

PI145-2013077058-13

**ADDITIONAL DEDICATORY INSTRUMENTS  
OF  
LONGMIRE CREEK ESTATES PROPERTY OWNERS ASSOCIATION, INC.**

**BEFORE ME**, the undersigned authority, on this day personally appeared the below named person, who, being by me first duly sworn, states the following:

My name is Charles M. Jordan. I am over 21 years of age and of sound mind. I am capable of making, and authorized to make, this affidavit. I am personally acquainted with the facts herein stated. I am the agent and attorney of the following (herein the "**Association**"):  
**Longmire Creek Estates Property Owners Association, Inc.** which is an Association located in Montgomery County, Texas. Pursuant to the Texas Property Code, Section 202.006, the following documents are the originals, or true and correct copies of the originals, of governing instruments of the Association:

- 1. By-Laws

**DATED** this the 15 day of July, 2013.

**LONGMIRE CREEK ESTATES PROPERTY OWNERS ASSOCIATION, INC.**

By: *Charles M. Jordan*  
ATTORNEY & AGENT

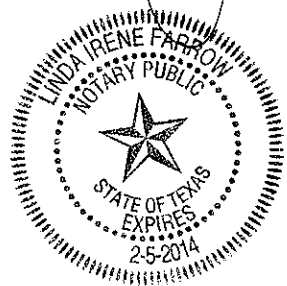
Print Name: Charles M. Jordan

THE STATE OF TEXAS  
COUNTY OF HARRIS

**THIS** affidavit was **acknowledged** before me on the 15 day of July, 2013 by Charles M. Jordan who stated that he is the attorney and agent for the above-named Association.

*Linda Irene Farrow*  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

**AFTER RECORDING RETURN TO :**  
Print Name: Linda Farrow  
Daughtry & Jordan, P.C.  
17044 El Camino Real  
Houston, TX 77058  
281-480-6888



**BYLAWS  
OF  
LONGMIRE CREEK ESTATES  
PROPERTY OWNERS ASSOCIATION, INC.**

**ARTICLE I**

NAME AND LOCATION. The name of the non-profit corporation is LONGMIRE CREEK ESTATES PROPERTY OWNERS ASSOCIATION, INC., hereinafter referred to as the "Association". The Association and its principal office shall initially be located in Montgomery County, Texas.

**ARTICLE II**

**DEFINITIONS**

Section 1. "Association" shall mean and refer to LONGMIRE CREEK ESTATES PROPERTY OWNERS ASSOCIATION, INC., its successors and assigns.

Section 2. "Lot" shall mean and refer to any plat of land identified as a Lot or tract on the plat of the Subdivision.

Section 3. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot or Lots which is a part of the Subdivision, including contract sellers, but excluding persons or entities who hold a lien, easement, mineral interest or royalty interest burdening the title thereto.

Section 4. "Declarant" shall mean and refer to Sig-Longmire, LLC, a Texas limited liability company, and its successors and assigns.

Section 5. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions for Longmire Creek Estates, Section One (1), recorded in the Official Records of Real Property of Montgomery County, Texas on December 8, 2011 under File No. 2011107842.

Section 6. "Member" shall mean and refer to those persons entitled to membership as provided in the Declaration.

### ARTICLE III

#### MEETINGS OF MEMBERS

Section 1. Annual Meetings. Regular annual meetings of the Members shall be held on a day and at an hour determined by the Board of Directors.

Section 2. Special Meetings. Special meetings of the Members may be called at any time by the President or by the Board of Directors, or upon written request of the Members who are entitled to vote one-fourth (1/4) of all of the votes of the Class A membership.

Section 3. Notice of Meetings. Written notice of the annual meeting and each Special Meeting of the Members shall be given by, or at the direction of, the Secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least 10 days but no longer than 60 days before such meeting to each Member, addressed to the Member's address last appearing on the books of the Association, or supplied by such Member to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting and the purpose of the meeting.

Section 4. Quorum.

- (a) Quorum in General. The presence at any meeting of Members (in person or by proxy) of one-tenth (1/10) or more of the votes of the membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration, or these Bylaws.
- (b) Quorum for Association Business OTHER than Board of Director Elections: If, however, a 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 an announcement at the meeting, until a quorum as aforesaid shall be present and represented.

