

Harbor Point Owners Association By-Laws

As Amended July 31, 2021

It should be noted, any variance in regards to Texas Property Code with the following By-Laws, Texas Property Code or the State of Texas and Brown County ordinances is the prevailing instrument.

ARTICLE ONE

MEMBERSHIP

SECTION 1. Each owner of one or more lots in any section of Harbor Point subdivision and purchased under contract to purchase one or more lots from the legal owner (with such contract then being in force) is a member of Harbor Point Owners Association.

SECTION 2. All members, their immediate family and up to two (2) authorized guests, unless otherwise authorized by the Board, shall have the right to use Association's facilities including its swimming pool, parks and recreational areas to the extent permitted by and in accordance with the terms and conditions that may be set out in the Association rules which may from time to time be established by its Board of Directors. Each member shall be allowed one (1) vote, and only one (1), regardless if the membership is owned by a single individual or by two (2) or more persons.

SECTION 3. Upon termination of membership, whether by death, transfer or sale of property, all the rights, properties, funds or assets of the Association shall cease, ipso facto. Dues, liens and assessments shall transfer with the property. In the event a member sells or transfers all or only a portion of their property, then the rights, privileges and appropriate dues and assessments for that property shall transfer to the new owner. Property owners owning multiple lots and paying one set of dues status shall remain unchanged until all or a portion of that property is sold or transferred. Only sold or transferred property shall be subject to appropriate dues and assessments. Property owners owning multiple lots on record and paying one set of dues on and prior to July 1, 2022 shall no longer be grandfathered at the one set of dues and assessments. All property owners shall be assessed dues and assessments according to the following formula:

\$300.00 for the first four (4) lots and \$25.00 for each additional lot due by June 30 each year; a \$25.00 monthly late fee will be assessed on the 30th day of each month. The assessments include household trash fees for all residential owners. Commercial property owners dues and assessments are \$180 for the first four (4) lots and \$36.00 for each additional lot due by June 30 each year, a monthly late fee of \$25.00 will be assessed on the 30th day of each month. Commercial property owners are not allowed usage of the dumpsters for any refuse from the commercial lots. Guests are not permitted to use garbage amenities.

SECTION 4. Should a property owner receive notice of violation of a subdivision restriction or By-Law or rules of the Association, the Association may suspend an owner's right to use a common area of Harbor Point as provided by State Property Code.

ARTICLE TWO

AUTHORITY

SECTION 1. There shall be no initiation fees. The Board of Directors by unanimous vote of the entire Board plus the approval of the members by a majority vote of those present and voting or by proxy or absentee vote at any annual business meeting may from time to time assess additional dues and assessments.

ARTICLE THREE

BOARD OF DIRECTORS

SECTION 1. The affairs, business and management of the Association shall be conducted by a Board of Directors consisting of the number of Directors as provided in ARTICLE THREE, SECTION 2, which Board shall have full power and authority to carry out the purpose of the Association and to do any and all lawful acts necessary or proper thereto.

SECTION 2. Directors shall serve a term of three (3) years and thereafter until their successors are elected and have qualified as provided in ARTICLE THREE, SECTION 3. Any Director may succeed themselves and serve as many consecutive or non-consecutive terms as they may be elected. The Board shall consist of five (5) Directors and the terms shall be so staggered that no more than two (2) Directors shall be elected yearly. In addition, if any Director elected is vacated due to resignation, death or removal, the Directors to fill vacancies thus caused may be appointed by a majority of the remaining Directors constituting a quorum. Directors must be Members of the Association in good standing. Any Director missing three (3) meetings in a year may be removed from the Board and the vacancy thus caused may be appointed by a majority of the remaining Directors constituting a quorum. An appointed Director may be removed at any time for any reason by a unanimous vote of the remaining Board members

SECTION 3. Directors shall be elected at the Annual Meeting of the members by a plurality of the vote cast in person at such meeting, or by absentee or proxy vote. Before the expiration of the term of any Director, the President of the Board of Directors shall appoint a nominating committee of three (3) members. Members of the Association who wish to serve as a Director may present their name by letter of intent to the Nominating Committee by April 15 of each year. The Committee shall present Members from the letters of intent for a Directorship to be filled to the Board of Directors. The Board of Directors shall submit for consideration issues to be voted on at the same time Directors are elected at the Annual Meeting.

