

**SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS**  
*for*  
**STERLING LAKES PROPERTY OWNERS ASSOCIATION**

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THE STATE OF TEXAS       §  
   §  
 COUNTY OF BRAZORIA       §

The undersigned, being the authorized representative of Sterling Lakes Property Owners Association (the "**Association**"), a property owner's association as defined in Section 202.001 of the Texas Property Code, hereby supplements the "Notice of Dedicatory Instrument for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instrument for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instrument for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instrument for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instrument for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sterling Lakes Property Owners Association", "Supplemental Notice of Dedicatory Instruments for Sterling Lakes Property Owners Association" and "Supplemental Notice of Dedicatory Instruments for Sterling Lakes Property Owners Association" recorded in the Official Public Records of Real Property of Brazoria County, Texas under Clerk's File Nos. 2007002784, 2007065931, 2008009991, 2008045482, 2010043347, 2011052626, 2013020541, 2013054359, 2014023201, 2014033346, 2015032716, 2016010502, 2017031429, 2018014457, 2019006929, 2019038091 and 2020051200, respectively (collectively, the "**Notice**"), which Notice was filed of record for the purpose of complying with Section 202.006 of the Texas Property Code.

Additional Dedicatory Instrument. In addition to the Dedicatory Instruments identified in the Notice, the following document is a Dedicatory Instrument governing the Association.

- **Certificate of Amendment of Sterling Lakes Property Owners Association regarding Amendments to By-Laws of Sterling Lakes Property Owners Association.**

A true and correct copy of such Dedicatory Instrument is attached to this Supplemental Notice.

This Supplemental Notice is being recorded in the Official Public Records of Real Property of Brazoria County, Texas for the purpose of complying with Section 202.006 of the Texas Property

Code. I hereby certify that the information set forth in this Supplemental Notice is true and correct and that the copy of the Dedicatory Instrument attached to this Supplemental Notice is a true and correct copy of the original.

Executed on this 3<sup>rd</sup> day of November, 2020.

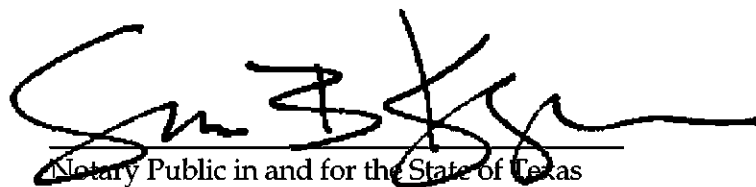
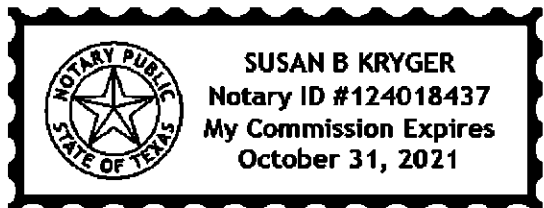
**STERLING LAKES PROPERTY OWNERS ASSOCIATION**



By: \_\_\_\_\_  
Cliff Davis, authorized representative

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

BEFORE ME, the undersigned notary public, on this 3<sup>rd</sup> day of November, 2020 personally appeared Cliff Davis, authorized representative of Sterling Lakes Property Owners Association., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.

  
\_\_\_\_\_  
Notary Public in and for the State of Texas

CERTIFICATE OF AMENDMENT  
of  
STERLING LAKES PROPERTY OWNERS ASSOCIATION  
regarding  
AMENDMENTS  
to  
BY-LAWS  
of  
STERLING LAKES PROPERTY OWNERS ASSOCIATION

THE STATE OF TEXAS       §  
  §  
COUNTY OF HARRIS       §

I, Rachel Gwin, President of Sterling Lakes Property Owners Association (the "Association"), do hereby certify that at a regular meeting of the Board of Directors of the Association (the "Board") duly called and held on the 22nd day of October, 2020, with at least a quorum of the board members being present and remaining throughout, and being duly authorized to transact business, the following resolution was duly made and approved by a majority vote of the members of the Board:

WHEREAS, Article VIII, Section 8.1 of the By-Laws of Sterling Lakes Property Owners Association (the "By-Laws") provides:

Section 8.1. Power of Directors to Amend By-Laws. Prior to the end of the Developer's Control Period, these By-Laws may only be amended, repealed or added to, or new By-Laws adopted, by the vote or written consent of a majority of the members of the Board of Directors.

