

**BY-LAWS OF THE
HOLIDAY BEACH PROPERTY OWNERS ASSOCIATION,
INCORPORATED**

(As revised and at general meetings of September, 1968; May, 1969; November, 1970; May, 1973; May, 1984; November, 1986; November 1993; May 3, 2008; July 18, 2009; July 16, 2011; July 21, 201; October __, 2021)

This section has been amended and corrected. See pg 18 of this bundle.

ARTICLE I- NAME

Section 1 Name

The name of the Texas non-profit corporation shall be the Holiday Beach Property Owners' Association, Incorporated, (herein referred to as "Association" or "Corporation")

ARTICLE II- PURPOSE

Section 1 Purpose

The purpose for which the Corporation is organized is to manage, maintain, repair, improve and replace the community property used by all of the property owners in the Holiday Beach Subdivision (herein referred to as "Subdivision"). To collect the Annual Maintenance Assessments (AMA) as set forth in the Subdivision Restrictions from members to finance the expenses of operating the corporation along with improvements for the security and safety of the community and its members. To ensure the corporation is operated in accordance with all applicable local, state, and federal statutes and regulations. The corporation shall also have the authority to enforce the following dedications, assignments and Subdivision Restrictions which appear and are recorded in the Aransas County Clerk's Office, Aransas County, Texas:

Section	Vol.#	Page #	Recorded	Doc#	Plat #	Page#	Recorded	Doc#
St. Charles Mesquite Tree & Sherwood Downs	W-4	260	2/5/64	45560	2	118	1/28/64	45559
Newcomb Bend	X-4	497	5/21/64	46425	2	121	5/20/64	46411
Palmetto Point 1-105	Z-4	522	9/25/64	47535	2	139	9/25/64	47534
Hillcrest	Z-4	525	9/25/64	47536	2	139	9/25/64	47534
Corrections to above	Z-4	528	9/25/64	17537	2	138	9/25/64	47533
Bellaire 1-134	108	58	3/22/65	48877				
Northview 1-103	108	164	3/28/65	48945	2	143	3/18/65	48944
Northview 104-704	108	178	3/22/65	48955	2	143	3/18/65	48944
Southview	113	433	11/17/65	51064	3	6	11/12/65	51062
Woodland Hills	113	436	11/17/65	51065	3	7	11/12/65	51063
Oak Shores	114	491	1/7/66	514433	3	8	1/6/66	51442
Palmetto Pt 106-327	120	282	8/22/66	53447	3	16	8/19/66	53446
Bayview 1-70	122	160	11/1/66	54065	3	19	11/2/66	54088
Bellaire 135-154	122	316	11/15/66	54192	3	21	11/18/66	54250
Oak Shores Unit 2	122	421	11/21/66	54247	3	22	11/18/66	54251
	124	171	2/3/67	54719	3	28	7/3/67	56192

These public records of Aransas County, Texas may be amended from time to time as required based on the procedure outlined in those records. These covenants and restrictions run with the land therein referred to and are binding on all entities and individuals claiming any of said property.

ARTICLE III - MEMBERSHIP

Section 1 Membership

The membership shall be composed of owners who hold the current title to property in the Holiday Beach Subdivision as recorded in the Deed of Records of Aransas County, Texas. Membership in the Association is mandatory based on the covenants and restrictions as identified above.

Section 2 Termination

Membership in the Corporation is terminated when a property owner or a purchaser under contract for Deed, shall sell or dispose of his property in the Holiday Beach Subdivision as reflected in the public records of Aransas County, Texas.

Section 3 Suspension

Membership in the Corporation may be suspended. Suspension shall include the denial of the use of the facilities, common areas, notices, and participation in other functions of the Corporation. Suspension from the Corporation shall not suspend the member's responsibility to pay the AMA due on all properties. All notices for a suspension shall be given as required by Chapter 209 of the Texas Property Code.

