

**AFFIDAVIT FOR FILING DEDICATORY INSTRUMENTS**

STATE OF TEXAS )  
 )  
COUNTY OF HARRIS )

**KNOW ALL BY THESE PRESENTS:**

**20080067774**  
02/11/2008 RP2 \$44.00

WHEREAS section 202.006 of Title 11 of the Texas Property Code requires that a property owners' association file its dedicatory instruments in the real property records of the county in which the property is located, and

WHEREAS the Indian Shores Property Owners Association is a property owners' association as the term is defined in Title 11 of the Texas Property Code and has property located in Harris County, Texas,

NOW THEREFORE, true copies of the following dedicatory instruments of the Indian Shores Property Owners Association which have not been previously filed in the public records of Harris County are attached hereto, including:

Indian Shores Property Owner's Association By-Laws (As Amended and Restated) Rev. January 20, 2008

FURTHER, other dedicatory instruments of the Indian Shores Property Owners Association have already been filed in the public records of Harris County and these documents supplement the previously filed documents.

SIGNED on this 7th day of February, 2008.

Signature: *Laura Tate*  
By: Laura Tate  
Title: C.I.A. Services, Inc., Managing Agent for  
Indian Shores Property Owners Association

*102*

STATE OF TEXAS )  
 )  
COUNTY OF HARRIS )

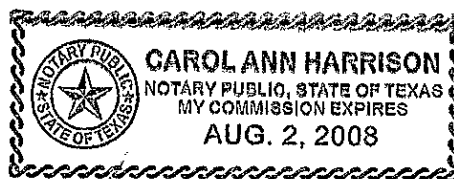
This instrument was acknowledged before me on this 7th day of February, 2008 by Laura Tate.

Signature: *Carol Ann Harrison*  
By: Carol Ann Harrison  
Title: Notary in and for the State of Texas  
My commission expires on 08/02/08

**FILED FOR RECORD**  
8:00 AM

**FEB 11 2008**

*Dorothy L. Kayman*  
County Clerk, Harris County, Texas



Return to: C.I.A. Services, Inc.  
8811 FM 1960 Bypass Road, Suite 200  
Humble, Texas 77338  
Phone: 281-852-1700 Fax: 281-852-4861

*Notice*

FILED

**INDIAN SHORES PROPERTY OWNER'S ASSOCIATION, INC.**

**BY-LAWS**

(As Amended and Restated)

Rev. January 20, 2008

THIS AMENDED AND RESTATED BY-LAWS has been enacted pursuant to Article XV, Section 1 of the existing By-laws, at a annual meeting of members, by a majority vote of members present and eligible to vote, following proper notice of such meeting.

**ARTICLE I**

**NAME AND LOCATION**

Section 1 The name of this corporation shall be INDIAN SHORES PROPERTY OWNER'S ASSOCIATION, INC. ("Association").

Section 2 The principal office of the Association shall be located at the Community Center, INDIAN SHORES SUBDIVISION, in Harris County, Texas, but meetings of members and Directors may be held at such places within the State of Texas, County of Harris, as may be designated by the Board of Directors.

Section 3 Other offices of the Association may be located at such other places as the Directors may determine.

**ARTICLE II**

**PURPOSE**

It is the purpose of this Association to administer and operate the community services, and maintenance fund, to maintain, beautify, and improve the recreational facilities and property of the Association for the general welfare of the community and enforce the deed restrictions and covenants for the benefit of INDIAN SHORES SUBDIVISION.

It shall be the duty of the Board of Directors of the Association to constantly strive for these objectives with all the resources at their command in compliance with these By-Laws and other rules and regulations that have been or may be adopted.

**ARTICLE III**

**MEMBERSHIP & VOTING ELIGIBILITY**

Property owners in INDIAN SHORES SUBDIVISION shall be members of this Association. However, if a particular lot in the Subdivision is owned by more than one person, those members shall have only one (1) vote in total which shall be cast by the

representative of all such co-owners. There shall be no fractional votes and if any vote is cast by a co-owner it will be conclusively presumed that that co-owner was acting with the authority and consent of all co-owners of the particular lot. If more than one vote is cast with respect to a particular lot, all of such votes shall be deemed void and shall not be counted. If more than one lot is owned by a member, such member shall have votes equal in number to the number of lots owned by him. For the purposes of defining a Lot, the registered subdivision plot plan shall be used. Property owners that are not current in their obligations to the Association are not eligible to vote in Association matters. Votes must be cast in person; no voting by proxy shall be allowed.

#### ARTICLE IV MEETING OF MEMBERS

Section 1 Annual Meetings: The annual meeting shall be held on the third 3<sup>rd</sup> Sunday of each January, at 2:00 p.m. The purposes of the annual meeting are the election of officers and directors, the presentation by the Treasurer of the financial statements and budget of the Association, presentation of the annual report by the President, amendment of the By-laws as provided in Article XV and any other business properly before the meeting, consistent with these By-laws.

Section 2 Special Meetings: Special meetings of the members may be called at any time by the President or the Board of Directors or upon written request of fifty (50) members who are entitled to vote. Such meetings shall be convened by the President not later than thirty (30) days after receipt of such request.

