

# **Village of Westlakes Homeowners' Association Bylaws**

## **FORWARD**

The Bylaws of the Village of Westlakes subdivision were fashioned from the Covenants amended December 16, 1997. The Bylaws imported the expandable and changeable provisions of the Covenants, such as the power and duties to determine assessments and collection of assessments.

They have been amended on occasions since that time, with the latest being December 11, 2011. Many residents have copies of the original Bylaws, and all should have received a copy when they purchased their residence. Because of re-sales and simply losing the document, many residents no longer have their copy of the Bylaws. This merger is presented for your convenience.

This Document consolidates the original Bylaws and the amendments and can be found on The Village of Westlakes's website at [www.villageofwestlakes.com](http://www.villageofwestlakes.com). Any further revisions will be found at this web address, also. The original Bylaws and amendments prior to 2011 are recorded with the Hidalgo County Clerk's Office.

Board of Directors  
December 2011

Amended: December 14, 2014

**BYLAWS  
OF  
THE VILLAGE OF WESTLAKES HOMEOWNERS ASSOCIATION  
MCALLEN, HIDALGO COUNTY, TEXAS**

**STATED PURPOSE OF BYLAWS**

THE VILLAGE OF WESTLAKES HOMEOWNERS ASSOCIATION, which is the subdivision lot owners association of Village of Westlakes Subdivision; a subdivision in McAllen, Texas, created pursuant to the Declaration of Covenants, Conditions and Restrictions for Village of Westlakes Subdivision, McAllen, Hidalgo County, Texas recorded among the Official Records of Hidalgo County, Texas at Volume 2109, Page 421 et seq. (hereafter "Declaration") and the said Association having been incorporated as a Texas non-profit Corporation named THE VILLAGE OF WESTLAKES HOMEOWNERS ASSOCIATION (hereinafter sometimes called "Corporation"), the following Bylaws are promulgated to implement the stated purposes of the Association (as incorporated) which Association is to represent and act on behalf of all of the owners of lots in Village of Westlakes Subdivision, McAllen, Hidalgo County, Texas, as the same are dedicated pursuant to the said Declaration and the duly filed map or plat of said subdivision, to provide administration and management services for the said subdivision,

To provide maintenance of the Common Area thereof as the same are described in the said Declaration, and to establish rules and regulations for the use of the said Common Area. These Bylaws are adopted pursuant to the said Declaration and are supplemental thereto. In the event of any conflict between these Bylaws and the Declaration, the Declaration shall control. The terms "Association" and "Corporation" are hereafter will be used interchangeably.

**ARTICLE I.  
GENERAL PROVISIONS**

1.01 All present and future owners, mortgagees and lessees of any lot in the project and their employees, agents, and assigns, and any other person who may use the facilities described in the said Declaration in any manner are subject to the Declaration, to these Bylaws, and to all rules and regulations promulgated by the Association and the Board of Directors of the Corporation. The acceptance of a Deed or conveyance or the entering into of a lease or the act of use of a lot, its appurtenant property or any of the Common Area of the subdivision shall constitute an agreement that these Bylaws, the Declaration and the rules and regulations of the Board of Directors presently, or as they are from time to time amended, are accepted and ratified, and will be complied with.

**Principal Office**

1.02 The principal office of the Corporation in the State of Texas shall be located in the Hidalgo County, Texas.

**Registered Office and Registered Agent**

1.03 The Corporation shall have and continuously maintain in the State of Texas a registered office and a registered agent whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act. The registered office may be, but need not be; identical with the principal office of the Corporation in the State of Texas, and the address of the registered office may be changed from time to time by the Board of Directors.

## ARTICLE II MEMBERS

### Members of Corporation

2.01 Each person who shall be the owner and holder of record of the legal title to a lot located in Village of Westlakes Subdivision, situated in McAllen, Hidalgo County, Texas, shall for the duration of such ownership be a member of the Corporation, save and except that any lien holder or mortgagee, Trustee under a Deed of Trust, and any holder or owner of any right-of-way easement or similar interest, shall not, as such, be deemed to be the owner of record of the legal title of a portion of the subject property and shall not by reason of any such interest owned or held or acquired by them be or become a member of the Corporation.

