

# **Amended Articles of Incorporation**

## **Birch Creek Forest Properties, Inc.**

### **Article I: Name**

The name of the corporation is **Birch Creek Forest Properties, Inc.** (hereinafter referred to as the "Association").

### **Article II: Nonprofit Corporation**

The corporation is a nonprofit corporation organized under the laws of the State of Texas.

### **Article III: Duration**

The duration of the Association shall be perpetual.

### **Article IV: Registered Agent and Office**

The registered agent for the corporation is [Name of Agent] and the registered office is located at **202 Birch Forest Dr., Somerville, TX 77879**, within the State of Texas.

### **Article V: Purpose**

The Association is organized to:

1. Manage, maintain, and preserve common areas and amenities within the subdivision known as Birch Creek Forest located in Burleson County, Texas.
2. Enforce Covenants, Conditions, and Restrictions (CC&Rs), Bylaws, Policies, and other governing documents to ensure compliance and harmony within the community.
3. Collect and disburse assessments, dues, and other funds to fulfill its obligations and maintain the community's facilities and properties.

### **Article VI: Powers**

The Association shall have all rights, powers, and privileges granted to nonprofit corporations under the Texas Business Organizations Code and Texas Property Code, including but not limited to:

1. Levying and collecting annual Maintenance Fees per lot from all Members as well as other fees deemed necessary in accordance with the Association's Bylaws and governing documents.
2. Entering into contracts to provide services, maintenance, and infrastructure improvements for the community.

3. Acquiring, leasing, or managing property for the benefit of the Association and its members.
4. Adopting, amending, and enforcing any policy, rules and regulations as needed, and imposing fines or fees necessary to ensure orderly administration of the Association, as permitted the Bylaws, governing documents and applicable Texas law.
5. Amending the Bylaws in accordance with the procedures outlined therein, ensuring proper notice, voting requirements, and compliance with Texas law.
6. Enforcing all governing documents and pursuing legal action when necessary to ensure compliance, protect community interests, and recover unpaid assessments. The Association shall have the authority to file suit for unpaid dues as a legally enforceable obligation of membership, as outlined in the governing documents and permitted under Texas law.

## **Article VII: Membership**

Membership in the Association shall consist of property owners within the recorded boundaries of Birch Creek Forest Properties, Inc., as established in official map records of Burleson County, Texas and as outlined in the Association's Bylaws. Membership in the Association constitutes a binding contractual obligation, requiring property owners to comply with the rights, responsibilities, and financial obligations established in the Bylaws and other governing documents, which may be amended from time to time by the Board of Directors in accordance with applicable laws and Bylaws procedures.

## **Article VIII: Board of Directors**

1. **Composition:** The Association shall be governed by a Board of Directors whose composition and terms shall be set forth in the Bylaws.
2. **Authority:** The Board shall have the authority to manage the affairs of the Association, including adopting rules and policies, enforcing governing documents, and overseeing the Association's financial and operational activities as set forth in the Bylaws.
3. **Eligibility:** The qualifications and requirements for Board membership shall be determined in accordance with the Bylaws.

## **Article IX: Amendments**

The Articles of Incorporation may be amended by:

1. A vote of a quorum (3) of the members of the Board of Directors AND;
2. A majority of the Members voting in person or by any other voting method authorized by law and specified by the Board in the meeting notice at any Regular, Special, or Annual meeting as outlined in the Bylaws.

## **Article X: Dissolution**

In the event of dissolution, the Association's assets shall be applied and distributed in accordance with **Section 22.304 of the Texas Business Organizations Code** and any applicable provisions of the Texas Property Code. All liabilities and obligations shall be settled prior to asset distribution.

any remaining property shall be conveyed as required by law and directed toward tax-exempt purposes, ensuring compliance with relevant state regulations.

### **Article XI: Liability and Indemnification**

The Association shall indemnify and hold harmless its directors, officers, and members to the fullest extent permitted by Texas law for actions taken in good faith on behalf of the Association. No individual shall be personally liable for the Association's debts, obligations, or liabilities, except in cases of willful misconduct or gross negligence.

### **BOARD CERTIFICATION**

We, the undersigned, being all of the duly elected and serving members of the Board of Directors of Birch Creek Forest Properties, Inc., hereby certify that the foregoing Amended Articles of Incorporation were duly adopted by the Board of Directors on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in accordance with the Association's Bylaws and applicable provisions of the Texas Business Organizations Code. In witness whereof, we have hereunto set our hands on the date written below.

**President:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Vice President:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Secretary:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Treasurer:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Asst. Sec/Treas:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

## President's Certification

I, Renita Odstrcil, as the duly elected President of Birch Creek Forest Properties, Inc., hereby certify that the foregoing Amendment to the Articles of Incorporation has been adopted in accordance with the governing documents of the Association and applicable state laws.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day, \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Renita Odstrcil, President  
Birch Creek Forest Properties, Inc.

STATE OF TEXAS

COUNTY OF BURLESON

Before me, the undersigned notary public, on this \_\_\_\_ day, \_\_\_\_\_, 2026 personally appeared Renita Odstrcil, President of Birch Creek Forest Properties, Inc. who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public in and for the State of Texas