
MARY LO USE NICHOLSON
COUNTY CLERK

AFTER RECORDING, PLEASE RETURN TO:

**Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201**

**FIRST SUPPLEMENTAL CERTIFICATE AND MEMORANDUM OF
RECORDING OF DEDICATORY INSTRUMENT FOR
THE RESORT AT EAGLE MOUNTAIN LAKE
HOMEOWNERS ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

The undersigned, as attorney for The Resort at Eagle Mountain Lake Homeowners Association, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instruments affecting the owners of property described on Exhibit B attached hereto (the "*Property*"), hereby states that the dedicatory instrument attached hereto is the true and correct copy of the following:

- (1) ***Resolution of the Board of Directors of The Resort at Eagle Mountain Lake Homeowners Association, Inc. Establishing Second Amended By-Laws for Electronic Meetings and Voting (Exhibit A); and***
- (2) ***Second Amendment to the Bylaws of The Resort at Eagle Mountain Lake Homeowners Association, Inc. (Exhibit A-1).***

All persons or entities holding an interest in and to any portion of property described on Exhibit B attached hereto are subject to the foregoing dedicatory instruments until amended.

IN WITNESS WHEREOF, The Resort at Eagle Mountain Lake has caused this First Supplemental Certificate and Memorandum of Recording of Dedicatory Instrument to be recorded

in the Official Public Records of Tarrant County, Texas, and serves to supplement those dedicatory instruments recorded in or filed as: (i) Instrument Number D215020166, filed in the Official Public Records of Tarrant County, Texas. Notwithstanding any provision contained herein to the contrary, the dedicatory instrument attached hereto shall serve to supplement and amend the Bylaws of The Resort at Eagle Mountain Lake, attached as Exhibit "E" to the Second Amended and Restated Declaration of Covenants, Conditions, and Restrictions for The Resort at Eagle Mountain Lake, recorded as Instrument Number D220316734 in the Official Public Records of Tarrant County, Texas, and its amendments and/or supplements, thereto.

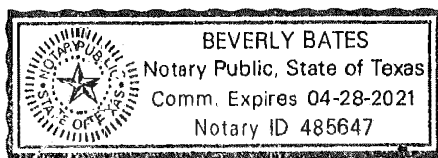
**THE RESORT AT EAGLE
MOUNTAIN LAKE
HOMEOWNERS ASSOCIATION, INC.**

By: Mah Patel
Its: Attorney

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Malissa Patel, attorney for The Resort at Eagle Mountain Lake Homeowners Association, Inc., known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that she executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 30th day of February, 2021.



Beverly Bates
Notary Public, State of Texas

Exhibit A

STATE OF TEXAS §
 §
 COUNTY OF TARRANT §

**RESOLUTION OF THE
 BOARD OF DIRECTORS OF THE RESORT AT EAGLE MOUNTAIN LAKE
 HOMEOWNERS ASSOCIATION, INC. ESTABLISHING
 SECOND AMENDED BY-LAWS FOR
ELECTRONIC MEETINGS AND VOTING**

WHEREAS, the Board of Directors of The Resort at Eagle Mountain Lake Homeowners Association, Inc. (the "Board") is the entity responsible for the operation of The Resort at Eagle Mountain Lake Homeowners Association (the "Association") in accordance with and pursuant to that certain Declaration of Covenants, Conditions and Restrictions for The Resort at Eagle Mountain Lake, recorded in the Official Public Records of Tarrant County, Texas, as Instrument No D199192720, and including any amendments, restatements, or supplements thereto (collectively, the "Declaration"), and the Bylaws of The Resort at Eagle Mountain Lake Homeowners Association, Inc. and including any amendments, restatements, or supplements thereto (collectively, the "Bylaws"); and

WHEREAS, pursuant to the Declaration and Article XIV of the Bylaws the Board of Directors is authorized to amend the Bylaws by a majority vote of the Board of Directors of the Association; and

WHEREAS, the Board has determined the need to amend the Bylaws to include provisions for conducting annual and special meetings via electronic means at the discretion of the Board of Directors, as needed, and to establish appropriate guidelines for voting, including electronically, by proxy, and/or by absentee ballot; and

WHEREAS, due in part to the COVID-19 global pandemic and for the safety and protection of the Members of the Association, as well as to include electronic meetings as a way

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE RESORT AT EAGLE MOUNTAIN LAKE
 HOMEOWNERS ASSOCIATION, INC.**

to increase the participation and involvement in the affairs of the Association; and

WHEREAS, a meeting of the Board was held on the 18 day of January, ²⁰²¹~~2020~~ *MD*
(the "Meeting"); and

WHEREAS, a quorum of the Directors was present at the meeting; and

WHEREAS, a motion was made, and duly seconded, to adopt the Second Amendment to the Bylaws of the Resort at Eagle Mountain Lake Homeowners Association, Inc., attached hereto as Exhibit "1", in accordance with the authority provided the Board under the Declaration and the Bylaws.

