

FIFTH SUPPLEMENTAL
NOTICE OF DEDICATORY INSTRUMENTS
FOR
THE DEERWOOD COUNCIL OF CO-OWNERS

Notice

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STATE OF TEXAS §
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COUNTY OF HARRIS §

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The undersigned, being the authorized representative of The Deerwood Council of Co-Owners, a property owner's association as defined in Section 202.001 of the Texas Property Code (the "Association"), hereby supplements the "Notice of Dedicatory Instruments for The Deerwood Council of Co-Owners" ("Notice") recorded in the Official Public Records of Real Property of Harris County, Texas on March 3, 2000 under Clerk's File No. U258501; the Supplemental Notice of Dedicatory Instruments for The Deerwood Council of Co-Owners (the "Supplemental Notice") recorded in the Official Public Records of Real Property of Harris County, Texas on May 7, 2002 under Clerk's File No. V783645; the Second Supplemental Notice of Dedicatory Instruments for The Deerwood Council of Co-Owners (the "Second Supplemental Notice") recorded in the Official Records of Real Property of Harris County, Texas on July 15, 2003 under Clerk's File No. W836988; the Third Supplemental Notice of Dedicatory Instruments for The Deerwood Council of Co-Owners (the "Third Supplemental Notice") recorded in the Official Public Records of Real Property of Harris County, Texas on September 10, 2004 under Clerk's File No. X909581; and the Fourth Supplemental Notice of Dedicatory Instruments for The Deerwood Council of Co-Owners (the "Fourth Supplemental Notice") recorded in the Official Public Records of Real Property of Harris County, Texas on February 22, 2005 under Clerk's File No. Y275298, which documents were filed for record for the purpose of complying with Section 202.006 of the Texas Property Code.

1. Additional Dedicatory Instruments. In addition to the Dedicatory Instruments identified in the Notice, the Supplemental Notice, the Second Supplemental Notice, the Third Supplemental Notice, and the Fourth Supplemental Notice, the following document is a Dedicatory Instrument governing the Association:

- a. Amended Bylaws of the Association

This Fifth Supplemental Notice is being recorded in the Official Public Records of Real Property of Harris 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 Fifth Supplemental Notice is true and correct.

Executed on the 12TH day of AUGUST, 2005.

Rick S. Butler

Rick S. Butler, authorized representative of The Deerwood Council of Co-Owners

for

2005-08-12

THE STATE OF TEXAS

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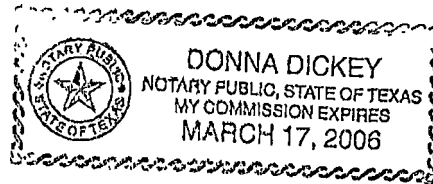
COUNTY OF HARRIS

BEFORE ME, the undersigned notary public, on this day personally appeared Rick S. Butler, authorized representative of The Deerwood Council of Co-Owners, 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.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 12th day of August, 2005, to certify which witness my hand and official seal.

Donna Dickey

Notary Public in and for the State of Texas



Return to:

Mr. Rick S. Butler
Butler & Hailey, P.C.
1616 South Voss Road, Suite 500
Houston, Texas 77057

Donna Dickey
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**2005 Proposed Amendments
To the Deerwood Condominium Project Bylaws of 1976**

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BY-LAWS OF DEERWOOD CONDOMINIUM PROJECT

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WHEREAS, Declaration # E667826 was filed in the Condominium Records of Harris County, Texas on February 3, 1976 establishing a condominium regime over certain property more particularly described therein and hereinafter referred to as "The Deerwood Condominium Project".

Pursuant to said Declaration all of the Co-Owners of units in the aforesaid condominium project constitute the Council of Co-Owners which shall govern the condominium regime in accordance with the Declaration, these By-Laws, the Articles of Incorporation of the Council of Co-Owners, the Texas Condominium Act, the Texas Uniform Condominium Act, and the Texas Non-Profit Corporation Act known collectively as the "Acts".

