

**BYLAWS FOR TRAILS END HOMEOWNERS
ASSOCIATION, INC.**

ARTICLE I

Name

The name of this Corporation is Trails End Homeowners Association, Inc.

ARTICLE II

Purpose

The purposes for which Trail's End Homeowners Association is organized are:

- 1. To assure the upkeep, maintenance, improvements and administration of the Local Common Areas, Recreation and Open Space of Trails End Subdivision, a subdivision in Travis County, Texas. These include Travis Central Appraisal District legal descriptions as set forth below and as shown on the map of Trails End Subdivision which is recorded in Book 4, Page 331 of the plat records of Travis County:
 - 1) Lot 31 – Trail's End**
 - 2) Lot 57 – Trail's End**
 - 3) ABS 364 – Trail's End**
 - 4) Lot 139 – W Darleen Extension**
 - 5) Lot 140 – W Darleen Extension**
 - 6) ABS 2246 – W Darleen Extension**
 - 7) ABS 497 – Lime Creek**
 - 8) ABS 2246 – Lime Creek****
- 2. To enter into and perform any contract and to exercise all powers which may be necessary or convenient to the operation, management, maintenance and administration of the affairs of the Trails End Subdivision.**
- 3. To maintain and control the usage of T. L. Smith Park (formerly Trails End Park) to include any and all properties owned by Trails End Homeowners Association, Inc. ("TEHOA") ensuring they are safe and an asset to the Trails End Homeowners Association community.**

ARTICLE III

Membership

Property Owner Membership - shall be open to all property owners of the Trails End Subdivision who pay the required membership fees and who share a common goal in

helping to maintain and/or upgrade the community, the park, the recreation area and common grounds.

Annual fees of \$150 will be due by June 1 to cover the period of June 1 through May 31st and will not be refundable. Annual fees will not be prorated. Annual fees must be paid by June 30 or park access will be denied. All memberships paid after June 30 will be assessed a late fee of \$25. Dues for BOD members will be waived the year following their service as long as they have performed their required duties.

Associate Membership - will be available for up to one Full-Time Tenant Resident per member lot (membership application defines number of tenants allowed). A Full-Time Tenant Resident is defined as one who has a minimum six (6) month lease agreement with the lot owner and resides in a structure with a mailing address. The property owner must sign a waiver stating the tenant has a minimum six-month lease on the associate member's application and submit it to TEHOA. The member must be a member in good standing in order for their tenants to have an associate membership. It is the responsibility of the owner of the rental property to submit a membership application, application fee and agree to the indemnification agreement for any and all tenants and to notify the BOD of any changes in tenants. This would require that the property owner submit an application and pay a full membership fee with each change of tenants. It is the property owner's responsibility to provide all their tenants with a copy of the Park Rules and Regulations. Associate members do not have voting rights.

Special Circumstance Membership – available to those entities deemed by the BOD to need access for special situations (for example trash pickup).

SHORT TERM RENTALEXCLUSION:

Short term renters are defined as renters staying less than 6 months on a member's property. There will be no access to the park or any of the TEHOA facilities for short term renters, without accompaniment by a paid member as their guest(s) as defined in the park rules.

SERVICES MEMBERSHIP:

Upon BOD approval, a Service Membership may be granted for non-commercial use purposes.

MEMBERSHIP APPEALS PROCESS:

Members who are cited for violations and do not agree with the citation have 30 days to appeal to the BOD in writing. The BOD has 30 days respond in writing to the member's appeal. If the BOD does not respond within 30 days, the violation will be deemed void.

ARTICLE IV Voting Rights

Each member shall be entitled to only one (1) vote regardless of the number of lots owned. Where there is more than one owner of a lot, only one person is allowed to vote. Associate Members and Special Circumstance members are not allowed to vote.

Absentee voting will be allowed for the Annual Meeting **or for filling a position created by a removal for cause** only for the election of officers if received by one or two of the members who are not up for re-election via email no later than 48 (forty-eight) hours prior to the Annual Meeting.

Dues must be paid in full in order to cast votes (at any meeting including the Annual Meeting) and including absentee voting for the election of officers. Proxy voting is not allowed.

