

**BY-LAWS OF  
THUNDERBIRD BAY OWNER'S ASSOCIATION  
A Texas Non-Profit Private Club  
4180 Iroquois Dr.  
May TX 76857**

NOTE: Read Article 6 - SECTION 1, Each June 30<sup>th</sup>, of Each Year.

**ARTICLE ONE  
MEMBERSHIP**

SECTION 1 Reference to approval for membership in Thunderbird Bay Owner's Association is hereby deleted throughout the entirety of the bylaws, and the only requisite for membership in the Association shall be owning one or more lots in the Subdivision. Pursuit to Texas Property Code Chapter 209 Section C, which says: "Residential subdivisions, planned unit development in which all land has been divided into two or more parts and is subject to restrictions that require membership in a property owner's association that has authority to impose regular or special assessments on the property in the subdivision.

SECTION 2 (Updated by voting members at July Annual Meeting 2004) All members, in good standings, and their families shall have the right to use all of the Association's facilities, including its swimming pool, parks, and recreational areas, boat docks, two boat ramps permitted by and in accordance with the terms and conditions that may be set out in the Association's rules which may from time to time be established by its Board of Directors. To be a member in good standing you must provide documentation that you are purchasing or have purchased the said property and all association dues and assessments are current.

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Members not in good standing are restricted from all association facilities; this includes all family members and friends. Members not in good standing, including family members and friends, can not be a guest of property owners that is in good standing (Amended at the 2007 Annual Meeting). As to each membership which is held by other than a single individual, that is, a membership held by two or more person, by a corporation or by a firm or partnership, the use of the Association's facilities shall be only by an individual person. (Amended 1986, at Annual Meeting). Multiple ownership of property does not entitle a member to more than one vote. (Amended 2005 at the Annual Meeting). Members that have more than one livable residence shall be required to pay a complete set of assessments for each additional livable residence. Furthermore, any member that owns more than 2 lots attached and/or unattached to the members livable residence shall be required to pay an additional assessment of \$30.00 for each additional lot. (Amended 2008 Annual Meeting). Road Fund of \$45.00 annually (Amended 2008 Annual Meeting). Pool Fund of \$50.00 annually for a period of five years. (Amended 2010 Annual Meeting). Shall be eligible to vote or speak at any meetings of members. (Amended 1979 Annual Meeting). Both husband and wife have one vote each. \*Property that is owned by a corporation or by a firm or partnership (multiple owners) will be restricted to one vote at the annual meeting. (Amended 2007 Annual Meeting).

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- (A) Association dues and assessments must be paid by the end of the fiscal year, (June 30<sup>th</sup> of each year) to be eligible to vote at the **annual** meeting Unless documentation can be provided showing change of ownership between June 30<sup>th</sup> and the annual meeting. (Amended 2007 Annual Meeting)

SECTION 3 Upon the termination of membership for any cause, whether by resignation, death, expulsion or otherwise, all the rights and interests of the member in the privileges, rights, properties, funds or assets of the Association shall cease, ipso facto.

SECTION 4 Membership shall be evidenced by such card, certificated and other writing as the Board of Directors shall authorize.

**ARTICLE TWO  
INITIATION FEES/DUES**

SECTION 1 (Amended 2005 Annual Meeting). There shall be no initiation fees or dues, but all assessments and other unpaid amounts due to Thunderbird Bay Owner's Association must be paid in full in order to be a member in good standing. The Board of Directors may, by majority vote of the Board, at the annual meeting levy additional assessments, which may be collected in the same manner provided in the Declaration, including lien rights. However, total assessments may not be raised by more than 20% over the previous year's total assessments without a majority vote of those present in person or by proxy at a meeting of the Association.

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**ARTICLE THREE  
BOARD OF DIRECTORS**

**SECTION 1 (Updated 1980 by the Board of Directors)**

The affairs and management of the Association shall be conducted by a Board of Directors (consisting of 5 total) elected by members of the Association, which Board shall have full power and authority to carry out the purpose of the Association and to do any and all lawful acts necessary or proper thereto.

**SECTION 2 (Updated 1980 by the Board of Directors)**

Directors shall serve a term of three years and thereafter until their successors are elected and have qualified. Any Director may succeed himself and serve only two (2) consecutive terms unless there are no other nominees for the position or as many non-consecutive terms as he may be elected.

Directors must be members of the Association.

**SECTION 3 (Updated 1980 by the Board of Directors)**

The terms of the Board of Directors shall be staggered and that no more than two (2) shall be elected yearly, (in addition to Directors to fill due to resignation, death, or removal, and the Directors to fill vacancies thus caused may be elected by a majority of the remaining Directors constituting a quorum).