The Deerwood Council of Co-Owners has been organized as a Texas non-profit corporation in connection with said Declaration; and

Co-Owners of the Deerwood Council of Co-Owners, owning not less than fifty percent (50%) of the Units within Deerwood, hereby adopt the following By-Laws of the Council, which By-Laws shall replace and supersede, in their entirety, the previously existing By-Laws of the Council.

1. **Definitions** – All words, terms, and phrases used herein shall have the meaning (s) as defined in the Declaration.
2. **Controlling Documents** – In the event of any conflict between the terms and provisions of these By-Laws, the Declaration, the Articles of Incorporation, or the Acts, (A) the Articles of Incorporation shall prevail over the By-Laws, (B) the Declaration shall prevail over both the Articles and these By-Laws, and (C) the Acts shall prevail over the provisions of the Articles of Incorporation, By-Laws and the Declaration.
3. **Voting**
 - A. **Voting by Co-Owners** – Each Co-Owner shall be entitled to one (1) vote for each unit owned on all matters submitted to the Co-Owners for vote, weighted in accordance with the undivided interest in the common elements allocated to such Unit pursuant to the Declaration, unless otherwise specified in the governing documents of the Council or the Acts.
 - B. **Ownership and Good Standing** – No Co-Owner shall be entitled to vote at any meeting of the Council until the Co-Owner shall have presented evidence of ownership of a unit in the condominium project to the Secretary of the Board. If title to a Unit is in the name of two (2) or more persons, any one (1) of such Co-Owners may vote at any meeting of the Council as the Co-Owner of the Unit and such vote shall be binding upon the other Co-Owner(s) not present at the meeting. If all Co-Owners of a Unit are present at a meeting, the unanimous consent (in person or by proxy) shall be required to cast the vote. Unless otherwise provided by law or the governing documents of the Council, a Co-Owner must be a member of the Council in good standing to be entitled to vote on any matter submitted to the members of the Council for a vote. "Member in Good Standing" means a Co-Owner of a unit who (a) is not delinquent in the payment of any assessment levied against the unit by the Council, or any interest, late charges, costs or attorney's fees owed to the Council under the provisions of the Declaration or as provided by law; (b) is not delinquent in the payment of any fine levied against the Co-Owner and/or such unit, and (c) has not failed to comply with all terms of a judgment obtained against such Co-Owner by the

Council, including the payment of all sums due to the council by virtue of such judgment.

The vote of a Co-Owner must be cast either in person or by a written proxy duly executed by such Co-Owner and delivered to the Secretary of the Council prior to or at the meeting for which the proxy is designated and executed. The Secretary of the Council shall count all proxies submitted at a meeting and the count shall be verified by two (2) Co-Owners who are not members of the Board of Directors of the Council.

The record date for determining whether a Co-Owner is entitled to vote at a meeting of the Council shall be twenty-four (24) hours prior to the commencement of the meeting.

4. **Meetings** – Meetings of the Board of Directors shall consist of Regular meetings, the Annual Meetings of the Board and Council of Co-Owners, Special Meetings, and Emergency Meetings held in the manner hereinafter set forth. In all meetings of the Board a quorum must be present and the action(s) of the Board must be recorded in the applicable meeting minutes.

A. **Notice** – Written notice of any annual or special meeting of the Council shall be mailed to Co-Owners at the address provided to the Council in writing by the Co-owner. If a Co-Owner fails to provide a mailing address to the Council, notice shall be forwarded to the Co-owner at the address of the Co-owner's unit. Notice shall be deemed delivered when properly addressed and deposited in the United States mail with postage prepaid, regardless of the actual date of receipt. Notices to all Co-Owners of the annual meeting will be mailed not less than thirty (30) days nor more than sixty (60) days prior to the scheduled annual meeting date. The notice of a special meeting, shall specify the purpose(s) of the meeting.