ARTICLE IV - MEMBERS' MEETINGS

Section 1 Annual Meetings

The Corporation shall hold an annual meeting of the membership on the third Saturday of July in Aransas County, Texas at a time and place to be set by the Board of Directors. The time and place of the meeting is to be set no later than June 1 of that year.

Section 2 Notice of Annual Meetings

Written notice of the annual meeting of the membership will be mailed to all members at least thirty (30) days prior to the meeting date, but not more than sixty (60) days, providing information on the meeting place, time, date and other items considered pertinent by the Board of Directors.

Section 3 Special Meetings of the Membership

Special meetings of the membership may be called at any time and for any purpose deemed necessary by a 2/3 vote of the Board of Directors. Notice shall be delivered not less than ten (10) nor more than sixty (60) days before the date of any such Membership meeting and shall be given by mail or other means of notification to all members. The notice should contain the date, time and place of the meeting as well as an agenda for the meeting. Only items listed in the agenda may be handled.

Section 4 Quorum

A quorum shall consist of a quorum of the Board of Directors and twenty-five (25) members who are present in person, or by proxy at the meeting and vote.

Section 5 Voting – Annual or Special Meetings

Property owners (Members of the Corporation) shall be entitled to one (1) vote no matter how many lots owned. **(Per Texas Property Code 211.004 (e) A property owner may not cast more than one vote, regardless of the number of lots the person owns. If more than one person owns an interest in a lot, the owners may cast only one vote for that lot. A person may not vote if the person has an interest in a lot only by virtue of being a lienholder.**

At all meetings of the Corporation (membership) all questions shall be determined by a simple majority of members who are present and/or voting unless different requirements are required by the by-laws, local, state, federal rules or regulations. Voting on agenda items shall be by signed ballot or proxy to include the number of lots (shares) owned. Multiple owners of the same lot shall be entitled to only one vote per lot. Corporations may vote based by a designated member of that corporation. A legal guardian of a minor property owner shall be entitled to vote for the minor. Contract for deed property owners may not vote unless the contract for deed has been recorded in Aransas County, Texas. A ballot is revocable, with the most current date being valid and only used for agenda items. Voting on non-agenda items by members not present shall be by proxy. A proxy is revocable and valid only for the day of meeting for which it is issued. The proxy with the most recent date shall be valid over all others.

Non-agenda items shall be determined by simple majority vote unless other requirements are set forth in the by-laws, local, state, federal rules or regulations. A proxy is required for all members not present who wish to vote on non-agenda items. The President may determine the method of voting for those members present on non-agenda items.

Voting on single item issues, other than election of the Board of Directors, may be presented to the membership by mail and voted on by ballot without the calling of a Special Meeting of the membership. The issue shall pass with a simple majority vote unless other requirements are set forth in the by-laws, local, state, federal rules or regulations.

Section 6 Tabulation of Votes at Annual & Special Meetings of the Membership

Tabulation of all votes shall be by a committee appointed by the President at a regular or called meeting of the Board of Directors. The President shall determine the number of committee members, and the procedure to be utilized to count the votes. The tabulation may begin at such a time so that the only votes to be tabulated are the votes cast in person. On the day of the meeting vote counting should start as soon as all ballots are turned in and should continue until the results are posted.

Section 7 Order of Business at Annual & Special Meetings of the Membership

- a. Call to Order
- b. Establish a Quorum based on member's signature on a document dedicated for that purpose. The Sergeant of Arms/Parliamentarian shall declare that the Meeting was properly called.
- c. Reading of the minutes of the preceding meeting
- d. Financial report (copies for the membership in attendance)
- e. Report from the Board Members as required.
- f. Election of Board of Directors when appropriate
- g. Agenda Items
- h. New Business
- i. Good of the Corporation
- j. Adjournment

ARTICLE V BOARD OF DIRECTORS

Section 1 Composition

A Board of Directors shall manage the affairs and business of the Corporation and shall have a fiduciary responsibility in all their activities. The Board of Directors will be composed of the following five (5) Officers:

- a. President
- b. Vice President
- c. Secretary
- d. Treasurer
- e. Sergeant of Arms/Parliamentarian

The Board of Directors will be composed of the following four (4) Directors of the Corporation:

- a. Director - Subdivision Restrictions
- b. Director - Boat Ramps, Pier, Channels
- c. Director - Pool & Parks

d. Director - Aransas County Liaison

Two Non-Voting Representatives-at-Large will also be seated with the Board of Directors. They will be required to have the same standards and qualifications as a Member of the Board of Directors.

