

BYLAWS OF THE
VIA CANTERA HOMEOWNER'S ASSOCIATION, INC.
A NON-PROFIT CORPORATION
HIDALGO COUNTY, TEXAS

ADOPTED MAY 20th, 2004

AMMENDED OCTOBER 23rd, 2022

BYLAWS OF VIA CANTERA HOMEOWNER'S ASSOCIATION

INDEX

Article Number	Article Title	Section Number	Section Subject	Page Number
I	Offices	1	Principal Location	3
		2	Registered Office and Agent	3
II	Definitions	1	Association	3
		2	Common Area	3
		3	Declaration	3
		4	Lot	3
		5	Maintenance	3
		6	Member	3
		7	Owner	4
		8	Subdivision	4
III	Members	1	Membership	4
		2	Voting Rights	4
		3	Partial Lot Voting	4
		4	Transfer of Membership	4
IV	Meetings of Members	1	Annual Meeting	4
		2	Special Meeting	4
		3	Place of Meeting	4
		4	Notice of Meeting	4
		5	Informal Action by Members	5
		6	Quorum	5
		7	Proxies	5
		8	Voting by Mail	5
V	Board of Directors	1	General Powers	5
		2	Limitations of Power	5
		3	Specific Powers	5
		4	Duties	5
		5	Number and Tenure	6
		6	Removal and Vacancies	6
		7	Compensation	6
		8	Regular Meetings	6
		9	Special Meetings	6
		10	Notice of Meeting	6
		11	Quorum	7
		12	Manner of Acting	7
		13	Informal Action by Directors	7
VI	Officers	1	Officers	7
		2	Nomination	7
		3	Election	7
		4	Special Appointment	7
		5	Removal and Resignation	7
		6	Vacancies	8
		7	Multiple Offices	8
		8	President	8
		9	Vice-president	8

Article Number	Article Title	Section Number	Section Subject	Page Number
VI		10	Treasurer	8
		11	Secretary	8
		12	Immediate Past President	8
VII	Committees	1	Property Management Committee	8
		2	Architectural Committee	9
		3	Other Committees	9
		4	Term of Office	9
		5	Chairman	9
		6	Vacancies	9
		7	Quorum	9
		8	Rules	9
VIII	Financial	1	Checks and Drafts	10
		2	Deposits	10
		3	Gifts	10
IX	Books and Records			10
X	Fiscal Year			10
XI	Assessments	1	Setting Assessments	10
		2	Payment of Assessments	10
XII	Waiver of Notice			11
XIII	Dividends Prohibited			11
XIV	Amendments			11
XV	Conflicts			11

BYLAWS OF
VIA CANTERA HOMEOWNER'S ASSOCIATION, INC.
A NON-PROFIT CORPORATION

ARTICLE I
OFFICES

Section 1: Principal Office. The principal office of the corporation in the State of Texas shall be located in the City of McAllen, Hidalgo County, Texas. The corporation may have such other offices, either within or without the State of Texas, as the Board of Directors may determine or as the affairs of the corporation may require from time to time.

Section 2: Registered Office and Registered Agent. The corporation shall have and continuously maintain in the State of Texas a registered office, and a registered agent whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act. The registered office may be, but need not be, identical with the principal office of the corporation in the State of Texas, and the Board of Directors may change the address of the registered office from time to time.

ARTICLE II.
DEFINITIONS

Section 1. "Association" shall mean and refer to VIA CANTERA HOMEOWNERS ASSOCIATION, INC., a non-profit corporation, its successors and assigns, which was formed by the Owners for the purpose of enforcing the covenants, restrictions and agreements set forth herein.

Section 2. "Common Area" shall mean and refer to all real property located within the boundaries of the Subdivision which are not otherwise located within or a part of any Lot, as set forth on the plat or map of the Subdivision as recorded in the Map Records of Hidalgo County, Texas, together with any improvements located thereon, including, but not limited to, all streets, alleys and guardhouse located within the subdivision. Additionally, the "Common Area" shall extend to and mean all of the lands lying within Hidalgo County Water Control & Improvement District #2 (hereinafter called "District") right-of-way lying directly West and adjacent to this Subdivision, however excluding that area in Dove Avenue for so long as the Declarant, his successors and/or assigns have the permissive use of same.

