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AMENDED AND RESTATED BYLAWS
of the
TAMARACK SHORES OWNERS ASSOCIATION
A NON-PROFIT ORGANIZATION

Recitals

1. Bylaws for the Tamarack Shores Owners Association were previously adopted in prior Bylaws approved and executed July 23, 2011.

2. The Membership of the Tamarack Shores Owners Association desires to amend and restate the prior Bylaws of the Association in its entirety pursuant to Section 22.102 of the Texas Business Organizations Code and Article Twelve of the Tamarack Shores Owners Association Bylaws (requiring approval by at least a two-thirds majority vote of those members present at the regular annual Membership meeting after having received written and timely notice in advance).

NOW THEREFORE, the Membership of the Tamarack Shores Owners Association hereby amends and restates the prior Bylaws in its entirety. Upon recording these Amended and Restated Bylaws of the Association, these Bylaws will replace and supersede the prior Bylaws.

ARTICLE ONE
Identity, Address, and Purposes

Section 1. Identity: These are the Bylaws of the Tamarack Shores Owners Association, Inc. herein called the Association, a corporation non-for-profit, existing under the laws of the State of Texas.

Section 2: Address: The address is Tamarack Shores Owners Association, 813 Tamarack Drive, Canyon Lake, Texas 78133-2626. The mailing address is P. O. Box 195, 4050 FM 484, Fischer, Texas 78623-9998. The Association website is: https://tamarackshores.net.

Section 3. The purposes for which the Association is organized are the following:

A. To be a social organization comprised of members who are property owners in the Tamarack Shores Subdivision located in Comal County.
B. Establish and maintain a club (as defined by Webster).
C. Maintain real properties belonging to the Membership of the Association.
D. Maintain pool and park facilities for property owners.
E. Maintain records and files in accordance with Bylaws and with those Deed Restrictions as filed in Comal County and with the State Charter.
F. To collect and hold assessment collected from the property owners in Tamarack Shores as provided in the Deed Restrictions applicable to said subdivision and to disburse said assessments as and when necessary to comply with the usage thereof as designated in said Deed Restrictions.
G. To include all activities which it might lawfully do without endangering its nonprofit status.

H. To ensure property owners are apprised of Association business and concerns, including meetings, by timely notice posted to the Association website: https://tamarackshores.net.

I. To ensure compliance with federal law, Texas law, the Declaration (Tamarack Shores Deed Restrictions Section I and Section II), the Articles of Incorporation, these Bylaws, and/or any other Rules and Regulations of the Association. In the event of any conflict or inconsistencies among these provisions, federal law, state law, the Declaration, the Articles of Incorporation, these Bylaws, and the Rules and Regulations (in that order) prevail.

ARTICLE TWO
Membership
(Definition, Voting Rights, Delinquency, Pool Card, Restrictions of Facilities, and Transfer)

Section 1. Definition: Membership in the Association becomes automatic upon purchase of one (1) or more lots in the platted boundary and payment of property assessment fee through the current fiscal year. Membership privileges continue as long as the property assessment fee is paid in advance for the fiscal year. Associate Membership will be available as an option to non-property owners, that will give them access to Association recreational facilities at a fee set forth by the Board of Directors; but Associate Members shall have no voting rights.

Section 2. Voting Rights: Each said Owner/Member shall be entitled to only one (1) vote, regardless of whether said Owner/Member be an individual, husband and wife, partnership, or corporation, regardless of the number of lots or tracts owned by said Owner/Members.

Section 3. Delinquent membership: Failure to remain current in the payment of Association annual dues may affect eligibility for use of Association recreational facilities and amenities to the extent authorized by the governing documents and applicable law. Nothing in this section shall be construed to limit or suspend a property owner's voting rights or other rights as protected by applicable law.

Section 4. Pool Card: A card allowing access to the pool area shall be made available upon request at a fee established by the Board. Lost/damaged cards shall be replaced by a fee established by the Board. One card per Owner/Member.

Section 5. Restriction of Facilities: All Members and their family may use the parks and recreational areas and are responsible for their own cleanup after use. All Members are also eligible to use the swimming pool after paying the annual assessment fee and obtaining the pool card as defined above. Violations of area rules and regulations, as established by the Board of Directors, for the welfare and safety of all, may result in temporary restrictions and liability for damages. Additionally, an annual upkeep fee, as established by the Board of Directors, may be charged to pool area users.

