

Articles of Incorporation
Mission Bend San Miguel HOA

ARTICLES OF INCORPORATION

for

SAN MIGUEL HOMEOWNERS ASSOCIATION, INC.

We, the undersigned, being natural persons of at least twenty-one years of age, at least two of whom are citizens of the State of Texas, acting as incorporators of a corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation.

ARTICLE I

CORPORATE NAME

The name of the corporation is SAN MIGUEL HOMEOWNERS ASSOCIATION, INC.

ARTICLE I

CORPORATE STATUS

The corporation is a non-profit corporation.

ARTICLE III

DURATION

The period of duration is perpetual.

ARTICLE IV

PURPOSE

The corporation is being formed for the purposes of providing for maintenance and preservation of the properties subject to the Covenants, Conditions and Restrictions applicable to SAN MIGUEL, a subdivision which may hereafter be brought within the jurisdiction of this Association and to promote the health, safety and welfare of the residents within the above described property and to:

1. Exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Declaration of Covenants, Conditions and Restrictions, hereafter called the "Declaration," applicable to the property and recorded or to be recorded in the Map Records of Harris County, Texas, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at length;

2. Fix, levy, collect and enforce payment by any lawful means, all changes or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied or imposed against the property of the Association; and

3. Have and exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Act of the State of Texas may by law now or hereafter have or exercise; provided that none of the objects or purposes herein set out shall be construed to authorize the corporation to do any act in violation of said Non-Profit Corporation Act or Part Four of the Texas Miscellaneous Corporation Laws Act, and all such objects or purposes are subject to said Acts.

ARTICLE V

The street address of the initial registered office of the corporation is Box 428, Alief, Texas 77411 and the name of its initial registered agent at such address is Johnnie Attaway.

DIRECTORS

The number of directors constituting the initial Board of Directors of the corporation shall be three (3), and the following persons shall serve as the initial Board of Directors until the first annual meeting of the corporation.

Johnnie Attaway Box 428
 Alief, Texas 77411

Bill Abbott Box 428
 Alief, Texas 77411

Jennie Attaway Box 428
 Alief, Texas 77411

At the first annual meeting beginning in 1978, the members shall elect one director for a term of one year, two directors for a term of two years, and two directors for a term of three years; and at each annual meeting thereafter the members shall elect that number of directors equal to the number of directors whose terms expire at such time.

ARTICLE VII

MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any property which is subject to a maintenance charge assessment by the Association, including contract sellers, such persons or entities being hereafter referred to as an "Owner", shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. No Owner shall have more than one membership. Membership shall be appurtenant to and may not be separated from ownership of the property which is subject to assessment by the Association. Ownership of such property shall be the sole qualification for membership.

VOTING RIGHTS

The Association shall have two classes of membership:

Class A. Class A members shall be all those Owners as defined in Article VII with the exception of the Declarant. Class A members shall be entitled to one vote for each Lot in which they hold the interest required for membership by Article VII. When more than one person holds such interest in any Lot, all such persons shall be members. The vote for such Lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any Lot.

Class B. The Class B member shall be the Declarant as defined in the Declaration, its successors or assigns. The Class B member shall be entitled to three (3) votes for each Lot in which it holds the interest required for membership by Article VII; provided, however, that the Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

- (a) when the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership, or
- (b) on January 1, 1987.

ARTICLE IX

DISSOLUTION

Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for the purposes similar to those for which this Association was created or shall be granted, conveyed and assigned to any

non-profit corporation, association, trust or other organization to be devoted to such a similar purposes.

Dissolution of the Association must be approved in writing and signed by not less than two-thirds (2/3) of each class of members.

ARTICLE X

INCORPORATORS

The names and address of the incorporators, herein are as follows:

Johnnie Attaway, Box 428, Alief, Texas 77411

Bill Abbott, Box 428, Alief, Texas 77411

Jennie Attaway, Box 428, Alief, Texas 77411

IN WITNESS WHEREOF, we the undersigned, have hereunto set our hands this 2nd th day of _____, 1978.

Bill Abbott

AS PER ORIGINAL

THE STATE OF TEXAS *
*
COUNTY OF HARRIS *

I, B. B. Richardson, a Notary Public, do hereby certify that on the 2nd day of October, 1978, personally appeared before me Johnnie Attaway, who being by me first duly sworn declared that he is the person who signed the foregoing instrument as incorporator and that the statements therein contained are true.

IN WITNESS WHEREOF, I hereunto set my hand and seal the day and year above written.

B. B. Richardson
Notary Public in and for Harris County, Texas.

E. B. RICHARDSON
Notary Public in Harris County, Texas
My Commission Expires July 5, 1980

THE STATE OF TEXAS *
*
COUNTY OF HARRIS *

I, B. B. Richardson, a Notary Public, do hereby certify that on the 2nd day of October, 1978, personally appeared before me Jennie Attaway, who being by me first duly sworn declared that she is the person who signed the foregoing instrument as incorporator and that the statements therein contained are true.

AS PER ORIGINAL

day and year above written.