WHEREAS, Article II, Section 2.3 of the By-Laws provides:

Section 2.3 Developer Control Period. The phrase "Developer Control Period" shall mean the later of: (a) the last vacant Lot in the Property is sold to an Owner, other than the Developer or a Builder, or (b) December 31, 2025. Developer may also end the Class B Membership in the corporation at any time (also referred to as the Developer Control Period in the Declaration) by written notice to the Board of Directors of the corporation of Developer's decision to end the Developer Control Period.

WHEREAS, the Developer Control Period has not ended;

NOW, THEREFORE, Board hereby amends the By-Laws as follows:

1. Article II, Section 2.2, of the By-Laws, entitled "Voting Rights", is amended and restated to read as follows:

Section 2.2. Voting. The voting rights of the members will be as set forth in the Declaration; provided that, all members will have the right to vote in the election of Directors. Except as otherwise provided in these By-Laws and/or unless otherwise determined by the Board, Members may vote in person or by proxy (if applicable) or, upon approval by the Board, by any other voting method allowed by statute or these By-Laws. The Board will, in its sole and absolute discretion, determine what voting method(s) will be used in the election of Directors or other Association vote. Per Texas Property Code Section 209.00592 (or its successor statute), the Association is not required to provide an owner with more than one voting method. Each member is entitled to one vote for each Lot owned by the member. There will be no fractional votes, split votes, or cumulative voting. The vote of one Owner of a Lot will constitute the vote cast for all Owners of the Lot. In no event will more than one vote be cast with regard to one Lot. Notwithstanding any other language in these By-Laws, the Board is authorized to determine that an election vote or other vote of the members will be conducted solely by: (a) electronic voting; or (b) absentee ballots; or (c) a combination of both electronic voting and voting by absentee ballot. If a vote is conducted solely by electronic voting, the electronic voting by the Owners will be treated as voting by absentee ballot for the purposes of these By-Laws and the Texas Property Code. Notwithstanding any language to the contrary in the most recent version of the Advisory Committee Charter, this Section 2.2 is also applicable to the election of Advisory Committee members.

2. Article II, Section 2.4, of the By-Laws, entitled "Annual Meetings", is amended and restated to read as follows:

Section 2.4. Member Meetings. All meetings of the members of the Association will be held at the principal office of the Association or at such other suitable place as may be designated by the Board or in such other manner as allowed by law and approved by the Board.

3. Article II, Section 2.6, of the By-Laws, entitled "Place of Meeting", is deleted in its entirety.

4. Article II, Section 2.9, of the By-Laws, entitled "Quorum", is amended and restated to read as follows:

Section 2.9. Quorum. Except as otherwise provided in these By-Laws or in the Declaration, the presence in person or by proxy (if applicable) of at least ten percent (10%) of the total votes of the members as of the time of the meeting will constitute a quorum at all meetings of the Association. Once quorum is established at a meeting, all properly noticed business may be conducted even if the number of members present in person or by proxy (if applicable) falls below quorum during the meeting. Notwithstanding any language to the contrary in these By-Laws, the quorum required to approve annual meeting minutes will be the number of members attending the annual meeting in person and approval of the annual meeting minutes requires the approval of a simple majority of those members present in person at the annual meeting. In the event that the annual meeting is held virtually, a copy of the previous year's annual meeting minutes will be provided to the members with the annual meeting notice and, unless a member submits to the Association in writing: (a) an objection to the annual meeting minutes, a basis for the objection, and a proposed amendment to cure the objection (which may be approved by the Board at the virtual annual meeting); or (b) a proposed amendment to the annual meeting minutes which may be approved by the Board at the virtual annual meeting, the previous year's annual meeting minutes as submitted to the members will be deemed approved by the Board.