Section 3 Notice of Meetings: Written notice shall be required for the annual meetings of the members. Written notice of each special meeting of the members shall be given by the Secretary or person authorized to call the meeting at least ten (10) days prior to the meeting. Such notice shall specify the place, date, hour and purpose of the meeting.

#### ARTICLE V BOARD OF DIRECTORS

Section 1 Corporate Powers: With the exceptions provided herein, all the corporate powers of the Association shall be vested in and exercised by the Board of Directors and the Officers of the Association described herein.

Section 2 Powers of Directors: The Board of Directors shall have power to:

(a) exercise for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the Membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration;

(b) employ a manager, an independent contractor, or such other employees as the Board of Directors deems necessary, and to prescribe their duties.

Section 3. Duties of Directors: It shall be the duty of the Board of Directors to:

(a) cause to be kept a record of its acts and corporate affairs;

(b) supervise all officers, agents and employees of the Association and to see that their duties are properly performed;

(c) procure and maintain adequate liability and hazard insurance on property owned by the Association and, at the option of the Board of Directors, directors and officers liability insurance;

(d) perform the other duties of the Association as set forth in the Declaration.

Section 4 Board of Directors: The Board of Directors will be composed of the Officers of the Association and one Director from each section of Indian Shores, Section #1 through #8 and Rustic Acres #1 and 2. Whenever any additional section has attained three (3) permanent residences, a Director shall be elected from that Section.

Section 5 Committees: The Board of Directors shall appoint an Architectural Committee and an Audit Committee. The Board shall also appoint a Nominating Committee as set forth in Article VIII hereof. The Board of Directors may appoint such other committees, as deemed appropriate in carrying out the Board's purpose. Committees approved by the Board shall serve at the pleasure of the Board of Directors and shall have such powers and duties as assigned to them by the Board.

## ARTICLE VI

### MEETING OF DIRECTORS

Section 1 Regular Meetings: Regular meetings of the Board of Directors shall be held on the first Monday of each month at 7:30 p.m. unless such Monday is a holiday, in which case it will be held on the second Monday of the month.

Section 2 Special Meetings: Special meetings of the Board of Directors shall be held when called by the President, or by a majority of the Board of Directors, after not less than five (5) days' notice to each Director.

Section 3 Quorum: At least half of the Board of Directors and Officers shall constitute a quorum for a Board Meeting.

Section 4 Failure to Attend Meetings: Any Director who has missed three (3) consecutive Board meetings or more than four (4) meetings in any one calendar year may be removed from office by a majority vote of the Board of Directors at any regular or special Board Meeting.

Section 5 Open Meetings: All meetings of the Board of Directors shall be open to any member. However, no member who is not a Director is entitled to vote at such

meeting.

ARTICLE VII  
OFFICERS & THEIR DUTIES

Section 1 The officers of the Association shall consist of a President, a Vice-President, a Secretary and a Treasurer.

Section 2 The officers of the Association shall be elected by a majority vote of the members of the Association who are present and voting at the annual meeting.

Section 3 The President shall act as Chairman of the Board of Directors and shall preside at all meetings of the Board of Directors and all meetings of the membership of the Association. The President shall prepare an annual report of the Association and submit the report at the annual meeting of members.

Section 4 The Vice-President shall preside over meetings of the Board in the absence of the President and the Director with the longest tenure of service shall preside in the absence of the President and Vice-President.

Section 5 The Secretary shall record the votes and keep the minutes of all minutes and proceedings of the Board and of the members of the Association serve notice of special meetings of the Board and of special meetings of the members; keep appropriate records showing the members of the Association together with their addresses; and perform such other duties as required by the Board.

Section 6 The Treasurer shall have charge of the fiscal affairs of the Association, and shall be empowered to receive and deposit monies due and owing to the Association, and shall disburse funds of the Association by check, as directed by the Board of Directors. Such disbursal checks shall be signed by the Treasurer and countersigned by the President or the Vice-President when the President is not available. When the Treasurer is not available, disbursal checks may be signed by the President and countersigned by the Vice-President. The Treasurer shall present at the annual meeting a Treasurer's Report for the preceding year and a budget for the current year. He shall maintain and present at all meetings of the members a list of delinquent members.

Section 7 The President, and the Vice-President and the Treasurer shall be bonded at the expense of the Association in an amount to be determined by the Board of Directors.

ARTICLE VIII  
ELECTION OF DIRECTORS AND OFFICERS

Section 1 Meaning of the Term "Director" For the purpose of this Article, the term "Director" shall include the term "Officer".

Section 2 Election of Directors The Directors shall be elected at the annual meeting of the members of the Association. At the first annual meeting after the passage of this Amended and Restated By-laws all Director's positions shall expire and the Members shall elect Directors for Indian Shores Sections 1, 3, 5 & 7, Rustic Acres, Section 1, President, and Secretary for a term of two (2) years; and shall elect Directors for Indian Shores Sections 2, 4, 6 & 8, Rustic Acres, Section two (2), Vice President, and Treasurer for a term of one (1) year. At each annual meeting of the Members thereafter the Members shall elect the number of Directors equal to the number of Directors whose terms expire at such time for a term of two (2) years. The terms of Directors representing odd numbered sections shall expire in odd numbered years and the terms of Directors representing even numbered sections shall expire in even numbered years. For any new Director position that arises pursuant to Article V, Section 2, the initial term of that Director's position shall be for either one or two years so as to retain consistency with the even and odd numbered scheme. After the initial term of any newly created Directors position, all subsequent terms for that position shall be for two (2) years.