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS that the Board has resolved to adopt, and does hereby adopt, the Second Amendment to the Bylaws of the Resort at Eagle Mountain Lake Homeowners Association, Inc. attached hereto as Exhibit "1".

IT IS FURTHER RESOLVED, that such Second Amendment to the Bylaws of the Resort at Eagle Mountain Lake Homeowners Association, Inc. shall be filed of record with the Office of the Tarrant County Clerk and shall become effective upon notification to the Owners of property subject to the Declaration of the adoption thereof by: (i) posting same on the Association's website, and (ii) forwarding a copy of the Second Amendment to the Bylaws of the Resort at Eagle Mountain Lake Homeowners Association, Inc. to those Owners who have registered an electronic mail address with the Association.

**THE RESORT AT EAGLE MOUNTAIN LAKE
HOMEOWNERS ASSOCIATION, INC.**

By: Bonnie Aleksandrowicz
President

Date: January 18, 2021

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE RESORT AT EAGLE MOUNTAIN LAKE
HOMEOWNERS ASSOCIATION, INC.**

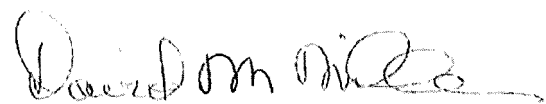
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CERTIFICATION OF AMENDMENT TO BYLAWS

I, David M Miller, the duly-elected Secretary of The Resort at Eagle Mountain Lake Homeowners Association, Inc., hereby certify the following:

That this Second Amendment to the Bylaws of The Resort at Eagle Mountain Lake Homeowners Association, Inc., as evidenced by the records and minutes of the Association, was approved by the affirmative vote of majority of the Board of Directors at a regularly scheduled meeting held on January 18, 2021, and that the same does now constitute a portion of the Bylaws of The Resort at Eagle Mountain Lake Homeowners Association, Inc.

IN WITNESS WHEREOF, I heretofore subscribe my hand on this 18th day of January, 2021.



Secretary

Exhibit A-1

**SECOND AMENDMENT TO THE BYLAWS OF
THE RESORT AT EAGLE MOUNTAIN LAKE HOMEOWNERS
ASSOCIATION, INC.**

A TEXAS NON-PROFIT CORPORATION

STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS
COUNTY OF TARRANT §

This Second Amendment to the Bylaws of The Resort at Eagle Mountain Lake Homeowners Association, Inc. (the "*Association*") was approved by the Association's Board of Directors and is effective when filed of record with the Office of the Tarrant County Clerk.

W I T N E S S E T H :

WHEREAS, the corporate affairs of the Association are governed by the Bylaws of the Association (the "*Bylaws*"); and

WHEREAS, the Bylaws were amended by that certain instrument filed of record on November 16, 2017, as Instrument No. D217266608 in the Official Public Records of Tarrant County, Texas (the "*First Amendment*"); and

WHEREAS, the foregoing are hereinafter referred to, collectively, as the "*Resort Bylaws*"; and

WHEREAS, Article XIV of the Resort Bylaws provides that the Bylaws may be amended by a majority vote of the Board of Directors of the Association as provided in Article XIV; and

WHEREAS, the amendments to the Resort Bylaws, as set forth hereinafter with specificity, were approved at a meeting of the Board of Directors held on January 4 18, 2021, ^(MP) by a majority vote of the Directors.