5. Article II, Section 2.10, of the By-Laws, entitled "Proxies", is amended and restated to read as follows:

Section 2.10. Proxies. Notwithstanding any other language in these By-Laws, the Board is not required to allow voting by proxy for an Association election or vote. If utilized, all proxies will be in writing and filed with the Secretary at or before the meeting at which proxies will be utilized. Every proxy will be revocable and will automatically cease upon (i) conveyance by the member of the member's interest in a Lot; (ii) receipt of notice by the Association of the death or judicially declared incompetence of a member; (iii) receipt of written revocation; or, (iv) expiration of eleven (11) months from the date of the proxy. In the event a member executes more than one (1) proxy, the proxy with the most current date will be valid. If a member executes more than one (1) proxy and none of the proxies are dated, all proxies submitted by that Owner will be invalid. The Board may announce for any vote or any meeting at which proxies are to be utilized a deadline for accepting proxies. Proxies not delivered or submitted prior to the announced deadline, if any, will not be valid. Only the proxy approved by the Board and distributed by the Association will be valid at any meeting of the members. The Board may also allow proxies to be filed with or delivered to the Association's management agent. A member may only appoint either another member or the member's spouse as the member's proxy holder and

proxies may be voted only by another member of the Association or a member's spouse.

6. Article II, Section 2.14, entitled "Adjournment of Member Meetings", is added to the By-Laws as follows:

Section 2.14. Adjournment of Member Meetings. If any meeting of the Association cannot be held because a quorum is not present, either in person or by proxy (if applicable), the presiding officer may adjourn the meeting and reconvene at a time not more than thirty (30) days from the time the original meeting was called. The reconvened meeting may take place on the same date as the originally called meeting. If the date, time and place for reconvening the meeting is fixed by the presiding officer at the time of adjournment, further notice of the time and place for reconvening the meeting is not required to be given to the members. If the date, time and place for reconvening the meeting is not fixed by the presiding officer at the time of adjournment, notice of the date, time and place for reconvening the meeting will be given to members in the manner prescribed herein for a first called meeting. At such reconvened meeting, any business which might have been transacted at the meeting originally called may be transacted without further notice provided that: (a) at least five percent (5%) of the total votes of the members as of the date of the meeting is present in person and/or by proxy (if applicable); and, (ii) with the exception of the election of Directors by the members (See the section in Article III of these By-Laws titled "Voting Procedure for the Election of Directors") or the election of Advisory Committee members, any action taken must be approved by at least a majority of the votes entitled to be cast by the members present, in person and/or by proxy (if applicable), at such reconvened meeting, unless otherwise provided in these By-Laws or in the Declaration.

7. Article II, Section 2.15, entitled "Absentee Ballots", is added to the By-Laws as follows:

Section 2.15. Absentee Ballots. Notwithstanding any other language in these By-Laws, a majority of the Board may, but is not required to, authorize the use and implementation of an absentee ballot in any election or other Association wide vote that it deems appropriate. When absentee ballots are authorized by the Board for an Association wide vote, said ballots will be prepared and mailed to the members at least twenty (20) days before the latest date on which a ballot may be submitted to be counted. Completed ballots will be returned to the Association in accordance with the instructions contained on the ballot. Per Texas Property Code Section 209.00592 (or its successor statute), an absentee ballot will be counted as a member present and voting for the purpose of establishing a quorum only for items appearing on the ballot. The Board may authorize voting in the election of Directors by absentee ballot in addition to any other voting method authorized by the

Board for the election of Directors. Notwithstanding any language to the contrary in the most recent version of the Advisory Committee Charter, this Section 2.15 is also applicable to the election of Advisory Committee members.