Section 3. Resignation Any Director of the Association may resign at any time by giving written notice to the President or Secretary of the Corporation, but such resignation shall not be effective until it has been accepted by the Board of Directors.

Section 4 Removal Any Director may be removed from the Board, with or without cause, at a duly constituted meeting of the members of the association by a vote of two-thirds ( $\frac{2}{3}$ ) of the members present and eligible to vote.

Section 5 Vacancies A vacancy on the Board of Directors shall be filled by the Board of Directors, and a Director thus appointed shall serve the unexpired term of the Director whom he succeeds.

Section 6 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 that are not Board members. The Nominating committee shall be appointed by the Board of Directors, at least thirty (30) days prior to each annual meeting of the members. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine, but not less than the number of vacancies that are to be filled. Such nomination shall be consistent with the requirements of Section 2 of Article V. No member can be nominated who is a delinquent member or has not indicated his willingness to serve.

ARTICLE- IX  
DUES, FEES AND SPECIAL ASSESSMENTS

Section 1 Community Services The Board of Directors will determine the fees to be charged for Community Services provided by the Association.

Section 2 Special Assessments In the event an unusual expense arises which requires additional funds, the Board of Directors may levy an assessment on each Member of the Association not to exceed fifty (\$50.00) dollars for each lot owned.

ARTICLE X  
UNPROVIDED CONTINGENCIES

In the event of contingencies not Provided for by these By-Laws, then and in such event this Association shall be governed by the various provisions of the Texas Non-Profit Corporation Act, Article 1396, of the Revised Civil Statutes of Texas, and any provision of these By-Laws inconsistent with such Act shall be deemed inoperative, save and except that any provisions of these By-Laws found to be in conflict with such Act shall not invalidate the remainder of such By-Laws, such remaining By-Laws to remain in force and effect.

ARTICLE XI  
BY-LAWS SUPPLEMENT RESTRICTIONS

Any provisions of these By-Laws inconsistent with or in contravention of the restrictions and covenants covering INDIAN SHORES SUBDIVISION shall be deemed to be of no force and effect, it being the intention of these By-Laws to supplement and implement the restrictions and covenants covering INDIAN SHORES SUBDIVISION.

ARTICLE XII  
CORPORATE YEAR

The corporate year of the Association shall begin January 1st and end on December 31st of each calendar year.

ARTICLE XIII  
SALES-MORTGAGES-LEASES

No conveyance or sale of any dedicated property, or any mortgage of any real estate owned by the Association, and no assignment of any leasehold interest owned by the Association shall be made unless authorized by members of the Association at a regular meeting, or a special meeting of which all of the members have had notice as prescribed hereinbefore specifying the proposed sale, and no conveyance, mortgage or assignment shall be authorized by the Board of Directors until such conveyance, mortgage, or

054-03-1725

assignment shall have first been authorized by a majority vote of the members in attendance and eligible to vote at a duly constituted regular meeting or special meeting of the members called for such purpose, and in the event such meeting of the members be a special meeting, the notice of call for such meeting shall state the purpose. No such sale, conveyance, mortgage or assignment shall be valid unless executed pursuant to authority given by the members as set out above to the Board of Directors, who shall in turn have authorized the President or Vice- President to take such action attested by the secretary. The Board of Directors may lease any facilities for a period not to exceed one (1) year, with options to renew.

ARTICLE XIV  
AMENDMENTS

Section 1. These By-Laws may be amended, at any annual or special meeting of the members, by a majority vote of members present and eligible to vote, provided that notice of the proposed amendments shall have been presented in writing to all members at least ten (10) days prior to such meeting of the members.

Section 2. In the case of any conflict between the Articles of Incorporation and these By-Laws, the Articles shall control; and in the case of any conflict between the Declaration and/or the Trust Agreement and these By-Laws, the Declaration and/or the Trust agreement shall control.

ARTICLE XV  
REPEALER


The By-Laws of the INDIAN SHORES PROPERTY OWNERS' ASSOCIATION, Inc. adopted January, 1979 as amended, are hereby repealed and superceded. However, current Officers and Directors shall continue in their respective offices for the term elected unless they shall resign or be removed as provided herein.

Adopted January 20, 2008, at the annual meeting of the INDIAN SHORES PROPERTY OWNERS ASSOCIATION, INC., at the Community Center in INDIAN SHORES SUBDIVISION in Harris County, Texas.

ATTESTED:



Richard West  
President



Viki Murray  
Secretary

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.  
THE STATE OF TEXAS  
COUNTY OF HARRIS  
I hereby certify that this instrument was FILED in the number Sequence on the date and at time stamped herein by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County Texas on

FEB 11 2008



  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

9231-50-330  
11-03-1726