

Henderson County  
Mary Margaret Wright  
County Clerk  
Athens, TX 75751

---

Instrument Number: 2023-00018316

As

Recorded On: 12/08/2023 09:36 AM Recordings - Land

Parties: THUNDERBIRD SHORES OWNERS ASSOCIATION

To: PUBLIC

Number of Pages: 8 Pages

Comment:

(Parties listed above are for Clerks reference only)

---

**\*\*Examined and Charged as Follows:\*\***

Total Recording: 50.00

**File Information:**

Document Number: 2023-00018316

Receipt Number: 2023-21789

Recorded Date/Time: 12/08/2023 09:36 AM

Recorded By: Janice Hankins

---

\*\*\*\*\*DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT\*\*\*\*\*

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.

I hereby certify that this instrument was filed and duly recorded  
in the Official Records of Henderson County, Texas



*Mary Margaret Wright*

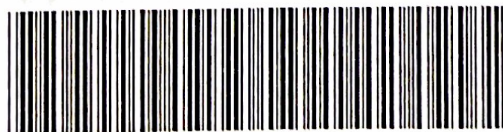
County Clerk  
Henderson County, Texas

---

**Record and Return To:**

THUNDERBIRD SHORES OWNERS  
PO BOX 192

MABANK, TX 75147



**BY-LAWS OF THE  
THUNDERBIRD SHORES OWNERS' ASSOCIATION  
As Amended November 11, 2023**

**ARTICLE ONE:  
NAME**

**Section 1.** This Subdivision shall hereinafter be known as "THUNDERBIRD SHORES SUBDIVISION" and shall be managed by the Association hereinafter known as "THUNDERBIRD SHORES OWNERS ASSOCIATIONS", A TEXAS NON-PROFIT CORPORATION.

**ARTICLE TWO:  
MEMBERSHIP**

**Section 1.** Each owner of one or more lots in Thunderbird Shores Subdivision is a member of Thunderbird Shores Owners Association and shall pay an assessment of *\$75.00 per lot per year* as set forth in the restrictions of record in respect to Thunderbird Shores Subdivision. Anyone renting property in the Association is not eligible to become members. The owner of such property is responsible for the renter and the renter will be considered a guest of the owner by the Association.

**Section 2.** Each member shall have the right to use all of the Association's facilities, including the boat ramp, park, and recreational area along with their guests, as long as the guests are accompanied by the member of the Association and conduct themselves in an orderly manner. No member who is in arrears for more than 45 days in respect to the *\$75.00 per lot per year* assessments set forth in the restrictions of record in respect to accounts of the Association, shall be eligible to use any of the Association's facilities. Upon the termination of member for any cause, whether by resignation, death, or otherwise, all the rights and interest of the member in the privileges, rights, properties, funds, or assets of the Association shall cease, ipso facto.

**Section 3.** Texas HB 1193 (Anti-Discrimination Based on Section 8 Status). Thunderbird Shores POA will accept any form of payment including those paid with Section 8 Housing vouchers rental vouchers rental assistance or rental subsidy from a non-government organization. (See attached addendum from Texas House Bill laws May 29, 2023)

**Section 4.** There shall be no initiation fee in the Association.

**ARTICLE THREE:  
OFFICERS**

**Section 1.** The officers of the Association shall be a President, a Vice-President, Secretary and Treasurer elected by a majority of the membership eligible to vote at the annual meeting of Thunderbird Shores Owners Association. The officers must be members of Thunderbird Shores Owners Association and are considered to be members of the Board of Directors.

**Section 2.** The President shall be the chief executive officer of Thunderbird Shores Owners Association and is under the direction of the collective Board of Directors. The duties of the President are: The President shall attend the meetings of the Board of Directors and preside over the meetings of the membership, and such other duties as are deemed necessary.



**Section 3.** The Vice-President shall exercise all of the duties of the President in the absence of such officer and shall perform such other duties as the Board of Directors shall prescribe.

**Section 4.** The Secretary shall keep, or cause to be kept, the minutes of all meetings and a complete list of all members and their addresses, shall give notices required therein, and shall perform all duties required of a Secretary with the assistance of the Board of Directors and Officers.