Section 2 Qualifications

All members of the Board of Directors must be property owners in the Subdivision..

Section 2a

The membership of the Board of Directors may not have more than one member from the same relation (family) no matter how extended or how many lots are owned or in whose name those lots are listed. Non-related property owners owning the same lots jointly, in partnership, corporation, or in trust shall not be allowed to have more than one member serving on the Board of Directors.

Section 3 Nominations

The President at a regular scheduled or called meeting of the Board of Directors shall appoint a Nomination Committee by May 1st of the year in which elections are to be held. The Nominating Committee shall meet as required to provide a slate of Directors to be placed on the ballot for the Board of Directors. The list shall be completed by May 31 and submitted to the existing Board of Directors. They will ensure the potential Directors are qualified and will accept the recommendations of the committee.

Should there be more than one individual qualified for a position on the Board of Directors the recommendation of the Nominating Committee will be used. Individuals who do not receive the recommendation, if requested may also be placed on the ballot with the appropriate notation.

Section 4 Election of the Board of Directors

All members of the Board of Directors shall be elected by nominated position, at the annual Membership meeting that is to be held on the third Saturday of July and shall hold office for two years. Elections shall be as follows: President, Treasurer, Parliamentarian, Boat Ramps & Piers, At Large# 1 at the 2019 Annual meeting and all odd numbered years; Vice-President, Secretary, Pool & Parks, Subdivision Restrictions, County Liaison, At Large # 2 at the 2020 Annual Meeting and all even numbered years.

Section 5 Duties

The Board of Directors shall have control and general management of the affairs and business of the Corporation. The Board of Directors shall have the authority to handle all

financial functions including the negotiation of contracts, loans, purchase equipment, hire employees and handle the day to day activities the Corporation

The Board of Directors shall set policies relating to the enforcement of the subdivision restrictions based on the seriousness of the violation, effect on property owners, interpretation of covenants, restrictions, assignments, legal ramifications and resources available.

The Board of Directors shall set policies relating to the collection of the Annual Maintenance Assessment (AMA) to ensure they are collected in an efficient manner. Will set policies with regard to the placement of liens and ensure adequate records are maintained.

The Board of Directors shall set guidelines and rules for use of the common areas and facilities available to the membership.

No Board Member may hold more than one position on the Board of Directors at the same time. The Board of Directors shall not be limited to the above duties.

Section 6 Board of Directors' Meetings

Regular meetings of the Board of Directors shall be held once a month at a time and day to be determined by the Board of Directors based on a simple majority vote of the Board. The President may at any time call a Special Meeting of the Board of Directors when deemed necessary to carry on business pertinent to the Corporation.

Section 7 Notice of Board of Directors Meetings

Regular Meetings and Special Meetings: Members shall be entitled to notice of all regular or special meetings of the Board. The notice shall contain the date, hour, place, and general subject of the regular or special board meeting, including a general description of any matter to be brought up for deliberation in executive session. The notice shall be sent in one of two ways:

1. by mail to each property owner not later than the 10th day or earlier than the 60th day before the date of the meeting; *or*
2. by providing at least 72 hours before the start of a special board meeting or 144 hours before the start of a regular board meeting by doing the requirements set forth below in (a) and (b):
 - 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.
- b. sending the notice by e-mail to each owner who has registered an e-mail address with the Association. (It is an owner's duty to keep an updated e-mail address registered with the Association.)

