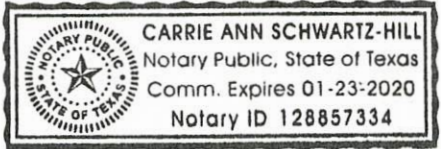




STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

BEFORE ME, the undersigned notary public, on this 18<sup>th</sup> day of June 2019, personally appeared Christopher L. Nichols, Authorized Representative of River Oaks Council of Co-Owners, 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 purpose and in capacity therein expressed. 2019



*Carrie Ann Schwartz-Hill*  
\_\_\_\_\_  
Notary Public In and For the State of Texas

**AFTER RECORDING, PLEASE RETURN TO:**  
**Christopher Nichols**  
**The Nichols Firm, PLLC**  
**1010 N. San Jacinto, Suite 100**  
**Houston, Texas 77002**

✓✓



**SECTION 1:** Article VIII, Section 8.4 entitled "Terms of Lease" is hereby amended to read as follows:

Notwithstanding that the Board may have declined to exercise its right of first refusal with respect to any leasing of any Unit, no Unit shall be leased unless and until the following conditions are met or otherwise exist:

- (i) the Unit shall be occupied by the respective Owner for a period at least one (1) year immediately following the date of which Owner purchases or otherwise acquires the Unit;
- (ii) the Unit Owner shall deliver to the Association or its designee a written "Notice of Intent to Offer for Lease" signed by the Owner of the Unit; and
- (iii) the ratio of Tenant-occupied units shall not exceed twenty-five percent (25%) of the total Units within River Oaks Condominium upon the Association's receipt of Owner's "Notice of Intent to Offer for Lease";
- (iv) the Association shall confirm the Owner-occupied / Tenant-occupied ratio within River Oaks Condominium within five (5) business days of receiving Owner's "Notice of Intent to Offer for Lease";
- (v) the term of any lease shall be for a minimum of at least twelve (12) consecutive months;
- (vi) the Owner of the Unit shall provide the Association with a copy of tenant's executed lease within ten (10) calendar days of the commencement of the lease term; and
- (vii) the Owner of the Unit shall provide the Association with current contact information of the Owner, the tenant(s), the property manager (if any), and an emergency contact for each within ten (10) calendar days of commencement of the lease term; and
- (viii) the Board may enforce these leasing restrictions by any method available to it to enforce other violations of the Declaration, including but not limited to the filing of a lawsuit in a court with competent jurisdiction in Harris County, Texas.

With regard to individual, the term "Owner," under this Section 8.4, shall mean the purchaser(s) of the Unit or a family member of the purchaser(s) of the Unit within one (1) degree of blood or consanguinity. With regard to an entity or organization as that term is defined by Section 1.002(21) or 1.002(62), respectively, of the Texas Business Organizations Code, the term "Owner," under this Section 8.4, shall mean the governing authority (as defined by Section

1.002(35) of the Texas Business Organizations Code) of the entity or organization, or its beneficiaries be it another individual, entity or organization. For all entity or organization Owners, the governing authority or its officer shall provide the Association with documentary evidence of the entity's or organization's good standing, all fictitious or assumed names used by the entity or organization within thirty (30) days of its closing on the Unit, and proof of the entity's or organization's authority to purchase the Unit.

Any lease shall also provide that the Lessee shall comply with and be bound by all of the terms of the Declaration, the By-Laws and Rules promulgated hereunder and the laws of the State of Texas now or hereafter established governing the use of such Units and the Common Elements. Should any Lessee or occupant not comply with such lease provision, then the Board shall be given the right to cancel and terminate such lease immediately, without any obligation or liability imposed upon the Owner, and for such purpose, the Board shall be regarded as the Owner's agent fully authorized to take such steps as may be necessary to affect the cancellation and termination of such lease.

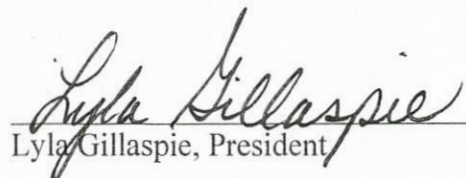
**SECTION 2:** Owners who purchased or otherwise acquired right, title, and interest in a Unit prior to the date of the execution of this Amendment shall be exempt from this amended Article VIII, Section 8.4., subsections (i) thru (v) until all of that Owner's right title, and interest in the Unit is sold or otherwise conveyed to a third-party ("New Owner"). New Owners who purchase or otherwise acquire right, title, and interest in a Unit after the date of the execution of this Amendment shall be immediately subject to the terms thereof.

**SECTION 3:** Upon the adoption of this Amendment by the required votes in the Association at the duly called meetings held on March 28, 2019 and May 30, 2019 for which the minutes are attached hereto as Exhibit "A", each Owner currently leasing their Unit(s) shall comply with Article VIII, Section 8.4, subsections (vi) and (vii) within thirty (30) calendar days of this Amendment.

**SECTION 4:** Except as amended herein, and as previously amended, all provisions of the Declaration remain in full force and effect.

**SECTION 5:** Upon the adoption of this Amendment by the required votes in the Association at the duly called meetings held on March 28, 2019 and May 30, 2019 according to Article IX, Section 9.1 of the River Oaks Gardens Declaration of Condominium, and subject to Section 81.102(a)(7) of the Texas Property Code, this Amendment shall be effective upon its execution and recording in the real property records of Harris County, Texas.

EXECUTED on the 14<sup>th</sup> day of June, 2019.