### Annual Meeting

2.02 Upon the relinquishment of developer rights by the Developer or the sale of all lots in the subdivision by Developer to owners, whichever is first, the first annual meeting of the Members shall be held. The first annual meeting shall be held at a time and place to be determined by the Advisory Board, and written notice thereof shall be sent by the Advisory Board to all Members not less than ten (10) nor more than thirty (30) days prior to the meeting. Thereafter, there shall be a regular annual meeting of the Members of the Corporation, which annual meeting shall be known as the annual meeting of the Members. The annual meeting of the Members shall be held at a time and place to be determined by the Board of Directors, and written notice thereof shall be sent by the Advisory Board to all Members not less than ten (10) nor more than thirty (30) days prior to the meeting

### Special Meetings

2.03 Special meetings of the Members may be called by the President, a majority of the Board of Directors, or by Members representing at least twenty per cent (20%) of the total voting capacity of the Members as set forth in subsection 2.07 hereof.

### Notice of Meetings

2.04 Written notice of all Members' meetings, including the annual meeting, shall be given by or at the direction of the Secretary of the Board (or other persons authorized to-call the meeting) by mailing or by personally delivering a copy of such notice at least ten (10) but not more than thirty (30) days before such meeting to each Member entitled to vote at such meeting, addressed to the Members' addresses last appearing in the records of the Corporation, or supplied by such Member to the Corporation for the purpose of notice. Such notice shall specify the place, day, and hour of the meeting, and, in the case of a special meeting, the nature of the business to be undertaken.

### Action Without Meeting

2.05 Any action required by law to be taken at a meeting of the Members, or any action which may be taken at a meeting of the Members, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by two-thirds (2/3) of the Members and filed with the Secretary of the Board. Any action so taken will be reported at the next Board meeting.

## Proxies

2.06 Votes allocated to a lot may be cast at all meetings under a written proxy duly executed by a lot owner. If a lot is owned by more than one person, each owner of the lot may vote or register protest to the casting of votes by the other owners of the lot through a proxy duly executed by the lot owners. A lot owner may not revoke a proxy given under this section except by giving actual notice of revocation to the person presiding over a meeting of the Association. A proxy is void if it is not dated or if it purports to be revocable without notice. A proxy terminates one year after its date unless it specifies a shorter or longer time. All proxies shall be filed with the Secretary of the Board. Every proxy shall automatically be invalid upon conveyance by the Member of his interest in his lot, or upon receipt of notice by the Secretary of the death or judicially declared incompetence of such Member.

## Vote

### 2.07

(a) Each member of the Association shall have such voting rights as are set forth in the Declaration.

(b) In the event of a tie vote of the members present at a meeting in person or by proxy, the tie shall be broken by vote of the President of the Board of Directors, or in the absence of the President, by the Vice President, or in the absence of the Vice President, by the Secretary of the Board.

(c) In the event a lot is owned by more than one person the voting procedure for such lot is controlled by Article II, Section 3 of the Declaration.

(d) Except as otherwise provided by statute, the Declaration or these Bylaws, the vote of fifty-one percent (51%) of the owners of lots represented at an annual or special meeting of the Members at which there is a quorum shall decide any question brought before such meeting.

## Quorum

2.08 A quorum for any regular or special meeting of the Members shall be twenty-five per cent (25%) of the owners of lots entitled to vote personally present or represented by proxy. In the absence of a quorum at a meeting of Members, a majority of those Members present in person or by proxy may adjourn the meeting to a time not less than five (5) days nor more than thirty (30) days from the meeting date.

## Required vote

2.09 The vote of the majority of the votes entitled to be cast by the owners of lots present or represented by proxy, at a meeting at which a quorum is present, shall be the act of any meeting of the Members, unless the vote of a greater number is required by statute, by the Declaration or by these Bylaws.

ARTICLE III  
BOARD OF DIRECTORS

Effective date of Article III

3.01 Articles III and IV of these Bylaws shall take effect upon the sale of all of the lots in the subdivision or relinquishment of developer rights by the Developer, as provided for in the last paragraph of Article II of the Declaration.

