



AMENDMENT OF THE BYLAWS
of
VILLAGE OF DIAMOND BAY HOMEOWNERS ASSOCIATION, INC.

WHEREAS, the Board of Directors (the "Board") of Village of Diamond Bay Homeowners Association, Inc. (the "Association") held a Board of Directors meeting and/or vote on the 27 day of September 2021; and

WHEREAS, on July 28, 2005, the Association recorded the original Bylaws of Village of Diamond Bay Homeowners Association, Inc. under File No. 2005090047 in the Official Public Records of Ft. Bend County, Texas; and

WHEREAS, the Board noted the increasing problem of apathy within the membership of the subdivision and the difficulty in acquiring the necessary votes to establish a quorum for the annual meeting of the Members sufficient to allow the community's business, including the election of directors, to be conducted; and

WHEREAS, Article XV, Amendments, Section 15.1 of the Bylaws, states, in part, "...these Bylaws may be amended by a vote of a majority of the Board of Directors..."; and

WHEREAS, the Board also noted that the Texas Property Code, Section 209.00593, provides, in part, "[n]otwithstanding any provision in a dedicatory instrument, any board member whose term has expired must be elected by owners who are members of the property owners' association ... The board of a property owners' association may amend the bylaws of the property owners' association to provide for elections to be held"; and

WHEREAS, during the course of business, a vote of the Board was taken to amend the Association's Bylaws pursuant to Article XV, Section 15.1 of the Bylaws, and Section 209.00593 of the Texas Property Code, in order to ensure that the election of Directors will occur during a meeting of the members at which quorum is present.

NOW THEREFORE, BE IT RESOLVED THAT Article X, Section 10.4, Quorum, of the Bylaws shall be amended to read as follows:

ARTICLE X
MEETINGS OF MEMBERS

Section 10.4. Quorum. The presence at the meeting of Members entitled to cast, or of proxies entitled to cast ten percent (10%) of the votes, shall constitute a quorum. If, however, such quorum shall not be present or represented at any meeting, the Members entitled to vote thereat shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid, shall be present or be represented.

Section 10.4.(A). Quorum for Election of Directors. For a meeting of the Members at which a Director or Directors will be elected, the Members present in person or by proxy, absentee ballot, electronic ballot, or any other method of representative or delegated voting, shall constitute quorum for the purpose of conducting elections. The nominees or candidates who receive the greatest number of votes shall be elected to the open positions on the Board of Directors.

IN WITNESS WHEREOF, the undersigned, being an Officer of the Association, hereby executed this document acknowledging that the forgoing Amendment to the Bylaws was approved by a majority of a quorum of the Board of Directors.

Executed on this the 27 day of September 2021.

Sara Riggins
September, 27th of 2021
 Village of Diamond Bay Homeowners Association, Inc.

STATE OF TEXAS §
 COUNTY OF Brazoria §

This instrument was acknowledged before me on the 27th day of September 2021, by Sara Riggins, _____ of Village of Diamond Bay Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Cherish Dunford
 Notary Public, State of Texas

RECORDED BY:

ISB | SEARS
 BENNETT
 & GERDES, LLP
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