

BYLAWS OF GREEN TREE NORTH HOME OWNERS ASSOCIATION, INC.  
(Amended January 2024)

ARTICLE I  
NAME AND LOCATION

The name of the Association is Green Tree North Home Owners Association, Inc. hereinafter referred to as the "Association."

The principal office of the Association shall be located in the county of Midland, state of Texas, at such specific location therein as may be, from time to time, designated by the Board of Directors.

ARTICLE II  
DEFINITIONS

Section 1. "Association" shall mean and refer to GREEN TREE NORTH HOME OWNERS ASSOCIATION, INC., its successors and assigns.

Section 2. The "Property" shall mean and refer to all the numbered plots of real property known as Green Tree North Addition, an addition to the city of Midland, Midland County, Texas, as per plat recorded in Cabinet C, Number 149 of the plat records, in the Office of the Midland County Clerk, as may be amended, and any such additions thereto as may hereinafter be brought within the jurisdiction of the Association.

Section 3. The term "Common Area" or "Common Areas" shall mean and refer to all real property owned by the Association for the common use and enjoyment of the Owners and Members of the Association, including any real or personal property now owned or hereafter acquired by the Association. The Common Area to be owned by the Association include public parkways not otherwise maintained by adjoining property owners. Public Parkways includes, without limitation, all medians and areas located between rear fences and street curbs. This covenant shall also include and be applicable to Common Area A, B and C of the Plat referred to in Section 2 above.

Section 4. The term "lot" or "lots" shall mean and refer to any numbered plot of land shown upon any recorded subdivision map of the Property (with the exception of the Common Area).

Section 5. "Member" as used herein shall mean and refer to a Member of the Association.

Section 6. The term "Owner" as used herein shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any lot which is a part of the Property, including contract purchasers, but excluding those having such interest merely as security for the performance of an obligation.

Section 7. "Restrictions and Covenants" shall mean and refer to the Restrictions and Covenants on and for Green Tree North applicable to the Property recorded in the office of the County Clerk of Midland County, Texas, and all amendments thereto.

ARTICLE III  
MEMBERSHIP

Every person or entity, who is a record Owner of a fee or undivided interest in any lot which is subject under the Restrictions and Covenants to assessment by the Association, shall be a Member of the Association; provided that persons or entities who hold an interest merely as security for the performance of an obligation shall not be Members of the Association. Membership shall be appurtenant to and may not be separated from ownership of any lot which gives rise to such membership in the Association. Ownership of such a lot or interest therein shall be the sole qualification for membership. Transfer of a lot shall automatically transfer membership in the Association and all rights of the transferor with respect to the Common Area.

ARTICLE IV  
BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

Section 1. Number. The affairs of the Association shall be managed by a Board of Directors which is composed of at least three, but not more than nine persons, who must be Members of the Association.

Section 2. Election. Beginning with the 1996-1997 term, at the annual meeting of the Association, reelected members of the Board of Directors will be elected to a one-year term, and newly elected members shall be elected to two-year terms. At the end of the 1996-1997 term, at the annual meeting of the Association, an election shall be held to fill the one-year terms which will expire, with new directors to will each serve a two-year term. In each subsequent year, at the annual meeting of the Association, elections will be held to fill the vacancies in accordance with the number of directors whose terms will expire. No director may serve on the Board more than 2 consecutive terms or 4 consecutive years.

Section 3. Removal of Director. At any regular or special meeting of the Association, any one or more of the directors may be removed with or without cause at any time by the affirmative vote of a majority of a quorum of the membership, and a successor may then be elected by the majority of the quorum of the membership present to fill the vacancy thus created. Any director whose removal has been proposed by the Members of the Association shall be given an opportunity to be heard at the meeting. In the event of death, resignation or removal of a director, his successor shall be elected by the remaining members of the Board and shall serve for the un-expired term of his predecessor.

Section 4. Compensation. No director or officer of the Association 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 on behalf of the Association.

Section 5. Action Taken without a Meeting. The directors shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all the directors. Any action so approved shall have the same effect as though taken at a meeting of the directors.

ARTICLE V  
MEETINGS OF DIRECTORS

Section 1. Regular Meetings. Regular meetings of the Board of Directors may be held monthly without notice to the individual member of the Board, at such place and hour as may be fixed from time to time by resolution of the Board. However, such meetings may be conducted as infrequently as every six (6) months if the business to be transacted by the Board of Directors does not justify more frequent meetings.

Section 2. Special Meetings. Special meetings of the Board of Directors may be called by written notice signed by the President of the Association, or by any two (2) directors other than the President, after not less than

seventy-two (72) hours notice to each director. The notice shall specify the time and place of the meeting and the nature of any special business to be considered. The notice shall be sent to all members of the Board of Directors.