**Section 5.** The Treasurer shall work closely with the other Officers and Board of Directors of the Association in collection of all fees, dues, and charges, and the handling and disbursing of all money, and shall be responsible for the proper accounting of the Association's financial affairs and the preparing of proper reports as may be specified by the Board of Directors and Officers.

**Section 6.** The Officers shall be entitled to vote on any issue regarding the business of the Association.

#### **ARTICLE FOUR: BOARD OF DIRECTORS**

**Section 1.** The Board of Directors shall consist of five members of Thunderbird Shores Owners Association and the officers. The term of office shall be three (3) years, and shall be on a rotating basis. Any member of the Board of Directors may succeed himself in office. Members of the Board of Directors must be members of the Association.

**Section 2.** The Board of Directors shall carry out the affairs and management of the Association as provided by the By-Laws and Restrictions. The Board of Directors shall have full power to carry out the purposes of the Association and to do any and all lawful acts of the Association.

**Section 3.** The Members of the Board of Directors shall be elected at the annual meeting of the Association by a majority of the membership present who are entitled to vote.

**Section 4.** Meetings of the Board of Directors may be held at any time and any place they deem to meet.

**Section 5.** The Board of Directors shall not receive a salary for serving on the Board, but shall be reimbursed for expenses, with proper receipt for same, incurred in operating the Association.

#### **ARTICLE FIVE: COMMITTEES**

**Section 1.** The Board of Directors may appoint such committees from time to time, and delegate to such committees such duties as they may deem proper.

**Section 2.** A Nominating Committee shall be appointed by the Board of Directors as necessary to bring to the membership names of eligible members to serve on the Board of Directors to be elected to serve in the capacities which will be vacated.

**Section 3.** Architectural Control Committee are volunteers from the Community that reviews architecture plans and/or all changes to property and reports to the Board of Directors.



**ARTICLE SIX:  
MEETINGS**

**Section 1. Semi-annual meetings** shall be held the second Saturday, weather permitting, during the months of April and September each year of the membership of Thunderbird Shores Owners Association. The meeting shall be held at such a place determined by the Board of Directors of the Association.

**Section 2. Meetings of the membership** may be called by the majority of the Board of Directors at any time they may deem necessary.

**Section 3. Board meetings** shall be held the Second Saturday of each month beginning in January and ending in October. Special meeting may be called at any time deemed necessary. A quorum shall be established when there are a minimum of five (5) members present, these members shall be Board of Director members, or Officers of the Association.

**Section 4.** The vote of the majority of the membership eligible to vote who are present at a meeting shall decide any question brought before such meeting.

**Section 5.** Each member of the Association owning one or more lots shall be eligible to cast one vote if present at any meeting.

**Section 6.** A notice of at least 30 days shall be given to the membership prior to the semiannual meetings. A notice of at least 10 days shall be given to the membership prior to a called meeting.

**Section 7. ROBERT'S RULES OF ORDER** shall be used in all matters for parliamentary procedure.

**ARTICLE SEVEN:  
MISCELLANEOUS**

**Section 1.** Each lot shall be mowed at least twice each year or when the height is no more than twelve inches (12"). The first mowing shall be made prior to the last day of May each year, and the second mowing shall be prior to the last day of October of each year, weather permitting. Any owner who mows their own lot or lots must have them mowed by the last day of May and October, or as necessary. If the owner does not mow or have mowed their own property, **Thunderbird Shores Owners Association shall have the right to have the lots mowed and the owners will be billed the amount as directed by the Board of Directors.** This amount will vary according to the current price being charged at the time. The Board of Directors shall obtain at least three bids for the mowing's and shall, at their discretion, choose the best bid for the Association.

**Section 2.** The Association shall have the right to file a lien on the property of any member in arrears more than three (3) years at a given time or any other account of the Association. The lien shall be in effect until all monies are paid to the Association, along with any legal fees and filing fees which may be incurred in the process.

**Per Texas HB 886 (Assessment Lien Filing)** The Thunderbird Shores POA will follow all current Texas guidelines which will be attached to the end of the By-laws. (See attached addendum from Texas House Bill laws May 29, 2023)

**Section 3.** These By-Laws or any part thereof may be amended, modified, or repealed only by the majority of the eligible voting members of the Board of Directors.