Section 8 Meetings Without Notice

The Board may meet by any method of communication, including electronic and telephonic, without prior notice to Members, if each Director may hear and be heard by every other Director, or the Board may take action by unanimous written consent to consider routine and administrative matters or a reasonably unforeseen emergency or urgent necessity that requires immediate board action. Any action taken without notice to Members must be summarized orally, including an explanation of any known actual or estimated expenditures approved at the meeting, and documented in the minutes of the next regular or special board meeting. The Board may not, without prior notice to member, consider or vote on the following items:

1. Fines;
2. Damage assessments;
3. Initiation of foreclosure actions;
4. Initiation of enforcement actions, excluding temporary restraining orders or violations involving a threat to health or safety;
5. Increases in assessments;
6. Levying of special assessments; or
7. A suspension of a right of a particular owner before the owner has an opportunity to attend a board meeting to present the owner's position, including any defense, on the issue.

Section 9 Quorum

At any meeting of the Board of Directors Five(5)Officers and/or Directors will be required to constitute a Quorum for the transaction of business.

Section 10 Voting

At all meetings of the Board of Directors each member except the President and the Representatives at Large will have one vote. The President shall have voting authority in the event of a tie.

Section 11 Vacancies

Vacancies on the Board of Directors occurring between annual meetings of the Corporation shall be filled for the unexpired time by a simple majority of the remaining members of the

Board of Directors. The Board of Directors must choose a replacement from the two Members at Large. If they decline, unable to serve, or have already been chosen then the Board of Directors may seek a replacement from the property owners at large. If a vacancy is declared within forty-five (45) days of an Annual Membership meeting the replacement should be elected by the general membership in a manner determined by the President.

Section 12 Removal of an Officer or Director

One or more members of the Board of Directors may be removed with Due Process (Due Process shall be defined as the opportunity to present defense to the allegations and receive a fair and equitable hearing) as determined by the members of the Board at any time by a two-thirds (2/3) majority of the other members of the Board. A member absent from three (3) consecutive unexcused absences from the regular monthly Board meetings may be removed by a simple majority of the remaining members. The membership of the Corporation shall have the authority to remove an Officer or Director, or the entire Board of Directors for violations of the By-Laws or Deed Restrictions. In order for the membership to remove an Officer or Director, or the entire Board of Directors a member shall notify the Board in writing of the intent to recall. This notification should include the identity of the recalled official(s) and reason for recall. The Board of Directors has five (5) days to notify the member of the number of signatures that will be required for a valid petition of the membership for recall. The number of required signatures shall be equal to ten (10) percent of the total number of property owners at the time of notification. The valid signatures of the membership recall petition shall be returned in 30 days of receipt of the petition members required. When the petition is received the Board has five (5) days to verify the signatures and if verified they have fifteen (15) days to notify the general membership and call for a Special Meeting of the Membership. Those seeking election along with those in office shall have their names included in the meeting notification. Voting shall be according to Article IV, Section 5 and Vote Tabulation according to Article IV Section 6.

Section 13 Complaints, Requests, and Suggestions

Any and all complaints, requests, or suggestions may be presented to any member of the Board of Directors, at the business office during office hours verbally, by mail, email, or any means available. The complaints, requests or suggestions will be reviewed by the President and if warranted will be placed on the agenda or notify the Board by appropriate means.

ARTICLE VI OFFICERS, DIRECTORS AND COMMITTEES

Section 1 Officers

The officers of the Corporation shall be five: The President, Vice President, Secretary, Treasurer and Sergeant at Arms / Parliamentarian.

Section 2 Duties of Officers

The duties and authorities of the officers shall be as follows:

a. President

The President shall have sole responsibility for the preparation of the agenda and order of business. The President shall preside at all meetings of the Corporation and Board Meetings and call special meetings of the Board of Directors, and meetings of the Membership. The President will appoint all committees as required and shall be an ex-officio member of all committees. The President shall be the Chief Executive Officer of the Corporation and the custodian of records. The President will ensure that all records of the corporation are kept current, accurate, and available to the membership. The President will participate in the preparation of the annual budget. The President shall follow these by-laws and perform any other duties that may be required.