SECTION 4. A majority of the Directors shall constitute a quorum at any meeting, and a majority of those present shall be sufficient to determine any question or issue. Meetings of the Board of Directors may be held at any place designated by the President or a majority of the Directors.

ARTICLE FOUR OFFICERS

SECTION 1. The officers of the Association shall be a President, one or more Vice Presidents, a Secretary and a Treasurer elected by the Board of Directors. More than one office may be held by the same person. All officers shall be elected annually by the Board of Directors at the Annual Meeting of the Directors as designated in ARTICLE SIX, SECTION 3. All officers shall hold office for a period of one (1) year, or until their successor is duly elected and qualified as provided in ARTICLE THREE, SECTION 3.

SECTION 2. The President shall be the Chief Executive Officer of the Association and shall preside over meetings of the Board of Directors and meetings of the whole membership.

SECTION 3. Any Vice President shall exercise the functions of the President in their absence and shall perform such duties as the Board of Directors may prescribe.

SECTION 4. The Secretary shall keep, or cause to be kept, the minutes of all meetings and a complete list of all members and their addresses, shall give the notices required herein, and shall perform all the duties required of a Secretary.

SECTION 5. The Treasurer shall collect, or cause to be collected, all fees, dues, assessments and charges and supervise the handling and disbursing of all money. They shall be responsible for the proper accounting of the Association's financial affairs and the preparing of proper reports on financial matters and such other reports as may be specified by the Board of Directors.

ARTICLE FIVE COMITTEES

SECTION 1. The Board of Directors or the President may appoint such committees from time to time, and delegate to such committees such duties deemed proper.

SECTION 2. The appointment of the Nominating Committee shall be made by the President as provided in ARTICLE THREE, SECTION 3.

ARTICLE SIX

MEETINGS

SECTION 1. The Annual Meeting of the members of the Association shall be held at the American Legion by Harbor Point Subdivision or at such other place as shall be determined by the President of the Association, on the second Saturday in July of each year commencing with the year 1980 at 10:00 A.M. Special meetings may be called by the President or by a majority of the Board of Directors.

SECTION 2. The number of members entitled to vote at a meeting of members shall constitute a quorum thereat. The vote of the majority of the total votes cast by qualified voting members in person shall decide any question brought before such meeting; the respective members to have such number of votes as hereinbefore provided in ARTICLE ONE, SECTION 2.

SECTION 3. Without notice, the Annual Meeting of the Board of Directors shall be held on the same day at the same place as the Annual Meeting. Special meetings of the Board of Directors shall be called at any time by the President or by any three (3) members of the Board of Directors. Three (3) days' notice shall be required for special meetings unless notice is waived in writing

ARTICLE SEVEN

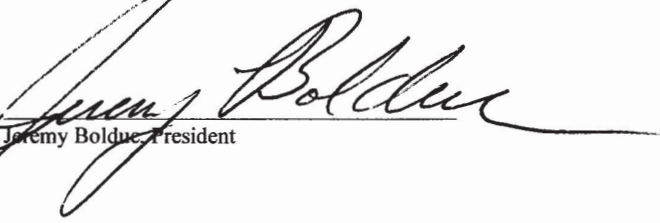
MISCELLANEOUS

SECTION 1. These By-Laws or any part thereof may be amended, modified or repealed only by a majority of vote of members voting and approval of all the Board of Directors of the Association.

SECTION 2. Unless otherwise required by statute, by the Articles of Incorporation or by these By-Laws, any notice required to be given shall not be deemed to be personal notice, such notice upon any bulletin board at the mail boxes in Harbor Point Subdivision.