**Section 4.** Effective August 28, 2021, a Transfer Fee equal to **\$50** per lot shall be assessed at such time the property is sold to cover the cost of updating the Association's files. This Fee shall be collected and disbursed by the Title Company handling said sale.

**Section 5. Texas HB 614 (Fines and Enforcement Policy).** Thunderbird Shores POA acknowledges regarding association policy fines and will follow the Texas guidelines. (See attached addendum from Texas House Bill laws May 29, 2023)



## **TEXAS HOA LAW- 2023 LEGISLATIVE UPDATE**

On May 29, 2023, the Texas Legislature concluded the 2023 legislative session. The following bills were filed that affect the laws governing Texas Homeowners associations. The new and modified statutory laws are summarized as follows:

### **HOUSE BILL 614 – Required Enforcement Policy and Fine Schedule**

House Bill 614 adds Section 209.0060 to Chapter 209 of the Texas Property, which requires all homeowners associations that administer a subdivision development and are authorized by its dedicatory instruments to levy fines to adopt an enforcement policy regarding the levying of fines. Such enforcement policy must include: (1) general categories of restrictive covenants for which the association may assess fines; (2) a schedule of fines for each category of violation; and (3) information regarding hearings described by Section 209.007 of the Texas Property Code, and it must be either posted on the homeowners association's website or sent to homeowners annually. This bill takes effect on January 1, 2024.

### **HOUSE BILL 886 – Required Notice of Delinquency Before Filing of Assessment Lien Notice**

House Bill 886 amends Section 209.0094 of the Texas Property Code, which now requires a homeowners association that administers a subdivision development to provide two statutory notices of delinquency to a homeowner before it can file a notice of assessment lien in the official public records of the county in which the subdivision development is located. As amended, Section 209.0094 requires the homeowners association to provide a first notice of delinquency to the homeowner by first class mail or email and then a second notice of delinquency to the homeowner by certified mail, return receipt requested. Section 209.0094 provides further the second notice of delinquency cannot be sent until at least 30 days after the first notice of delinquency is sent to the homeowner and the notice of assessment lien cannot be recorded until 90 days after the second notice of assessment lien is sent to the homeowner. This Bill takes effect on September 1, 2023.

### **HOUSE BILL 1193 – Protection of Tenants Based on Method of Payment**

House Bill 1193 adds Section 202.024 to the Texas Property Code, which prohibits all homeowners associations from including or enforcing a provision in a dedicatory instrument that restricts a property owner from renting a dwelling to a person based on the person's method of payment, including payments made in whole or in part by "Section 8" housing vouchers or any other federal or state or local housing assistance provided to a person or to a property owner on behalf of a person, including rental vouchers, rental assistance, or rental subsidies from a nongovernmental organization. This bill takes effect on September 1, 2023.

To read the bills in their entirety please go to:

