

Golden Trails Homeowners Association

Constitution & By-laws

Article I

Section 1. The name of this corporation shall be "Golden Trails Homeowners Association," hereinafter referred to as "The Association."

Article II

Section 1. The period of its' duration shall be perpetual.

Article III

Purpose of the Association

Section 1. This association shall be a non-profit corporation for the purpose of advocating and bringing about improvements, to assist in the enforcement of any and all binding restrictions and to advocate civic requisites that will be conducive to the progress of the community and the well-being its' citizens.

Article IV

Boundary

Section 1. The boundaries of Golden Trails Homeowners Association shall be and hereby established in accordance with the map and plot records on file in the office of the County Clerk, Conroe, Montgomery County Texas concerning Golden Trails Subdivision.

Article V

Membership

Section 1. Membership in this Association shall be open to all property owners of Golden Trails subdivision within the bounds described in Article IV. Member households shall pay initiation fees, dues and assessments and have such rights as are provided in the By-Laws of this Association. A member household is entitled to two votes, one for each spouse. One vote may be voted by proxy, if one spouse is present at the meeting.

Article VI

Officers and Directors

Section 1. The offices of this Association shall be President, Vice President, Secretary and Treasurer. In addition to the officers, there shall be five elected directors who shall be elected as provided for in Section 3 of this Article. The President, Vice-president, Secretary, Treasurer and elected Directors shall be designated as the Board. The Board shall have the management and control of the affairs of the Association; provided, however, that the members shall have the right to initiate resolutions, plans, policies and projects as the By-laws may direct.

Section 2. The officers shall be elected by the membership of this Association for the term of one year in the manner set forth in the By-laws.

Section 3. The Directors shall be designated as director one through five and shall be voted on as such. The Directors will be divided into three groups:

Group 1 -Director 1
-Director 2

Group 2 -Director 3
-Director 4

Group 3 -Director 5

At the first annual meeting Group 1 will be elected to a one-year term of office and Group 2 will be elected to a two-year term of office. Thereafter at each annual election either Group 1 or Group 2 shall be elected to a two-year term of office. Director 5 shall always be elected to a one-year term of office. All five directors shall hold office until their successors are duly elected at a subsequent annual election.

Section 4. The President may appoint an executive assistant from one of the members of the Board of Directors to assist him in handling the business of the office of president.

Article VII
Meetings and Quorum

Section 1. Meetings of the members and board shall be as prescribed by the By-laws and for all purposes of the Association a quorum shall consist of four members of the Board when the Board wishes to act and 30% of the household memberships (in good standing) represented, or 25 people (in good standing), whichever number is smaller, at the meetings when the members are to act. A majority vote of the members of the Board or of the Association, at which a quorum is present, shall be the act of such Board of the Association.

Article VIII
Amending Constitution

Section 1. This Constitution may be amended from time to time by resolution in writing, presented at a regular meeting of the Association, read and approved by a two-thirds vote at a regular meeting at which a quorum is present.

Golden Trails Homeowners Association
By-laws

Article 1
Management

Section 1. The management of the Association shall be vested in the Board of Directors, as provided by and subject to Article VI of the Constitution of this Association and subject to Article XI, Section 1 of these By-laws.

Section 2. The fiscal year of the Association shall begin on July 15th of every calendar year and run through July 14th of the next calendar year.

Article II
Meetings

Section 1. The regular meetings of this Association shall be held four times a year July, October, January and April at a time and place designated by the Board.

Section 2. An annual meeting shall be held on the date of the last regular meeting of the Fiscal year for the purpose of electing officers and those Board members whose term of office is to expire on the last day of the Fiscal year.

Section 3. Special meetings may be called by the following persons and in the following manner:

- A. The President may, in case of an emergency to be determined by him, call a meeting of the full membership of the Association.
- B. It shall be the duty of the President to call a meeting of the full membership of the Association whenever requested to do so in writing by four members of the Board, stating the purpose of the meeting.