Section 3. "Declaration" shall mean and refer to "DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR VIA CANTERA SUBDIVISION".

Section 4. "Lot" shall mean any of the seventy-two (72) numbered plots of land shown on the recorded subdivision map referred to above with the exception of the common area which includes the permissive use area in the District lands. If a numbered plot of land lies between two (2) other numbered lots and said middle numbered plot of land is acquired in fractions by the two (2) adjoining property owners, then the expanded plot of land containing the initial numbered area, plus the additional fraction, shall still be considered to be as if the same were one for purposes of voting (See Article III, Section 3).

Section 5. "Maintenance" shall mean the exercise of reasonable care to keep buildings, streets, alleys, curbs, fences, sprinklers, fountains, signs, jogging trails, landscaping, lighting, and other related improvements and fixtures, whether enumerated or not, in the common area, in a condition comparable to their original condition, normal wear and tear excepted. Maintenance of landscaping shall further mean the exercise of generally accepted garden management practices necessary to promote a healthy, weed-free environment for optimum plant growth.

Section 6. "Member" shall mean every person or entity that holds membership in the association.

Section 7. "Owner" shall mean 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, and shall include contract sellers, but shall not include those holding title merely as security for performance of an obligation.

Section 8. "Subdivision" shall mean the subdivided real property hereinbefore described and such additions thereto as may be brought within the jurisdiction of the association as hereinafter provided.

ARTICLE III MEMBERSHIP

Section 1. Membership. Every owner of a lot shall be a member of the association; membership shall be appurtenant to and may not be separated from ownership of a lot.

Section 2. Voting Rights. The association shall have one (1) class of voting members who shall be all owners and shall be entitled to one vote for each lot owned. When more than one person holds an interest in a given lot, all such persons shall be members and the vote for such lot shall be exercised as they may determine among themselves. In no event shall more than one vote be cast with respect to any lot owned.

Section 3. Partial-Lot Voting. Any Owner acquiring additional property or properties immediately adjacent to its initial numbered lot, as provided in Article II, Section 3, shall not be entitled to additional votes as a result of such additional properties, save and except the acquisition of more than fifty percent (50%) of such adjacent lot, in which case, Owner shall be entitled to one additional vote for said additional property. Any Owner who has sold a minor portion of its lot, but in any event less than fifty percent (50%) of its lot, with prior written approval of the Architectural Committee as provided for herein, shall be entitled to a full vote as a result of such ownership.

Section 4: Transfer of Membership. Membership in this corporation is transferable or assignable with the sale, transfer or assignment of the respective lots in said subdivision.

ARTICLE IV MEETINGS OF MEMBERS

Section 1: Annual Meeting. An annual meeting of the members shall be held sometime during the last two weeks of October of each year at the hour of 7:30 o'clock p.m., for the purpose of electing Officers and for the transaction of other business as may come before the meeting. If the election of Officers shall not be held on the day of the annual meeting, or at any adjournment thereof, the Board of Directors shall cause the election to be held at a special meeting of the members as soon thereafter as possible.

Section 2: Special Meeting. Special meetings of the members may be called by the President, the Board of Directors, or by written request signed by not less than one-tenth (1/10) of the members having voting rights. In such event, the special meeting shall be held within 30 days of such request.

Section 3: Place of Meeting. The Board of Directors may designate any place, within the Subdivision, as the place of meeting for any annual meeting or for any special meeting called by the Board of Directors. If all of the members shall meet at any time and place, either within or without the State, and consent to the holding of a meeting, such meeting shall be valid without call or notice, and at such meeting, any corporate action may be taken.

Section 4: Notice of Meeting. Written or printed notice stating the place, day, and hour of any meeting of members shall be delivered, either personally or by mail, to each member entitled to vote at such meeting, not less than ten (10) nor more than thirty (30) days before the date of such meeting, by or at the direction of the President, or the Secretary, or the officers or persons calling the meeting. In case of a special meeting or when required by statute or these Bylaws, the purpose or purposes for which the meeting is called shall be stated in the notice. If mailed, the notice of a meeting shall be deemed to be delivered when deposited in the United States mail addressed to the member at his address as it appears on the records of the corporation, with correct postage thereon prepaid.

