

**Bylaws of the
Canyon Lake Island Property Owners Association
(CLIPOA)**

ARTICLE I: Name, Location, and Purpose

1. The Canyon Lake Island Property Owners Association, hereinafter referred to as "the Association", is a voluntary association of land owners located in Canyon Lake Island as set forth on the map or plat of the subdivision in the Map Records of Comal County, Texas.
2. The purpose of this Association is to unite all members so that they may cooperate with each other, in all activities necessary and useful or expedient to the maintenance and enhancement of Canyon Lake Island, and that they, by their union, have greater strength enforcing the Deed Restrictions within the jurisdiction of the Association.
3. This Association is not organized for profit and shall only make such assessments as are necessary and approved by the members.

ARTICLE II: Dues and Assessments

1. Annual dues of \$100.00 effective January 1, 2018, per property owner for those owning improved lots, and \$50.00 per property owner for those owning only unimproved lots will be due by the first meeting of the year and cover the period from March 1 to February 28 of the following year. In the future annual dues amounts will be set by a vote at one of the semi-annual meetings, rather than by amendment to the Bylaws.
2. New members can join at any time of the year after paying the full annual dues.
3. Special assessments, if any, must be approved by a two-thirds majority of the full membership.
4. There will be only one dues and one assessment for each voting right.
5. No liens may be placed on any property for non-payment of dues or assessments.

ARTICLE III: Voting Rights

1. Each household, no matter how many individuals or lots owned, is counted as one member and is entitled to one, and only one, vote.
2. Voting rights are contingent upon all dues and assessments being paid.
3. For voting on election of officers, amending the bylaws, or financial expenditures greater than \$500.00 excluding Directors and Officers Liability Insurance, a ballot will be sent to each member within three weeks prior to the meeting. The completed ballot must be received by the Secretary prior to/at the meeting at which the ballots are counted. Write-ins are allowed, however, changes to any item on the ballot will require a postponement of the vote until new ballots have been issued to each member.
4. There will be no proxy voting, however, absentee voting is possible on the above listed occasions.
5. Voting Transparency: Absentee Ballots. To ensure transparency and integrity of the Association's voting process, all mail delivered CLIPOA's P.O. Box within two weeks (14 calendar days) of a called meeting will be collected and remain in its unopened state until 15 minutes prior to the start of the Meeting. The Treasurer or designee will be responsible for opening the mail in the presence of two witnesses at the Meeting Venue, and each item delivered will be initialed by the witnesses and retained by the Treasurer. All absentee ballots will be secured until live voting has been completed, and then they will be added to determine the outcome.

ARTICLE IV: Meeting of Members

1. There will be two general meetings per year at 2:00 p.m. on the second Sunday of March and the second Sunday of October, unless rescheduled at the previous meeting. Location to be determined.
2. Special meetings of the membership may be called by the President, the Board of Directors, or upon written request of not less than one-fourth of the members having voting rights.
3. A quorum shall consist of 25% of the members with voting rights.
4. Meetings are open to property owners of Canyon Lake Island Subdivision, whether members of the Association, or not. Prospective property owners may attend, but may not participate in discussion of Agenda Items unless recognized by the meeting chair, and may be asked to leave the meeting, if, in the opinion of the meeting chair, their attending is thought to be disruptive to the conducting of the Association's business.

ARTICLE V: Officers, Selection, Terms of Office

1. The Officers of this Association shall be the President, Vice President, Treasurer, and the Secretary.
2. Election of officers will be held at the first meeting of each year. Term of office will be for two years.
3. A simple majority of those voting is needed to win an election.
4. Only one member of a household may be an officer at any one time.
5. Any officer may be removed by a simple majority vote of the members of the Association.
6. Officer Term Holdover/Election Postponements. In the case of a delayed Regular Spring Election Year Meeting, or the lack of any new candidate for an Officer's Position on the Board of Directors, elections will be postponed until the next Regular Meeting of the Membership. The postponement of an election results in the extension of each Officer's term. An Officer resigning from the Board will require the remaining Board Members to appoint a temporary replacement that will hold that position until the next Election is held.