Section 3. Emergency Meetings. Emergency meetings of the Board of Directors may be called at any time or place without specific prior notice if a quorum of Board Members in attendance votes unanimously to conduct business.

Section 4. 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 Board.

#### ARTICLE VI VOTING RIGHTS

The members of the Association shall have one class of voting membership. The owner of any whole lot shall be entitled to one vote for that property. An owner of more than one lot is entitled to one vote each equal to the number of his total lots.

#### ARTICLE VII NOMINATION AND ELECTION OF DIRECTORS

Section 1. Nomination. Prior to the annual meeting of the Members, nominations for the office of a member of the Board of Directors shall be made by a Nominating Committee consisting of at least two (2) members of the Board. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine, but not less than the number of vacancies that are to be filled. Nominations may also be made by Members from the floor at the annual meeting or such other meeting at which members of the Board of Directors are to be elected. Such nominations may be made only from among Members.

Section 2. Election. Election to the Board of Directors shall be by secret written ballot. 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 Restrictions and Covenants. The person receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

#### ARTICLE VIII POWERS AND DUTIES OF THE BOARD OF DIRECTORS

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

- (a) adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the Members and their guests thereon, and establish penalties for the infraction thereof;
- (b) suspend after notice and hearing the voting rights of a Member during any period in which such Member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period, not to exceed thirty (30) days for infraction of published rules and regulations;
- (c) exercise for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of these Bylaws, or the Restrictions and Covenants, or the Articles of Incorporation;
- (d) 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;

(e) employ a manager, an independent contractor, or such other employees as it deems necessary, and prescribed their duties; and

(f) sell property owned by the Association as may be in the best interest of the Association; provided, however, that the Board of Directors shall not, except with the prior vote of a majority of a quorum of members, sell during any fiscal year property of the Association having a fair market value greater than five percent (5%) of the budgeted gross expenses of the Association for that fiscal year.

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

(a) cause to be kept complete record of all its acts and corporate affairs and to present a statement thereof to the Members at the annual meeting of the Members, or at any special meeting when such statement is requested in writing by the majority of the quorum of the Members present who are entitled to vote;

(b) cause the preparation of budgets and financial statements for the Association in accordance with the terms of these Bylaws;

(c) supervise all officers, agents and employees of the Association, and see that their duties are properly performed;

(d) as more fully provided herein, and in the Declaration:

(1) fix the amount of the annual regular assessments against each lot in accordance with the terms of the Restrictions and Covenants; and

(2) foreclose the lien against any lot for which assessments are not paid as provided in the Restrictions and Covenants or bring an action at law against the Owner personally obligated to pay the same;

(e) issue, or cause an appropriate officer to issue, upon demand by any person, a certificate indicating the status of any assessment, whether delinquent or paid. A reasonable charge may be made by the Board for the issuance of these certificates. Such certificates shall be conclusive evidence of payment of any assessment therein stated to have been paid;

(f) procure and maintain adequate liability and hazard insurance on the Common Area and on all property owned by the Association, and liability insurance for the directors, officers and agents of the Association as deemed best in the Board's discretion;

(g) cause all officers or employees, including, but not limited to, employees of the professional manager of the Association, if any, having fiscal responsibilities to be bonded if deemed appropriate by the Board;

(h) cause the Common Area within the Property to be properly maintained.

(i) review all written requests for action brought to the attention of any Board Member at the next regular meeting of the Board; and

(j) perform all duties and responsibilities of the Association as set forth in the Restrictions and Covenants and effect the enforcement of these covenants.

(k) seek the approval of the Members prior to the expenditure of funds to be incurred for property which is not subject to the Restrictions and Covenants and Bylaws, and is reasonably anticipated to exceed \$500 per year. The Board shall seek Member approval by a ballot describing the proposal together with the Board's estimated cost there-for and such other information as may be appropriate in the circumstances. This information shall include

both short and long term financial requirements, expectations and funding sources. All members shall be provided a ballot, and an affirmative vote by a majority of the ballots returned to the Board from the responding Members shall constitute approval of the proposal.

(1) distribute to all Members a copy of the proposed annual budget for the upcoming fiscal year. This proposed budget shall include all maintenance, operating, and improvement expenditures planned for the upcoming fiscal year. This proposed budget shall be distributed to the Members prior to the annual meeting of the Members.