Section 5: Informal Action by Members. Any action required by law to be taken at a meeting of the members may be taken without a meeting, if a consent in writing, setting forth the action so taken, shall be signed by all of the members entitled to vote with respect to the subject matter thereof.

Section 6: Quorum. Twelve (12) members shall constitute a quorum at such meeting. If a quorum is not present at any meeting of members, a majority of the members present may adjourn the meeting from time to time without further notice.

Section 7: Proxies. At any meeting of members, a member entitled to vote may vote by proxy executed in writing by the member or by his duly authorized attorney in fact. No proxy shall be valid after eleven (11) months from the date of its execution, unless otherwise provided in the proxy.

Section 8: Voting by Mail. Where Officers are to be elected by members, such election may be conducted by mail in such manner as the Board of Directors shall determine.

ARTICLE V BOARD OF DIRECTORS

Section 1: General Powers. The Board of Directors shall manage the affairs of the corporation. Each Director must be a member and resident of the Subdivision.

Section 2: Limitations of Power The business of this non-profit corporation shall be to promote the health, safety, welfare, and recreation of the residents in the subdivision, and for the improvement, security, preservation, operation and maintenance of the common area and/or of improvements situated within same or within the control of the Association. Any substantial change in the Subdivision's permanent structures and physical landscape including, but not limited to the grassy knolls, fountain, light posts, gate, fence, guardhouse, streets, and alleys requires approval by a 66.7% (2/3) majority vote of all Members. Excluded from this restriction to changes are: (a) improvements or enhancements deemed appropriate by a unanimous vote of the Board of Directors. (b) plants, flowers, shrubs, and trees.

Section 3: Specific 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 including the personal conduct of the members and their guests thereon; and to establish penalties for infractions of such rules and regulations;

(b) Suspend the voting rights of any member during any period in which such member is 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 three hundred and sixty-five (365) days for infraction of published rules and regulations;

(c) Exercise on behalf of the Association all powers, duties, and authority vested in or delegated to the Association and not specifically reserved to the membership by the declaration, articles of incorporation, or by other provisions of these bylaws;

(d) Declare the office of a member of the board of directors to be vacant in the event that such member is absent from three consecutive regular meetings of the board of directors; and

(e) Employ a manager, independent contractors, and such other employees as they may deem necessary, and to prescribe their duties and set their compensation.

Section 4. Duties. It shall be the duty of the Board of Directors to:

(a) Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at each annual meeting, or at any special meeting at which such a statement is requested in writing by one-half (1/2) of the members entitled to therat;

(b) Supervise all officers, agents, and employees of the association and see to it that their duties are properly performed and that they are bonded and insured as appropriate;

(c) As more fully provided in the Declaration and in Article XI, fix the amount of the annual assessment and any special assessments;

(d) Issue, or cause an appropriate officer to issue, on demand by any person, a certificate setting forth whether or not any assessment has been paid. A statement in a certificate to the effect that an assessment has been paid shall constitute conclusive evidence of such payment. The board may impose a reasonable charge for the issuance of these certificates;

(e) Procure and maintain adequate liability and hazard insurance on all property owned by the association;

(f) Cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate; and

(g) Cause the common area to be maintained as more fully provided in the Declaration and in Article VII Section 1.

Section 5: Number, Tenure, and Qualifications. The number of Directors shall be the number of officers as specified in Article VI, Section 1. Each Director shall hold office until replaced as specified in Article VI, Section 3.

Section 6: Removal and Vacancies. Any director may be removed from the board, with or without cause, by a majority vote of the members of the association. The Board of Directors shall fill any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase in the number of Directors. A Director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office.

Section 7: Compensation. Directors as such shall not receive any stated salaries for their services, but by resolution of the Board of Directors a fixed sum and expenses of attendance, if any, may be allowed for attendance at each regular or special meeting of the Board; but nothing herein contained shall be construed to preclude any Director from serving the corporation in any other capacity and receiving compensation for such services.

Section 8: Regular Meetings. A regular annual meeting of the Board of Directors shall be held without other notice than this Bylaw, immediately after, and at the same place as, the annual meeting of members. The Board of Directors may provide by resolution the time and place, within the State of Texas, for the holding of additional regular meetings of the Board without other notice than such resolution.