- C. It shall be the duty of the President to call a meeting of the full membership of the Association upon written request of twenty-five or more members in good standing, which request shall state the subject of the called meeting.
- D. Notice of special meeting of the Association under (B) and (C) shall be given by the Secretary not later than one week after the receipt of a written request as provided in (B) and (C) above. The notice shall state the subject, the date and place, and the hour of the meeting.

Article III
Qualifications of Officers & Directors

Section 1. No person shall be eligible to be an officer, a director or a committee member unless he or she is a member in good standing.

Article IV
Board Meeting and Election of Chairman

Section 1. The Board shall hold at least four meetings each year.

Section 2. The President of the Association shall preside at all meetings of the Board. It shall be his duty to generally perform all the duties pertaining to his office and he shall decide all questions of procedure and order at the meetings of the Board.

Section 3. If any Director fails to attend the regular meetings of the Board for three successive meetings without good and valid reasons and without having given notice for his or her absence in the judgment of the Board, such director shall automatically cease to be a member of the Board and the vacancy created shall be filled as provided in Article V, Section 1 of these By-laws.

Section 4. Special meetings of the Board may be called by the following persons and in the following manner:

- A. The Chairman of the Board may, in case of any emergency to be determined by him, call a meeting of the Board.
- B. It shall be the duty of the Chairman of the board to call a meeting of the Board when requested to do so in writing by four members thereof, stating the purpose of the meeting.
- C. Notice of any special meeting of the Board may be given to all members thereof by telephone, in writing, or in person. Such notice is to be given at least three days prior to any such meeting.

Article V
Vacancies

Section 1. All vacancies occurring on the Board between annual meetings shall be filled by appointment by the Board of Directors unless the term to be served is in excess of one year and in that event, the Board of Directors shall be elected after due notice to the membership, by a majority vote of the members present.

Section 2. All un-expired terms or vacancies in the offices of President, Vice President, Secretary and Treasurer shall be filled by election of the membership, however, the Board of Directors may appoint a successor until such time as an election may be held by the membership.

Article VI
Removal of Officers

Section 1. Any Officer and or Director of the Association may be removed from office by a three-fourths vote of the members in good standing present at a meeting called for such purpose, at which a quorum, as defined by the Constitution, is present.

Article VII

Meeting Place

Section 1. Meetings of the directors, officers, Board, and or the membership of this Association may be held at such place or places within Montgomery County, Texas, as may, from time to time, be designated by the Board.

Article VIII

Duties and/or Powers of Officers & Board Members

Section 1. Duties of the President.

It shall be the duty of the President to preside at all meetings of the Association; to enforce the By-laws; to preserve order and decorum; to require all officers and members of the committees to perform their duties; to appoint all committees not otherwise provided for; to sign all official documents and countersign checks with the Vice President or Treasurer. He shall be an ex-officio member of all committees and generally perform all the duties appertaining to his office, and shall decide all questions of procedure and order. He shall not be required to vote at meetings of the Association, except in case of a tie vote.

Section 2. Duties of the Vice President

It shall be the duty of the Vice President to perform all the duties of the President in the absence of the president.

Section 3. In the event of the absence of both the President and the Vice President or their inability to serve, the executive assistant shall assume the duties of the President until such time as the President is available to assume the duties of that office.

Section 4. Duties of the Secretary

It shall be the duty of the Secretary and his assistant to keep full and impartial records of the Association, and the Board; to perform such duties as may be prescribed for him by the Board. His records shall at all times be open for inspection by any member in good standing or the President and the Board of Directors.

Section 5. Duties of the Treasurer

It shall be the duty of the Treasurer to be custodian of the Associations' funds, and to keep a correct and faithful account of all receipts and expenditures; to prepare and sign checks, with the President or Vice President, and keep all books belonging to his office, which shall at all times be open to inspection by the President and the Board of Directors.

