



Office of the Secretary of State

CERTIFICATE OF FILING OF

Sierra Heights Homeowners Association
78637401

[formerly: SIERRA HEIGHTS HOMEOWNERS ASSOCIATION]

The undersigned, as Secretary of State of Texas, hereby certifies that a Restated Certificate of Formation for the above named domestic nonprofit corporation has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

Dated: 10/10/2011

Effective: 10/10/2011



A handwritten signature in cursive script, appearing to read "Hope Andrade".

Hope Andrade
Secretary of State

Form 414
(Revised 05/11)

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512/463-5709
Filing Fee: See instructions



**Restated Certificate of
Formation
With New Amendments**

This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas

OCT 10 2011

Corporations Section

Entity Information

The name of the filing entity is:

Sierra Heights Homeowners Association

State the name of the entity as currently shown in the records of the secretary of state. If the amendment changes the name of the entity, state the old name and not the new name.

The filing entity is a: (Select the appropriate entity type below.)

- | | |
|---|---|
| <input type="checkbox"/> For-profit Corporation | <input type="checkbox"/> Professional Corporation |
| <input checked="" type="checkbox"/> Nonprofit Corporation | <input type="checkbox"/> Professional Limited Liability Company |
| <input type="checkbox"/> Cooperative Association | <input type="checkbox"/> Professional Association |
| <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Limited Partnership |

The file number issued to the filing entity by the secretary of state is: 78637401

The date of formation of the filing entity is: February 19, 1986

Amendments to Certificate of Formation

This restated certificate of formation makes new amendments to the certificate of formation. Provided below is an identification by reference or description of each added, altered, or deleted provision.

Identification of New Amendments

(Indicate the changes that have been made by checking the appropriate box or boxes.)

- The entity name has been amended.
- The registered agent name or registered office address has changed.
- The purpose of the entity has been amended.
- The period of duration of the entity has been amended.
- A general partner has withdrawn or been admitted to the limited partnership.

Identification of New Amendments (continued)

(Indicate the changes that have been made by checking and completing the appropriate box or boxes.)

Other changes. The certificate of formation has been amended as follows:

Add Each of the following provisions is added to the certificate of formation. The identification or reference of each added provision is set forth below. The full text of each added provision is contained in the amended and restated certificate of formation attached hereto.

Alter The following identified provisions of the certificate of formation are amended. The full text of each amended provision is contained in the amended and restated certificate of formation attached hereto.

Article 4 is amended to reflect changes to the purpose of the Corporation. Article 5 is amended and replaced by new Article 9. Article 6 is amended and replaced by new Article 5 regarding the Board of Directors. Article 9 is amended and replaced by new Article 6 regarding membership. Article 10 is amended and incorporated into new Article 6 regarding membership. Article 11 is amended and replaced by new Article 7 pertaining to dissolution. Article 12 is amended and replaced by new Article 8 pertaining to amendments to the Amended and Restated Certificate of Formation.

Delete Each of the provisions identified below are deleted from the certificate of formation. Article 7, listing the organizers, is deleted. Article 8 is deleted.

Statement of Approval

Each new amendment has been made in accordance with the provisions of the Texas Business Organizations Code. The amendments to the certificate of formation and the restated certificate of formation have been approved in the manner required by the Code and by the governing documents of the entity.

Required Statements

The restated certificate of formation, which is attached to this form, accurately states the text of the certificate of formation being restated and each amendment to the certificate of formation being restated that is in effect, and as further amended by the restated certificate of formation. The attached restated certificate of formation does not contain any other change in the certificate of formation being restated except for the information permitted to be omitted by the provisions of the Texas Business Organizations Code applicable to the filing entity.

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent in the restated certificate of formation has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date: 10/2/2011

By: SHHOA Board President,
Heidi Kabarek
Signature of authorized person
Heidi Kabarek
Printed or typed name of authorized person (see instructions)

Attach the text of the amended and restated certificate of formation to the completed statement form. Identify the attachment as "Restated Certificate of Formation of [Name of Entity]."