Link to HB 614

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB00614F.htm>

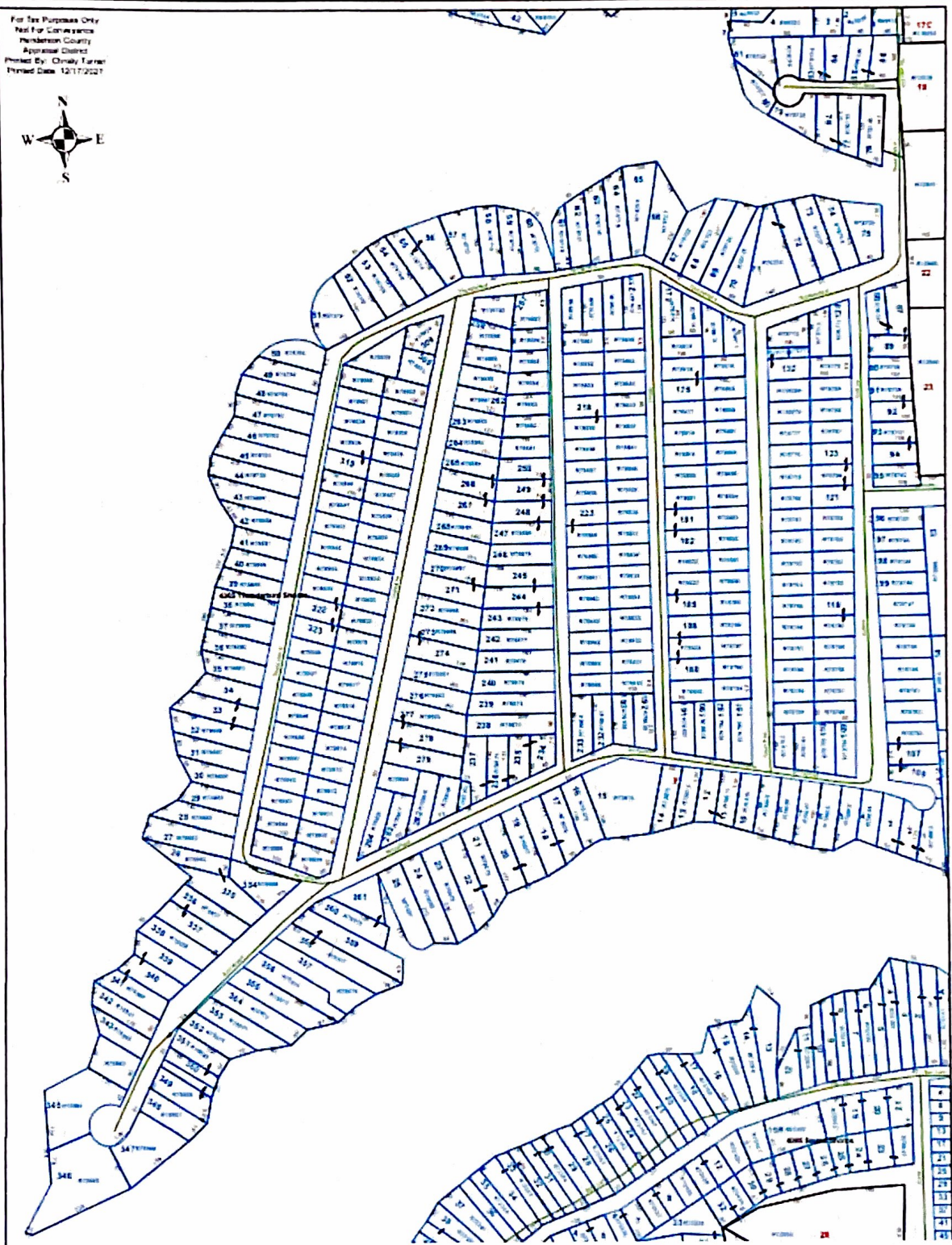
Link to HB 886

<https://capitol.texas.gov/tlodocs/88R/billtext/html/HB00886F.htm>



# Thunderbird Shores Plat - 12/17/2021

For Tax Purposes Only  
Not For Conveyance  
Henderson County  
Appraisal District  
Prepared By: Orsaly Turner  
Printed Date: 12/17/2021



IN WITNESS WHEREOF, we, being the Directors of the Thunderbird Shores Association have hereunto set our hands this 02 day of ~~EAR~~ DEC 2023

I the undersigned, to hereby certify:

By: N Bentley Name: Natalie Bentley Title: Secretary

By: L Waite Name: Lisa Waite Title: President

By: \_\_\_\_\_ Name: \_\_\_\_\_ Title: \_\_\_\_\_

By: \_\_\_\_\_ Name: \_\_\_\_\_ Title: \_\_\_\_\_

**CERTIFICATION**

THAT I am the duly elected and acting Board Member of the Thunderbird Shores POA, County of Henderson, Sate of Texas and,

THAT the foregoing Bylaws constitute the original Bylaws of the Association, as duly adopted at a meeting of the Board of Directors thereof, held on the 11th day of November 2023.

IN WITNESS WHEREOF, we have hereunto subscribed our names and signature above name this 02 day of December 2023

State of Texas

County of: Henderson

This instrument was acknowledged before me on the following date: 12/02/23 by the following member of Thunderbird Shores POA:

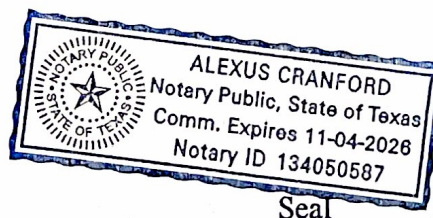
Name: Natalie Bentley Title: Secretary

Name: Lisa Waite Title: President

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Alexus Cranford  
Notary Public's Signature



Seal