officer, or member may serve the Association in any other business or professional capacity and receive compensation for those services so long as that compensation is at a reasonable fair market value and commensurate with the services performed.

8.2 Agents. No member may represent the homeowners in any capacity and in any matter which the Association has an interest, unless duly elected. The Association will not indemnify any person who acts in this manner.

8.3 Fiscal Year. The fiscal year of the Association is the calendar year.

8.4 Indemnification. The Association will indemnify, through a director and officer insurance policy, any director, officer, or employee or former director, officer or employee of the Association, against expenses actually and necessarily incurred by him, and any amount paid in satisfaction of judgments in connection with any action, suit or proceeding, whether civil or criminal in nature, in which he is made a party by reason of being or having been such a director, officer or employee (whether or not a director, officer or employee at the time such costs or expenses are incurred by or imposed upon him) except in relation to matters as to which he is found liable for gross negligence or willful misconduct in the



performance of duty. The Association will cause to be paid to any director, officer or employee the reasonable costs of settlement of any such action, suit or proceeding. Such right of indemnification will not be deemed exclusive of any other rights to which such director, officer or employee may be entitled by law or under any bylaw, agreement, vote of Members or otherwise.

8.5 Conflicts. If there are conflicts or inconsistencies between the provisions of Texas law, the articles of incorporation, the Declaration, and these bylaws, the provisions of Texas law, the Declaration, the articles of incorporation, and the bylaws (in that order) shall prevail.

8.6 Hearings. For any Member who submits a written request for a hearing, the Association shall hold the hearing no later than the 30<sup>th</sup> day after the Board receives the request for a hearing and shall notify the Member no later than the tenth day before the date of the hearing. The Board or the Member may request a postponement, and, if requested, a postponement shall be granted for a period of no more than ten days. Additional postponements may be granted by agreement of the parties. The Member or the Association may make an audio recording of the hearing. If the hearing is held before a committee, the notice of the hearing shall specify that Member shall have the right to appeal the committee's decision to the Board by written notice to the Board.

## 9. POLICIES

9.1 Delinquent Payment Plan Policy. The Board has adopted a payment plan policy applicable to all delinquent Members of the Association, and such payment plan policy is attached to these bylaws as exhibit "a."

9.2 Records Retention and Records Production Policies. The Board has adopted a records retention policy and a records production policy relating to the Association's books and records. Copies of the Association's records retention policy and records production policy are attached to these bylaws as exhibits "b" and "c," respectively.

9.3 Inspection. The membership register, books of account, and minutes of meetings of the Members, the Board, and committees shall be made available for inspection and copying by any Member of the Association or by his or her duly appointed representative, at any reasonable time, at the office of the Association, or at such other place as the Board shall prescribe.

9.4 Access Control. Access to these gate entry records and associated photographs, for reasons other than regular maintenance and administration of

the system, must be preauthorized by a minimum of two Directors who must also view the records together and only in circumstances where access is warranted due to damage to property, a valid threat to the security of any resident, guest or property, or where requested by Police or other similar authority. Results of any review should be maintained as private and only disclosed to those directly involved in the investigation.

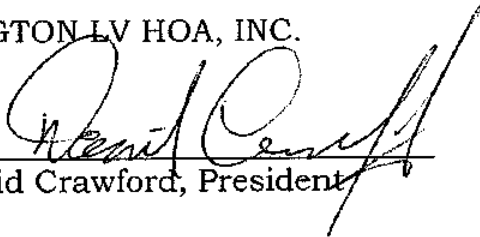
## 10. AMENDMENTS

10.1 These bylaws may be altered or amended by a vote of Members voting in person, electronically, or by mail at a duly called regular or special meeting at which a quorum is present. Null votes (votes not cast by any method) will not be counted for determining quorum or votes cast.

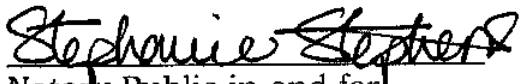
CERTIFICATION

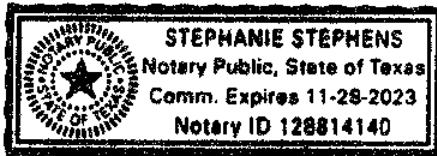
"I, the undersigned, being the president of Arlington LV HOA, Inc. hereby certify that the Third Amended Bylaws of Arlington LV HOA Inc. above were lawfully adopted by at least 51% of the Arlington LV HOA, Inc. Membership on February 14 2022."

ARLINGTON LV HOA, INC.

by:   
David Crawford, President

SUBSCRIBED AND SWORN TO BEFORE ME the undersigned authority, by the above-mentioned affiant on this 1<sup>st</sup> day of MARCH, 2022 to certify which witness my hand and seal of office.

  
Notary Public in and for  
the State of Texas



IN WITNESS WHEREOF, the Association has caused these Bylaws to be duly executed as provided in the certification set forth above, to be effective as of the 14<sup>th</sup> day of February, 2022

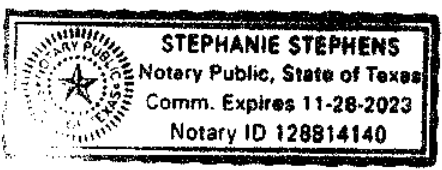
ARLINGTON LV HOA, INC.

by: *David Crawford*  
David Crawford, President

STATE OF TEXAS       §  
                                  §  
COUNTY OF TARRANT §

This instrument was acknowledged before me on the 1<sup>st</sup> day of March, 2022 by David Crawford, President of Arlington LV HOA, Inc., a Texas nonprofit corporation.

*Stephanie Stephens*  
Notary Public in and for the  
State of Texas



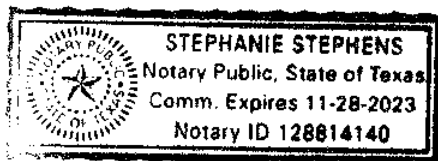
CERTIFICATION

"I, the undersigned, being the vice-president of Arlington LV HOA, Inc. hereby certify that the Second Amended Bylaws of Arlington LV HOA, Inc. above were lawfully adopted by at least 51% of the Arlington LV HOA, Inc. Membership on February 14 2022."

ARLINGTON LV HOA, INC.

by: J. Stephens  
Jay Stephens, Vice-president

SUBSCRIBED AND SWORN TO BEFORE ME the undersigned authority, by the above-mentioned affiant on this 26<sup>th</sup> day of February, 2022, to certify which witness my hand and seal of office.



Stephanie Stephens  
Notary Public in and for  
the State of Texas

IN WITNESS WHEREOF, the Association has caused these Bylaws to be duly executed as provided in the certification set forth above, to be effective as of 14 day of February, 2022.

ARLINGTON LV HOA, INC.

by: J. Stephens  
Jay Stephens, Vice-president



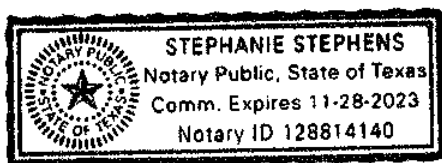
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D222055411  
NOTICE  
Pages: 13  
Fees: \$67.00

Mary Louise Nicholson  
MARY LOUISE NICHOLSON  
COUNTY CLERK

STATE OF TEXAS §  
§  
COUNTY OF TARRANT §

This instrument was acknowledged before me on the 26<sup>th</sup> day of February, 2022, by Jay Stephens, Vice-president of Arlington LV HOA, Inc., a Texas nonprofit corporation.



Stephanie Stephens  
Notary Public in and for the  
State of Texas