#### ARTICLE IX INDEMNIFICATION OF OFFICERS AND DIRECTORS

The Association shall indemnify every director or officer, his heirs, executors, administrators and representative against all loss, costs and expenses, including counsel fees, reasonably incurred by him in connection with any action, suit or proceeding to which he may be a party by reason of his being or having been a director or officer of the Association, except as to matters as to which he shall be finally adjudged in such action, suite or proceeding to be liable for gross negligence, intentional or willful misconduct, in accordance with Article 1396-2.22A of the Texas Non-Profit Corporation Act, as revised from time to time. The foregoing rights shall not be exclusive of other rights to which such director or officer may be entitled. All liability, loss, damage, costs and expense incurred or suffered by the Association by reason or arising out of or in connection with the foregoing indemnification provisions shall be treated and handled by the Association as common expenses, provided, however, that nothing in this Article contained shall be deemed to obligate the Association to indemnify any member who is or has been a director or officer of the Association, with respect to any duties or obligations assumed or liabilities incurred by him under and by virtue of the Restrictions and Covenants.

#### ARTICLE X COMMITTEES

The Board of Directors shall appoint a Nominating Committee as provided in these Bylaws and an Architectural Control Committee as provided in the Restrictions and Covenants. In addition, the Board of Directors shall appoint such other committees as it deems appropriate in carrying out its purpose.

#### ARTICLE XI MEETING OF MEMBERS

Section 1. Annual Meeting. The first annual meeting of the Association shall be held on any day during the month of May, 1991, as determined by the Board of Directors. Thereafter, the annual meeting of the Association shall be held during the month of May on the day determined by the Board, or at such other time as the Board of Directors may by majority vote approve. Following such meeting at which a new Board of Directors is elected, there shall be a Board of Directors in accordance with the requirements set forth herein. The Board's term shall run from June 1 to June 1 of the following year. The Association may also transact such other business of the Association as may properly come before it. If the day for the annual meeting of the Members is a legal holiday, the meeting will be held on the first day following which is not a legal holiday. All annual and special meetings of the Members shall be held within the Property or a meeting place as close thereto as possible. Unless unusual conditions exist, meetings of the Members shall not be held outside the County of Midland.

Section 2. Quarterly General Meetings. Quarterly General Meetings may be held as called by the Board of Directors.

Section 3. Special Meetings. A special meeting of the Members of the Association shall be promptly called by the Board of Directors upon the happening of either of the following:

- a) the vote for such a meeting by a majority of a quorum of the Board of Directors; or
- b) receipt of a written request therefore signed by Members representing not less than twenty-five percent (25%) of the total voting power of the Association.

Section 4. Notice of Meetings. Written notice of each meeting of the Members shall be given by, or at the direction of, the Secretary or person authorized to call the meeting by personal delivery or by mailing a copy of such notice, postage prepaid, and except in emergency situations, at least seven (7) days, but not more than twenty one (21) days, prior to such meeting, to each Member entitled to vote thereat, addressed to the Member at the most recent address supplied by such Member to the Association for the purpose of notice, or if no such address shall have been furnished, then to the street address of the lot owned by such Member. Such notice shall specify a reasonable place, day and hour of the meeting, and in the case of a special meeting, the purpose for the meeting.

Section 5. Quorum. A quorum of the Members at a meeting of the Members shall be the total number of Members present who are entitled to cast their vote and the number of qualified proxies, except as otherwise provided in the Articles of Incorporation, the Restrictions and Covenants, or these Bylaws.

Section 6. Proxies. At all meetings of Members, each Member shall be entitled to vote either in person or by proxy. 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. Homeowners desiring to vote by proxy or absentee ballot are obligated to obtain a proper form from a member of the Board.

## ARTICLE XII OFFICERS AND THEIR DUTIES

Section 1. Enumeration of Officers. The officers of the Association shall be a President, a Vice President, a Secretary, and a Treasurer, who shall at all times be members of the Board of Directors.

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 the Association shall be elected annually by the Board and each shall hold office for one (1) year unless he shall sooner resign, or shall be removed, or otherwise be disqualified to serve.

Section 4. Special Appointments. The Board 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 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. Any officer may resign at any time by giving written notice to the Board, and President or the Secretary. Such resignation shall take effect on the date of receipt of such notice or 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 in the manner prescribed for regular election. The officer elected to such vacancy shall serve for the remainder of the term of any officer he replaces.

Section 7. Multiple Officers. No person shall simultaneously hold more than one of the offices except in the case of special offices created pursuant to Section 4 of this Article.

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

- (a) President. The President shall preside at all meetings of the Board of Directors; shall implement the orders and resolutions of the Board; shall sign all leases, mortgage, deed and other written instruments, and shall sign all promissory notes of the Association.
- (b) Vice President. 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.
- (c) Secretary. The Secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the Members; serve notice of meetings of the Board and of its Members; keep the corporate seal of the association and affix it to all papers requiring such seal; keep, or cause to be kept, appropriate current records showing the Members of the Association, together with their addresses; and shall perform such other duties as may be required by the Board.
- (d) Treasurer. The Treasurer or the Administrative person performing these duties 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; keep proper books of account; cause an annual audit of the Association books to be made by a public accountant at the completion of each fiscal year; and shall prepare an annual budget and a statement of income and expenditures to be represented to the membership at its regular annual meeting, and deliver a copy of each to the Members.