NOW, THEREFORE, the Resort Bylaws are hereby amended as follows:

- (A) Section 3 of Article V of the Bylaws is hereby amended to read, in its entirety, as follows:

Section 3. Death, Resignation and Removal: Filling Vacancies. *Any director may resign at any time by giving written notice to the other directors, and any director may be removed from membership on the Board by the Members entitled to cast a majority of the votes of the Association. Any vacancy in the Board shall be filled by a Member who must be appointed by a majority vote of all directors current serving on the Board of Directors.*

- (B) Section 1 of Article VI of the Bylaws is amended to read, in its entirety, as follows:

Section 1. Place of Meetings. *Meetings of the Board of Directors, regular or special, may be held either within or without the State of Texas and may be conducted by remote communications technology at the discretion of the Board of Directors.*

- (C) Section 1 of Article VII of the Bylaws is amended to read, in its entirety, as follows:

Section 1. Election of Board Members. *Except as provided in Article VII, Section 3 below, any member of the Board of Directors whose term has expired must be elected by Members of the Association or their proxies. A board member may be appointed by the board to fill a vacancy on the board. A board member appointed to fill a vacant position shall serve for the remainder of the unexpired terms of the position.*

Section 1(a). Notice to Candidates. *At least ten (10) days before the date the Association disseminates ballots to Association Members for purposes of voting in a board member election, the Association must provide notice to the Association Members soliciting candidates interested in running for a position on the board. The notice must contain instructions for an eligible candidate to notify the Association of the candidate's request to be placed on the ballot and the deadline to submit the candidate's request. The deadline may not be*

earlier than the 10th day after the date the Association provides the notice required this subsection. The notice must be:

- i. Mailed to each owner; or*
- ii. Provided by:*
 - a. Posting the notice in a conspicuous manner reasonably designed to provide notice to Association Members:*
 - (i) in a place located on the association's common property or, with the property owner's consent, on other conspicuously located privately owned property within the subdivision; or*
 - (ii) on any Internet website maintained by the Association or other Internet media; and*
 - b. Sending the notice by e-mail to each owner who has registered an e-mail with the Association.*

Section 1(b). Eligible Candidates on Ballot. *The Association shall include on each absentee ballot or other ballot for a board member election the name of each eligible candidate from whom the Association received a request to be place on the ballot.*

(D) Section 2 of Article VII of the Bylaws is amended to read, in its entirety, as follows:

Section 2. Election. *Except as provided in Article VII, Section 3 below, election to the Board of Directors shall be by votes cast or given by Members:*

- i. In person or by proxy at a meeting of the Association;*
- ii. By absentee ballot in accordance with Texas Property Code§ 209.00592;*

- iii. *By electronic ballot in accordance with Texas Property Code § 209.00592; or*
- iv. *By any method of representative or delegated voting provided by the Declaration, these Bylaws, or as determined by the Board of Directors in its discretion.*

(E) A new Section 4 is added to Article VII of the Bylaws and shall read, in its entirety, as follows:

Section 4. Voting. *If authorized by the Board of Directors for any meeting of the Association, Members may vote using an absentee ballot or an electronic ballot as provided in Section 209.00592 of the Texas Property Code.*

(F) Section 1 of Article X of the Bylaws is amended to read, in its entirety, as follows:

Section 1. Place of Meetings. *Meetings of the Members shall be held at a location within Tarrant County, State of Texas, as shall be stated in the notice of the meeting or in a duly executed waiver of notice thereof.*

(G) Section 6 of Article X of the Bylaws is amended to read, in its entirety, as follows:

Section 6. Quorum. *Except as otherwise provided in these By-Laws or in the Declaration, the presence (in person, by proxy, by absentee ballot or electronic ballot) of Members or Voting Members representing at least ten percent (10%) of the votes in the Association shall constitute a quorum for all meetings of the Association.*

(H) A new Section 13 is added to Article X of the Bylaws and shall read, in its entirety, as follows:

Section 13. Meetings By Remote Communications Technology. *The Board of Directors, at its sole discretion, may determine to hold the annual meeting or any special meeting of the Association by remote communications technology. Notice of any meeting held by remote communications technology shall be provided in accordance with the*

By-Laws. The Board is authorized to adopt rules and regulations governing the conduct and voting at any meeting held by remote communications technology as the Board shall deem necessary or advisable. At any meeting of the Association held by remote communications technology, where voting by electronic ballot by posting on an Internet website is allowed, voting on any matter before the members may take place during the meeting if authorized by the Board. If electronic voting by posting on an Internet website is not available for a meeting held by remote communications technology or the Board does not authorize electronic voting during the meeting, voting on any matter before the members may only take place prior to the commencement of the meeting, and the Board may establish a date and time prior to the commencement of the meeting after which votes cast by the members will no longer be accepted or considered valid. This Section 13 of Article X shall control and prevail in the event of any conflict with any other provision contained in the By-Laws.