**SECTION 4** Beginning in July 1977. Directors shall be elected at the annual meeting of the members by a majority of the vote cast in person or by proxy at such meeting. Before the expiration of the term of any Director, the President shall appoint a nominating committee of three members, which committee shall nominate one nominee for each directorship to be filled.

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SECTION 5 A majority of the Directors shall constitute a quorum at any meeting and a majority of those present shall be sufficient to determine any question except in regard to expulsion of members as herein before provided. Meetings of the Board of Directors may be held at any place within the State of Texas.

SECTION 6 (Amended 2005 Annual Meeting). A majority of Directors may adopt rules and regulations governing the Subdivision and its members, including rules for enforcement of the restrictions, bylaws, and other governing documents.

**ARTICLE FOUR  
OFFICERS**

SECTION 1 The officers of the Association shall be a President, one or more Vice Presidents, a Secretary and a Treasurer, elected by the Board of Directors. More than one office may be held by the same person. All officers shall be elected annually by the Board of Directors within a reasonable time after the annual meeting of the membership of this Association. All officers shall hold office for a period of one year, or until his successor is duly elected and qualified. No officer shall be required to be a member of the Association nor of the board.

SECTION 2 The President shall be the chief executive officer of the Association and shall preside over meetings of the Board of Directors and meetings of the membership.

SECTION 3 Any Vice President shall exercise the functions of the President in his absence and shall perform such other duties as the Board of Directors and meetings of the membership.

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SECTION 4 (Amended 2008 Annual Meeting) The Board of Director Secretary shall assist the Association Manager (Secretary) as needed to conduct the business of the Association.

SECTION 5 (Amended 2008 Annual Meeting) The Board of Director Treasurer shall work closely with the Association Manager (Secretary) in the collection of all fees, dues and charges and the handling and disbursing of all money. He/She shall be responsible for the proper accounting of the Association's financial affairs and the preparing of proper financial reports on matters and such other reports as may be specified by the Board of Directors.

**ARTICLE FIVE  
COMMITTEES**

SECTION 1 The Board of Directors or the President may appoint such committees from time to time, and delegate to such committees such duties as it or he/she may deem proper.

**ARTICLE SIX  
MEETINGS**

SECTION 1 (Amended 1978 Annual Meeting). The annual meeting of the members of the Association shall be held at the American Legion Hall or at such other place to be determined by the President of the Association. On the Third Saturday in August of each year at 9:00 A.M. or such other date in the month of August or September of each year as the Board may reasonably determine. Special meetings may be called by the President or by a majority of the Board of Directors.

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SECTION 2 (Amended 1991 Annual Meeting). The number of members entitled to vote, present in person or by proxy at an annual meeting of members shall constitute a quorum thereat. The vote of a majority of the total votes cast by qualified voting members present in person or by proxy shall decide any question brought before such meeting, the respective members to have such number votes as herein before provided in Article One. (Amended 1991 Annual Meeting) Proxy votes are to be limited to two (2) Proxy votes are to be limited to two (2) proxy votes per owner or household. Any property owner in good standing, desiring to vote by proxy shall submit a form (provided by the Association) no later than ten (10) days prior to the annual meeting of members.

SECTION 3 Without notice, the annual meeting of the Board of Directors shall be held on the same day and at the same place as the annual meeting. Special meetings of the Board of Directors shall be called at any time by the President or by any three members of the Board of Directors. Ten days written notice shall be required for special meetings unless notice is waived in writing.

SECTION 4 (Amended 1980 Annual Meeting). No notice shall be required with respect to any annual or regular meeting of members nor annual nor regular meeting of the Board of Directors. There will be a regular meeting of the Board of Directors every Third Saturday of each month at 10:00 A.M. All meetings are open meetings. Anyone wishing the minutes or the monthly Board of Directors meetings must request them, and turn in 12 stamped self addressed envelopes, plus 50 cents per month, (total of \$6.00 per year must be paid in advance). This is for printing and handling costs.

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**ARTICLE SEVEN  
MISCELLANEOUS**

**SECTION 1** (Amended 2005 Annual Meeting). These bylaws or any part thereof may be amended or modified only by majority vote of the Board of Directors and majority vote of those owner's voting in person or by proxy at annual meeting of the Association.

**SECTION 2** Unless otherwise required by statute, by the Articles of Incorporation or by these By-Laws, any notice required to be given shall not be deemed to be personal notice, but may be orally given by the President causing to be posted such notice upon any bulletin board at the park area in Thunderbird Bay Subdivision.