Number, Tenure, Qualifications and Removal

3.02 The number of Directors of the Corporation shall be five (5). The Directors shall be elected at the annual meeting. A person must be a Member of the Corporation in order to be a member of the Board of Directors. Any Director may be removed from the Board of Directors at any time by the vote of a majority of the Members represented in person or by proxy at an annual or special meeting at which a quorum is present as hereinafter provided. Such removal may only be made at the annual meeting of the Members or at a special meeting of Members called for that purpose. Nominations from the floor shall be allowed if the Members have removed a Director from office.

Classification of Board of Directors; Terms of Office

3.03

(a) Each Director of the Board of Directors shall have a term of office of three (3) years, commencing on the date of the annual meeting at which they are elected by the Members, and terminating on the date of the annual meeting three years from such date and when their successor has been elected. Election of the Directors shall take place every year at the annual meeting of the members for those Directors whose terms expire or whose offices are vacant as of such meeting. In the event a Director resigns or is removed from office, a replacement Director may be elected by the Board of Directors to serve until the next annual meeting of the Members at which time an election will be held for such office. Directors of the Corporation incumbent prior to the adoption of these bylaws shall serve as Directors of the Corporation until elections are held for Directors at the first annual meeting. If no quorum is present at any annual meeting and no directors are elected, the incumbent directors shall continue in office until an election is held.

(b) At the first annual meeting, the Board of Directors shall be initially divided into three classes by the drawing of straws, or such other means as the members may deem advisable, with one class consisting of two (2) directors to be designated to serve for a term of three (3) years and one class consisting of two (2) directors to be designated to serve for a term of two (2) years, and the remaining class consisting of one (1) director to serve for a term of one (1) year. Thereafter, a member of each respective class shall be elected for three-year terms upon the expiration of the respective initial term of office.

Power And Duties.

3.04 The Board of Directors shall have the powers and duties necessary for the administration of the affairs of the Corporation and may do all such acts and things as allowed by law, by the Declaration or by these Bylaws. The powers and duties to be exercised by the Board shall include, but shall not be limited to, the following:

(a) Care, upkeep, maintenance, and operation of the Common Area.

(b) Determination of assessments and collection of assessments from lot owners as authorized by the Declaration.

- (c) To enter into contractual arrangements with third parties to carry out the management, maintenance, security and operation of the Common Area. The Board may delegate managerial powers and duties to such third parties which may include the collection of assessments, the enforcement of the Declaration, Bylaws, and Rules of the Association, the maintenance, care, upkeep, and repair of the streets, sea walls, bulkheads, landscaping, and other common area, the formulation of a budget for the Association, and any other powers and duties which the Board deems in the best interest of the Association.
- (d) Adoption and amendment of rules not inconsistent with these Bylaws, covering the details of operation and use of the property.
- (e) Establishment of bank accounts in the name of the Corporation and authorization of signatories therefore.
- (f) Procuring of all types of insurance for the Common Area and as authorized in the Declaration, including but not limited to Directors' and Officers\* liability insurance.
- (g) Contracting for repairs of and additions and improvements to the Common Area and as otherwise authorized by the Declaration, and for repairs to and restoration of the property in accordance with the provisions of the Declaration and these Bylaws, after damage or destruction by fire or other casualty, or as a result of condemnation or eminent domain proceedings.
- (h) To employ a certified public accountant to review books of account and financial records for the Corporation.
- (i) To make rules for its own administration and for the administration of the Corporation; to prescribe and enforce penalties for violations of the rules and Bylaws of the Association; to assess and fix regular and special assessments (pursuant to the provisions of the Declaration) to be levied against the members of the Corporation; and to exercise such other powers as may be necessary or proper to attain the objectives of the Corporation.
- (j) The Board of Directors shall have the responsibility and authority to employ such employees as the affairs of the Association shall require, and may delegate to any such employee so much of its authority as it shall deem advisable. The Board of Directors may engage the services of a Managing Agent who shall manage and operate the common area for the members, upon such terms and for such compensation and with such specific duties and authority as the Board of Directors may approve and delegate to such Managing Agent. The compensation paid to such Managing Agent shall be deemed to be a part of the common expenses for which the members shall be assessed. The Board shall not incur debt greater than their ability to pay for that debt in the annual budget.
- (k) Prepare an annual budget that includes an annual contribution to reserves, the use of which is limited to major repair and/or replacement of common property elements not normally budgeted on an annual basis. Reserves shall not be expended on new additions to the common property or items of routine maintenance or items normally budgeted for on an annual basis. Expenditure of reserves shall require a minimum of 10-day notice to all members of intent to spend reserves, the nature and cost of the expenditure, and shall be approved by no less than four out of five Board members at a public noticed meeting.

