

Monday, July 28, 2009

Jerry Williams  
Bylaws Chairman

The following are proposed amendments/additions to the Pecan Plantation Owners Association Bylaws being presented by myself as a member in good standing with the Association. These amendments/addition pertain to Article 13 Section 4 and Article 16 of the Bylaws.

The intent of this proposal is to increase credibility in the proposals by having better thought out, more financially sound, and thoroughly prepared proposals prior to presentation to the membership for voting/approvals. Additionally, proposals which lack popular consent need not be presented time and time again at a frequency that creates an expense for voting costs as well as breeds distrust with the membership.

**Article 13.** Insert into Article 13, Section 4 the addition as underlined in the following:

Section 4. Basis and Maximum of Annual Assessments. The maximum annual assessment may be modified by a two-third (2/3) vote of a quorum present and voting at a meeting of the members of the Association. The Board of Directors of the Association may, after considering the current maintenance costs of the Association Property and Common Facilities and future needs of the Association fix the actual assessment for any year at a lesser amount, or the Board of Directors of the Association may fix no assessment whatsoever for any year, depending upon the needs of the Association. This section governs the maximum amount to be fixed as actual assessments, but in no way limits the authority of the Board of Directors of the Association to fix a lesser amount or no assessment whatsoever for any year. No proposal to modify the maximum assessment may be considered at a membership meeting unless the notice of such meeting given to the members includes a notification that the matter of modification of the maximum assessment will or may be considered at such meeting. Proposals and initiatives related to new or expanded amenities, or improvements to existing amenities, with the same or substantially similar intent which fail to receive the required majority vote for approval shall not be presented again to the membership for a vote for a minimum of three years. Subject to the special provisions (where and when applicable) concerning payment of assessments contained in the recorded Restrictions and Covenants, the owner of an apartment lot shall be responsible for the payment of one basic assessment for each apartment located on the lot regardless of rental or occupancy status. A condominium unit shall be assessed on the same basis as a single-family residence lot, in accordance with the Restrictions and Covenants of Pecan Plantation subdivision.

**Article 16:** Add Section 5 as follows:

Section 5. Any proposal to amend these Bylaws with the same or substantially similar intent, regardless of the source of its generation, failing to receive the required majority for passage shall not be presented again to the membership for a vote for a minimum of three years.

Please process these member initiatives through the regular channels and committees. Should you see any necessary changes or have any questions regarding this proposal, please feel free to contact me. Your assistance is greatly appreciated.

  
John Gehring  
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