b. Vice President

The Vice President shall during the absence of or inability of the President, render or perform the duties of the President and or exercise other Powers of the President as set forth in these By- laws, and perform any other duties delegated to him by the President. The Vice President shall also regularly assist when required in the duties of the Directors.

c. Secretary

The Secretary shall keep the minutes of the meetings of the membership and the Board of Directors, shall serve all notices of the Corporation and perform the duties incident to the office of Secretary. Shall participate in the preparation of the annual budget.

d. Treasurer

The Treasurer shall have the care and custody of, and be responsible for all funds of the Corporation. Shall keep all records of account receivables and the accounts payable. Provide an accounting of the expenditures to the Board of Directors and members of the Corporation at regular meetings. Shall participate in the preparation of the annual budget.

e. Sergeant at Arms / Parliamentarian

The Sergeant at Arms shall keep order in all meetings of the Board of Directors and meetings of the Membership. As parliamentarian will determine that a Quorum is present and that the meeting is properly called as well as interpreting these By-laws and Robert's Rules of Order as required.

Section 3 Directors

The Directors of the Corporation shall be four: Subdivision Restrictions, Boat Ramps, Pier and Channels, Swimming Pool and Parks, and Aransas County Liaison.

Section 4 Duties of the Directors

The duties and authorities of the Directors shall be as follows:

a. Director - Subdivision Restrictions

The Director - Subdivision Restrictions shall review violations of the subdivision restrictions. Will verify, conduct an appropriate investigation, attempt resolution and refer to the President and/or the Board of Directors for a confirmation of the action recommended.

b. Director - Boat Ramps, Pier, and Channels

The Director - Boat Ramps, Pier, and Channels shall be responsible for the repair, maintenance, and use of the Boat Ramps, Pier/Pier Park. Shall be responsible for notifying the Board of Directors of problems with the operation of these facilities and shall check to verify that only property owners in good standing are utilizing these facilities. Verify that the facilities are being used in accordance with policy and procedures established by the Board of Directors.

c. Director - Swimming Pool and Parks

The Director - Swimming Pool and Parks shall be responsible for the repair, maintenance, operation, and use of the swimming pool and parks. Shall be responsible for notifying the Board of Directors of problems with the operation of these facilities and shall check to verify that only property owners in good standing are utilizing these facilities. Verify that the facilities are being used in accordance with policy and procedures established by the Board of Directors.

d. Director - Aransas County Liaison

Director - Aransas County Liaison shall be the primary contact of the Corporation with the Holiday Beach Water Supply Company, Lamar VFD and other local government identities. The Director should establish a rapport with all levels of county government to ensure that the Holiday Beach Subdivision obtains an equitable amount of county services. This should include but not limited to, roads, drainage, mosquito control, fire control, and the Sheriff's office. The Director shall keep the Board of Directors informed of all pertinent information.

Section 5 Representatives at Large

In addition to the above-described Directors the Membership shall elect two Representatives at Large. These positions shall be non-voting members and shall be allowed to participate in all meetings of the board of Directors. Should a member of the Board of Directors leave for any reason, then one of these two Representatives at Large shall be appointed to fulfill the term of the leaving Director or Officer. These members may assist other Board Members, serve on committees or other responsibilities as deemed necessary by the President.

Section 6 Committees

The Board may create such committees as they deem necessary and appropriate in aiding the Board to carry out its duties and responsibilities. Any vacancy occurring on a committee shall be filled by a majority of the number of Board Members then holding office at a regular or special meeting of the Board. Any Member of a committee may be removed at any time with or without cause by a majority of the number of Board Members then holding office. Each committee shall keep regular minutes of its proceedings and report the same to the Board when required.