ARTICLE V Management

The general management of the affairs of the Corporation shall be vested in a Board of Directors ("BOD"). The number of the directors shall be no more than five (5) members. BOD shall have the power to adopt, rescind, or amend rules and regulations with the approval of the membership, which do not conflict with the charter of the Trails End Homeowners Association, Inc.

In case of emergency circumstances, BOD may make required changes to the rules and regulations by a majority vote of officers at any time. The Board shall obtain at least three competitive bids on expenditures greater than \$1,000. **Expenditures over \$2,500 which have not been previously approved must be included in the agenda for quarterly, annual or special meetings and sent to membership 30 days in advance of meeting.**

An emergency reserve shall be reported in the balance sheet as a designated fund set aside to cover unbudgeted expenses related to unforeseen circumstances.

ARTICLE VI Officers and Directors

The officers of the Association shall include a President, Vice-President, Secretary, Treasurer, and Sergeant at Arms. The officers and directors shall be elected at the annual meeting of the Trails End Homeowners Association, Inc. and shall hold their office for a period of two (2) years. To be eligible to be an officer or director, a candidate must be a homeowner or lot owner, a current paid up member of the Trails

End Homeowners Association at the time of their election and throughout their term of office. There may be only one board member per household. Any officer may be re-elected for the same office or any other office; however, no director shall serve more than three (3) consecutive elected terms. **An elected term is considered a full term even if the director does not serve the term in its entirety.**

Removal of Directors for Cause - A Director shall be immediately removed by the Board and prohibited from future service if the Board receives written, documented evidence that the Director has been convicted of a felony or crime involving moral turpitude. Any Director may also be removed by a majority vote of remaining board members of the board if the Director (A) fails to attend more than 2 consecutive Board meetings without cause, (B) has committed an act that places the Director in a conflict of interest with the Association or (C) breaches said Director's duties hereunder or violates the terms of Articles of Incorporations, rules and regulations or these bylaws.

ARTICLE VI Vacancies

A vacancy in any office because of death or resignation may be filled by an affirmative vote of the majority of the remaining Board of Directors for the unexpired portion of the term. If a vacancy occurs due to a removal or disqualification of the Board member, a special election meeting will be held with the membership. The Board will be required to send Board nominees to the membership for consideration 10 (ten) days prior to the special election meeting. The nominees term will not extend past the unexpired portion of the previous Board members term. Email voting will be required to be received 2 (two) hours prior to the special election meeting start time.

ARTICLE VIII Duties

- 1. President. The President is the Chief Executive of the Association and as such, shall enforce all the provisions and purposes thereof.**
 - a. Preside at all meetings of the Association and of the Board of Directors.**
 - b. Sign checks as required when supported by bills as presented by the Treasurer.**
 - c. Appoint or delegate the appointment of the members of all committees unless there is a motion requesting a special committee.**
 - d. Appoint these committees, as required: Legislative, Nominating, Grounds & Dock Maintenance, and Membership.**
 - e. Be an unofficial member of all but the Nominating Committee.**

- f. Perform such other duties as pertain to this office.
 - g. Review security footage of TEHOA properties as needed with another member of the BOD.
2. **Vice-President.** The Vice President in the absence of the President shall perform the duties of that office and shall discharge such other duties as may be required.

3. **Secretary.** The secretary shall perform the following duties:
 - a. Send notices for Association annual meetings to all property owners within Trails End Subdivision. Provide notices to Board members on special called board meetings. Notify the membership of Board meetings 72 hours prior to the meeting.
 - b. Keep a record of all the proceedings of the meetings of the Association and the Board of Directors and submit a copy of the minutes to the President within 10 days of the meeting.
 - c. Report the acts of the Board of Directors at each meeting of the Association
 - d. Have charge of and conduct the correspondence of the Association including notifying the membership in writing of the Legislative Committee's proposed amendments, the Nominating Committee's potential candidates as well as the Board recommendations for both at least 30 (thirty) days prior to the Annual Meeting in June.
 - e. Be an unofficial member of all but the Nominating Committee.
 - f. Perform such other duties as may be required by the President or Board of Directors.
 - g. Maintain membership lists and lot owners list.

4. **Treasurer.** The Treasurer shall perform the following duties:
 - a. Collect membership dues.
 - b. Receive all funds paid or donated to the Association and disburse funds according to supported statements and documents. Within seven days of receiving funds, deposit them in a bank or credit union, which is a member of and whose deposits are insured by, the Federal Deposit Insurance

Corporation or the National Credit Union Share Insurance Fund.