Section 9: Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the President or any two Directors. The person or persons authorized to call special meetings of the Board may fix any place, either within or without the State of Texas, as the place for holding any special meetings of the Board called by them.

Section 10: Notice. Notice of any special meeting of the Board of Directors shall be given at least two days previously thereto by written notice delivered personally or sent by mail or electronic messaging to each Director at his address as shown by the records of the corporation. If mailed such notice shall be deemed to be delivered when deposited in the United States mail so addressed with postage thereon prepaid. If notice is to be given by electronic messaging, such notice shall be deemed to be delivered when the email is sent. Any Director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or by these Bylaws.

Section 11: Quorum. A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the Directors are present at said meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

Section 12: Manner of Acting. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these Bylaws.

Section 13: Informal Action by Directors. Any action required by law to be taken at a meeting of Directors, or any action that may be taken at a meeting of Directors, may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the Directors.

ARTICLE VI OFFICERS

Section 1: Officers The officers of the corporation shall be a President, one Vice-President, a Secretary, a Treasurer, and such other officers as may be elected in accordance with the provisions of this Article. Members at the regular annual meeting shall elect the officers of the corporation. Each shall hold office for a term of one (1) year, commencing on the first day of the next calendar year, unless he/she shall sooner resign, or shall be removed or otherwise disqualified to serve. Each officer shall hold office until his successor shall have been duly elected and shall have qualified.

The officers shall also be the Directors of the corporation. In addition, the immediate past President of the Corporation shall be a Director of the Corporation.

Section 2: Nomination. Nomination for election as an officer shall be by nominating committee. However, nominations may also be made from the floor at any annual meeting of members. The nominating committee shall consist of a chairman who shall be a member of the board of directors, and two or more members of the association. The committee shall be appointed by the Board of Directors prior to each annual meeting to serve from the close of such meeting until the close of the next annual meeting, and such appointment shall be announced at each annual meeting.

The nominating committee shall make as many nominations for election as officers as it shall in its discretion determine, but in no event shall it nominate less than the number of vacancies to be filled.

It is in the best interests of the Association to select a nominee for President who has at least one year experience as an officer and a board member. Therefore, the nominating committee shall consider as nominee for President the current year Vice-president, Treasurer, or Secretary.

Section 3: Election. When only one nominee is presented for each office, election shall be by open ballot. If more than one nominee is presented for an office, election will 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 Declaration and these Bylaws. Persons receiving the largest number of votes shall be elected.

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: Removal and Resignation. Any officer elected or appointed by the members may be removed by the members whenever in its judgment the best interests of the corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the officer so removed. Any officer may resign at any time by giving written notice to the board, the president, or the secretary. Such resignation shall take effect on the date of receipt of such notice or at 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 because of death, resignation, disqualification or otherwise, may be filled by the members for the unexpired portion of the term.

Section 7: Multiple offices. The offices of secretary and treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices, except in the case of special offices created pursuant to Section 4 of this Article.

Section 8: President. The President shall be the principal executive officer of the corporation and shall in general supervise and control all of the business and affairs of the corporation. He shall preside at all meetings of the members and of the Board of Directors. He may sign, with the Secretary or any other proper officer of the corporation authorized by the Board of Directors, any contracts, or other instruments which the members have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these Bylaws or by statute to some other officer or agent of the corporation; and in general he shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

Section 9: Vice-president. In the absence of the President or in the event of his inability or refusal to act, the Vice-president shall perform the duties of the President, and when so acting shall have all the powers of and be subject to all the restrictions upon the President. Any Vice-president shall perform such other duties as from time to time may be assigned to him by the President or Board of Directors.

Section 10: Treasurer. The Treasurer shall have charge and custody of and be responsible for all funds and securities of the corporation; receive and give receipts for moneys due and payable to the corporation from any source whatsoever, and deposit all such moneys in the name of the corporation in such banks, trust companies, or other depositories as shall be selected in accordance with the provisions of Article VIII of these Bylaws; and in general perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him by the President or by the Board of Directors. The Treasurer shall give a quarterly report of corporate accounts to the Board of Directors and an annual report to the members at the annual meeting. The Treasurer shall present in the fourth quarter a budget of Income and Expenses for the following year to the Board of Directors and to the members at the annual meeting.