Section 7 Architectural Control Committee

- (a) No structure of any character shall be erected or placed, or the erection or placing thereof commenced, or changes made to the exterior design or appearance of any structure, without first obtaining the Architectural Control Committee's approval.
- (b) Each application made to the Architectural Control Committee for approval, shall contain an application in the form specified by the Architectural Control Committee. Any denial by the Architectural Control Committee may be appealed to the Board of Directors.
- (c) The Architectural Control Committee shall consist of three (3) members appointed by the Board of Directors and may not include a board member, a board member's spouse, or anyone living in a board member's household.
- (d) A Board Member appointed by the Board President shall review approvals of the Architectural Control Committee and if it is determined the proposed structure is not in compliance with the Subdivision Restrictions then the plans should be submitted to the entire Board for review. The Board may affirm, modify, or reverse, in whole or in part, any decision of the Architectural Control Committee as consistent with the Subdivision Restrictions.

ARTICLE VII - STANDARDS OF OFFICERS AND DIRECTORS

Section 1 Standards of Officers and Directors

Officers and Directors shall discharge the duties of their office to the best of their ability. They will have a Fiduciary responsibility that places both legal and moral obligations on their actions.

Section 2 Conduct of Business

The Board of Directors will require at least three (3) bids for any work required by the Corporation in excess of \$5,000.00. A written contract not just a proposal is required in all expenditures in excess of \$5,000.00.

Section 3 Loans to Officers or Directors

No Officers or Directors nor any member of the Corporation or anyone else shall receive loans from Corporation funds.

Section 4 Salaries & Dividends

No Officers or Directors of the Corporation shall receive a salary, honorarium, or dividends from Corporation funds.

Section 5 Contractors and Nepotism

No Officer or Director of the Corporation shall transact business for the corporation as a contractor and be paid with Corporation funds. No relative of a member of the Board of Directors may be a paid contractor or an employee of the corporation. No more than one member of a family (husband, wife, son, daughter, in-laws, aunts, uncles, cousins, father, and mother) may be an employee of the corporation at the same time. Nepotism in all forms is to be avoided.

ARTICLE VIII - HOLIDAY BEACH SUBDIVISION - COMMON AREAS

Section 1 Common Areas

The following properties are designated as common areas and are available for use by all property owners in good standing pursuant to policy and/or rules established by the Board of Directors.

- Tract 1 Hillcrest Park, Lots 88-093 on Hillcrest Drive between West Shady Oak Lane and West Castle Oak Lane, Hillcrest Section.
- Tract 2 Swimming Pool and Park, Lots 400-401, 436-437, on St. Charles Loop West, between Charlotte Drive and DeSota Drive, St. Charles Section
- Tract 3 Large Boat Ramp, between Palmetto Point Road and Channelview Road, Palmetto Point Section
- Tract 4 Small Boat Ramp, between Kingfish Drive and Sailfish Drive, Palmetto Point Section

- Tract 5 Newcomb Bend Park, on Newcomb Bend Loop between 67 and 68 Newcomb Bend Loop
- Tract 6 Fishing Pier and Park, northwest corner at the intersection of Bellaire Drive and Northview Drive, Bellaire Section.
- Tract 7 1 Bellaire and north half of 2 Bellaire Drive located adjacent to the Fishing Pier and park at the intersection of Northview Drive, Bellaire Section (1 Bellaire is designated on the Bellaire plat as a commercial lot)
- Tract 8 Lee Miller Center, Recreation Building on Lots 103-104 at 104 St. Charles Loop W, St. Charles Section

The preceding listed properties may not be sold, traded, or altered from their primary function as a common area without the approval of a simple majority of the property owners present or voting at a meeting, special meeting or a single issue ballot as outlined in Article IV, Section 5.

ARTICLE IX - OPEN RECORDS AND MEETINGS

Section 1 Open Records

All records of the Corporation shall be available for review during normal business hours to all members of the Corporation. Pending legal matters involving on going investigations, conference, emails and other documents are not available until the adjudication is completed. Excluded items are individual membership telephone numbers, email address, employment or other personal information contained about individual members. Copies are available to members for a reasonable fee determined by the Board of Directors. There shall not be a fee to any member to review files. Information may be provided to law enforcement agencies on an individual basis as well as for the safety and welfare of a member or their property. The Board of Directors will resolve all questions concerning a privacy policy dispute.