### Annual Meeting

3.05 An annual meeting of the Board of Directors shall be held each year immediately following the adjournment of the annual meeting of the members, and at the same place as the annual meeting of the Members, and no notice of such annual meeting of the Board of Directors shall be required.

### Regular Meetings

3.06

(a) A monthly meeting of the Board of Directors shall be held with dates scheduled and published no later than the end of the previous month. The meeting shall be opened to all members. In the event there is no business to be conducted, the monthly meeting may be cancelled with appropriate notice provided by e-mail and posting on the door of the clubhouse.

(b) An executive session, closed to the general membership, for confidential business matters shall be held as needed. Notice of the executive session will be posted at least 48 hours prior to the meeting.

### Special Meetings

3.07 Special meetings of the Board of Directors may be called by or at the request of the President or any two Directors. The person or persons authorized to call special meetings of the Board may fix any place, either within or without the State of Texas, as the place for holding any special meetings of the Board called by them. Any business conducted will be reported at the next regularly held Board of Directors meeting.

### Quorum

3.08 A quorum for any regular or special meeting of the Directors shall be a majority of the Directors. The Directors may be present in person or connected electronically. In the absence of a quorum at a meeting of Directors, a majority of those Directors present may adjourn the meeting until such time as a quorum is established.

### Actions Without a Meeting

3.09 Any action required or permitted to be taken at a meeting of the Board of Directors may be taken without a meeting if consent in writing, setting forth the action so taken, shall be signed by all of the members of the Board of Directors. Such consent shall have the same force and effect as a unanimous vote at a meeting, and may be stated as such in any document or instrument filed with the Secretary of State. Meetings of the Board of Directors may be conducted by telephone conference pursuant to Article 1396- 9.11, Texas Non-Profit Corporation Act. Any action taken under the provision of this subsection paragraph 3.09 will be reported at the next regular Board of Directors Regular meeting.

### Compensation

3.10 Directors shall not receive any stated salaries for their services, but by resolution of the Board of Directors expenses of attendance, if any, may be allowed for attendance at each regular or special meeting of the Board; but nothing herein contained shall be construed to preclude any Director from serving the Corporation in any other capacity and receiving compensation therefore.

## Committees

3.11 The Board of Directors may designate and appoint one or more committees. The President of the Corporation shall appoint members of each committee. The President may remove any committee member whenever judged that such removal would be in the best interest of the Corporation. No such committee shall have the authority of the Board of Directors in reference to amending, altering, or repealing the By-Laws; electing, appointing, or removing any member of any such committee or any Director or officer of the Corporation; amending the articles of incorporation; adopting a plan or merger or adopting a plan of consolidation with another Corporation; authorizing the sale, lease, exchange, or mortgage of all or substantially all the property and assets of the Corporation; authorizing the voluntary dissolution of the Corporation or revocation proceedings therefore; adopting a plan for the distribution of the assets of the Corporation; or amending, altering, or repealing any resolution of the Board of Directors which by its terms provides that it shall not be amended, altered, or repealed by such committee. The designation and appointment of any such committee and delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed on it or such Director by law.

## Term of Office

3.12 Each member of a committee shall continue as such until the next annual meeting of the Board of Directors of the Corporation unless the committee shall be sooner terminated, or such member be removed from such committee, or unless such member shall cease to qualify as a member thereof.

## Chairman

3.13 One member of each committee shall be appointed chairman by the person or persons authorized to appoint the members thereof.

## Vacancies

3.14 Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

## Quorum

3.15 Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

## Rules

3.16 Each committee may adopt rules for its own government not inconsistent with these bylaws or with rules adopted by the Board of Directors.