B. **Annual Meetings of the Board of Directors and the Council of Co-Owners**
An annual meeting of the Council of Co-Owners and the Board of Directors shall be held the 3rd Tuesday in May in the Deerwood Condominium Clubhouse. The Board shall notify all Co-Owners of any change in the meeting no less than 10 nor more than 15 days prior to the meeting via email, U.S. mail, notices posted on Clubhouse doors, at all mail centers, and at the entrance to the project. At each annual meeting the Board members shall be elected by a majority vote of the Co-Owners present and voting (including votes by proxy given to an authorized representative) and in accordance with the provisions hereinafter set forth. All other business deemed proper by the Co-Owners shall be transacted at such time.

C. **Regular Board Meetings** – Regular meetings of the Board shall be held to conduct the business of the Council of Co-Owners. Notice of the time and place of the meetings shall be announced at the annual Board meeting. Any change to the regularly scheduled meetings shall be posted on the Clubhouse bulletin board and at all mail centers in the community. The agenda for the regular meetings will be posted on the Clubhouse bulletin board not less than seventy-two (72) hours prior to the meeting. Issues occurring after the seventy-two (72) hour notice is posted may be added to the agenda and acted upon at the meeting. Issues and items to be discussed in both open and executive session must be listed on the agenda. All actions of the Board shall be recorded in the minutes of meeting.

- D. Special Board Meetings – Special meetings of the Board may be called by the President and must be called by the Secretary at the written request of any two (2) Board members. Not less than three (3) days notice of the meeting shall be given personally, by mail, telephone, fax, or e-mail and/or voice mail and such notice shall state the time, place and purpose of the meeting. A *quorum* must be present and a majority vote shall be required for any action to be taken. The purpose and action(s) taken shall be included in the agenda of the next regular Board meeting as "old business" and reported as such.
- E. Emergency Board Meetings – Such meetings may be called when an urgent necessity exist requiring immediate action due to an eminent threat to the health, safety, and/or security of the property and/or Co-Owners. All Board members shall be notified via email or telephone. Action can be taken only by a *quorum* of the Board but information on the emergency must be given to all remaining Board members within twenty-four (24) hours thereafter. The action taken must be clearly identified and recorded in the minutes of the next regularly scheduled Board meeting.
- F. Special Meetings by Council of Co-Owners. – Special meetings of the Council may be called by the Co-Owners at any time for the purpose of considering matters which, by the terms of these By-laws require a quorum of all or some of the Co-Owners. Such meetings shall be called by written notice, signed by the President of the Board, or by Co-Owners who are Members in Good Standing (as of the date of submission) and have not less than one tenth (1/10) of the total votes, and such notice shall be delivered not less than fifteen (15) days nor more than sixty (60) days prior to the date fixed for said meeting. Such notices shall specify the date, time and place of the meeting, the agenda, and all those items of business to be considered. At the meeting, the presence in person and/or by proxy of the Co-Owners owning more than fifty percent (50%) of the units shall constitute a *quorum* for holding any meeting of the Council. In the absence of a *quorum*, Co-Owners present and/or represented by proxy shall have the power to adjourn and reconvene any such meeting from time to time without notice, other than announcement at the meeting, until such time as a *quorum* shall be present or represented. Notice of adjournment of the meeting shall be posted at the location where the meeting will be reconvened. At the reconvened meeting, at which a *quorum* shall be present or represented by proxy, any business may be transacted as was set out in the notice of the original meeting.
- G. Proxies – At any meeting of the Council, votes may be cast in person or by signed proxy. Proxies must be filed with the Secretary of the Board at or before the appointed time of each meeting of the Council. Proxies designated to the Board shall be evenly divided among the members of the Board for the purpose of casting the proxy votes. At the annual meeting all proxies and votes for candidates seeking positions on the Board must be counted in the presence of the Secretary of the Board and two (2) Co-Owners not serving on the board.

