



Office of the Secretary of State

CERTIFICATE OF FILING OF

Townhomes at Plano Gateway Homeowners Association
File Number: 804352058

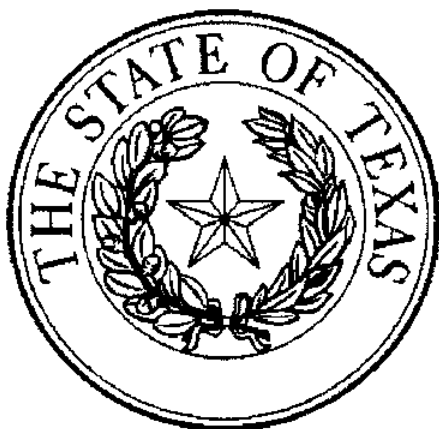
The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Nonprofit Corporation has been received in this office and has been found to conform to the applicable provisions of law.

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.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 12/10/2021

Effective: 12/10/2021



A handwritten signature in black ink, appearing to read "John B. Scott".

John B. Scott
Secretary of State

CERTIFICATE OF FORMATION
OF
TOWNHOMES AT PLANO GATEWAY HOMEOWNERS ASSOCIATION

I, the undersigned, being of the age of eighteen years or more, acting as incorporator of a non-profit corporation under the Texas Business Organizations Code, Section 3.001 et seq. as it may be amended, do hereby adopt the following Certificate of Formation for such non-profit corporation:

Article 1. Name. The name of the Corporation is Townhomes at Plano Gateway Homeowners Association ("Corporation" or "Association").

Article 2. Duration. The Association shall have perpetual duration.

Article 3. Applicable Statute. The Association is a non-profit corporation organized pursuant to the provisions of the Texas Business Organizations Code, Section 3.001 et seq.

Article 4. Purposes and Powers. The Association does not contemplate pecuniary gain or benefit, direct or indirect, to its members.

(a) In way of explanation and not of limitation, the purposes for which it is formed are:

(i) to be and constitute the Association to which reference is made in the Declaration of Covenants, Conditions and Restrictions for Townhomes at Plano Gateway, recorded or to be recorded in the Office of the County Clerk of Collin County, Texas, as it may be amended from time to time (the "Declaration"), to perform all obligations and duties of the Association, and to exercise all rights and powers of the Association, and to exercise all rights and powers of the Association, as specified therein, in the Bylaws of Townhomes at Plano Gateway Homeowners Association ("Bylaws"), and as provided by law, and

(ii) to provide an entity for the furtherance of the interests of the owners of property subject to the Declaration.

(b) In furtherance of its purposes, the Association shall have the following powers, which, unless indicated otherwise by the Declaration or Bylaws, may be exercised by the Board of Directors:

(i) all of the powers conferred upon non-profit corporations by common law and the statutes of the State of Texas in effect from time to time provided; however, that the Association shall not have the power to institute, defend, intervene in, settle or compromise litigation, arbitration or administrative proceedings: (i) in the name of or on behalf of any Owner (whether one or more); or (ii) pertaining to a Claim, as such term is defined in the Declaration, relating to the design or construction of improvements on a Lot and/or

Common Area (whether one or more), including, without limitation, any Residences and neither the Association nor any Owner may consolidate any Claims or bring a Claim on behalf of any class (provided, however, the foregoing shall not prohibit a Respondent from joining or adding additional parties to a Claim as may be allegedly responsible in whole or in part for matters which are the subject of such Claims);

(ii) all of the powers necessary or desirable to perform the obligations and duties and to exercise the rights and powers set out in this Certificate, the Bylaws, or the Declaration, including, without limitation, the following:

(1) to fix, levy, and collect assessments and other charges to be levied against the property subject to the Declaration and to enforce payment thereof by any lawful means;

(2) to manage, control, operate, maintain, preserve, repair, and improve property subjected to the Declaration or any other property for which the Association by rule, regulation, declaration, or contract has a right or duty to provide such services;

(3) to enforce covenants, conditions, or restrictions affecting any property to the extent the Association may be authorized to do so under the Declaration or Bylaws;

(4) to engage in activities which will actively foster, promote, and advance the common interests of all owners of property subject to the Declaration;

(5) to buy or otherwise acquire, sell, or otherwise dispose of, mortgage, or otherwise encumber, exchange, lease, hold, use, operate, and otherwise deal in and with real, personal, and mixed property of all kinds and any right or interest herein for any purpose of the Association, which shall include the power to foreclose its lien on any property subject to the Declaration by judicial or nonjudicial means allowed by law;

(6) to borrow money for any purpose subject to such limitations as may be contained in the Bylaws;

(7) to enter into, make, perform, or enforce contracts of every kind and description, and to do all other acts necessary, appropriate, or advisable in carrying out any purpose of the Association, with or in association with any other association, corporation, or other entity or agency, public or private;

(8) to act as agent, trustee, or other representative of other corporations, firms, or individuals, and as such to advance the business or ownership interests in such corporations, firms, or individuals;

(9) to adopt, alter, and amend or repeal such Bylaws as may be necessary or desirable for the proper management of the affairs of the Association; provided,

however, such Bylaws may not be inconsistent with or contrary to any provisions of the Declaration; and

(10) to provide or contract for services benefitting the property subject to Declaration, including, without limitation, any and all supplemental municipal services as may be necessary or desirable.