  
Lyla Gillaspie, President

**ACKNOWLEDGEMENT**

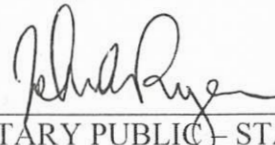
STATE OF TEXAS

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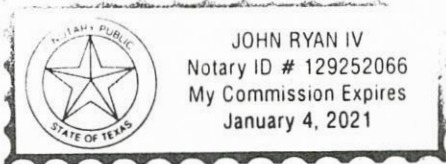
COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared Lyla Gillespie, President of River Oaks Council of Co-Owners, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration, and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL of office on this 14<sup>th</sup> day of June 2019.



NOTARY PUBLIC - STATE OF TEXAS



**EXHIBIT "A"**

*Minutes from the Annual Meeting held on March 28, 2019  
and the reconvened Annual Meeting held on May 30, 2019*



1800 Augusta Drive  
Suite 200  
Houston, TX 77057  
(713) 783-4640

**RIVER OAKS COUNCIL OF CO-OWNERS, INC.  
ANNUAL MEETING MINUTES  
"DRAFT"  
MARCH 28, 2019**

Call Meeting to Order & Confirmation of Quorum

A quorum was established of 56.3256% with a combination of those appearing in person and by proxy. President Lyla Gillaspie called the meeting to order at 7:09 p.m., at St. Anne's Church located at 2140 Westheimer, Houston, Texas 77098 in the St. Basil Hall.

Lyla Gillaspie introduced the current Board of Directors:

- Lyla Gillaspie-President
- Neil Goldstein-Vice President
- Kathleen Mundy-Secretary
- Michelle LeBlanc- Treasurer
- Michael Olsen-Member at Large

Also Present: Therese Morales, Community Manager & Recording Secretary  
Matt Villalovos, Community Manager  
Tori Chatagnier, Community Manager

Guest: Chris Nichols of The Nichols Firm, PLLC (Association Counsel)

Approval & waive reading of Previous Annual Meeting Minutes-A motion was made, seconded and all approved the March 22, 2018 Annual Meeting Minutes as written.

Election of two (2) Board Members for a two (2) year term

The two incumbents Lyla Gillaspie, and Neil Goldstein were on the ballot. They both addressed the homeowners present and advised their important reason for wanting to remain on the board.

Nominations from the floor – There were no nominations from the floor.

Voting for two (2) board members to serve a two (2) year term-Due to no nominations from the floor, a motion was made, and seconded and the incumbents were approved by Acclamation to remain on the board for an additional two years.



New Business:

4<sup>th</sup> Amendment Discussion & Vote-Lyla explained the 4<sup>th</sup> Amendment vote in great detail, and the reason behind the vote, which is to protect the property and the owners from a conglomerate getting the majority and being able to sell the property below Market Value. Chris Nichols the Association Counsel, then answered the additional questions from the homeowners regarding the 4<sup>th</sup> Amendment vote.

4<sup>th</sup> Amendment Voting Results- (The Association needed at least 137 votes (67% approval) for the vote to pass). The votes were counted, and there were 92 “yes” votes in favor of the 4<sup>th</sup> Amendment. Lyla then announced, there would be a “Reconvened” Annual Meeting scheduled, so that more votes could be collected for this important issue, and that all the ROG members would be advised shortly of the next meeting date.

Adjournment:

Being no further business to conduct, the meeting was adjourned at approximately 8:40 p.m. until the “Reconvened” Annual Meeting.



1800 Augusta Drive  
Suite 200  
Houston, TX 77057  
(713) 783-4640

**RIVER OAKS COUNCIL OF CO-OWNERS, INC.  
RECONVENED ANNUAL MEETING MINUTES  
“DRAFT”  
MAY 30, 2019**

Call Meeting to Order & Confirmation of continued Quorum

A quorum was established of 87.727% with a combination of those appearing in person and by proxy. The proxies from the previous Annual Meeting on March 28, 2019, also counted towards the quorum of the Reconvened Meeting. President Lyla Gillaspie called the meeting to order at 7:00 p.m., at St. Anne’s Church located at 2140 Westheimer, Houston, Texas 77098 in the St. Joseph Room.

Board of Director’s Present:

- Lyla Gillaspie-President, Neil Goldstein-Vice President, Kathleen Mundy, Secretary, Michelle LeBlanc, Treasurer & Michael Olsen, Member at Large

Also Present: Therese Morales, Community Manager & Recording Secretary

Guest: Chris Nichols of The Nichols Firm, PLLC (Association Counsel)

Continuation of New Business:

Vote to adopt the 4<sup>th</sup> Amendment to the River Oaks Condo Declaration- Lyla explained the reason for the continuation of the 4<sup>th</sup> Amendment vote and turned the meeting over to Chris Nichols the Association Counsel to answer all the questions from the homeowner’s present. Chris answered all the additional questions from the homeowner’s present, before the results of the voting was announced.

Announcement of Voting Results- Lyla then announced there were 154 “yes” votes, 23 “no” votes, and 26 did not vote, giving a total of 177 homeowners who voted in the 4<sup>th</sup> Amendment election. Therefore the 4<sup>th</sup> Amendment has passed, and will be recorded with Harris County as part of the legal documents for River Oaks Council of Co-Owners, Inc.

Adjournment:

Being no further business to conduct, the meeting was adjourned at approximately 7:30 p.m.

FILED FOR RECORD

3:10:11 PM

Tuesday, June 18, 2019

*Diane Mautner*

COUNTY CLERK, HARRIS COUNTY, TEXAS

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.

THE STATE OF TEXAS  
COUNTY OF HARRIS

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 Harris County Texas

Tuesday, June 18, 2019



*Diane Mautner*

COUNTY CLERK  
HARRIS COUNTY, TEXAS