H. Majority Vote –

- i. When a quorum is present at any meeting of the Board of Directors, the vote of a simple majority shall decide any question brought before the meeting unless the question is one for which, by express provisions of the Acts, the Declaration, and/or the By-Laws, a different vote is required, in which case that express provision shall govern and shall be controlling.
 - ii. At any meeting of the members of the Council of Co-Owners at which a quorum is present, the vote of Co-Owners having a majority of the votes entitled to be cast, in person and by proxy, shall decide any issue to be voted upon by the members of the Council, unless otherwise provided in the Articles of Incorporation, these Bylaws, the Declaration or the Acts.
- I. Minutes – The minutes of each meeting shall specify the outcome of the votes (for example, 4-3, 5-2, 6-1, 7-0) taken by the Board on each issue and item of business in all meetings of whatsoever kind, including Executive Sessions.
- J. Cumulative Voting Prohibited – At all meetings of the Council, cumulative voting shall be prohibited.

5. Members of the Board.

- A. Number, Qualification, and Eligibility – A Board consisting of seven (7) Directors shall manage the affairs of the Council. Each Director of the Board must be a Co-Owner of a unit in Deerwood and a Member in Good Standing. If a Director ceases to be a Member in Good Standing, his position on the Board shall cease upon the expiration of thirty (30) days from the date of written notice thereof is delivered to the Director by a majority vote of the remaining Directors, unless within such thirty (30) day period the Director shall be reinstated as a Member in Good Standing. If a Director ceases to be a Co-Owner of a Unit in Deerwood, his position on the Board shall automatically cease as of the date that the Director ceases to have an ownership interest in any Unit in Deerwood.
- B. Election – At each Annual Meeting of the Council, the Co-Owners shall elect Board members for a term of three (3) years as terms expire. The three (3) year terms shall be staggered so that not more than three (3) Board members' terms expire in the same year for which an election by Co-Owners is conducted to fill expired positions. A schedule of the terms and their ending dates shall be maintained by the Board for filling vacancies that occur between Annual Meetings. Election to the Board shall be by majority vote of the Co-Owners. At the election all Co-Owners may cast such votes, as they are entitled to exercise under the provisions of the Declaration, in person or by proxy, for all such vacancies. Nominees receiving the largest number of votes shall be elected.
- i. Term Limits – Any Board member who has served two (2) consecutive terms shall not be eligible to serve another term for a period of two (2) years from the expiration of the members second term. A term shall be defined as a three year elected term or an appointed term greater than six (6) months. This amendment shall apply to Board members who are in office at the time of the adoption of this amendment.

ii.(a) **Removal, Resignation and Vacancies** – Any Board member failing to attend three (3) consecutive, regularly scheduled Board meetings, without just cause, may be removed by the Board or the Council of Co-Owners. Just cause includes but is not limited to the death or serious illness of family members, or of one in any long standing personal relationship, a mental or physical impairment which disables and prevents the member from attending, and mandatory business engagements related to the member's employment or livelihood.

ii.(b) Any Board member may be removed from the Board with or without cause at an annual or special meeting called for such purpose by the Council of Co-Owners who are Members in Good Standing and have not less than the majority of the total votes in the Council entitled to be cast in person or by proxy. If removed by the Council, the successor for the removed Board member shall be elected by the Council of Co-Owners at a special meeting called for such purpose. The elected Board member shall serve the unexpired term of the Board member so removed.

ii.(c) **Vacancies** on the Board occurring between annual meetings due to removal by the Board for failure to attend three (3) consecutive meetings without just cause, resignation (by written letter), death, or disability (defined above in item ii) resulting in failure to attend three (3) consecutive meetings, or a change in "Member in Good Standing" status shall be filled by a majority of the remaining Board members. The appointee shall serve until the next annual meeting at which time the Council of Co-Owners shall elect a member to serve the remainder of the term. Notice of any such vacancy shall be announced by the Board at the next Council meeting following the resignation or removal. Notice of the vacancy and notice to the Board by any Co-Owner(s) of his/her candidacy to fill the vacancy shall be mailed to all Co-Owners and posted at each mail center within seven (7) days of the meeting at which the vacancy was announced by the Board. Co-Owners interested in being considered for the position must submit a resume to the Secretary of the Board within ten (10) days of the written and dated notice of the vacancy. Copies of the resumes are to be distributed to the Board members at its next regularly scheduled meeting at which time the interested Co-Owner(s) shall have the opportunity to address the Board and Co-Owners present for up to three (3) minutes. The Board shall appoint the Co-Owner(s) receiving the highest number of votes to fill all such vacancies