- (c) Quorum for Board of Director Elections: If quorum is not present or represented, the meeting shall be adjourned without notice other than an announcement at the meeting, and immediately reconvened for the sole purpose of election of directors. At the reconvened meeting, quorum shall be all those members counted as present whether in person or by proxy, absentee ballot, electronic ballot, or any other method of representative or delegated voting. Directors shall be elected by a majority of those votes.

Section 5. Proxies. At all meetings of Members, each Member may vote in person and by proxy in accordance with the Texas Property Code. All proxies shall be in writing and filed with the Secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the Member of his Lot.

#### **ARTICLE IV.**

#### **BOARD OF DIRECTORS; SELECTION; TERM OF OFFICE**

Section 1. Number, Qualifications and Term of Office for Directors. The affairs of this Association shall be managed by a Board of three (3) Directors. The members of the Board of Directors shall be members of the Association and shall serve staggered terms of three (3) years each, so that one member of the Board shall be elected each year.

Section 2. Removal, Resignation or Death and Appointment of Successor. Any Director may be removed from the Board of Directors, with or without cause, by a majority vote of the members of the Association. A meeting to consider the removal of a Director may be called and noticed following the procedures provided in these bylaws. The notice of the meeting shall state that the issue of possible removal of the Director will be on the agenda.

In the event of death, resignation or removal of a Director, his successor shall be selected by the remaining members of the Board of Directors and shall serve for the unexpired term of his predecessor.

Section 3. Compensation. No Director shall receive compensation for any service he may render to the Association. However, any Director may be reimbursed for his actual expenses incurred in the performance of his duties.

## **ARTICLE V**

### **NOMINATION AND ELECTION OF DIRECTORS**

Section 1. Nomination. Nominations for director positions may be solicited from the Members prior to the annual meeting. Nominations may also be made from the floor at the annual meeting.

Section 2. Election. Election to the Board of Directors shall be by written ballot in accordance with the Texas Property Code. At such election the Members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration. There shall be no cumulative voting. The person receiving the largest number of votes shall be elected.

## **ARTICLE VI**

### **MEETINGS OF DIRECTORS**

Section 1. Regular Meetings. Regular meetings of the Board of Directors shall be held monthly or quarterly, at such place and hour as may be fixed from time to time by resolution of the Board of Directors. Notice of regular Board meetings shall be provided to the Members of the Association pursuant to the Texas Property Code.

Section 2. Special Meetings. Special meetings of the Board of Directors shall be held when called by the President of the Association, or by any two Directors, after not less than seventy-two (72) hours notice to the Membership pursuant to the Texas Property Code.

Section 3. Quorum. A majority of the number of Directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the Directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the entire Board of Directors.

## **ARTICLE VII**

### **POWER AND DUTIES OF THE EXECUTIVE COMMITTEE**

Section 1. Powers. The Board of Directors shall have power to do the following:

(a) Adopt, amend, repeal and enforce rules and regulations and enforcement provisions as it deems necessary or desirable with respect to the interpretation and implementation of the Declaration, the operation of the Association, and the use of property and Lots within the Subdivision.

(b) Exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these Bylaws, the Certificate of Formation (if any), or the Declaration.

(c) Declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors.

(d) Employ a manager, an independent contractor, or such other employees as they deem necessary, and to prescribe their duties.

Section 2. Duties. It shall be the duty of the Board of Directors to do the following:

(a) Cause to be kept a complete record of all its acts and corporate affairs.

(b) As more fully provided in the Declaration, to:

(1) fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each calendar year;

(2) send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of each annual assessment period; and

(3) foreclose the lien against any property for which assessments are not paid or to bring an action at law against the owner personally obligated to pay the same, as it may deem appropriate.

(c) Procure and maintain adequate liability and hazard insurance on any property owned by the Association.

(d) Cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate.

## **ARTICLE VIII**

### **OFFICERS AND THEIR DUTIES**

Section 1. Enumeration of Offices. The officers of this Association shall be a president and vice-president, who shall at all times be members of the Board of Directors, a secretary, and a treasurer, and such other officers as the Board of Directors may from time to time by resolution create.

Section 2. Election of Officers. The election of officers shall take place at the first meeting of the Board of Directors following each annual meeting of the Members.

Section 3. Term. The officers of this Association shall be elected annually by the Board of Directors and each shall hold office for one (1) year unless he shall sooner resign, or shall be removed, or otherwise disqualified to serve.

Section 4. Special Appointments. The Board of Directors may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have

such authority, and perform such duties as the Board of Directors may, from time to time, determine.