**AMENDED AND RESTATED CERTIFICATE OF FORMATION
OF
SIERRA HEIGHTS HOMEOWNERS ASSOCIATION**

ARTICLE ONE

The name of the corporation is Sierra Heights Homeowners Association, hereinafter referred to as "Corporation" or "Association."

ARTICLE TWO

The Corporation is a nonprofit corporation.

ARTICLE THREE

The period of its duration is perpetual.

ARTICLE FOUR

The purpose of the Association is to operate a homeowners' association.

ARTICLE FIVE

The management of the affairs of the Association is vested in the Board of Directors. The names and addresses of the members of the Board of Directors of the Association in May 2011 were:

<u>Name</u>	<u>Address</u>
McKenzie Edgar	6523 Wagner Way San Antonio, TX 78256
Cynthia Sedillo	19816 Fiesta Grande San Antonio, TX 78256
Heidi Kabanek	19723 Wittenburg San Antonio, TX 78256
Nancy Green	6627 Wagner Way San Antonio, TX 78256

ARTICLE SIX

- A. The Association shall have Members.
- B. All record holders of fee simple title to detached single family platted Lots and townhomes located north of Camp Bullis Road in the Crownridge Development hereinbefore and

hereinafter platted shall be eligible to become Members of the Association, unless specifically provided otherwise in the Association's Bylaws. The Association may issue certificates to its Members to evidence their membership. Each Member shall own a non-exclusive easement and license, which is appurtenant to such Member's Lot, to use and enjoy all real property and improvements thereon owned or leased by the Association for the common use and enjoyment of the Members (including but not limited to the clubhouse, pool and court facilities), subject to the applicable provisions of these Articles, the Association's Bylaws, and any rules and regulations promulgated by the Association's Board of Directors from time to time.

C. The term "Lot" referred to in Article Six, Section B above means a detached single family platted lot and/or townhome located north of Camp Bullis Road in the Crownridge Development hereinbefore and hereinafter platted. The term "Lot" does not include any multi-family communities other than townhomes.

D. The term "Member" means and refers to all record holders of fee simple title to a Lot or Lots who have met the requirements for membership as stated in the Association's Bylaws. The term "record holders" shall include contract sellers, but exclude those leasing from record holders of fee simple title to a Lot or Lots or those having an interest merely as security for performance of an obligation.

E. Members shall be entitled to one (1) vote for each Lot owned. When a Lot is owned by more than one (1) person, all such persons shall be Members, and the vote of the Lot shall be exercised as such persons determine among themselves. In no event, shall more than one (1) vote be cast with respect to any Lot.

ARTICLE SEVEN

The Association may be dissolved with the assent given in writing and signed by the Board of Directors and not less than two-thirds (2/3) of the Members. Upon dissolution of the Association, other than incident to merger or consolidation, and after all liabilities and obligations of the Association are paid, satisfied and discharged, the assets of the Association shall be granted, conveyed and/or assigned to any non-profit corporation, association, trust, public agency or other organization to be devoted to such similar purposes for which the Association was created.

ARTICLE EIGHT

Amendment of this Amended and Restated Certificate of Formation shall require the assent of two-thirds (2/3) of the votes of the Members.

ARTICLE NINE¹

Nancy Green is the current registered agent of the Association. The business address of the current registered agent and the registered office address is 19435 Wittenburg, San Antonio, Texas 78256.

¹ Pursuant to TEX. BUS. ORGS. CODE § 22.107, the Board has voted to amend the Amended & Restated Certificate of Formation adopted by the Members, effective May 1, 2011, to include Article Nine.

By: **SIERRA HEIGHTS HOMEOWNERS
ASSOCIATION, a Texas Non-Profit
Corporation**

Date Signed: 10/2/2011

Heidi Kabanek
Heidi Kabanek, President



Office of the Secretary of State

October 11, 2011

Lawyer's Aid Service Inc
PO Box 848
Austin, TX 78767 USA

RE: Sierra Heights Homeowners Association
File Number: 78637401

It has been our pleasure to file the Restated Certificate of Formation for the referenced entity. Enclosed is the certificate evidencing filing. Payment of the filing fee is acknowledged by this letter.

If we may be of further service at any time, please let us know.

Sincerely,

Corporations Section
Business & Public Filings Division
(512) 463-5555

Enclosure