

Kaufman County
Honorable Laura Hughes
County Clerk
Kaufman, Texas 75142



70 2008 00019070

Instrument Number: 2008-00019070

As

Recorded On: October 01, 2008

Recordings

Parties: WINDMILL FARMS ASSOCIATION PHASE 1 INC

Billable Pages: 7

To PUBLIC

Number of Pages: 8

Comment: FIRST CERTIFICATE AND MEM

(Parties listed above are for Clerks reference only)

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

Recordings	40.00
Total Recording:	40.00

***** DO NOT REMOVE. THIS PAGE IT 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.

File Information:

Record and Return To:

Document Number: 2008-00019070
Receipt Number: 103904
Recorded Date/Time: October 01, 2008 02:45:02P
Book-Vol/Pg: BK-OR VL-3474 PG-321
User / Station: A Guerrero - Search1

HENRY ODDO AUSTIN AND FLETCHER
1700 PACIFIC AVENUE
SUITE 2700
DALLAS TX 75201



THE STATE OF TEXAS
COUNTY OF KAUFMAN
I hereby certify that this instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Kaufman County, Texas.

Laura A. Hughes

Laura Hughes, Kaufman County Clerk

AFTER RECORDING, PLEASE RETURN TO:

**Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201**

**FIRST CERTIFICATE AND MEMORANDUM
OF RECORDING OF ASSOCIATION DOCUMENTS FOR
WINDMILL FARMS ASSOCIATION PHASE 1, INC.**

STATE OF TEXAS §
 §
COUNTY OF KAUFMAN §

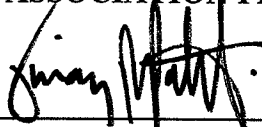
The undersigned, as attorney for Windmill Farms Association Phase 1, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instrument affecting the owners of property described on Exhibit B attached hereto (collectively, the “*Property*”), hereby states that the dedicatory instrument attached hereto is a true and correct copy of the following:

- ***First Amendment to the Bylaws of Windmill Farms Association
Phase 1, Inc.*** (Exhibit A).

All persons or entities holding an interest in and to any portion of Property are subject to the foregoing dedicatory instrument.

IN WITNESS WHEREOF, the Windmill Farms Association Phase 1, Inc. has caused this First Certificate and Memorandum of Recording of Association Documents to be recorded in the Official Public Records of Kaufman County, Texas.

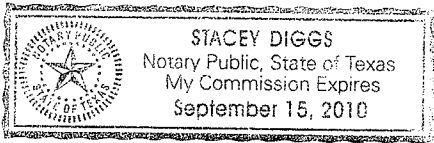
**WINDMILL FARMS
ASSOCIATION PHASE 1, INC.**

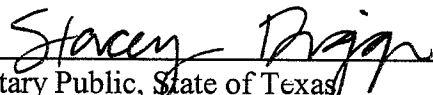
By: 
Its: Attorney

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Vinay B. Patel, attorney for Windmill Farms Association Phase 1, Inc., known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this the 30th day of September, 2008.




Notary Public, State of Texas

**FIRST AMENDMENT TO THE BYLAWS
OF
WINDMILL FARMS ASSOCIATION PHASE 1, INC.**

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF KAUFMAN §

This First Amendment to the Bylaws of the Windmill Farms Association Phase 1, Inc. is effective as of the 14th day of August, 2008, by the Members of the Windmill Farms Association Phase 1, Inc. (the "*Association*"):

W I T N E S S E T H :

WHEREAS, Article Thirteen, Section 13.1 of the Bylaws of Windmill Farms Association Phase 1, Inc. (the "*Bylaws*") provides that the Bylaws may be amended at any annual or special meeting of the Members called for that purpose, at which a quorum is present or represented, upon the approval of a majority of the votes present or represented at the meeting; and

WHEREAS, the amendment to the Bylaws, as set forth hereinafter with specificity, was approved at an annual/special meeting of the Members held on August 14, 2008, at which a quorum was present, by a majority of votes present or represented at such meeting.

NOW, THEREFORE, the Bylaws of the Association are hereby amended as follows:



Section 5.2 of Article Five of the Bylaws is hereby amended to read, in its entirety,

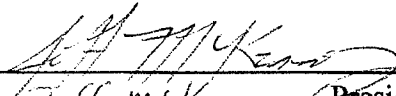
as follows:

5.2. Number and Tenure.

The Board shall consist of five (5) individuals, who will be selected by the Declarant until December 31, 2021, subject to the provisions of this Section which allow selection of Board members by Lemman Development, Ltd. ("*Lemman*") and 130 Windmill Farms, L.P. ("*130 Windmill*"). The Declarant shall select three (3) of the Board members, Lemman shall select one (1) Board member and 130 Windmill shall select one (1) Board member. The Board may not consist of more than five (5) members until Lemman no longer owns any Lots in the Property. Lemman will have the right to designate more than one representative who may from time to time occupy Lemman's place on the Board, but Lemman shall be entitled to only one vote and one representative at a time. Lemman shall have the right to assign its representation on the Board in any bulk sale of all or most of the Lots owned by Lemman. At the time Lemman (or any assignee of Lemman in a bulk sale of Lots as described above) no longer owns any lots in the Property, it shall cease to select one (1) Board member, and thereafter the Declarant shall select the Board member position previously selected by Lemman. At the time 130 Windmill no longer owns any lots in the Property, it shall cease to select one (1) Board member and thereafter the Declarant shall select the Board member position previously selected by 130 Windmill. After December 31, 2021, the Board shall be elected by the plurality vote of Members voting in person or by proxy at a meeting duly called for the purpose of electing Board members. After December 31, 2021, members shall be elected to serve as Board members for one (1) year terms.