ARTICLE VI: Officers and Their Duties

1. A vacancy in any Officer position will be filled by appointment by the Board.
2. The duties of the Officers are as follows:
 - a. The President shall:
 - call and preside at meetings of the Board, regular general meetings of the members, and special meetings of the members;
 - see that orders and resolutions are carried out;
 - cosign all checks;
 - ensure that the pre-construction check list has been signed by the owner prior to construction.
 - b. The Vice President shall:
 - act in place and stead of the President in the event of his or her absence or inability to act;
 - work with all committees and execute other duties as may occur.

c. The Treasurer shall:

- receive and deposit in an appropriate bank account all moneys of the Association and shall disburse such funds as directed by resolution of the Board;
- sign all checks and keep proper books of account, prepare and have available at any meetings of the members listing all members who have voting rights;
- prepare a statement of income and expenditures to be presented to the members at the general meeting and as it may pertain to any special meeting;

d. The Secretary shall:

- record the votes and keep the minutes of all meetings and proceedings of the Board and of the members;
- keep current records of all Canyon Lake Island Subdivision property owners, including but not limited to: names, mailing addresses, phone numbers, and email addresses.
- notify members of any special meetings of members at least 14 days in advance.

ARTICLE VII: Board of Directors

1. The Board of Directors consists of currently elected officers and the immediate past president.
2. Regular meetings of the Board shall be held periodically at such place and hour as may be fixed from time to time by resolution of the Board.
3. Special meetings of the Board shall be held when called by the President or by any two (2) directors, after not less than twenty four (24) hours notice to each officer.
4. Meetings are open to any and all members and they are at all times invited to attend; however, deliberation of issues and decision-making may be conducted in a closed meeting of officers only.
5. A quorum for the transaction of business shall be three of the officers, which may include the Immediate Past President.
6. The Association values the voluntary efforts of the Board of Directors and agrees to Indemnify and Hold Harmless all Officers when acting on behalf of the Association. And, in this regard, the Association will provide Director's and Officer's Liability Insurance in the amount of \$1,000,000.

ARTICLE VIII: Powers and Duties of the Board of Directors

1. The Board shall have power to:
 - a. Adopt and publish rules and regulations governing the use of the Common Area and Facilities, if any, and any Appurtenant Easements.
 - b. Declare the office of a member of the Board to be vacant in the event such member shall be absent from three (3) consecutive meetings or be delinquent in assessments/dues to the Association.
2. It shall be the duty of the Board to:
 - a. Keep a complete record of all its acts and corporate affairs and to present a statement there to the members at the general meeting of the members.
 - b. Evaluate Property Owners Variance Requests, Enforce the Deed Restrictions, and Protect Subdivision Property Owner Rights pursuant to Granted or Reserved Easements:
 1. A request to the Board of Directors for variance approval, actions on deed restriction violations(s), or easement-related issues may be initiated by any property owner and must be written and signed by the requester. Such request must be delivered to one of the four Officers of the CLIPOA. Originator(s) must submit requests in writing. An acknowledgement of the request will be mailed to the requestor promptly.
 2. Variance Requests:
 - a. The Board will bring all variance requests to the attention of the members who will decide how to respond.
 - b. A decision on the variance request will be made within six months and a written response will be provided to the requestor.
 3. Deed Restriction Violations
 - a. For all deed restriction violations, a member of the Board will meet informally with the alleged violator(s) to hear their side of the issue and, if possible, resolve the deed restriction violation at that point.
 - b. All deed restriction violations will be discussed at a meeting of the Board of Directors before any action is taken. Results of discussion and description of decisions and/or actions to be taken will be recorded in meeting minutes and reported at the next general meeting.

- c. In response to deed restriction violations, the Board will emphasize persuasion and compromise in dealing with the alleged violator(s). In the event that these efforts by the Board are unsuccessful, the matter will then be presented to the CLIPOA membership at a future meeting for discussion and decision on how to proceed.

4. Easement-Related Issues:

The Board will evaluate the issue, and respond if able. Otherwise, the Board will bring the issue to the attention of the members of CLIPOA to determine what action, if any, is to be undertaken.

- 5. All new requests, status of open requests and actions, taken by the Board concerning variances and deed restriction violations that have occurred since the previous semi-annual meeting of the members will be reported at the next semi-annual meeting.
- 6. Establish standing and/or ad hoc committees as necessary.

3. The Immediate Past President shall:

- a. Provide the current Board information concerning the prior Board's actions and efforts.
- b. Vote only in cases requiring a tie breaking vote.

ARTICLE IX: Books and Records

Any member, or his or her duly appointed representative, shall be entitled to make a reasonable examination of the books and records of the Association. No member shall remove any books or records from the possession of the Officer for any reason.

ARTICLE X: Amendments

- 1. These bylaws may be amended by a majority of the full membership.

↓ Allen, Stein, & Durbin P.C.
6243 W IH-10, 7th Flr
SA, TX 78201

Filed and Recorded
Official Public Records
Bobbie Koepp, County Clerk
Comal County, Texas
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Bobbie Koepp