8. Article III, Section 3.1, of the By-Laws, entitled "Number, Qualification and Nomination," is amended and restated to read as follows:

Section 3.1. Number and Term of Directors. The Board of Directors will be comprised of five (5) persons unless the number of positions on the Board is increased or decreased by amendment to these By-Laws.

- a. During the Developer Control Period, three (3) Directors shall be appointed from time-to-time by the Developer ("**Developer Directors**"). Developer Directors need not be members of the Association.
- b. During the Developer Control Period, two (2) Directors shall be elected by the members of the Association ("**Resident Director**"). The Resident Director positions will be for two (2) year terms.
- c. Resident Directors Qualifications. Each Resident Director must be a member of the Association in good standing or a representative of a corporation or other business entity that is a member of the Association.

For the purposes of this Section 3.1(c), "good standing" is defined as not having been convicted of a felony or crime involving moral turpitude not more than twenty (20) years before the date the Board is presented with evidence of such a crime. A candidate who is not in good standing is not eligible to be elected to, selected for appointment to, or appointed to the Board of Directors. It is understood and agreed by all Directors and those members seeking election or appointment to the Board of Directors as a Director that background checks may be (but is not required to be) performed to ensure that no Directors have been convicted of a felony or crime involving moral turpitude a court of competent jurisdiction in the previous twenty (20) years.

If a Resident Director ceases to be a member of the Association, or a member of the Association in good standing, the Resident Director shall be immediately removed from the Board without the need for further action by the members of the Board.

9. Article III, Section 3.2, of the By-Laws, entitled "Election", is amended and restated to read as follows:

**Section 3.2. Candidates for Election to the Board.** All members have the right to run for a position on the Board that is up for election to be voted on by the members subject to the disqualifying factor in Article III, Section 3.1(c) of these By-Laws. Each year, prior to the date of the annual meeting of the members or election for the Board and in the time prescribed by law, the Association will solicit candidates for the Board positions that are up for election by the members in accordance with Texas Property Code Section 209.00593 (or its successor statute). The notice will specify a date by which a member must submit his/her name as a candidate for election to the Board. The date for a member to submit his/her name as a candidate may not be earlier than the tenth (10<sup>th</sup>) day after the date the Association provides the solicitation notice. The notice may be mailed to each member or provided by: (a) posting the notice in a conspicuous manner reasonably designed to provide notice to the members in a place located on the Association's Common Area or, with the owner's consent, on private property located within the Association; or (b) on an Internet website maintained by the Association, and by sending notice by e-mail to each member who has registered an e-mail address with the Association. The Association must be notified by the member who desires to run for a position on the Board, not by another member, to confirm the member's desire to run for election and to serve on the Board. All members who notify the Association by the stipulated deadline will be candidates whose names will appear on any ballot and/or directed proxy (if applicable) that is provided to the members. The Association may also promulgate a candidate information form to be completed by each candidate in a Board election. If a candidate information form is distributed to or made available to the Owners in any manner, the Association will provide all candidate information forms provided by all candidates that were submitted in accordance with this section unless, in the sole and absolute discretion of the Board, the submitted candidate information form includes offensive content. Notwithstanding any language to the contrary in the most recent version of the Advisory Committee Charter, this Section 3.2 is also applicable to the election of Advisory Committee members.

10. Article III, Section 3.3, of the By-Laws, entitled "Removal and Vacancies" is amended and restated to read as follows:

**Section 3.3. Removal and Vacancies.** Any Director elected by the Members may be removed from the Board with or without cause, by the affirmative vote of vote of members representing a majority of the total number of votes in the Association, as a special meeting called for such purpose. During the Developer Control Period, the members may not remove a Developer Director from the Board under any circumstance. A vacancy on the Board arising because of death, resignation, removal or



otherwise will, unless otherwise determined by the Board, be filled by a majority of the remaining Directors though less than a quorum. Any Director so appointed will hold office for the unexpired term of the Board position to which s/he was appointed.