The foregoing enumeration of powers shall not limit or restrict in any manner the exercise of other and further rights and powers which may now or hereafter be allowed or permitted by law except as herein set forth; provided, none of the objects or purposes herein set out shall be construed to authorize the Association to do any act in violation of the Texas Business Organizations Code, and all such objects or purposes are subject to said Code.

The powers specified in each of the paragraphs of this Article 4 are independent powers, not to be restricted by reference to or inference from the terms of any other paragraph or provision of this Article 4.

Article 5. Definitions. All capitalized terms used in these Certificate of Formation shall be defined in the same manner as defined in the Declaration, which definitions are incorporated herein by this reference.

Article 6. Membership. The Corporation shall be a membership corporation without certificates or shares of stock. All Owners (as defined in the Declaration), by virtue of their ownership of Lots subject to the Declaration, are Members of the Association. The Members shall be divided into classes and entitled to vote in accordance with the Bylaws and the Declaration.

Article 7. Board of Directors. The business and affairs of the Corporation shall be conducted, managed, and controlled by a Board of Directors. The Board shall consist of no less than three (3) and no more than five (5) members. At such time as the Declarant no longer appoints the Board of Directors, the number of directors will be no less than three (3) and no more than five (5) members. The initial Board of Directors shall consist of the following three members:

Martha Creighton	1501 LBJ Freeway Suite 300 Farmers Branch, Texas 75234
David Cheek	1501 LBJ Freeway Suite 300 Farmers Branch, Texas 75234
William Housewright	1501 LBJ Freeway Suite 300 Farmers Branch, Texas 75234

The term of office and method of election, removal and filling of vacancies on the Board of Directors shall be as set forth in the Bylaws.

Article 8. Liability of Directors. To the fullest extent permitted by Texas statutes, as the same exist or as they may hereafter be amended (but, in the case of such amendment, only to the extent that such amendment permits broader limitation than permitted prior to such amendment), a director of the Association shall not be personally liable to the Association for monetary damages for an act or omission in the director's capacity as a director; provided, however, this provision shall not apply to the personal liability of a director of the Corporation:

- (i) for any appropriation, in violation of his duties, of any business opportunity of the Corporation;
- (ii) for any acts or omissions not in good faith or which involve intentional misconduct or knowing violations of the law; or
- (iii) for any transaction from which the director received an improper personal benefit.

Any repeal or amendment of this Article by the Association shall be prospective only and shall not adversely offset any limitation on the personal liability of a director of the Association existing at the time of such repeal or amendment.

Article 9. Dissolution. The Association may be dissolved only as provided by the Bylaws, and by the laws of the State of Texas.

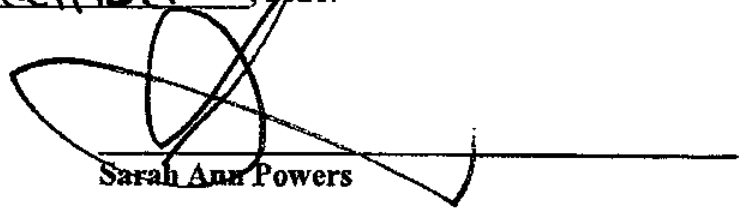
Article 10. Amendments. Subject to the provisions of the Texas Business Organizations Code, these Certificate of Formation may be amended with the approval of the Board of Directors and Members holding two-thirds (2/3) of the total Class "A" votes in the Association present in person or by proxy at a meeting called for this purpose, and the approval of the Class "B" Member, so long as such membership exists. No amendment shall conflict with the Declaration nor shall any amendment be effective to impair or dilute any rights of Members that are granted by the Declaration.

Article 11. Registered Agent and Office. The initial registered office of the Corporation is c/o Hoover Slovacek, LLP, Galleria Tower II, 5051 Westheimer, Suite 1200, Houston, Texas 77056, and initial registered agent at such address is Sarah Ann Powers.

Article 12 Incorporator. The name and address of the incorporator is as follows:

Sarah Ann Powers
HOOVER SLOVACEK LLP
Galleria Tower II
5051 Westheimer, Suite 1200
Houston, Texas 77056

IN WITNESS WHEREOF, the undersigned incorporator has executed these Certificate of Formation this 9 day of December, 2021.



Sarah Ann Powers