ARTICLE XIII  
ASSESSMENTS

As more fully provided in the Restrictions and Covenants, each Member is obligated to pay to the Association regular, special and reimbursement assessments. Any assessments, which are not paid when due, shall be delinquent [and] will automatically cause a 10% penalty if the bill is not paid within 45 days beyond the due date. If the assessment is not paid when due, the Association may bring an action at law against the Owner personally obligated to pay the same or file a notice of lien against his lot pursuant to the terms of the Restrictions and Covenants. No Owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Common Area or abandonment of his lot.

ARTICLE XIV  
BOOKS, RECORDS AND DOCUMENTS

Section 1. Inspection Rights of Members. The membership register, books of account, records, papers, minutes of Members' meetings and Board of Directors' meetings and of committees of the Board of Directors of the Association shall be subject to inspection by any Member and the lender of any Owner of a lot. The Board of Directors shall establish reasonable rules with respect to the following:

notice to be given to the custodian of the records by the Member desiring to make the inspection:

hours and days of the week when such an inspection may be made; and

payment of the cost of reproducing copies of documents requested by Member.

Section 2. Rights of Directors. Every director shall have the absolute right at any reasonable time to inspect all books, records and documents of the Association and the physical properties owned or controlled by the Association. The right of inspection by a director includes the right to make extracts and copies of documents.

Section 3. Execution of Association Documents. With the prior authorization of the Board of Directors, all notes, checks and contracts or others obligations shall be executed on behalf of the Association by one officer [of the Association] and the designated Administrative person or any two of the officers.

Section 4. Should any Section or Subsection herein be found to be in violation of the Restrictions and Covenants or any law(s), then that Section or Subsection will be revised to conform with the Restrictions and Covenants or law so that the remainder of these Bylaws will remain in full force and affect.

IN WITNESS WHEREOF, we, the undersigned, certify that:

We are the duly elected directors of the Association:

We each have been duly elected to serve as officers in the capacity stated opposite of our name, of any:

That, upon approval, the foregoing Bylaws, and any subsequent amendment thereto, shall be recorded in the real property records of Midland County, Texas:

That the foregoing bylaws constitute the complete Bylaws of the Association and were duly adopted on the \_\_\_ day of January 2024, at a special meeting properly called for such purpose (or an annual meeting in which the proposed changed were duly noticed) and by a majority voted of the members present in person, by absentee ballot, by electronic ballot, or by proxy, at which such meeting a quorum was present.

<u>Jennifer Pender</u>	<u>Taylor D. Bell</u>
<u>Spencer Raines</u>	<u>Kathleen Smith</u>
<u>Molly Hutch</u>	_____
<u>Meghan Meyer</u>	_____

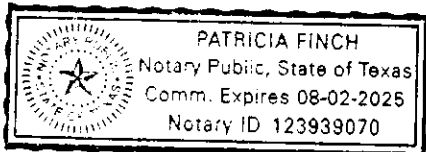
**CERTIFICATION**

I, the undersigned, do hereby certify, that I am the duly elected and acting secretary of the GREEN TREE NORTH HOME OWNERS ASSOCIATION, INC., a Texas non-profit corporation; and that the foregoing bylaws constitute the current bylaws of said Association, as duly adopted at a meeting of the Members thereof, held on the 3rd day of ~~January~~ April, 2024.

IN WITNESS THEREOF, I have hereunto subscribed my name this 3rd day of ~~January~~ April, 2024.

Amy C. Hays  
Secretary

Patricia Finch  
04.03.24





**Midland County  
Alison Haley  
Midland County  
Clerk**

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**Instrument Number: 7471**

eRecording - Real Property

Recorded On: April 05, 2024 08:51 AM

Number of Pages: 9

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**" Examined and Charged as Follows: "**

Total Recording: \$53.00

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**\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\***

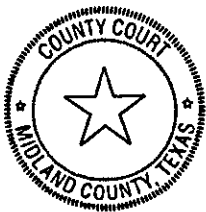
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 7471  
Receipt Number: 20240405000017  
Recorded Date/Time: April 05, 2024 08:51 AM  
User: Kathryn B  
Station: cc10297

**Record and Return To:**

Corporation Service Company



**STATE OF TEXAS  
COUNTY OF MIDLAND**

**I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Midland County, Texas.**

Alison Haley  
Midland County Clerk  
Midland County, TX