SECTION 3. The Association shall not enter into any contract to pay, and shall not pay any salary or other remuneration to any Officer, Director or Committee Member of the Association for their services as such.

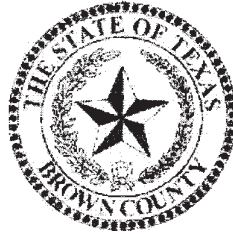
SECTION 4. The book "Roberts Rules of Order" shall serve as the guide to parliamentary procedure in all meetings of the Association and in all meetings of the Board of Directors of the Association.



Jeremy Bolduc, President

SHARON FERGUSON

COUNTY CLERK



200 SOUTH BROADWAY, SUITE 101
BROWNWOOD TX 76801

PHONE (325) 643-2594

DO NOT DESTROY
WARNING-THIS IS PART OF THE OFFICIAL RECORD

INSTRUMENT NO. 2106621

FILED FOR REGISTRATION SEPTEMBER 15, 2021 02:28PM 5PGS \$42.00

SUBMITTER: HARBOR POINT OWNERS ASSN

RETURN TO:

HARBOR POINT OWNERS ASSN
3381 STARBOARD DRIVE
MAY TX 76857

I hereby certify that this instrument was FILED in file number Sequence on the date and at the time stamped heron by me, and was duly RECORDED in the Official Public Records of Brown County, Texas.

By: Sharon Ferguson

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY
BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW

ARTICLE EIGHT - BY-LAWS
AMENDMENT I

ARTICLE THREE ; BOARD OF DIRECTORS; SECTION 3 IS AMENDED TO READ:

Directors shall be elected at the annual meeting of the members by a plurality of the vote cast in person at such meeting. Votes must follow rules in April 15th newsletter published by the Board of Directors. Before the expiration of the term of any Director, the Board of Directors shall appoint a nominating committee of three (3) members. Qualified members of the Association, in good standing according to By-Laws and Deed Restrictions, who wish to serve as a Director may present their name to the Nominating Committee by April 15th of each year. The Committee shall present two (2) or more nominees for each Directorship to be filled. The Board of Directors shall submit for consideration issues to be voted on at the same time Directors are elected.

ARTICLE SIX - MEETINGS - SECTION 2 IS AMENDED TO READ:

The number of members entitled to vote, in person, at a meeting of members shall constitute a quorum thereat. The vote of a majority of the total votes cast by qualified voting members in person shall decide any question brought before such meeting, the respective members to have such number of votes as hereinbefore provided in Article One.

AUTHORITY: ARTICLE SEVEN SECTION ONE Board of Directors vote March 21, 2008 with 100% vote by governing board members (5). Yes 5 No 0

HARBOR POINT OWNERS ASSOCIATION
BOARD OF DIRECTORS

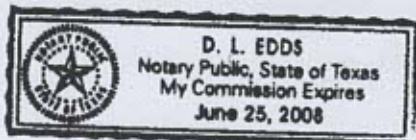
Patricia Archut
Patricia Archut, President and Registered Agent

STATE OF TEXAS
COUNTY OF BROWN

Before me, the undersigned authority, on this day personally appeared Patricia Archut known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given Under My Hand and Seal of Office This 21st day of MARCH 2008

Don Edds
Don Edds, Notary Public



INSTRUMENT NO.

16- 2987

FILED APRIL 24, 2008 01:21 PM

RETURN TO:

HARBOR POINT OWNERS ASSN
3381 STARBOARD DRIVE

MAY

TX 76857

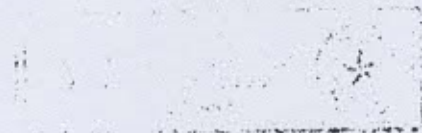
ANY PROVISION HEREIN WHICH RESTRICTS THE SALE,
RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY
BECAUSE OF COLOR OR RACE IS INVALID AND UNEN-
FORCEABLE UNDER FEDERAL LAW.
STATE OF TEXAS
COUNTY OF BROWN

I hereby certify that this instrument was FILED in File
Number Sequence on the date and at the time stamped
hereon by me, and was duly RECORDED in the Official Public
Records of Real property of Brown County, Texas.