C. **Organizational Meeting** – Within ten (10) days of the date of the annual meeting of the Council, the Board of Directors shall meet for the purpose of electing Board officers for the ensuing year. The date and location of the Board meeting shall be announced at the annual meeting and no other notice of such meeting shall be required.

D. **Compensation and Expense** – No member of the Board shall receive any compensation from the Council for serving as a Director, but shall be reimbursed for reasonable expenses incurred in the performance of his/her duties as a Director. Expenditures must have prior approval of the Board, and proper receipts presented to the Treasurer of the Board for reimbursement.

- E. **Parliamentary Authority** – Unless inconsistent with these By-Laws, Robert's Rules of Order (most current edition) shall govern in all cases and at all meetings.
- F. **Conduct of Meetings** – All business of the Board shall be conducted in full compliance with the current Texas Uniform Condominium Act, these Bylaws and the Declaration.
- G. **Agenda for Meetings** -- The agendas for all regular meetings shall be established by the Board or any Director and by the Management Company under the direction of the Board. The Agenda will be organized as follows:

Call to Order
Establish quorum
Approval of the meeting's agenda
Approval of previous meetings' minutes
Co-Owner comments*
Committee reports
Old Business
New Business
Announcements
Adjournment

*Co-Owners of legal record are permitted up to five (5) minutes to present comments to the Board.

- H. **Draft Minutes** – A draft of the minutes of the prior month's regular meeting of the Board shall be made available to Co-Owners at the next monthly meeting of the Board. Once approved by the Board, minutes of each meeting shall be retained among the records of the council to evidence the business transacted by the Board.
- I. **Executive Session** – Under the current Texas Uniform Condominium Act, the Board may conduct an Executive Session only for action on those issues and items considered appropriate for closed sessions which are: (a) personnel matters, (b) contract negotiations, (c) pending litigation, (d) enforcement actions, (e) matters involving the invasion of privacy of individual Co-Owners, and (f) matters which are to remain confidential by request of the affected parties and by agreement of the Board. General topics discussed at any executive session must be listed on the meeting agenda as such, and the results of the Board's action, but not the content of the discussion, must be recorded in the minutes presented at the next meeting. All other items, issues, actions, and votes must be conducted in Open Session.
- J. **Limitation on Expenditures** – In no case, except in an emergency, defined as an imminent threat to the safety, property, security, and/or health of any Co-Owner(s), shall the Board vote to commit Co-Owner funds in excess of fifty thousand dollars (\$50,000.00) for any single expenditure to cover any action taken by the Board, without a majority vote of the Board and a majority vote of the Council of Co-Owners.

K. Quorum

- i. (a) A quorum for purposes of Board meetings shall consist of a majority of the seven (7) members of the Board. The acts approved by a simple majority of those present at a meeting at which a quorum is present shall constitute the acts of the Board - except where approval of a greater number shall be required by the Declaration, the By-Laws, and/or the Acts.
- ii. (b) At a meeting of the Council of Co-Owners the presence in person or by proxy of Co-Owners, owning more than fifty percent (50%) of the units shall constitute a quorum

L. **Committees** – The Board shall establish both standing and ad hoc committees as may be required and/or necessary. No member of the Board may serve on more than one (1) standing or ad hoc committee and no committee shall have more than two (2) Board members. No committee can take any action within the committee without the consent of a simple majority of its members.

