

B/BC



Canyon Springs Resort Property Owners' Association

Resolution to withdraw document 202206020433 Filed May 22,2022 as By- Laws

**STATE OF TEXAS: §
 §
COUNTY OF COMAL: §**

KNOW ALL PERSONS BY THESE PRESENTS:

Whereas: The board in a meeting 12 April 2022 voted to adopt amended by laws for CSRPOA.

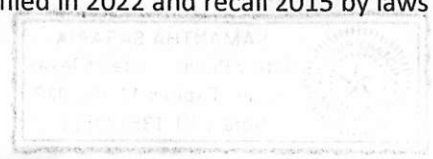
Whereas: The amended by laws were recorded in Comal County on May 2, 2022.

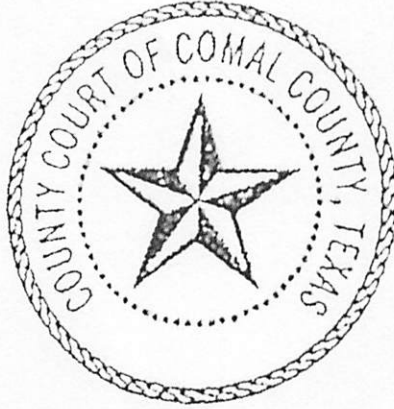
Whereas: There are multiple issues, some legal, that render the filing to be questionable and in some area, unenforceable.

1. Articles amended in conflict with 209.0041 (h) resulting from the 87th legislature in 2021 and article 13 of the bylaws itself, and
2. Filling conflicts with Articles (7 and 9) cite 209.0041 (i) , and
3. Bylaw filing incomplete filed only 17 pages and eliminated Article 23 and attachments including guidance on ARC filling, fee schedule, fence guidance, and
4. Removed citations from the prior by laws that authorized or authenticated a bylaw to be in compliance with Texas Code , and
5. The filing fail to update Article 23 with new requirements of ARC due to changes in Property code 209.00505, but then it was not included in the filing, and
6. Article 12 added option to become member to unrestricted lots without clearly requiring an amended deed with which accept deed restrict would apply. Assumption would be those of unit 5, and
7. Article 19 changed the fiscal year without approval or application of change with the IRS, and
8. Fail to include guidance on resale certificate as required by property code 206 as amended by the 87th legislature, and
9. A process for creating, filing and forwarding to TREC is not included as required by the 85th legislature, and
10. Annex "A" fine policy was not filed and required by property code 209.0061. However our dedicatory document do not authorize fines, and
11. Property code 207.003 resale certificate allowed the association to raise the fee to \$375 and the board did, and so in a closed meeting instead of an open meeting as required by code 209.0041

Whereas: Article 12 does include a requirement for a letter of notice of a hearing be sent. That requirement will be included in a guideline updating the entire hearing process due to changes in property code 209 from the 88th and 89th legislature, and

Whereas: The Comal County Clerk's office recommended drafting a proposal that would be filed, resending the bylaws filed in 2022 and recall 2015 by laws as the officially adopted by laws. Any





This page has been added to comply with the statutory requirement that the clerk shall stamp the recording information at the bottom of the last page.

This page becomes part of the document identified by the file clerk number affixed on preceding pages.

Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
02/11/2026 03:31:03 PM
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Bobbie Koepf