DEPUTY: *KTrawick*

MARGARET WOOD, COUNTY CLERK
BROWN COUNTY, TEXAS



Article One By Laws Amendment II

ARTICLE ONE: MEMBERSHIP- SECTION 2 IS AMENDED TO READ:

All members and their immediate family and up to two guests unless otherwise authorized by the board shall have the right to use all of the Association's facilities including it's swimming pool, parks and recreational areas, to the extent permitted by and in accordance with the terms and conditions that may be set out in the association rules which may from time to time be established by its Board of Directors. Each membership shall be allowed two (2) votes, and only 2, regardless if the membership is owned by a single individual, or by tow or more persons. No member who is in arrears in respect to the \$150.00 per year assessments set forth in the restriction in respect to Harbor Point Subdivision or in any other dues and/or accounts of the Association, or having been formally notified as being in violation of any of the restrictions as set forth in the Subdivision Restrictions, shall be eligible to vote at any meeting of members.

ARTICLE ONE: MEMBERSHIP-SECTION 3 IS AMENDED TO READ: Upon termination of membership for any cause, whether by resignation, death, expulsion, transfer or sale of property or otherwise, all rights, properties, funds or assets of the Association shall cease, ipso facto. In the event a member sells or transfers only a portion of their property then the rights, privileges and appropriate dues and assessments for that property shall transfer to the new owner. Property owners owning multiple lots and paying one set of dues status shall remain unchanged until all or any portion of that property is sold or transferred. Only sold or transferred property shall be subject to appropriate dues and assessments.

Property Owners owning multiple lots on record and paying one set of dues on and prior to July 12, 2008 shall be grandfathered at the one set of dues.

Property owners owning multiple lots beginning July 13, 2008 and thereafter, shall be assessed dues according to the following formula:

\$150. for the first 4 residential, commercial or RV lots and 20% for each additional residential or commercial lot or 2 RV lots

Property owners owning multiple lots with multiple residences shall pay a separate set of dues for each residence.

AUTHORITY: ARTICLE TWO SECTION ONE:

There shall be no initiation fees. The Board of Directors by unanimous vote of the entire Board, plus the approval of the members by a majority vote of those present and voting at any annual business meeting, may from time to time assess additional dues and assessments.

Governing Board Members (5) Yes 5, No 0 July 12, 2008 Annual Meeting

Majority of members present voted Yes, July 12, 2008 Annual Meeting

Harbor Point Owners Association
Board of Directors
Members Present at Annual Meeting
Russ Davis, President and Registered Agent

Russ Davis
President, Harbour Point Owners Assn.

STATE OF TEXAS COUNTY OF BROWN

Before me, the undersigned authority on this day personally appeared Russ Davis known to me to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given Under My Hand and Seal of Office this 9th day of October 2008.



Inez Davis Notary Public

INSTRUMENT NO. 7423

FILED OCTOBER 08, 2008 12:52 PM

RETURN TO:

HARBOR POINT OWNER ASSN
3381 STARBOARD
MAY TX 76857

RECORDED
COMPARED
INDEXED

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE,
RENTAL OR USE OF THE DESCRIBED REAL PROPERTY
BECAUSE OF COLOR OR RACE IS INVALID AND UN-
ENFORCEABLE UNDER FEDERAL LAW.
STATE OF TEXAS
COUNTY OF BROWN

I hereby certify that this instrument was FILED in File Number
Sequence on the date and at the time stamped hereon by me, and
was duly RECORDED in the Official Public Records of Real
property of Brown County, Texas.



DEPUTY: *B. Shultz*
SHARON FERGUSON, COUNTY CLERK
BROWN COUNTY, TEXAS