Section 5. Resignation and Removal. Any officer may be removed from office with or without cause by the Board of Directors. Any officer may resign at any time giving written notice to the Board of Directors, the president or the secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6. Vacancies. A vacancy in any office may be filled by appointment by the Board of Directors. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he replaces.

Section 7. Multiple Offices. The offices of secretary and treasurer may be held by the same person. No person shall simultaneously hold more than one of the other offices except in the case of special offices created pursuant to Section 4 of this Article.

Section 8. Duties. The duties of the officers are as follows:

President

a) The president shall preside at all meetings of the Board of Directors; shall see that orders and resolutions of the Board of Directors are carried out; shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all checks and promissory notes, except as may be otherwise approved by the Board of Directors.



Vice-President

(b) The vice-president shall act in the place and stead of the president in the event of his absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of him by the Board of Directors.

Secretary

(c) The secretary shall record the votes and keep, or cause to be kept, the minutes of all meetings and proceedings of the Board of Directors and of the members; serve notice of meetings of the Executive Committee and of the members, keep appropriate current records showing the members of the Association together with their addresses, and shall perform such other duties as required by the Board of Directors.

Treasurer

(d) The treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall sign all checks and promissory notes of the Association and keep proper books of account, if directed by the Board of Directors; cause a periodic review of the Association books to be made by a public accountant; and shall prepare an annual budget and a statement of income and expenditures to be presented to the membership at its regular annual meeting.

## **ARTICLE IX**

### **BOOKS AND RECORDS**

The books and records of the Association shall be open to the Membership, subject to the parameters contained in the Texas Property Code, and/or in any policy for records retention and inspection that is promulgated by the Board of Directors.

## **ARTICLE X**

### **INDEMNIFICATION**

The Association shall indemnify every officer and director of the Association against any and all expenses, including counsel fees, reasonably incurred by or imposed upon any officer or director in connection with any action, suit or other proceeding (including the settlement of any such suit or proceeding if approved by the then Board of Directors of the Association) to which he may be made a party by reason of being or having been an officer or director at the time such expenses are incurred. The officers and directors of the Association shall not be liable to the members of the Association for any mistake of judgment, negligence, or otherwise, except for their own individual willful misconduct or bad faith. The officers and directors of the Association shall have no personal liability with respect to any contract or other commitment made by them, in good faith, on behalf of the Association (except to the extent that such officers or directors may also be owners of units), and the Association shall indemnify and forever hold each such officer and director free and harmless against any and all liability to others on account of such contract or commitment. Any right to indemnification provided for herein shall not be exclusive of any other rights to which any officer or director of the Association, or former officer or director of the Association, may be entitled.

The Association may purchase and maintain insurance on behalf of any person who is or was an officer or director of the Association against any liability asserted against him and incurred

by him in any such capacity, or arising out of his status as such, whether or not the Association would have the power to indemnify him against such liability under the preceding provisions of this Article or applicable provisions of law.

Notwithstanding the provisions of the preceding paragraph, no person shall be entitled to indemnification pursuant thereto in relation to any matter as to which indemnification shall not be permitted by law.

**ARTICLE XI  
AMENDMENTS**


Section 1. These Bylaws may be amended by a vote of a majority of the Board of Directors.

Section 2. In the case of any conflict between the Declaration and these Bylaws, the Declaration shall control.

**ARTICLE XII  
MISCELLANEOUS**

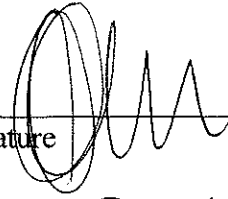
The fiscal year of the Association shall begin on the first day of January and end on the 31st day of December of every year.

IN WITNESS WHEREOF, we, being the Board of Directors of the LONGMIRE CREEK ESTATES PROPERTY OWNERS ASSOCIATION, INC., have hereunto set our hands this 4<sup>th</sup> day of June, 2013.

  
\_\_\_\_\_  
Signature

Print Name Dan Reynolds

Signature

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a final 'W' shape, written over a horizontal line.

Print Name

David Weber

Signature

Print Name

**FILED FOR RECORD**

07/17/2013 1:40PM

*Mark Tumbull*

COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in file number  
sequence on the date and at the time stamped herein  
by me and was duly RECORDED in the Official Public  
Records of Montgomery County, Texas.

**07/17/2013**



*Mark Tumbull*

County Clerk  
Montgomery County, Texas