SIGNED to be effective as of the 14th day of August, 2008.

**WINDMILL FARMS ASSOCIATION
PHASE 1, INC.**

By 
Jeff McKenney, President

CERTIFICATION OF AMENDMENT TO BYLAWS

I, Ray Hackman, the duly-elected Secretary of the Windmill Farms Association Phase 1, Inc., hereby certify:

That this First Amendment to the Bylaws of the Windmill Farms Association Phase 1, Inc. was approved by the Members holding a majority of the votes present, in person or by proxy, at a duly convened annual/special meeting of the Members of the Association held on August 14, 2008, after notice of such meeting was sent to all Members, and that the same does now constitute a portion of the Bylaws of the Windmill Farms Association Phase 1, Inc.

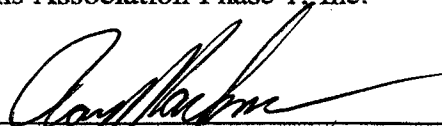

RAY HACKMAN, Secretary

Exhibit B

[Recording Data for Windmill Farms Association Phase I, Inc.]

Plats of Windmill Farms recorded in the Map or Plat Records of Kaufman County

Phase 1A, 1B & 1C = Doc. 00004222 Vol. 1682, Page 4
220.712 Acres;
S. Smith Survey, Abstract #450 &
J. Heath Survey, Abstract #227

Honeysuckle Meadows, Phase 2A – Section 1 =Doc. 00016233 Vol. 2244, Page 29
21.460 Acres; 108 Residential Lots
S. Smith Survey, Abstract #450

Honeysuckle Meadows, Phase 2A – Section 2 =Doc. 00021488 Vol. 2284, Page 61
19.588 Acres; 99 Residential Lots and 1 HOA Lot
S. Smith Survey, Abstract #450

Honeysuckle Meadows, Phase 3A - Section 1 = Doc. 00029644 Vol. 2791, Page 125
24.64 acres; 109 Residential Lots and 5 HOA Lots
S. Smith Survey, Abstract #450

Honeysuckle Meadows, Phase 3A - Section 2 = Doc. 00029646 Vol. 2791, Page 127
27.08 acres; 100 Residential Lots and 3 HOA Lots
S. Smith Survey, Abstract #450

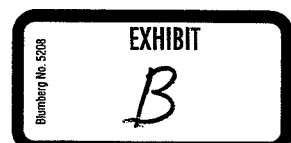
Honeysuckle Meadows, Phase 3A - Section 3 = Doc. 00029645 Vol. 2791, Page 126
24.92 acres; 102 Residential Lots and 4 HOA Lots
S. Smith Survey, Abstract #450

Amber Fields, Phase 2B – Section 1 =Doc. 00021487 Vol.2284, Page 60
22.609 Acres; 99 Residential Lots and 2 HOA Lots
S. Smith Survey, Abstract #450

Amber Fields, Phase 2B – Section 2 =Doc.00026942 Vol. 2324, Page 306
22.496 Acres; 100 Residential Lots
S. Smith Survey, Abstract #450

Amber Fields, Phase 2B – Section 3 =Doc. 00026703 Vol. 2321, Page 506
26.523 Acres; 93 Residential Lots and 4 HOA Lots
S. Smith Survey, Abstract #450

Amber Fields, Phase 2B – Section 4 =Doc. 00026704 Vol. 2321, Page 508
18.087 Acres; 61 Residential Lots
S. Smith Survey, Abstract #450



Phase 3 – Model Park = Doc. 00003148 Vol. 2821, Page 121
7.94 Acres; 27 Residential Lots and 2 HOA Lots
S. Smith Survey, Abstract #450

Heather Hollow, Phase 3C – Section 1 =Doc. 00003149 Vol. 2821, Page 122
25.75 Acres; 105 Residential Lots & 7 HOA lots
S. Smith Survey, Abstract #450

Heather Hollow, Phase 3C – Section 2 = Doc. 00003150 Vol. 2821, Page 123
51.35 Acres; 109 Residential Lots and 4 HOA Lots
S. Smith Survey, Abstract #450

Heather Hollow, Phase 3C – Section 3 = Doc. 00003147 Vol. 2821, Page 120
43.71 Acres; 84 Residential Lots and 4 HOA Lots
S. Smith Survey, Abstract #450

Inst # 2008- 00019070

Filed for Record in: Kaufman County
On: Oct 01, 2008 at 02:45P