

**THIRD AMENDMENT TO THE:  
CERTIFICATE OF FORMATION (ORIGINALLY ENTITLED ARTICLES OF  
INCORPORATION) OF  
TAHITIAN VILLAGE PROPERTY OWNERS' ASSOCIATION, INC.**

We the undersigned, members of the Tahitian Village Property Owners' Association, Inc. have participated in the amendment of this Certificate of Formation (originally entitled Articles of Incorporation) in accordance with Article 1396 - 4.02 of the Texas Non-Profit Corporation Act. The meeting of the membership at which these amendments were adopted was January 30, 2016. A quorum of the membership, as defined by the TVPOA Bylaws, was present. We do say that the amendments received at least a two-thirds (2/3) vote of the members present. At least two (2) of the undersigned Board of Directors are eligible to be acting as incorporators of a corporation under the Texas Non-Profit Corporation Act. We hereby adopt the following Third Amendment to the Certificate of Formation (originally entitled Articles of Incorporation) of such corporation.

**ARTICLE ONE**

The name of the corporation (which is hereinafter called "Association") is TAHITIAN VILLAGE PROPERTY OWNERS' ASSOCIATION, INC.

**ARTICLE TWO**

The Association is a non-profit corporation.

**ARTICLE THREE**

The period of its duration is perpetual.

**ARTICLE FOUR**

SECTION 1. The purpose for which the Association is organized is to promote and develop the common good and social welfare of the people of the community of TAHITIAN VILLAGE and its environs. For purposes hereof, TAHITIAN VILLAGE is defined as a subdivision more specifically described in the plats of its various units appearing in the Plat Records of Bastrop County, Texas.

SECTION 2. Only those units in TAHITIAN VILLAGE as presently platted or shall hereafter be platted and be subjected to an agreement of Covenants, Conditions and Restrictions, shall be considered as the properties and the community of TAHITIAN VILLAGE and the proper object of the powers and purposes of this corporation.

SECTION 3. Without limiting the foregoing general statement of purposes, the Association shall have the following specific purposes: (a) To aid, promote, and provide for the establishment, advancement and perpetuation of any and all utilities, systems, services and facilities within TAHITIAN VILLAGE which tend to promote the general welfare of its people with regard to health, safety, education, culture, recreation, comfort or convenience to the extent and in the manner deemed desirable by the Board of Directors. (b) Deleted (c) To enforce all covenants, restrictions, building guidelines, reservations, servitudes, profits, licenses, conditions, arguments, easements and liens established for the support and/or benefit of TAHITIAN VILLAGE and to

use and disburse any funds which may come into the hands of the Association for the promotion of any and all of the purposes of TAHITIAN VILLAGE and in a lawful manner determined by the Board of Directors.

The Association will take action to accomplish the foregoing purposes only when and if such action appears in the sole and absolute discretion of the Board of Directors to be desirable and feasible. The adoption of the name TAHITIAN VILLAGE shall not prevent use of different names for sub-developments within the community of TAHITIAN VILLAGE, and any such sub-developments within said community, known by another name, shall be part of the community of TAHITIAN VILLAGE as defined in this Article, and shall be a proper object of the purposes of this corporation.

#### **ARTICLE FIVE**

SECTION 1. Every person or entity who is the owner of any lot in TAHITIAN VILLAGE and also has record title of such lot shall be a member of the Association. For the purposes of determining membership, such ownership will be deemed to have vested upon delivery of a duly executed deed or contract for deed and recorded in the deed records of Bastrop County, Texas.

SECTION 2. Any member shall be considered in good standing and entitled to vote on any matter before the Association if current in payment of all monies assessed, and in compliance with all Covenants, Conditions and Restrictions as of November 30 of the year preceding the Annual Membership Meeting.

#### **ARTICLE SIX**

The principal street address of the office of the Association shall be 106 Conference Drive, Bastrop, Texas, 78602, or until changed by the Board of Directors. The principal mailing address of the Association shall be P.O. Box 636, Bastrop, Texas, 78602, or until changed by the Board of Directors.

#### **ARTICLE SEVEN**

SECTION 1. The Association shall have six (6) directors which shall constitute the Board of Directors and the governing body of the Association.

SECTION 2. The manner in which Directors shall be elected and removed from office, their qualifications, powers, duties, and tenure of office, the manner of filling vacancies on the Board, and the manner of calling and holding meetings of the Directors, shall be as stated in Article IX of the Bylaws.

**“RESOLUTION”**

WE, the undersigned Directors of Tahitian Village Property Owner’s Association, Inc., do hereby certify that the foregoing Third Amendment to the Certificate of Formation (originally entitled Articles of Incorporation) are correct and that the same have been duly adopted by said Association at a meeting of the Membership of this Association held in Bastrop County, Texas at 2:00 p.m. on the 30 day of January, 2016.

Janet Schwindt  
Donald Fannin

Lois Hornbuckle  
Darrell Wood Jr.

Erika McDonald  
Melvin Hamner

PO Box 636  
Bastrop, TX 78602

Except as herein otherwise specified, the decision of the majority of the Directors currently serving as such shall be required and shall be sufficient to authorize any action on behalf of the Corporation. Each Director shall be entitled to one (1) vote on every matter presented to the Board of Directors.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Janet Schwindt

\_\_\_\_\_  
Lois Hornbuckle

\_\_\_\_\_  
Erika McDonald

\_\_\_\_\_  
Donald Fannin

\_\_\_\_\_  
Darrell Wood Jr

\_\_\_\_\_  
Melvin Hamner

THE STATE OF TEXAS:  
COUNTY OF BASTROP:

Before me, the undersigned Notary Public, on this day personally appeared \_\_\_\_\_, Director of the Tahitian Village Property Owners’ Association, Inc., and under oath, acknowledged to me that they executed the foregoing documents as an incorporator and that the statements therein confirmed are true.

SWORN TO AND SUBSCRIBED before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for Bastrop County, Texas

THE STATE OF TEXAS:  
COUNTY OF BASTROP:

Before me, the undersigned Notary Public, on this day personally appeared \_\_\_\_\_, Director of the Tahitian Village Property Owners' Association, Inc., and under oath, acknowledged to me that they executed the foregoing documents as an incorporator and that the statements therein confirmed are true.

SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for Bastrop County, Texas

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\_\_\_\_\_  
Notary Public in and for Bastrop County, Texas

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Notary Public in and for Bastrop County, Texas

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\_\_\_\_\_  
Notary Public in and for Bastrop County, Texas