M. **Standing Committees** – Standing Committees shall serve twelve (12) months after appointment. Members may be re-appointed to serve more than one (1) term. Standing committees, at a minimum, shall consist of the following and any other such committees as may be deemed necessary:

Community Rules and Regulations
Clubhouse / Social
Architectural
Landscape
Nomination

The Board President shall appoint a temporary Chairperson for each standing committee. The committee shall elect a Chairperson at its first meeting from among members of the committee. Co-Owners may volunteer to serve on committees and no committee shall have less than three (3) members and a fifty percent (50%) quorum must be present to conduct business. A majority vote is required to carry a motion to act within the committee. The Chairperson will render committee reports at the regular Board meetings and request approval for action on any committee recommendations provided to the Board. A final report will be given at the Annual meeting. Any item of business given to any committee shall be discussed in committee and recommendations shall be reported to the Board within thirty (30) days thereafter unless the Board specifies a longer period. Any committee Chairperson failing to render a progress report to the Board within the said thirty (30) days (or longer as specified by the Board) shall be subject to removal by the Board.

N. **Ad hoc Committees** – The Board may appoint ad hoc committees to serve for a specific instance, situation, or purpose. The Chairperson, nominated by the President and approved by the Board, shall make regular reports to the Board and give a final report when the purpose of the ad hoc committee shall have been achieved.

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- O. **Nomination** – Except for vacancies on the Board to be filled by the vote of the remaining Directors, nomination for election to the Board shall be made by a nominating committee consisting of a Chairperson, who shall be either a member of the Board or appointed by the Board and two (2) or more Co-Owners, who are Members in Good Standing. The members of the nomination committee shall be appointed by the Board at each annual meeting of the Council of Co-Owners, to serve from the close of such annual meeting until the close of the next annual meeting and such appointment shall be announced at each annual meeting. The nominating committee shall make as many nominations for election to the Board as it shall in its discretion determine eligible but not less than the number of vacancies to be filled. The committee shall accept resumes from each Co-Owner wishing to run for a position on the Board (including current Board members seeking re-election). Resumes of all persons seeking a Board position shall be included in the annual meeting announcement. Floor nominations will also be accepted at the annual meeting.
- P. **Powers and Duties** – All of the powers, duties and functions of the Council existing under the Acts, the Declaration, and these By-Laws shall be exercised exclusively by the Board subject only to approval by the Council of Co-Owners when such is expressly required. The Board may engage a management company and/or employees to perform duties under its direction and may revoke any contract for such duties with a thirty (30) day written notice. Such powers and duties shall include but are not be limited to the following:
- i. To make and collect assessments against the Co-Owners for the purposes outlined in the Declaration for the Condominium Project and all of its property and/or facilities;
 - ii. To use the proceeds of assessments in the exercise of its powers and duties;
 - iii. To properly maintain the property, repairing and replacing as necessary and administer the affairs of the Council.
 - iv. To purchase insurance upon the property and for the protection of the Co-Owners as required by and pursuant to the Declaration;
 - v. To reconstruct improvements after casualty and further improve the property;
 - vi. To promulgate and amend from time to time reasonable community rules and regulations relating to the use, occupancy, leasing or sale, maintenance, repair, modification and appearance of units and common elements;
 - vii. To arrange for and purchase water, sewer, garbage, electricity, gas and other necessary utility services for the Common Elements and for the individual units. Common Elements shall mean all of the property, except for the walls, and shall include but shall not be limited to the land, gardens, yards, halls, lobbies, stairways, entrances and exits, driveways, walkways, and recreational facilities. (See Declaration page two (2), Section F for a complete description);