Section 11: Secretary. The Secretary shall keep the minutes of the meetings of the members and of the Board of Directors in one or more books provided for that purpose; give all notices in accordance with the provisions of these Bylaws or as required by law; be custodian of the corporate records and of the seal of the corporation, and affix the seal of the corporation to all documents, the execution of which on behalf of the corporation under its seal is duly authorized in accordance with the provisions of these Bylaws; keep a register of the post office address of each member which shall be furnished to the Secretary by each member; and, in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

Section 12: Immediate Past-president. The Immediate Past-president will serve as a member of the Board of Directors and provide advice and counsel as required. He/she shall also perform such other duties as from time to time may be assigned to him by the President or Board of Directors.

ARTICLE VII COMMITTEES

Section 1: Property Management Committee. There shall be a standing committee identified as the "Property Management Committee" which will have responsibility for management of the common areas. The President will serve as chairman of the committee. The Board of Directors will serve on the committee and may approve other Members to serve as volunteers. The Committee may also hire a Property Manager. The Committee will publish a document entitled "Property Management Operating Guidelines" which will contain the following descriptions:

(a) Responsibilities of the Property Management Committee and Manager if applicable.

(b) Responsibilities of individual committee members

The Committee will meet on a regularly scheduled basis for the purpose of communication and to ensure that all responsibilities are being fulfilled. A schedule titled "Property Management Assignment Details" will be maintained.

Section 2: Architectural Committee. There shall be a standing committee identified as the "Architectural Committee" having not less than three members. The President will appoint Directors to serve on the Committee and may also appoint other Members.

(a) The purpose of the Committee is to assure harmony of external design and location of all construction and improvements in relation to the surrounding structures and topography of the Subdivision and adherence to the provisions in the Declaration.

(b) The powers of the Committee shall be as provided for in and consistent with the provisions of the Declaration.

(c) For all new construction and changes and additions to existing structures, the Committee will review samples of the brick or exterior paint (if brick is not to be used) and roofing materials, and the plans and specifications showing the nature, kind, shape, height, and materials for adherence to the provisions of the Declaration and the harmony of external design and location of such improvements in relation to the surrounding structures and topography.

(d) The Committee will render its decision of approval or disapproval within thirty days of submission of materials, plans and specifications in a letter written to the property owner and the building contractor. The letter will include published guidelines for Construction, Maintenance, and Service Control Requirements. In the case of disapproval, continuing communications will be maintained until a resolution is obtained. In the case of failure to comply, actions will be initiated consistent with the provisions of the Declaration.

(e) The Committee will monitor the adherence of contractors and homeowners to published guidelines, provisions of the Declaration, and take appropriate action for compliance.

Section 3: Other Committees. Other committees may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Except as otherwise provided in such resolution, members of each such committee shall be members of the corporation, and the President of the corporation shall appoint the members thereof. Any members thereof may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interest of the corporation shall be served by such removal.

Section 4: Term of Office. Each member of a committee shall continue until his successor is appointed, unless the committee shall be sooner terminated, or unless such member be removed from such committee, or unless such member shall cease to qualify as a member thereof.

Section 5: Chairman. One member of each committee shall be appointed chairman by the person or persons authorized to appoint the members thereof.

Section 6: Vacancies. Vacancies in the membership of any committee may be filled by the person or persons authorized to appoint the members thereof.

Section 7: Quorum. Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

Section 8: Rules. Each committee may adopt rules for its own government not inconsistent with these Bylaws or with rules adopted by the Board of Directors.

ARTICLE VIII
FINANCIAL DOCUMENTS

Section 1: Checks and Drafts All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the corporation shall be signed by the Treasurer and by the President.

Section 2: Deposits All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

Section 3: Gifts The Board of Directors may accept on behalf of the corporation any contribution, gift, bequest, or devise for the general purposes or for any special purpose of the corporation.

ARTICLE IX
BOOKS AND RECORDS

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board of Directors, and committees having any of the authority of the Board of Directors, and shall keep at the registered or principal office a record giving the names and addresses of the members entitled to vote. All books and records of the corporation may be inspected by any member for any purpose at any reasonable time.

ARTICLE X
FISCAL YEAR

The fiscal year of the corporation shall begin on the first day of January and end on the last day of December in each year.