## Actions Without a Meeting

3.17 Any action required or permitted to be taken at a meeting of the Committee may be taken without a meeting if consent in writing, setting forth the action so taken, shall be signed by all of the members of the Committee. Such consent shall have the same force and effect as a

unanimous vote at a meeting. Meetings of the Committee may be conducted by telephone conference.

## ARTICLE IV OFFICERS

### Officers

4.01 The officers of the Corporation shall be a President, a Vice President, a Secretary, a Treasurer, and such other officers as may be elected in accordance with the provisions of this Article. All officers must be members of the Association except the original officers elected by the original Board of Directors. The Board of Directors may elect or appoint such other officers, including one or more Assistant Secretaries and one or more Assistant Treasurers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the Board of Directors. Any two or more offices may be held by the same person, except the offices of President and Secretary.

### Election and Term of Office

4.02 The officers of the Corporation shall be elected annually by the Board of Directors at the regular annual meeting of the Board of Directors. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter at any meeting of the Board of Directors. Each officer shall hold office until his successor shall have been duly elected.

### Removal

4.03 Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the Corporation would be served thereby.

### Vacancies

4.04 A vacancy in any office because of death, resignation, disqualification, or otherwise may be filled by the Board of Directors for the time until the next annual meeting. At this time, the Members of the Corporation shall elect a Director to serve the remainder of the term of office created by the vacancy.

### President

4.05 The President shall be the principal executive officer of the Corporation and shall in general supervise and control all of the business and affairs of the Corporation. The President shall appoint a board member as Parliamentarian. The President shall appoint a qualified owner as Parliamentarian in the event no board member will accept the position. The President shall preside at all meetings of the members and of the Board of Directors. The President may sign, with the Secretary or any other proper officer of the Corporation authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments which the Association or the Board of Directors have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these bylaws or by statute to some other officer or agent of the Corporation; and in general the President shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

#### Vice President

4.06 In the absence of the President or in the event of his death, illness, adjudicated incompetence or inability otherwise to act, the Vice President shall perform the duties of the President, and when so acting shall have all the powers of and be subject to all the restrictions upon the President. The Vice President shall perform such other duties as from time to time may be assigned to him by the President or Board of Directors.

#### Treasurer

4.07 If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine. The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Corporation; receive and give receipts for moneys due and payable to the Corporation from any source whatsoever, and deposit all such moneys in the name of the Corporation in such banks, trust companies, or other depositories as shall be selected in accordance with the provisions of Article V of these bylaws; and in general perform all the duties incident to the office of the Treasurer and such other duties as from time to time may be assigned to the Treasurer by the President or by the Board of Directors, with generally accepted accounting practices.

#### Secretary

4.08 The Secretary shall keep the minutes of the meetings of the Board of Directors in one or more books provided for that purpose; give all notices in accordance with the provisions of these bylaws or as required by law; be custodian of the corporate records and of the seal of the Corporation to all documents, the execution of which on behalf of the Corporation under its seal is duly authorized in accordance with the provisions of these bylaws; perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to the Secretary by the President or by the Board of Directors.

### ARTICLE V CONTRACTS AND BANKING

#### Contracts

5.01 The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation. Such authority may be general or confined to specific instances.

#### Checks and Drafts

5.02 All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer or an Assistant Treasurer and countersigned by the President or a Vice President of the Corporation.

## Deposits

5.03 All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

## ARTICLE VI ADMINISTRATION

### Fiscal year.

6.01 The fiscal year of the Corporation shall be a calendar year unless otherwise determined by the Board of Directors.

### Seal

6.02 The Seal of the Corporation shall be circular in form and shall contain the name of the Corporation, the year of its incorporation, and the words "Texas" and "corporate seal" or an image of the Lone Star. The seal may be used by causing it or a facsimile to be impressed or affixed or in any other manner reproduced. The corporate seal may be altered by order of the Board of Directors at any time.