- c. **All withdrawals in the name of the Association shall carry the signature of an authorized officer (President, Vice President or Treasurer).**
 - d. **Prepare an end of year financial statement. This report is to include a detailed balance sheet and income statement for the 12 months ended May 31.**
 - e. **Present a financial report at each quarterly meeting with an overview of expenditures receipts designated and undesignated funds.**
- 5. Sergeant-at-Arms. The Sergeant-at-Arms shall perform the following duties:**
- a. **Sign in all attendees at meetings and ascertain voting rights with Secretary.**
 - b. **Maintain order at all meetings.**
 - c. **Count votes at meetings.**
 - d. **Be responsible for programming the security gate access and maintaining that database.**
 - e. **Post notice of all meetings by signage on Trails End Road.**
 - f. **Maintain schedule of park reservations and approve refund of deposit.**
 - g. **Policing the TEHOA Park.**
 - h. **Perform such duties as may be required of him/her by the President or the Board of Directors.**

ARTICLE IX

Transfer of Records

Outgoing Officers and committee chairpersons shall transfer all records and other property belonging to the Association to their elected successors in office no later than July 1 of the current year. If a vacancy is caused by other than the normal expiration of term of office, all records and other property belonging to the Association shall be turned over to the Board of Directors within two weeks from date the vacancy occurs.

ARTICLE X

Committees

SECTION A. Appointments. The President shall appoint, or delegate the appointment of the members of all committees unless a motion requesting a special committee is carried.

SECTION B. Standing Committees.

1. **Nominating.** The Nominating Committee shall submit candidates for each office whose term is expiring for the upcoming year ~~30 (thirty)~~ **45 (forty-five)** days prior to the annual meeting, namely President, Vice-President, Secretary, Treasurer and Sergeant at Arms.
2. **Other Nomination Methods.** A member who is not a Director and is otherwise qualified as a candidate may submit their own name.
3. **Grounds, Docks, Restroom and Pump House Maintenance Committee.** The Grounds, Docks, Rest Room and Pump House Maintenance Committee will be in charge of the common area as defined in Article II. It will develop the area further with the Board of Directors approval. It will be responsible for maintenance of the Association grounds, docks, restroom and pump house facilities as well as posting of the required signage and maintaining the restroom facilities.

SECTION C. Special Committees.

1. **Legislative Committee**
 - a. The Legislative Committee may submit proposed amendments and shall review all other proposed amendments submitted by property owning members. Proposed amendments to the bylaws shall be submitted in writing with the Committee's recommendations to the Association Secretary and Association President 45 (forty-five) days prior to the annual meeting of the Association.
 - b. The Board of Directors should consider all amendments and should report its recommendations, if any, to the members for final action at the annual meeting.
 - c. All amendments shall become effective on July 1 following adoption unless otherwise specified at the time of adoption.
2. **Other Special Committees** may be formed as required with scope and duties as defined by the Board of Directors.

ARTICLE XI Meetings

The Annual Meeting will be held in June. Notice of this meeting will be communicated electronically or in writing to all property owners at least 30 (thirty) days in advance. Quarterly meetings will be held on the 2nd Tuesday of each quarter beginning in September. The Sergeant-At-Arms will post notification of meeting times and dates by signage on Trails End Road the week preceding the meeting date. The order of business at all regular meetings of the Association shall be as follows:

1. **Call to Order**

- 2. Roll Call of Officers**
- 3. President's Report**
- 4. Approval of Minutes**
- 5. Reports of Officers**
- 6. Reports of Action Taken by the Board of Directors**
- 7. Reports of Standing and Special Committees (as required)**
- 8. Unfinished Business**
- 9. New Business**
- 10. Election of Officers (annual meeting only)**
- 11. Adjournment**

Changes to the by-laws and/or sales of any real property owned or disposition of use by TEHOA require a 2/3 vote by members in attendance at the Annual Meeting for changes to be approved. Other votes, including but not limited to, election of officers, changes to the park rules or other motions will require a simple majority to be approved. This change will take place immediately (rather than on July 1 as noted in section C.1.c)

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