ARTICLE THREE
Membership Meetings, Special Meetings, Notice of Meetings

Section 1. Annual Meetings of the Membership shall be held on the fourth (4^{th}) Saturday of July, at such time and place as shall be determined by the Board of Directors.

Section 2. Special Meetings: Special or called meeting of the Membership may be called by the President or by a majority of the Board of Directors. Written notice shall be sent to the Membership twenty (20) days prior to such meeting date.

Section 3. **Notice of location** for the regular annual Membership meeting, tentative agenda, list of retiring members of the Board of Directors or other vacancy or vacancies on the Board, biographical sketches of nominees and proxy vote for the election of Board of Directors shall be mailed to all Owners/Members not less than thirty (30) days nor more than fifty (50) days prior to the date of such meeting.

Notice of meetings and important Association business shall be provided in accordance with these Bylaws and applicable law and may be provided through the Association website, newsletters, bulletin boards (at the pool area), social media, or other communication channels.

ARTICLE FOUR
Quorum

A quorum to transact business shall be those eligible members present and voting.

ARTICLE FIVE
Voting by Mail

An Owner/Member may, by mail, cast a proxy vote on a ballot for members of the Board of Directors, as well as other specific Association business (as determined by the Board of Directors and in compliance with relevant law) that requires notice, consideration, and the opportunity to vote, by the full Membership.

ARTICLE SIX
Board of Directors, Duties of Board of Directors, Meetings, Quorum, Terms of Office, Vacancies and Compensation

Section 1. **The Board of Directors** shall consist of not less than five (5) and no more than nine (9) members which include the elected officers.

A. Not more than one (1) from a membership unit, as defined in Article Two, Section 2, may serve on the Board at the same time.

B. Responsibility: The Board of Directors shall have power and authority over the affairs and business of the Association between regular annual and/or special called meetings except that of modifying any action taken by the Membership without the unanimous approval of the Board of Directors.

The Board shall not incur any nonbudgeted liabilities in excess of $1000 without the unanimous approval of the Board of Directors.

The Board shall perform the duties as prescribed in the Bylaws and other such duties as may be delegated to it by the Membership.

C. The Board of Directors shall elect a President, a Vice-President, a Secretary, and a Treasurer.

D. Retiring Board shall deliver to their successor (within two weeks) all Association properties in their possession.

E. Any Director may be removed by a vote of the majority of the remaining Directors as the result of any Director's failure, *without just cause*, to attend three (3) consecutive, regularly scheduled meetings of the Board of Directors. "Just cause" means any event that, in the

reasonable, good faith judgment of the Board, prevents a Director from attending a meeting and includes, without limitation, death or serious injury to a member of a Director's family or other person with whom the Director has a long-term relationship, a mental or physical ailment or impairment that prevents the Director from attending a meeting, and any other mandatory business engagement related to the Director's livelihood and/or employment.

Section 2. Duties of officers and other Board members.

A. President: The President shall preside at the regular annual Membership meeting, as well as the regular meetings of the Board and any called meetings. The President, with assistance of the Board, shall appoint all standing and special committees, be an ex-officio member of all committees except the nominating committee, and perform those duties assigned by the membership. The President shall be a member of the Board of Directors, but shall hold no other office concurrently.

B. Vice-President: The Vice-President shall perform the duties of the President in cases of the absence or disability of the President, and shall perform such other duties as may be assigned by the Board. The Vice-President may serve on the nominating committee.

C. Secretary: The Secretary shall be responsible for keeping accurate records of all proceedings at Membership and Board meetings, shall provide notice of meetings and shall perform other duties as prescribed by the Board or Membership. The Secretary shall also be custodian of the Articles of Incorporation, Bylaws, and/or rules and other documents that are the property of the Association, such as warranties and other similar records. According to law, all records are available to Owner/Member by request by mail.

D. Treasurer: The Treasurer shall maintain as complete a list as possible of all Members with their current addresses, shall collect all assessments and upkeep fees, and shall disperse all funds belonging to the Association. The Treasurer shall keep an accurate record of all monies received and deposited in one or more banks and/or savings and loan institutions. The Treasurer, or duly authorized delegate, shall pay out the funds of the Association all bills lawfully incurred by the Association.

The Treasurer shall present a balance sheet with attached receipts at the monthly meetings of the Board. For the annual Membership meeting, these reports will be submitted as a complete financial report, audited by the auditing committee, to include all assets.