Section 2 Open Meetings

All meetings of the Board of Directors, Committees, Workshops and Membership Meetings shall be open to all members of the Corporation unless specially stated elsewhere in the by-laws. The corporation will have a transparency of operation & disclosure at all times.

ARTICLE X - DUES

Section 1 Dues

The dues of the Corporation shall be the annual maintenance assessment as provided in Paragraph Number 12 of the Subdivision Restrictions therein enumerated in Article II and/or as amended elsewhere in the restrictions.

Section 2 Administrative Fees and charges

The Board of Directors has the authority to establish fees, administrative charges and the like to offset administrative expenses. Such fees as mailing fees, bad check charges, lien filing fees, lien release filing fees, property transfer fees, resale certificate fees, and other fees that maybe required by Local, State, or Federal rules and regulations.

ARTICLE XI - AMMENDMENTS OF THE BY-LAWS

Section 1 Amendments

The By-laws may be amended, altered, rescinded, supplemented or rewritten. An affirmative vote of three-fourths (3/4) of the membership voting by single issue ballot, at an annual meeting, or special meeting called for the purpose of altering or amending said by-laws, provided written notice has been sent to the members stating the nature of the desired changes.

ARTICLE XII AMENDMENTS OF SUBDIVISION RESTRICTIONS

Section 1 Amendments of Subdivision Restrictions

The initial procedure to amend the Holiday Beach Subdivision Restriction shall be in accordance with Chapter 211 of the Texas Property Code, Texas Non-Profit Corporation Act or any other legal means available. After the initial procedure is approved, the procedure to amend the restrictions will be recorded in each subdivision section and will be followed in all other efforts to amend the subdivision restrictions.

ARTICLE XIII EFFECTIVE DATE OF THESE BY-LAWS

Section 1 Effective date of these By-laws

The effective date of these Bylaws will be the date of ratification and will include all sections except Article V and Article VI which deal with the election of Officers which will not become effective until the next election year.

ARTICLE XIV - OMISSIONS, CORRECTIONS AND PROCEDURES

Section 1 Omissions, Corrections and Procedures

Any omissions, corrections, and procedures not defined in these By-laws Local, State, or Federal rules and regulations will be governed by Robert's Rules of Order.

PASSED, ADOPTED, AND APPROVED on this the 19 day of April, 2022

**HOLIDAY BEACH PROPERTY OWNERS
ASSOCIATION INCORPORATED**

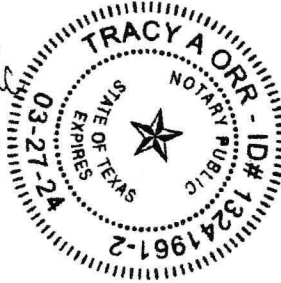
By: John C. Rust
04/26/2022, President

ATTEST:

By: Barbara K Munchisen
4/26/2022, Secretary

Barbara K. Munchisen, Secretary
4-27-2022

Tracy A. Orr, Notary Public
State of Texas
commission expires
3/27/24



(Acknowledgment)

STATE OF TEXAS }
COUNTY OF Aransas }

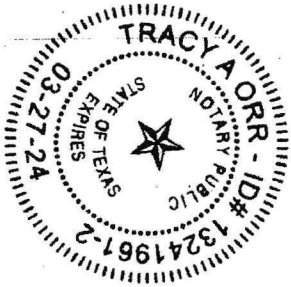
This instrument was acknowledged before me on the 27th day of April,
2022 by Barbara K Munchisen, Secretary, HBPOA

My commission expires:

3-27-24

Tracy A Orr
Notary Public, State of Texas

Tracy A. Orr
Notary's Printed Name





390986

HOLIDAY BEACH PROPERTY OWNERS ASSOCIATION, INC.

a non-profit corporation
104 St. Charles Loop West
Rockport, TX 78382
Ph. 361-729-8929
Fax 361-450-1063

Webpage: www.holidaybeachtx.org

TOTALS FOR AMENDED BY-LAW VOTES

FOR: 229

14
21

243
76

319

WALK INS
LAST DAY
POST.