### Notices

6.03 Whenever any notice is required to be given under the provisions of the Texas Non-Profit Corporation Act or under the provisions of the articles of incorporation or the bylaws of the Corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

### Dangerous Animals

6.04

(a) No owner or tenant who possesses an animal allowed under Article X, Section 7 of the Declaration (an "Allowed Animal"), shall permit, allow, or cause such Allowed Animal to run, stray, be uncontrolled or in any manner be in, upon, or at large upon any part of the Common Area unless it is continuously restrained by a substantial leash and under the control of a responsible adult.

(b) Notwithstanding the foregoing, no Allowed Animal that is determined by the Board to be a Vicious Animal or Potentially Dangerous Animal as defined herein shall be kept within the Subdivision. Upon Board determination that an animal is a Vicious Animal or Potentially Dangerous Animal, such animal shall be removed from Subdivision on or before ten (10) days after written notice of the determination has been delivered to the owner of the Vicious Animal or Potentially Dangerous Animal or to the premises where the Vicious Animal or Potentially Dangerous Animal is kept.

(c) An animal shall be deemed a "Vicious Animal" for purposes of this Section if, when unprovoked: 1) it has bitten a person causing severe injury (however, a Vicious Animal may be vicious even though it is not proven to have caused severe injury); 2) in an aggressive manner, it

inflicts severe injury on or kills a human being or other domestic animal; or 3) it is previously determined to be a Potentially Dangerous Animal (as determined by the Board of Directors or local governmental authority) and, after its owner or keeper has been notified of this determination, it continues to engage in behavior deemed potentially dangerous as outlined in subsection (d)(3) below. For purposes of determining if an animal is a "Vicious Animal," "severe injury" means any physical injury to a human being or domestic animal that results in muscle tears or lacerations, or requires sutures, stitches, or corrective or cosmetic surgery.

(d) An animal shall be deemed "Potentially Dangerous Animal" for purposes of this Section if, when unprovoked: 1) on two separate occasions within the prior 36 month period, it engages in any behavior that requires a defensive action by any person to prevent bodily injury when the person and such animal is off the property of the owner, tenant or keeper of such animal; 2) it bites or inflicts injury to a person or domestic animal causing a less "severe injury" than as defined above; 3) on two separate occasions within the prior 36 month period, it has killed, seriously bitten, inflicted injury, or otherwise caused injury to a domestic animal off the property of the owner, tenant or keeper of such animal; or 4) such animal has run loose or, if leashed, was not under the control of a responsible adult on one occasion after the occurrence of subsection (d)(3) above.

(e) The fine for non-compliance shall be \$25 per day per Vicious or Potentially Dangerous Animal and shall have the same standing as assessments and other penalties as outlined in Article X, Section 14 of the Declaration.

The Association shall have the right to cause a dog found to be in violation of any provision of this Section to be removed from the Project and to enforce this Section pursuant to the terms of Article XI, Section 3, of the original Declaration or any other provision or amendment thereto.

## ARTICLE VII DISSOLUTION

7.01 In the event of the dissolution of the Corporation, the assets and funds of the Corporation shall be distributed equally to the lot owners of The Village of Westlakes Subdivision as the same is defined in the Declaration.

## ARTICLE VIII AMENDMENT

8.01 These Bylaws may be amended at any annual or special meeting of the Members at which a quorum is present by majority vote of the said Members present at the meeting in person or by proxy.

## ARTICLE IX ENFORCEMENT OF DECLARATION, BYLAWS AND RULES

9.01 Failure to comply with the Declaration and these Bylaws or any duly adopted rules and regulations of the Association (Corporation) shall be grounds for legal relief, which may include, without limitation, an action for damages and injunctive relief or any combination thereof. Any attorney fees, expenses and court costs expended by the Corporation to enforce the provisions of

the Declaration and/or Bylaws or any of the rules and regulations of the Corporation shall be recoverable by the Corporation from any Member or other persons in violation of the same.

ARTICLE X  
DECLARATION TO PREVAIL

These Bylaws are promulgated pursuant to the Declaration of Covenants, Conditions and Restrictions for The Links Subdivision (now The Village of Westlakes Subdivision) as such Declaration is recorded at Volume 2109, Page 421 et seq., Official Records of Hidalgo County, Texas, and as amended. In the event of any conflict between the provisions and requirements of the Declaration and these Bylaws, the Declaration shall prevail.