The Treasurer shall at all reasonable times make the books and records available to the finance committee members or eligible Owner/Member with request by mail in compliance with state law.

Checks are to be signed by the Treasurer and co-signed by the President or another Board officer whose signature is also filed with the banking agency.

The Treasurer shall be responsible for alerting the Board members if any proposed expenditure is not covered by the budget or if any category is nearing its budgeted allowance.

The Treasurer's records shall be available for audit by the audit committee as soon as possible after July 1.

Section 3. **Meetings** of the Board of Directors shall be held on a monthly basis or more often if necessary. All meetings shall be open to the Owner/member according to the law. Members may present items to the Board of Directors by making arrangements with the President in advance of the monthly meeting.

Section 4. **Quorum:** A majority of the Board shall constitute a quorum.

Section 5. **Terms:** A Director shall serve a term of two (2) years or until a successor is elected by the Full Membership at the Annual Meeting.

Section 6. **Vacancies** on the Board of Directors for any reason may be filled by the remaining Board members for the duration of that specific term.

Section 7. **Compensation:** The Association shall not enter into any contract to pay, and shall not pay any salary or other remuneration to any officer, director or committee member of the Association for their services as such, nor in any other capacity.

ARTICLE SEVEN
Part-time Personnel

The Association may enter into a written contract to pay personnel as part-time employees to perform the necessary tasks to ensure the safe and efficient operation and maintenance of Association recreational facilities and other real property to prepare and maintain the required financial records for the various government agencies (IRS, State and County), and to provide secretarial assistance in preparing annual invoices of assessment fees, annual meeting notices, etc. Advertising and bids for these part-time positions shall be sought and approved individually by a majority vote of the Board of Directors, giving prime consideration to the lowest but best qualified bid, for the proper operation and protection of the memberships' vested interest in the Association facilities.

ARTICLE EIGHT
Nominations and Elections

Section 1. In February, a Nominating Committee shall be appointed by the President, with the assistance of the Board of Directors. One or more of the nominees (only Owners/Members) may be on the ballot for each vacancy on the Board.

The ballot, complete with the names of the nominees and biographical sketches of each, shall be ready for the Board mailing thirty (30) days before the annual meeting.

Additional nominations may be made from the floor providing the Owner/Member has consented in writing to serve or is present at the meeting and consents to serve.

Section 2. Election of a nominee is by majority vote of eligible voting members present plus those proxy votes received by the nominating committee.

At least three (3) tellers, chosen from the Membership, shall be appointed by the President, to count the ballots.

Voting shall be a written ballot.

All ballots, credentials, and other records of the election shall be preserved by the Secretary for one (1) year.

ARTICLE NINE
Committees

The President assisted by the other Board members shall appoint the committee chairman and members of all standing and other special committees as deemed necessary.

Absence from three (3) consecutive meetings constitutes a resignation and the vacancy filled according to these Bylaws.

Section 1. **Standing committees** shall be Architectural and Maintenance.

A. Architectural Committee of up to three people shall report to the Board at the regular monthly meeting and shall present a written annual report at the regular annual Membership meeting.

Duties of the Architectural Committee include informing all owners of property in Tamarack Shores Subdivision of the prescribed subdivision Deed Restrictions as recorded in Comal County. Special concern shall be given to new owners of property. Any violations of these restrictions shall be referred to the Board for resolution.

B. Maintenance Committee of up to three people shall be responsible for supervising part-time personnel as prescribed herein to maintain the recreational facilities and other real property, report to the Board at their regular monthly meeting, and submit a written report to the Membership at the annual meeting.

Section 2. **Special committees** shall be the Nominating, Audit, and any other deemed proper and necessary by the Board of Directors.

A. Nominating Committee shall be appointed and function as prescribed under nominations and elections (Article Eight).

B. The Audit Committee shall be composed of up to three (3) persons who are appointed from the Membership by the President with the assistance of other Board members. The Committee shall review the Association's financial records, report its findings to the Board of Directors, and submit a written report at the Annual Membership meeting.

The Board of Directors may engage an independent reviewer in lieu of, or in addition to, the Audit Committee. The Treasurer's records plus other verifying records shall be available to the Audit committee as soon as possible after July 1 preceding the annual meeting.

ARTICLE TEN
Fiscal Year

The fiscal year of this Association shall be from the first (1st) day of July to the thirtieth (30th) day of June each year.

