

**FIRST AMENDED DECLARATION OF BYLAWS FOR MUSTANG VALLEY AND
SUPPLEMENTAL DECLARATIONS THEREOF**

Preamble

This First Amended Declaration of Bylaws for Mustang Valley (referenced herein as the "First Amended Bylaw Declaration"), is made on October 6, 2023, at Wimberley, Hays County, Texas, by the Mustang Valley POA, Inc. in accordance with ARTICLE III, PROPERTY OWNERS ASSOCIATION, SECTION III, Control and Transfer to the Association of the Declaration of Covenants, Conditions, Restrictions, Reservations, and Easements for Mustang Valley dated December 5, 2008, recorded in Volume 3554, Page 241, Hays County Official Public Records, as amended by First Amended Declaration of Covenants and Conditions and Restrictions dated February 17, 2010, recorded in Volume 3830, Page 391, Hays County Official Public Records, and by Second Amended Declaration of Covenants and Conditions and Restrictions dated October 18, 2012, recorded in Volume 4471, Page 368, Hays County Official Public Records, and as supplemented by the following Supplemental Declarations: (i) Supplemental Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Mustang Valley, Section Two dated August 25, 2009, recorded in Volume 3724, Page 772, Hays County Official Public Records; (ii) Supplemental Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Mustang Valley, Section Three dated July 21, 2009, recorded in Volume 3701, Page 189, Hays County Official Public Records; (iii) Supplemental Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Mustang Valley, Section Four dated October 20, 2009, recorded in Volume 3758, Page 245, Hays County Official Public Records; (iv) Supplemental Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Mustang Valley, Section Five dated January 25, 2012, recorded in Volume 4272, Page 464, Hays County Official Public Records; (v) Supplemental Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Mustang Valley, Section Six dated December 4, 2012, recorded in Volume 4506, Page 637, Hays County Official Public Records, and (vi) Supplemental Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Mustang Valley, Section Seven dated December 4, 2012, recorded in Volume 4506, Page 634, Hays County Official Public Records;

A vote by the Mustang Valley POA Members was concluded Oct 4, 2023. This First Amended Bylaw Declaration was approved with 71 "yes" votes (86%).

AMENDMENT 1

Article II (Owners Association), Section 3 (Annual Meetings) is hereby amended to read as follows:

Section 3. Annual Meetings. There shall be an annual meeting of the Members of the Association at a time and place set by the Board. The President of the Association, or in his absence, the Vice President of the Association, shall call meetings of the Association to

order and act as chairman of such meetings. In the absence of both officers, any Member entitled to vote or any proxy of such Member, shall call the meeting to order, and a chairman of the meeting shall be elected by the Members present.

AMENDMENT 2

Article II (Owners Association), Section 4 (Special Meeting) is hereby amended to read as follows:

Section 4. Special Meeting. Special meetings of the Members of the Association may be called from time to time by the President of the Association, a majority of the directors duly elected to the Board, or by Owners having at least ten percent (10%) of the votes entitled to be cast at such a meeting.

AMENDMENT 3

Article II (Owners Association), Section 5 (Special Meeting to Increase Annual Assessments) is hereby amended to read as follows:

Section 5. Special Meeting to Increase Annual Assessments. A special meeting of the Members of the Association may be called from time to time by the Board of Directors for the purpose of increasing the Annual Assessments as provided for in the Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Mustang Valley. An increase in the Annual Assessments will require the consent of at least two-thirds (2/3) of the lot Owners present at such called meeting, provided that at least 60 percent of the Lot Owners (or their Proxies) are present.

AMENDMENT 4

Article II (Owners Association), Section 7 (Voting) is hereby amended to read as follows:

Section 7. Voting. The election of directors to the Board and the act, approval or disapproval of the Members, as the case may be, with respect to all other matters voted or to be voted, on or by the Members shall be determined by the vote of the majority of the aggregate votes entitled to be cast by the Members present or submitted via electronic ballot at which a quorum of the Members is present, except where a vote by a greater percentage is required pursuant to other provisions of this Declaration, the Articles, the Bylaws or a Governmental Requirement. Any Member may give a revocable written proxy to any person authorizing such person to cast all or any portion of the Member's votes on any matter. Such written proxy shall be executed in writing by the Member or by his duly

authorized attorney in fact, but no such proxy shall be valid for a period greater than eleven (11) months. The cumulative system of voting shall not be allowed at any vote of the Members. Any Owner may collaterally assign his voting rights hereunder to the Mortgagee of a first Mortgage affecting the Lot or Lots owned by such Owner, which said assignment shall not be effective until written notice thereof actually received by the Association, together with evidence of such assignment.

AMENDMENT 5

Article II (Owners Association), Section 8 (Notice) is hereby amended to read as follows:

Section 8. Notice of Meetings, Elections, and Voting. Written notice stating the place, day, and hour of each Member meeting, other than a reconvened meeting, must be given to each Member not less than ten (10) nor more than sixty (60) days before the meeting. The Member meeting notice must also state the meeting's purpose and matters to be considered, and no business may be conducted except as stated in the notice. For voting not at a meeting, notice must state the purpose of an association-wide election or vote, and must be given not later than the twentieth (20) day before the latest day on which a ballot may be submitted to be counted. Notice is deemed given when hand delivered, mailed or emailed to the address provided to the Board by a Member for the purpose of receiving notices from the Board. If mailed, notice is deemed given (whether actually received or not) when deposited with the United States Postal Service, postage prepaid. If emailed, notice is deemed given (whether actually received or not) when the eMail is sent. A Member may, in writing, waive notice of a meeting. Attendance at a meeting is a waiver of notice of the meeting, unless the Member objects to lack of notice when the meeting is called to order.

AMENDMENT 6

Article II (Owners Association), Section 13 is hereby supplemented to add the following:

Section 13. Voting Methods: Voting Members may, at the option of the Board, vote in person, by proxy, by absentee ballot, by electronic ballot, or by any other process approved by the Board. A Member must be allowed to vote by absentee ballot or proxy, but the Board is not required to provide a Member with more than one voting method.

Adopted this 10th day of October 2023.

Mustang Valley POA, Inc.

By: 
Greg Williams, Director

By: 
Mike Blincow, Director

By: 
James Davidson, Director