- viii. To carry out, effect and enforce the provisions of the Acts, the Declaration, the By-Laws, and the Community Rules and Regulations for the use of the property; and, in particular, to establish a Rules Committee and procedures for the operation of such committee to hear and determine the facts with respect to allegations of a failure of a Co-owner or Co-Owners to comply with the provisions of the governing documents of the Condominium Project, all in accordance with the notice requirements set out in such documents, which Committee shall recommend to the Board such action as may be appropriate by way of limitation or use of common elements, cessation or furnishing of any common services, or other remedy or action authorized by law or such governing documents;
- ix. To employ personnel to perform the services required for proper operation of the Condominium Project; the compensation of all employees of the Council of Co-Owners and the condominium complex shall be fixed by the Board. This provision shall not preclude the Board from contracting with a property management company for management, and
- x. To cause to be kept a complete record of all its acts and affairs and to present a statement thereof to the Co-Owners at the annual meeting of the Council of or at any special meeting when such statement is required in writing by twenty-five percent (25%) or more of the total votes of the Co-Owners requesting such special meeting.

6. **Officers** -- The officers of the Council of Co-Owners shall be a President, a Vice President, a Treasurer and a Secretary, all of whom shall be Directors and elected annually by the Board and who may be preemptively removed by a vote of the Board at any meeting. Any person may hold two (2) or more offices except the President who shall not also be the Secretary. The Board shall from time to time elect such other officers and designate their powers and duties as the Board shall deem necessary to manage the affairs of the Council.

- A. **The President** -- The President shall be the chief executive officer of the Council and shall have all of the powers and duties which are usually vested in the office of the President of an organized association, including, but not limited to, the power to appoint committees from among the Co-Owners from time to time which, in the exercise of his/her discretion, are determined appropriate, to assist in the conduct of the affairs of the Council.
- B. **The Vice President** -- The Vice President shall, in the absence or disability of the President, exercise the powers and perform the duties of the President, and shall also generally assist the President and exercise such other powers and perform such other duties as shall be prescribed by the Board.
- C. **The Secretary** -- The Secretary, or a duly designated representative, shall keep the Minutes of all proceedings of the Board and Council of Co-Owners and shall attend to giving and serving all notices to the Co-Owners and Board members and other notices required by law. The Secretary shall keep the records of the Council, except those of the Treasurer, and shall perform all other duties incident to the

office of Secretary of an organized association and as may be required by the Board or the President.

D. **The Treasurer** – The Treasurer, or a duly designated representative, shall have custody of all financial records of the Council of Co-Owners, including funds, securities and evidences of indebtedness; and shall keep the books of the Council in accordance with GAP rules and regulations; and shall further perform all other duties incident to the office of Treasurer.

7. **Audit** – The Board or the management company for the Condominium Complex shall keep or cause to be kept detailed financial records of the Council that comply with generally accepted accounting principles; records reflecting the name and mailing address of each Co-Owner; voting records, proxies, and correspondence relating to amendments to any governing documents of the Council; and minutes of all meeting of the Council and the Board. All financial records and other records of the council shall be reasonably available at the principal office of the council for examination by a Co-Owner and the Co-Owner's agent. Provided that a Co-Owner must submit a request in writing not less than twenty four (24) hours prior to the time that he/she desires to inspect records to the Secretary of the council or the management company engaged by the council. The Council shall, as a common expense, annually obtain an independent audit of its records. Copies of the audit must be made available to the Co-Owners.

8. **Amendment** – These By-Laws may be amended from time to time by a vote of Co-Owners owning more than fifty percent (50%) of the total units.

9. **Severability** – The invalidity of any provision or provisions of these By-Laws shall not be deemed to impair or affect in any manner the validity, enforceability, and/or remainder of these By-Laws, and the latter shall continue in full force and effect as if such invalid provision had never been included therein.

APPROVED AND ADOPTED ON THIS 21st DAY OF JUNE, 2005, BY _____ WHICH BYLAWS SHALL REPLACE AND SUPERCEDE, IN THEIR ENTIRETY, ANY PREVIOUS EXISTING BYLAWS OF THE DEERWOOD CONDOMINIUM COUNCIL OF CO-OWNERS.

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 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 Harris County Texas on

AUG 12 2005



Dorely L. Kaufman
COUNTY CLERK
HARRIS COUNTY, TEXAS

Chris Bozell

CHRIS BOZELL
Print Full Name

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