Section 6. Duties and powers of the Board

The Board shall have the entire charge, control, administration and management of the affairs of the Association. It shall execute all measures and proceedings necessary to advance the purposes of the Association. It shall keep a correct record of its proceedings and submit a report of the same to the members at the regular meeting hereinafter provided for. It shall have the power to authorize expenditures of the Association.

Section 7. The Board may require any officer and/or employee of the Association who shall have custody of funds to give a proper Surety Bond for the faithful accounting of such funds, with surety or sureties satisfactory to the Board and with the premium paid by the Association.

Article IX

Dues

Section 1. There shall be an initiation fee of \$100.00 per household payable once and only once upon joining the Association. The annual dues will be reevaluated annually to adjust for inflation of the \$40.00 dues established in 2002 to meet current economic standards. Rates of inflation will be based on the U.S. Bureau of Labor Statistics Consumer Price Index. For Fiscal Year 2022-2023 the Dues are set at **\$65.00**. Dues are payable on or before the start of the fiscal year (July 15th) of each year.

Section 2: All sales or title transfers of lots are subject to a \$100.00 Transfer Fee to be paid to the Association. If this fee is not paid by the seller, then it must be paid by the buyer.

Section 3. Special Assessments against each member may be levied by a two-thirds vote of the members in good standing present at any meeting of the members at which a quorum is present, provided that no such assessments shall exceed the sum of \$20.00 per household for any one year and provided further that such proposal for assessments shall have been submitted in writing at the previous regular meeting.

Section 4. Any member delinquent for sixty days in payment of dues or of special assessments may be suspended by a majority vote of the Board at any Board meeting.

Article X *Expenditures*

Section 1. All expenditures of the Association funds shall be authorized by the Board who may direct the Treasurer to pay all bills incurred or to be incurred by the Association; provided, however, that any Board may, at the beginning of its' term, authorize the Treasurer to pay for the necessary stationary, stamps, and the cost of holding meetings, and no further authorization therefore shall be necessary during the remaining term of such Board, however, no expenditure shall exceed \$750.00. All checks shall be signed by any two of three offices: The President, Vice President or Treasurer.

Article XI *Rights of Members*

Section 1. The members of the Association shall have the right to initiate resolutions, plans, policies and projects when passed by a majority of those present and voting at any regular or special meeting at which a quorum is present, shall be binding upon the Association and upon the Board.

Section 2. Every member in good standing shall have all the rights and privileges of membership including the right to vote and hold office in the Association; provided, however, that husband and wife shall not hold office at the same time.

Section 3. No member shall be considered in good standing who is in arrears in payment of dues, assessments or other charges. He or she shall not be entitled to vote, nor shall he or she be eligible to be an officer or director in this Association, nor be entitled to any of the other privileges of a member this Association.

Article XII *Committees*

Section 1 There shall be, in addition to such committees as the Board shall determine, the following committees, with such duties as the Board may designate, such committees being:

*Membership Committee
Law Enforcement Committee
Architectural Control Committee
Recreational Activities Committee
Ways and Means Committee
Streets, Drainage and Health Committee
Legal Committee*

Section 2. The Chairman of such committees shall be appointed from the Association membership by the President with approval from the Board.

Article XIII
Order of Business

Section 1. The order of business shall be as follows:

- A. Reading of the minutes of the last meeting
- B. Treasurers' report
- C. Committee reports
- D. Unfinished Business
- E. New Business
- F. Programs or misc.
- G. Notification of next regular meeting
- H. Adjournment

Section 2. Robert's Rules of Order shall determine the conduct of business in all meetings of the Association, its government, its government bodies and committees, except where inconsistent with the Constitution and these By-laws.

Article XIV
Amendments

Section 1. These By-laws may be amended from time to time, by a resolution in writing, presented at a regular meeting of the Association, read and approved by a two-thirds vote at a regular meeting at which a quorum is present.

**UPDATED AND REVISED TO REFLECT AMENDEMENTS
FILED**

1/19/2005 Document # 2005-006059 749-10-1107
7/13/2020 Document #2020071162
3/14/2022 Document # 2022031662