ARTICLE ELEVEN
Parliamentary Authority

The rules contained in Robert's Rule of Order Newly Revised shall govern this Association in all cases in which they are applicable and in which they are not inconsistent with the Articles of Incorporation or deed restrictions.

ARTICLE TWELVE
Amendments

These Bylaws may be altered, amended or repealed by a two-thirds (2/3) vote of those members present at the regular annual Membership meeting provided the changes have been presented in writing to the Membership at least thirty (30) days prior to the meeting.

ARTICLE THIRTEEN
Severalty

The invalidity of any provision or provisions in these Bylaws shall not be deemed to impair or affect in any manner the validity, enforceability or the effect of the remainder of these Bylaws. In any such event, all of the other provisions shall continue in full force and effect as if such invalid provisions had never been included herein.

ARTICLE FOURTEEN
Compliance with Applicable Law

These Bylaws and all actions of the Association will be interpreted, administered, and enforced in accordance with applicable federal law, the Texas Constitution, the Texas Property Code, including Chapter 209 and any successor statutes, the Texas Business Organizations Code, and all other applicable laws, regulations, court decisions, and governmental requirements, as amended from time to time.

In the event of any conflict between these Bylaws and applicable law, the applicable law shall control, and the remaining provisions of these Bylaws shall remain in full force and effect.

The failure of the Association to immediately amend these Bylaws following a change in applicable law shall not be construed as an intent to disregard, supersede, or waive compliance with such law.

Any provision in these Bylaws that becomes inconsistent with applicable law due to legislative amendment, judicial decision, or regulatory action shall be deemed automatically modified to the minimum extent necessary to comply with applicable law while preserving the original intent of the provision whenever reasonably possible.

ARTICLE FIFTEEN
Indemnification of Directors/Officers

A Director/Officer of this Association shall not be personally liable to the Association or its Members for monetary damages for breach of fiduciary duty as a Director/Officer, except for liability (1) for breach of the Directors' duty of loyalty to the Association or its members; (2) for acts or omissions not in good faith or which involve intentional misconduct to a knowing violation of the law or (3) for transactions from which the Director/Officer derives an improper personal benefit. The liability of Directors/Officers shall be deemed further limited or eliminated to the fullest extent permitted by changes in the rules governing this Association and approved by a majority of the entire Board of Directors and the eligible voting Membership. Any repeal or modification of the provisions of this paragraph shall not adversely affect the duty, liability, rights, or protection of a Director/Officer existing at the time of such repeal or modification.

ARTICLE SIXTEEN
Dissolution of Tamarack Shores Owners Association

At such time that the Association shall be dissolved the remaining assets, after meeting all obligations, shall be dispersed to a non-profit organization as voted on by remaining eligible members present and voting. No proceeds shall be used for the benefit of any member.

Executed, approved and adopted effective this 25th day of July, 2026.

Tamarack Shores Owners Association Board of Directors:

Yvette Little, President

Martie Thacker, Secretary

Shireen Terry, Treasurer

Sharon Miley, Director

Luzia Weston, Director

Carolyn Osborn, Director

Heather Sopoci, Director

CERTIFICATION

I, the undersigned, being the President of the Tamarack Shores Owners Association, do hereby certify that a regular, annual Membership meeting was duly called and held on July 25, 2026, authorized to transact business to include voting on proposed amendments to the prior Bylaws of the Tamarack Shores Owners Association. All Members received written copies, in a timely manner, in advance of the meeting. Those Members of the full Membership attending the meeting (which included all Directors) approved, by the required two-thirds majority vote (specifically 96% approval), the foregoing "Amended and Restated Bylaws of the Tamarack Shores Owners Association."

IN WITNESS THEREOF, I have hereunto subscribed my name on the date shown below, but made effective as of the date approved by the Tamarack Shores Owners Association Membership, as specified above.

TAMARACK SHORES OWNERS ASSOCIATION

Date: 7-31-2026

By: Yvette Little

Printed Name: Yvette Little
President

THE STATE OF TEXAS
COUNTY OF COMAL

BEFORE ME, the undersigned notary public, on this 31 day of July, 2026, personally appeared Yvette Little, President of the Tamarack Shores Owners Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and in the capacity therein expressed.

LAURA CAI ZONCIT
Notary Public
State of Texas
ID # 126855161
My Comm. Expires 5/10/2029

Notary Public – State of Texas

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