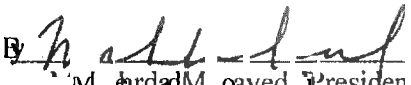
The Resort Bylaws, except as modified herein, are hereby declared to be in full force and effect.

EXECUTED to be effective when filed with the Office of the Tarrant County Clerk.

IN WITNESS WHEREOF, the undersigned Declarant has executed this Second Amendment to the Bylaws of the Resort at Eagle Mountain Lake Homeowners' Association, Inc. on the date and year first written above.

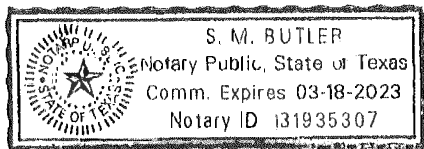
**THE RESORT AT EAGLE MOUNTAIN
LAKE, L.P., a Texas Limited Partnership**


By: Pars Investments, Inc.,
A Texas corporation.
Its General Partner

By  _____
M. Bird, M. Bird, President

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me, the undersigned authority, on this 1st day of ~~December, 2020~~ FEBRUARY 2021, by Mehrdad Moayedi, President of Pars Investments, Inc., General Partner of The Resort at Eagle Mountain Lake, L.P., a Texas limited partnership, for the purpose and consideration therein expressed, and in the capacity therein stated.





Notary Public, State of Texas

My Commission Expires:

3-18-2023

EXHIBIT B

Those tracts and parcels of real property located in the City of Fort Worth, Tarrant County, Texas and more particularly described as follows:

- (a) All lots and tracts of land situated in **THE RESORT AT EAGLE MOUNTAIN LAKE, an addition to the City of Fort Worth, Tarrant County, Texas, according to the Map or Plat thereof recorded as Instrument No. D199282512 in the Official Public Records of Tarrant County, Texas; and**
- (b) All lots and tracts of land situated in **THE RESORT AT EAGLE MOUNTAIN LAKE, an addition to the City of Fort Worth, Tarrant County, Texas, according to the Map or Plat thereof recorded as Instrument No. D200012676 in the Official Public Records of Tarrant County, Texas; and**
- (c) All lots and tracts of land situated in **THE RESORT AT EAGLE MOUNTAIN LAKE, an addition to the City of Fort Worth, Tarrant County, Texas, according to the Map or Plat thereof recorded as Instrument No. D202234140 in the Official Public Records of Tarrant County, Texas; and**
- (d) All lots and tracts of land situated in **THE RESORT AT EAGLE MOUNTAIN LAKE, an addition to the City of Fort Worth, Tarrant County, Texas, according to the Map or Plat thereof recorded as Instrument No. D205290903 in the Official Public Records of Tarrant County, Texas; and**
- (e) All lots and tracts of land situated in **THE RESORT AT EAGLE MOUNTAIN LAKE, an addition to the City of Fort Worth, Tarrant County, Texas, according to the Map or Plat thereof recorded as Instrument No. D207121122 in the Official Public Records of Tarrant County, Texas; and**
- (f) All lots and tracts of land situated in **THE RESORT AT EAGLE MOUNTAIN LAKE, an addition to the City of Fort Worth, Tarrant County, Texas, according to the Map or Plat thereof recorded as**

Instrument No. D207329126 in the Official Public Records of Tarrant County, Texas; and

- (g) **All lots and tracts of land situated in THE RESORT AT EAGLE MOUNTAIN LAKE, an addition to the City of Fort Worth, Tarrant County, Texas, according to the Map or Plat thereof recorded as Instrument No. D208020964 in the Official Public Records of Tarrant County, Texas; and**
- (h) **All lots and tracts of land situated in THE RESORT AT EAGLE MOUNTAIN LAKE, an addition to the City of Fort Worth, Tarrant County, Texas, according to the Amended Plat thereof recorded as Instrument No. D211065014 in the Official Public Records of Tarrant County, Texas; and**
- (i) **All lots and tracts of land situated in THE RESORT AT EAGLE MOUNTAIN LAKE, an addition to the City of Fort Worth, Tarrant County, Texas, according to the Map or Plat thereof recorded as Instrument No. D213190328 in the Official Public Records of Tarrant County, Texas; and**
- (j) **All property subject to that certain Declaration of Covenants, Conditions and Restrictions for The Resort at Eagle Mountain Lake, recorded as Instrument No. D199192720, Official Public Records, Tarrant County, Texas.**