

FIRST SUPPLEMENT TO THE
NOTICE OF FILING OF DEDICATORY INSTRUMENTS
FOR
KIRBY CREEK VILLAGE
[First Amendment to By-Laws (removal of directors)]

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTIES OF DALLAS
AND TARRANT

THIS FIRST SUPPLEMENT TO THE NOTICE OF FILING OF DEDICATORY INSTRUMENTS FOR KIRBY CREEK VILLAGE PURSUANT TO SECTION 202.006 OF THE TEXAS PROPERTY CODE (this "First Supplement") is made this 30 day of March, 2015, by Kirby Creek Village Association (the "Association").

WITNESSETH:

WHEREAS, Vista Mortgage & Realty, Inc. ("Declarant") recorded an instrument entitled "Kirby Creek Village Association Restrictions" on or about October 30, 1984 at Volume 84215, Page 0489 *et seq.* of the Deed Records of Dallas County, Texas, and on or about November 19, 1984 at Volume 8012, Page 658 *et seq.* of the Deed Records of Tarrant County, Texas, as amended from time to time (the "Declaration"); and

WHEREAS, the Association is the property owners' association created by the Declarant to manage or regulate the planned development subject to the Declaration, which development is more particularly described in the Declaration; and

WHEREAS, Section 202.006 of the Texas Property Code provides that a property owners association must file each dedicatory instrument governing the association that has not been previously recorded in the real property records of the county in which the development is located; and

WHEREAS, the Association previously recorded a Notice of Filing of Dedicatory Instruments for Kirby Creek Village on or about December 5, 2011 as Instrument No. 201100316228 of the Deed Records of Dallas County, Texas, and on or about December 6, 2011 as Instrument No. D211293589 of the Deed Records of Tarrant County, Texas (the "Notice"); and

WHEREAS, the Association desires to supplement the Notice to include the dedicatory instrument attached as Exhibit "A" pursuant to and in accordance with Section 202.006 of the Texas Property Code.

NOW, THEREFORE, the dedicatory instrument attached hereto as *Exhibit "A"* is a true and correct copy of the original and is hereby filed of record in the Real Property Records of Dallas County, Texas, and Tarrant County, Texas in accordance with the requirements of Section 202.006 of the Texas Property Code.

IN WITNESS WHEREOF, the Association has caused this First Supplement to the Notice of Filing of Dedicatory Instruments for Kirby Creek Village to be executed by its duly authorized agent as of the date first above written.

KIRBY CREEK VILLAGE ASSOCIATION
a Texas non-profit corporation

By: [Signature]

Its: President

ACKNOWLEDGMENT

STATE OF TEXAS §
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COUNTY OF Dallas §

BEFORE ME, the undersigned authority, on this day personally appeared Robert Lamb, President of the Kirby Creek Village Association, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed on behalf of said corporation.

SUBSCRIBED AND SWORN TO BEFORE ME on this 30 day of March,
2015

[Signature]
Notary Public, State of Texas

03-27-2019
My Commission Expires



Exhibit "A"

First Amendment to the By-Laws of Kirby Creek Village Association

FIRST AMENDMENT TO THE BY-LAWS
OF
KIRBY CREEK VILLAGE ASSOCIATION
[Removal of Directors]

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTIES OF DALLAS §
AND TARRANT §

THIS FIRST AMENDMENT TO THE BY-LAWS OF KIRBY CREEK VILLAGE ASSOCIATION (this "First Amendment") is made this 30 day of March, 2015, by the members of Kirby Creek Village Association, a Texas non-profit corporation (the "Association").

WITNESSETH:

WHEREAS, Vista Mortgage & Realty, Inc. ("Declarant") recorded an instrument entitled "Kirby Creek Village Association Restrictions" on or about October 31, 1984, at Volume 84215, Page 0489 *et seq.* of the Deed Records of Dallas County, Texas, and on or about November 20, 1984, at Volume 8012, Page 658 *et seq.* of the Deed Records of Tarrant County, Texas (the "Declaration"); and

WHEREAS, on or about October 22, 1984, the Association adopted the By-Laws of Kirby Creek Village Association, which were recorded on or about October 31, 1984, at Volume 84215, Page 0479 *et seq.* of the Deed Records of Dallas County, Texas, and on or about November 20, 1984, at Volume 8012, Page 675 *et seq.* of the Deed Records of Tarrant County, Texas (the "By-Laws"); and

WHEREAS, Article XIII, Section 1 of the By-Laws provides for amendment of the Bylaws at a regular or special meeting of the members by a vote of a majority of a quorum of members present in person or by proxy; and

WHEREAS, at a meeting of the members held on March 14, 2015, members representing more than a majority of a quorum of members present, in person or by proxy, approved the following amendment to the By-Laws.

NOW, THEREFORE, the By-Laws are hereby amended as follows:

1. Article IV, Section 3 of the By-Laws is deleted in its entirety and replaced with the following:

Removal. Any director may be removed from the Board, with or without cause, by a majority vote, in the aggregate, of all members of the Association. Notwithstanding anything to the contrary in the Declaration or these By-Laws, any director who shall be absent from three (3) or more regular meetings of the Board in any twelve (12) month period may be removed as a director by a



