

AFTER RECORDING, PLEASE RETURN TO:

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

**FIFTH SUPPLEMENTAL CERTIFICATE AND MEMORANDUM
OF RECORDING OF DEDICATORY INSTRUMENTS FOR
TOWNHOMES OF
TUSCANY SQUARE OWNERS' ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

The undersigned, as attorney for Townhomes of Tuscany Square Owners' Association, 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, hereby states that the dedicatory instrument attached hereto is a true and correct copy of the following:

- ***Townhomes of Tuscany Square Owner's Association, Inc. -
Open Board of Directors Meetings Member Attendance
Procedure*** (Exhibit A).

All persons or entities holding an interest in and to any portion of property described on Exhibit B attached hereto are subject to the foregoing dedicatory instrument.

IN WITNESS WHEREOF, Townhomes of Tuscany Square Owners' Association, Inc. has caused this Fifth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments to be filed with the Office of the Collin County Clerk, and supplements that certain

Certificate and Memorandum of Recording of Association Documents filed on May 24, 2006, and recorded as Instrument No. 2006-0524-000707740; that certain First Supplemental Certificate and Memorandum of Recording of Association Documents filed on June 16, 2008, and recorded as Instrument No. 2008-0616-000721930; that certain Second Supplemental Certificate and Memorandum of Recording of Association Documents filed on October 19, 2009, and recorded as Instrument No. 2009-1019-001283190 in the Official Public Records of Collin County, Texas; that certain Third Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments filed on January 23, 2012, and recorded as Instrument No. 2012-0123-000077710 in the Official Public Records of Collin County, Texas, and that certain Fourth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments filed on January 23, 2013, and recorded as Instrument No. 2013-0124000107300 in the Official Public Records of Collin County, Texas.

**TOWNHOMES OF TUSCANY SQUARE
OWNERS' ASSOCIATION, 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 Townhomes of Tuscany Square Owners' Association, 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 1st day of April, 2013.

Notary Public, State of Texas

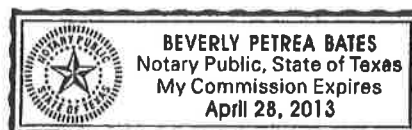


EXHIBIT A

TOWNHOMES OF TUSCANY SQUARE OWNER'S ASSOCIATION, INC. OPEN BOARD OF DIRECTORS MEETINGS MEMBER ATTENDANCE PROCEDURE

WHEREAS, The Board of Directors (the Board) of the Townhomes of Tuscany Square Owner's Association, Inc. (the Association) desires to establish a procedure that will be followed by the Members of the Association who desire to attend meetings of the Board of Directors of the Association; and

WHEREAS, effective January 1, 2012, meetings of the Board of Directors shall be open to Members of the Association as required by law; and;

WHEREAS, Members shall abide by the following procedures with regard to items which a Member would like to bring to the Board's attention for consideration or discussion during a meeting of the Board as well as participation of Members during meetings of the Board of Directors.

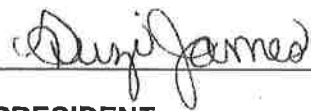
NOW, THEREFORE, BE IT RESOLVED that the following procedure has been established by the Board and which must be observed at all times by Members of the Association who desire to be present at a meeting of the Association's Board of Directors:

1. Meetings of the Board of Directors are open to Members of the Association subject to the right of the Board of Directors to adjourn into Executive Session as allowed by law. Members will be excused from the meeting during Executive Session.
2. Any Member of the Association who wishes to attend a Board of Directors meeting must notify the Association's Management Company at least 48 hours in advance to ensure there will be adequate seating available.
3. Upon completion of the Member presentations in accordance with Paragraph 4 below, if any, the Board may take up its regular agenda. During this time it is imperative that Members understand they are attending a meeting of the Board of Directors and not a meeting of Members. The Board is allowed to consider and discuss agenda items without interruption by Members in attendance. Accordingly, Members who wish to address the Board during consideration of agenda items may not participate in the discussion unless and until they are recognized by the Chairperson of the meeting, normally the President. The Chair is under no obligation to recognize a Member while the Board is in the process of considering

and discussing agenda items. Members are, therefore, encouraged to take advantage of the process established to address the Board with specific issues in accordance with the procedures set forth in Paragraphs 4 and 5 below.

4. If any Member wishes to address the Board of Directors the Member must provide the Management Company a written summary of the subject matter which the Member would like to bring before the Board for discussion at least three (3) business days prior to the scheduled meeting date in order to have it placed on the meeting agenda and to allow the Board adequate time to prepare for a constructive discussion of the matter during the meeting.
5. Members wishing to address the Board should also come to the meeting well prepared as their presentation and/or discussion will be limited to 5 minutes. The Member shall be responsible for supplying any Audio Visual equipment, personal computers, handouts or other presentation aides, if required, for his or her presentation. In order for the Board to conduct regular business of the Association and keep the meetings to a reasonable length, the number of Members speaking at any one Board meeting shall be limited to three (3).
6. Members who do not follow the procedures set forth herein, become unruly or otherwise disrupt the meeting thereby preventing the Board from conducting the regular business of the Association, may be asked to leave.
7. Audio or video recordings of the meetings of the Board of Directors are prohibited.

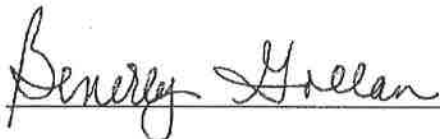
TOWNHOMES OF TUSCANY SQUARE OWNER'S ASSOCIATION, INC.



PRESIDENT

3/28/2013

DATE



SECRETARY

3/28/2013

DATE

EXHIBIT B

Those tracts and parcels of real property located in the City of Frisco, Collin County, Texas and more particularly described as follows:

- (a) All lots and tracts of land situated in **TUSCANY SQUARE, PHASE 1, an Addition to the City of Frisco, Collin County, Texas, according to the Plat recorded in Cabinet P, Page 636 of the Map Records of Collin County, Texas; and**
- (b) All lots and tracts of land situated in **TUSCANY SQUARE, PHASE 2, an Addition to the City of Frisco, Collin County, Texas, according to the Plat recorded in Cabinet Q, Page 302 of the Map Records of Collin County, Texas, Texas.**



Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
04/01/2013 03:14:13 PM
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