ARTICLE XI
ASSESSMENTS

Section 1: Setting Assessments Assessments, dues, and fees shall be fixed by the association in advance of January 1st of each calendar year, after giving due consideration to the anticipated cost of all common area maintenance obligations, and other costs of operating the association.

Section 2: Notification Statements of Assessments, Dues, and Fees owed shall be prepared and mailed to each member. The Statement shall be deemed to be delivered when deposited in the United States mail addressed to the member at his address as it appears on the records of the corporation, with correct postage thereon prepaid

Section 3: Payment of Assessments All Assessments, dues, and fees are payable on or before January 31 of the year being assessed.

(a) A 10% penalty will be added on February 1 to any unpaid assessments, dues or fees.

(b) If the full amount due inclusive of the penalty fee is not paid by February 28, an Affidavit for Homeowner's Association Assessment Lien will be filed. Should such filing be necessary, the property owner will thereafter also be liable for interest on these amounts at the highest lawful rate and for any additional attorneys fees incurred in collecting these past due assessments and any other charges.

(c) For accounts not paid in full by March 31, the Association will then proceed to foreclose such lien in accordance with applicable law which could result in loss of ownership of the property

**ARTICLE XII
WAIVER OF NOTICE**

Whenever any notice is required to be given under the provisions of the Texas Non-Profit Corporation Act or under the provisions of the articles of incorporation or the Bylaws of the corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

**ARTICLE XIII
DIVIDENDS PROHIBITED**

No dividend shall be paid and no part of the income of the corporation shall be distributed to its members, directors, or officers. However, the corporation may pay compensation in a reasonable amount to its members, directors, or officers for services rendered, may confer benefits upon its members in conformity with its purposes, and upon dissolution of final liquidation may make distributions to its members, but only as permitted by the Non-Profit Corporation Act, Article 1396-2.24.

**ARTICLE XIV
AMMENDMENTS**

These Bylaws may be altered, amended, or repealed and new Bylaws may be adopted by if approved by two-thirds (2/3) of the members present at any regular meeting or at any special meeting, if at least ten days written notice is given of an intention to alter, amend, or repeal these Bylaws or to adopt new Bylaws at such meeting.

**ARTICLE XV
CONFLICTS**

In the case of any conflict between the Articles of Incorporation and these bylaws, the Articles shall control; in the case of any conflict between the Declaration and these bylaws, the declaration shall control.

The foregoing Bylaws duly adopted by the Board of Directors at a regular meeting held in McAllen, Texas on the 20th day of May, 2004, certified hereto by signature of the President and attested to by the Officers.

CERTIFIED

President: 

Joe Montalvo

ATTESTED:

Vice-president: 

Tony Domit

Secretary, Treasurer: 

Nelda Montalvo

Via Cantera Homeowners Association Inc.
A Non-Profit Corporation – McAllen, Texas

ADDENDUM TO THE VIA CANTERA HOA BYLAWS DATED 5/20/2004

ARTICLE XVI
STATE OF TEXAS LEGISLATION AFFECTING PROPERTY OWNERS' ASSOCIATIONS

(Texas Property Code – Restrictive Covenants Title 11 Chapters 201-215) 11 Tex. Prop. Code Ann. §§201-215 (2021) and any subsequent updates and/or amendments shall be incorporated herein by reference as if fully set forth.

ARTICLE XVII
SEVERABILITY

Whenever possible, each provision of these Bylaws shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of these Bylaws shall be prohibited by or invalid under applicable laws, such provision shall be ineffective to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of these Bylaws.

These additions will be filed with the Hidalgo County (Texas) County Clerk and posted on the viacanteramcallen.com website as required by the State of Texas.

The foregoing additions to the Via Cantera Homeowners Association Inc. were approved unanimously by the Association members attending the Annual Meeting on October 23rd, 2022, and were certified hereto by the signature of the President and attested to by the Officers.