11. Article III, Section 3.4, of the By-Laws, entitled "Meetings" is amended and restated to read as follows:

Section 3.4. Meetings. A regular or special meeting of the Board of Directors may be called by or at the request of the President or any three (3) Directors.

12. Article III, Section 3.13, entitled "Voting Procedure for the Election of Directors", is added to the By-Laws to read as follows:

Section 3.13. Voting Procedure for the Election of Directors (See also the section titled "Voting" in Article II of these By-Laws). Unless the election for a position(s) on the Board of Directors is conducted solely by absentee ballot or electronic voting (or a combination of both) outside of a meeting as provided in these By-Laws, the election of the Board will be conducted at the annual meeting of the Association or in such other manner allowed by law and approved by the Board. In such election, each member, or the member's proxy holder (if applicable) may cast, with respect to each vacancy, as many votes as the member is entitled to exercise under the provisions of these By-Laws and the Declaration. Unless otherwise determined by the Board, voting by the members for a Director position(s) to be elected by the members will be by written and signed ballots. Only the ballot approved by the Board will be used in the election of a Director. In the event of an uncontested race (i.e., the number of candidates is equal to or less than the number of open Board positions), written and signed ballots will not be required, and the candidate(s) will be placed on the Board without the necessity of a vote. There is no requirement for quorum to be obtained to place candidates on the Board in the event of an uncontested race. Cumulative voting is not permitted. The candidate(s) receiving the most votes will be elected to the open position(s). If the terms of the open Board positions are not the same, the candidate(s) with the most votes will fill the longer term(s). The winning candidate(s) will take office at later of the conclusion of the member meeting at which the Director was elected or when the election results are announced. Tie votes between two persons will be decided by coin toss. In the event of a tie vote between three or more persons, the vote will be decided by placing the names of the persons in a container and drawing a name(s). The name(s) drawn first will be declared the winner. The resolution of all tie votes will be overseen by the Association's Secretary or by such other person designated by the Board. The Board may designate the Association's managing agent to oversee the resolution of tie votes.

Notwithstanding any other language in these By-Laws, if the election for the Board is conducted solely by electronic voting or by absentee ballots (or a combination of both): (a) no quorum is necessary for the election of Directors; and (b) the candidate(s) receiving the most votes will be elected to the open position(s). Notwithstanding any language to the contrary in the most recent version of the Advisory Committee Charter, this Section 3.13 is also applicable to the election of Advisory Committee members.

All other provisions of the By-Laws of the Association, as previously amended, if any, remain in full force and effect.

I hereby certify that I am the duly elected, qualified and acting President of the Association and that the foregoing resolution was approved by a majority vote of the Board of Directors as set forth above and now appears in the books and records of the Association.

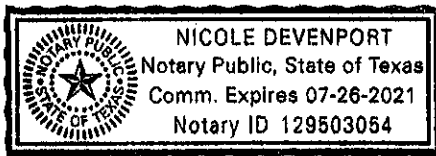
STERLING LAKES PROPERTY OWNERS ASSOCIATION

By: *Rachel Gwin*

Printed: Rachel Gwin  
Its: President

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

BEFORE ME, the undersigned notary public, on this 3rd day of November, 2020, personally appeared Rachel Gwin, as President of Sterling Lakes Property Owners Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for the purpose and in the capacity therein expressed.



*Nicole Devenport*  
Notary Public in and for the State of Texas

# FILED and RECORDED

Instrument Number: 2020065063

Filing and Recording Date: 11/03/2020 02:33:12 PM Pages: 11 Recording Fee: \$62.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, appearing to read "Joyce Hudman".

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Joyce Hudman, County Clerk  
Brazoria County, Texas

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

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cclerk-regina