



**CERTIFICATE OF AMENDMENT
TO THE BY-LAWS OF
BRIARGATE TOWNHOUSE HOMEOWNER'S ASSOCIATION, INC.
(ALTERNATE ELECTION PROCEDURE)**

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, being the duly elected, qualified and acting Secretary of Briargate Townhouse Homeowner's Association, Inc., a Texas non-profit corporation, the corporation set forth and described in that certain "Declaration of Covenants, Conditions and Restrictions (for) Briargate Townhouse", recorded in Volume 589, Page 632 of the Deed Records of Fort Bend County, Texas, and any and all amendments thereto as (said recorded documents and all exhibits and amendments thereto being referred to as "Declaration"), the undersigned Secretary further being the keeper of the minutes and records of said corporation, does hereby certify that the following is a true and correct copy of an amendment to the By-Laws of Briargate Townhouse Homeowner's Association, Inc., as adopted at a duly constituted meeting of the Board of Directors held on Jan. 10, 2012, and approved, adopted, ratified and confirmed by a majority of the Board of Directors in accordance with and pursuant to the authority granted by Section 209.00593 of the TEXAS PROPERTY CODE to adopt an alternate election procedure. The effective date of the Amendment to the By-Laws shall be the date shown herein above.

**AMENDMENT TO THE BY-LAWS
OF BRIARGATE TOWNHOUSE HOMEOWNER'S ASSOCIATION, INC.**


RESOLVED, that Article V of the By-Laws is amended by adding the following Section 3:

"Section 3. Alternate Election Procedure. Notwithstanding anything to the contrary in these By-Laws, the following provision shall be applicable in the event that there is not a quorum at any annual meeting of the Association where an election of Director(s) was to occur.

If a quorum was not present, in person or by proxy, at the annual meeting of the Association, then the following alternate election procedure shall be followed. Within five (5) business days after the date of the called annual meeting, the Association shall mail a notice to all the members of the Association advising that an election will be held by mail-out ballots. The notice shall state that any member interested in being placed on the mail-out ballot as a candidate must contact the Association or the Association's managing agent in writing within ten (10) days from the date of the notice and request to be placed on the mail-out ballot as a candidate. Upon the expiration of the ten (10) days, nominations of candidates shall be deemed closed, and no additional candidates shall eligible for consideration. After the expiration of ten (10) days from the date of the notice, the Association shall prepare and mail the mail-out ballots to the members. The members shall be required to return the completed mail-out ballots by the specific date and time as specified on the mail-out ballot which shall not be more than thirty (30) days from the date the mail-out ballots were mailed. After the stated deadline has passed, the Association or its managing agent shall tabulate the mail-out ballots, and the candidate or candidates receiving the highest number of votes shall be elected to fill the available positions on the Board of Directors."

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this 10th day of January, 2012.

**BRIARGATE TOWNHOUSE HOMEOWNER'S
ASSOCIATION, INC.,** a Texas non-profit corporation

By: 
S. K. KUMAR, Secretary

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 10th day of January, 2012, by S.L. Kumar, Secretary of Briargate Townhouse Homeowner's Association, Inc., a Texas non-profit corporation.

Kelly Futral
Notary Public in and for the State of Texas

RECORD AND RETURN TO:
Frank, Elmore, Lievens,
Chesney & Turet, L.L.P.
Attn: K. Slaughter
9225 Katy Freeway, Suite 250
Houston, Texas 77024



FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

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Dianne Wilson COUNTY CLERK

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