CERTIFIED



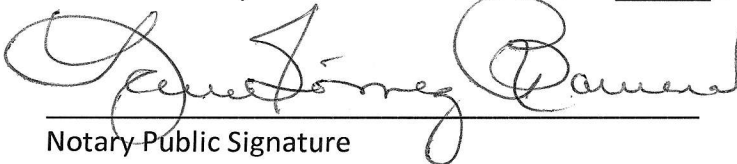
Jeremy Enslein – President

11/5/22
Date

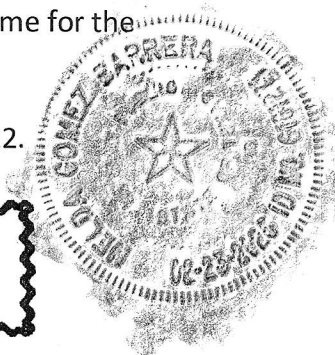
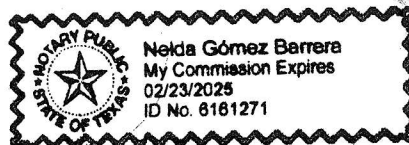
State of Texas
County of Hidalgo

Before me, Jeremy Enslein personally appeared, and he is known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 5th day of December, 2022.



Notary Public Signature



ATTESTED

Sixto Garza
Sixto Garza – Vice President

11/5/22
Date

State of Texas
County of Hidalgo

Before me, Sixto Garza personally appeared, and he is known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 5th day of December, 2022.

Nelda Gómez Barrera
Notary Public Signature



ATTESTED

Jeffrey Schmatz
Jeffrey Schmatz – Secretary/Treasurer

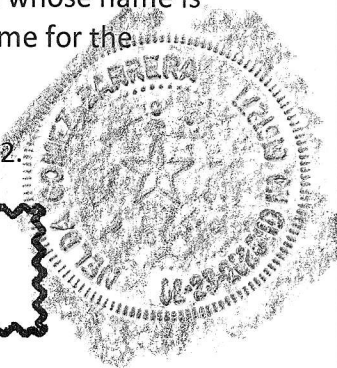
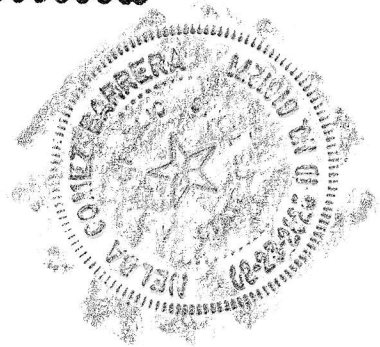
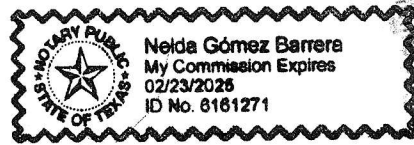
11/5/2022
Date

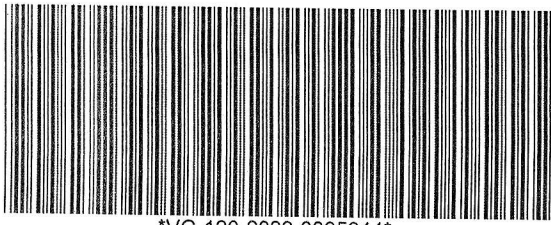
State of Texas
County of Hidalgo

Before me, Jeffrey Schmatz personally appeared, and he is known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 5th day of December, 2022.

Nelda Gómez Barrera
Notary Public Signature





VG-120-2022-3395944

Hidalgo County
Arturo Guajardo Jr.
County Clerk
Edinburg, Texas 78540

Document No: 3395944

Billable Pages: 14

Recorded On: November 07, 2022 03:39 PM

Number of Pages: 15

*****Examined and Charged as Follows*****

Total Recording: \$ 88.00

*****THIS PAGE IS PART OF THE DOCUMENT*****

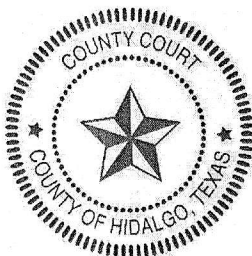
Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document No: 3395944
Receipt No: 20221107000410
Recorded On: November 07, 2022 03:39 PM
Deputy Clerk: Socorro Ordaz
Station: CH-1-CC-K35

Record and Return To:

Jeffrey Schmatz
101 E. Cornell Ave.
Original returned to customer
MCALLEN TX 78504



STATE OF TEXAS
COUNTY OF HIDALGO

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 Hidalgo County, Texas.

Arturo Guajardo Jr.
County Clerk
Hidalgo County, Texas