**SECTION 3** 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 regardless of the capacity in which they may act.

**SECTION 4** (Added 1980 Annual Meeting) There shall be no alcoholic beverages in the swimming pool, park area and boat dock; there shall be no smoking, chewing, or tobacco of any kind, eating, or drinking, inside the fenced pool area. There shall be no theft, destruction, or vandalism of any properties that are under the jurisdiction and responsibility of the Owner's Association. Perpetuators of any of the above actions shall be prosecuted and shall be responsible for all expenses incurred including those for remedying the damage or replacing all affected properties. (Amended 2007 Annual Meeting)



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SECTION 5 (Added 1991 Annual Meeting). Fireworks of any kind are to be deemed hazardous and therefore are to be prohibited in the Thunderbird Bay Subdivision. Signs will be posted and will be enforced by Watch Patrol, any Board member, and the North Lake Volunteer Fire Department.

SECTION 6 (Added 1991 Annual Meeting). Thunderbird Bay Subdivision is to have a LEASH LAW stated as follows: All dogs must be fenced, or leashed in the control of the owners at all times. Violators are to be notified by letter with a specified time to comply. If the animal, or animals are not confined within the specified time limit, they will then be picked up and taken to the County Animal Shelter.

SECTION 7 To improve safety of people using ATV's (4 wheelers), golf carts, scooters, etc. that are considered on the roadways as non-street legal. All members who own any of the above golf cards, 4 wheelers, mules, scooters, etc,...that are considered non street legal vehicles will now have to purchase a permit from the office in the sum of \$5.00 per unit not to exceed \$15.00 per member. All members will be required to sign a release indemnifying the Association of any liability pertaining to any minor, major, or fatal accidents. Any member that operates without a permit and release, could be subjected to fines and/or revocation of owners association membership.

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Each member, guest or members, and family of members who operate the above referenced vehicles in a manner considered harmful or dangerous to themselves, other vehicles, or pedestrians on the roadways of the Association, and in violation of state and county laws, will be fined \$100.00 for the 1<sup>st</sup> offense, \$200.00 for the 2<sup>nd</sup> offense, \$300.00 for the 3<sup>rd</sup> offense; after the 3<sup>rd</sup> offense said member, guest, or family member vehicle will be banned from use on association roadways. If still used after being banned, Association will take legal action. Any fines not paid in full after a written invoice is sent, will be attached to annual membership dues, if dues and dines are not paid, member will not be able to use any of the Associations recreational facilities, until paid and placed in good standing. Maintenance Patrol, Board of Directors, will be the ones to enforce such violations when they are reported to the association office. If a member of the Association witnesses such a violation or sees neglect of use, they will need to have a good description of the vehicle, permit number if possible, and the operator of the said vehicle. Member must submit this information to maintenance patrol, Board of Directors or the office for review. All above said vehicles must have their permit number on the vehicle where it is easily visible to all. Thunderbird Bay Owner's Association feels it is necessary for this action to help eliminate crime in the area and to help prevent the possibility of a major accident. (Amended 2008 Annual Meeting).

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**THUNDERBIRD BAY BOARD OF DIRECTORS:**

Jerry D. Beel

John R. Dinn

Donald Brownfield

Jay Waller

Cheri Ib

**THE STATE OF TEXAS COUNTY OF BROWN**

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THE STATE OF TEXAS COUNTY OF BROWN

"My name is Patricia Diane Sharrer, and I am the Secretary of Thunderbird Bay Owner's Association. During the course of my employment as Secretary, the By-Laws of the Association were amended at a meeting held on the 21<sup>st</sup> day of August, 2010. A true and Correct copy of the amended by-laws is attached hereto and made a part of hereof as though fully incorporated herein."

Witness by my hand this 19 day of February, 2010



Patricia Diane Sharrer  
Signature of Notary

July 14, 2013  
Expiration of Commission

INSTRUMENT NO. 1149 60-

FILED MARCH 01, 2011 01:28 PM

RETURN TO:

THUNDERBIRD BAY  
4180 IROUOIS DR  
MAY TX 76857

RECORDED  
COMPARED  
INDEXED

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UN-ENFORCEABLE UNDER FEDERAL LAW.  
STATE OF TEXAS  
COUNTY OF BROWN

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED in the Official Public Records of Real property of Brown County, Texas.



DEPUTY: Sharon Ferguson  
SHARON FERGUSON, COUNTY CLERK  
BROWN COUNTY, TEXAS