B. B. Richardson
Notary Public in and for Harris
County, Texas.

AS PER ORIGINAL

B. B. RICHARDSON
Notary Public in Harris County, Texas
My Commission Expires July 5, 1980

THE STATE OF TEXAS *
*
COUNTY OF HARRIS *

I, B. B. Richardson, a Notary Public, do hereby
certify that on the 2nd day of October, 1978, personally
appeared before me Bill Abbott, who being by me first
duly sworn declared that he is the person who signed the foregoing
instrument as an incorporator and that the statements therein
contained are true.

IN WITNESS WHEREOF, I hereunto set my hand and seal the
day and year above written.

B. B. Richardson
Notary Public in and for Harris
County, Texas.

B. B. RICHARDSON
Notary Public in Harris County, Texas
My Commission Expires July 5, 1980

ARTICLES OF AMENDMENT

SAN MIGUEL HOMEOWNERS ASSOCIATION, INC.

SAN MIGUEL HOMEOWNERS ASSOCIATION, INC., a Texas nonprofit corporation subject to the Texas Non-Profit Corporation Act, has adopted the amendment to its Articles of Incorporation filed on November 9, 1978 as stated in these Articles of Amendment.

**ARTICLE 1.
NAME**

The Corporation's name is SAN MIGUEL HOMEOWNERS ASSOCIATION, INC.

**ARTICLE 2.
SUBSTANCE OF AMENDMENT**

1. The heading of the Articles of Incorporation is amended to read as follows:

**ARTICLES OF INCORPORATION
FOR
MISSION BEND, SAN MIGUEL HOMEOWNERS ASSOCIATION, INC.**

2. ARTICLE I. CORPORATE NAME is amended to read as follows:

The name of the corporation is MISSION BEND, SAN MIGUEL HOMEOWNERS ASSOCIATION, INC.

**ARTICLE 3.
PROCEDURE USED IN ADOPTING AMENDMENT**

The Corporation has members entitled to vote on amendment to Articles of Incorporation, however, the Texas Non-Profit Corporation Act Article 1396-4.02 (A)(4) allows the board of directors of a corporation with members having voting rights to adopt an amendment to the articles of incorporation without member approval in limited circumstances so long as the Articles of Incorporation do not provide otherwise. One of the limited circumstances is if the amendment proposes to change the corporate name by adding, deleting or changing a geographical attribution to the name. The Articles of Incorporation for San Miguel Homeowners Association, Inc. do not mention amendment procedures and the proposed Articles of Amendment only adds the geographical attribution "Mission Bend," to the beginning of the corporate name. The board of directors may adopt an amendment by majority vote.

The amendment of the Articles of Incorporation was adopted at a meeting of the Board of Directors held on the 2 day of October, 1996. The amendment received the vote of a majority of the directors in office.

0850-01-280
087-20-0530

I am an officer of the Corporation and I execute these Articles of Amendment on the Corporation's behalf on the 2 day of OCTOBER, 1996.

SAN MIGUEL HOMEOWNERS ASSOCIATION,
INC.

BY: JAMES C. Nowak
PRESIDENT

(PRINT NAME AND TITLE)

RP 087-70-0531

return to:

✓✓

Kathy Ann Terry
Attorney at Law
PO Box 690141
Houston, TX 77269

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson



Dianne Wilson, County Clerk
Fort Bend County, Texas

August 15, 2013 04:10:00 PM

FEE: \$99.00 RMM
CERT

2013105043



The State of Texas
Secretary of State

CERTIFICATE OF INCORPORATION

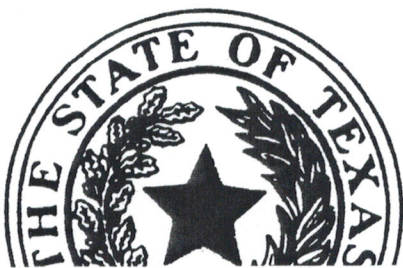
OF

SAN MIGUEL HOMEOWNERS ASSOCIATION, INC.
CHAPTER NUMBER 452708

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS,
HEREBY CERTIFIES THAT DUPLICATE ORIGINALS OF ARTICLES OF INCORPORATION
FOR THE ABOVE CORPORATION, DULY SIGNED AND VERIFIED, HAVE BEEN RECEIVED
IN THIS OFFICE AND ARE FOUND TO CONFORM TO LAW.

ACCORDINGLY THE UNDERSIGNED, AS SUCH SECRETARY OF STATE, AND BY
VIRTUE OF THE AUTHORITY VESTED IN HIM BY LAW, HEREBY ISSUES THIS
CERTIFICATE OF INCORPORATION AND ATTACHES HERETO A DUPLICATE ORIGINAL
OF THE ARTICLES OF INCORPORATION.

MAY 11, 1974



M. C. Oak

Secretary of State

RECORDERS MEMORANDUM
This page is not satisfactory for photographic recordation due to carbon or
photocopy, discolored paper, etc. All block-outs, additions and changes
were presented at time instrument was filed and recorded.