AGAINST: 55

QCB

The undersigned William Adams, Attorney further hereby acknowledges that the votes were tallied in private.

Dated this 19th day of April 2022

William Adams
William Adams, Attorney

FILED FOR RECORD IN
OFFICIAL PUBLIC RECORDS
AT 11:25 A.M.

INDEXED

APR 27 2022

M/90
+ copies

(Acknowledgement)

STATE OF TEXAS-COUNTY OF ARANSAS I hereby certify that this instrument was FILED on the date and at the time affixed hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of ARANSAS COUNTY, TEXAS as stamped hereon by me.



Carrie Arrington
CARRIE ARRINGTON, COUNTY CLERK
ARANSAS COUNTY, TEXAS

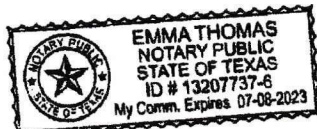
STATE OF TEXAS,
COUNTY OF ARANSAS

This instrument was acknowledged before me on the 19th day of April
2022 by William Adams

My commission expires:
7/08/2023

Emma Thomas
Notary Public, State of Texas

Emma Thomas
Notary's Printed Name



Filed by: Holiday Beach POA, Inc

ORIG RTD @ CNTR

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

CORRECTION AFFIDAVIT

Date: May 18, 2022

Original Instrument: By-laws of the Holiday Beach Property Owners Association, Incorporated, recorded on April 27, 2022, under Clerk's Instrument #390986.

Affiant: Douglas Buster

Affiant on oath swears that the following statements are true and within the personal knowledge of Affiant:

1. My name is Douglas Buster. I am over the age of eighteen (18) years and am otherwise competent to make this Correction Affidavit.
2. I have personal knowledge of the facts relevant to the correction of the above referenced Original Instrument as evidenced by the following facts:

I am the President of the Holiday Beach Property Owners Association, Incorporated, who filed the Original Instrument.

3. I am making this Affidavit as a correction instrument pursuant to §5.028 of the Texas Property Code, with regard to the following clerical error in the Original Instrument:

There is a typographical error on page 1 of the Bylaws filed on April 27, 2022, in that the dates were typed incorrectly.

The Original Instrument states:

(As revised and at general meetings of September, 1968; May, 1969, November, 1970; May, 1973; May, 1984; November, 1986; November 1993; May 3, 2008; July 18, 2009; July 16, 2011; July 21, 2018; July 20, 201; October ____, 2021)

4. The Original Instrument should be corrected as follows with respect to the clerical error described above, this being a non-material change to the Original Instrument:

(As revised and at general meetings of September, 1968; May, 1969, November, 1970; May, 1973; May, 1984; November, 1986; November 1993; May 3, 2008; July 18, 2009; July 16, 2011; July 21, 2018; July 20, 2019; April 19, 2022)

391601

AFFIANT:

Douglas Buster
Douglas Buster

STATE OF TEXAS §
COUNTY OF ARANSAS §

SWORN TO AND SUBSCRIBED before me on this 23rd day of May 2022,
by Douglas Buster, to certify which witness my hand and seal of office.



Tracy A. Orr
Notary Public, State of Texas

2/30 Orig RTDECNTR
Douglas Buster

FILED FOR RECORD IN
OFFICIAL PUBLIC RECORDS
AT 8:10 A.M.

MAY 23 2022 INDEXED

STATE OF TEXAS-COUNTY OF ARANSAS I hereby certify that this instrument was
FILED on the date and at the time affixed hereon by me and was duly RECORDED in
the OFFICIAL PUBLIC RECORDS of ARANSAS COUNTY, TEXAS
as stamped hereon by me.



Carrie Arrington
CARRIE ARRINGTON, COUNTY CLERK
ARANSAS COUNTY, TEXAS

AFTER RECORDING RETURN TO:
Holiday Beach Property Owners Association, Incorporated
104 St. Charles Loop W.
Rockport, Texas 78382