

# Woodcreek Property Owners Association Board of Directors Meeting

March 14, 2013  
7:00PM  
WPOA Office  
15401 RR12, Suite 109

## AGENDA

### Call to Order

### Pledge of Allegiance to the Flag

### Announcements

**General Public Comments** - *Please submit a speaker request form to the Secretary prior to Call of Order. Public Comment is limited to 3 minutes.*

### ACTION ITEMS

1. Discussion and possible action to approve February 14 and February 20, 2013 minutes – **MERIAN**
2. Discussion and possible action to adopt the Board of Director Conflict of Interest and Board Member Ethics Policy and Procedures – **SUMTER**
3. Discussion and possible action to remove Chris Scudders' authority to sign checks at Blanco and Wells Fargo Banks and appoint another board member – **SCUDDER**
4. Discussion and possible action to appoint Donna Hathaway to the Roads Committee – **SUMTER**
5. Discussion and possible action to appoint Cullen Davis to the Parks and Facilities Committee – **CROOK**
6. Discussion and possible action to ratify payment of \$1200.00 to Harris Roads for work done on Ridgewood Circle – **SUMTER**
7. Discussion and possible action to adopt the Collection of Unpaid Assessments Policy and Procedures – **SUMTER**

8. Discussion and possible action to approve Status Report Foreclosure List as of February 25, 2013 – **SUMTER**
9. Discussion and possible action to approve Green Space Beautification Project for the Country Cabins – **CALDWELL, PURCELL**
10. Discussion and possible action to approve contractor for chipping and shredding services in April – **CROOK**
11. Discussion and possible action to purchase No Outlet signs for appropriate roads and to install on existing posts – **CROOK**
12. Discussion and possible action to form a committee for the purpose of reviewing and offering recommendations about the WPOA website – **CROOK**

## **COMMITTEE REPORTS**

Treasurer Report – **SCUDDER**

Parks Committee Report – **CROOK**

Bylaws Committee Report – **SUMTER**

Road Committee Report – **SCUDDER**

ACC Committee Report – **DAVIS**

## **WORKSHOP ITEM**

Insurance Policy Review with DeMasters Daniel Insurance – **CROOK**

## **EXECUTIVE SESSION**

Update board members on litigation – **SUMTER**

### **Report of actions taken in Executive Session**

*The Board may announce it will go into Executive Session, if necessary, to discuss matters of land acquisition, sale of land, litigation, personnel matters and consultation with Legal Counsel as specifically listed on this agenda.*

## **ADJOURNMENT**

# Item #1

**WOODCREEK PROPERTIES OWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
FEBRUARY 14, 2013  
MINUTES**

President Sumter determined that a quorum was present. The meeting was called to order at 7pm

Members present were Liz Sumter, Sally Caldwell, Merry Merian, Diane Purcell, Emory Jones, Chris Scudder, Charles Crook and Dottie Sweeton.

Absent: Cullen Davis. Director Cullen Davis arrived at 9pm and was recognized as present.

Pledge of Allegiance was recited. There were no announcements

Public comments:

Richard Sullivan made general comments concerning the WPOA foreclosure and purchase policy.

Glynn Shannon spoke on current state of POA legislation and bills to be filed in current session.

Clint Frankmann congratulated the new board members. He asked that the cost of the camera to be decided on by the board be kept as low as possible. He also complained about the fence deed restrictions in Eagle Rock are not being enforced.

Action Items:

- 1) Discussion to approve the January 15 and January 19 special meeting minutes was held. Sally Caldwell moved that the minutes for both meetings be approved. Merry Merian seconded. The motion passed with Dottie Sweeton voting against and Cullen Davis absent for the vote.
- 2) Discussion was had concerning making the arbitrator's advisory opinion of the section 11 lawsuit public. It was decided, by all board members present, to hold discussion of items 2 and 3 until February 15 when the attorney will be available to attend the meeting.
- 3) Held until continuation of board meeting on February 15, 2013.
- 4) Discussion was held concerning the letter by WSP/WSCA requesting the WPOA board appoint a different

representative for the WPOA mediation with WSP/WSCA. A motion was made by Sally and seconded by Merry that the general partner of WSP, M. Black, be the representative in the mediation. Discussion followed. Liz suggested that a letter be written to Black to affirm Winton Porterfield's power to mediate. Sally substituted a motion to her previous motion to reiterate the 2005 letter from Mr. Black giving Winton permission to mediate on their behalf. Liz stated that she wanted to stay on as mediator. The motion passed with Sumter, Caldwell, Merian, Jones and Purcell voted yes. Scudder, Sweeton and Crook voted no. Davis was absent. Dottie moved that Liz no longer be individual mediator. The motion failed with Scudder, Crook and Sweeton voting yes and Sumter, Caldwell, Merian, Jones and Purcell voting no. Davis was absent.

5) Discussion and possible action regarding WPOA attorney was decided to be held over to the February 15 meeting when the WPOA attorney could be in attendance.

6) Discussion was held concerning insurance deductibles for board members. Charles Crook requested that the insurance company representative meet with the board to answer any questions concerning the insurance. Liz Sumter requested that Charles make that an agenda item for the March meeting. Charles stated that he would do so.

7) Discussion was had concerning moving the general meeting date from Oct. to Nov. and the board meeting date on Nov 14<sup>th</sup> be moved to the 7<sup>th</sup>. Liz Sumter pointed out that the bylaws required that the nominations be presented to the general membership at the Nov general meeting. Liz moved that the WPOA BOD general meeting be moved to Nov 16 and the board meeting be moved to the Nov 7. Merry seconded. The motion passed unanimously.

8) ACC discussion postponed until Feb 15 meeting.

9) Discussion was held on putting board contact information on website. It was decided to add appointed or elected to each director's name. Liz moved to approve amended and post information on website motion and Sally seconded. Motion passed unanimously.

10) Discussion was held on the purchase of digital video camera to record BOD and general meetings. Dottie moved that we purchase a video camera, not to exceed \$400. Sally seconded. Motion passed unanimously.

11) Discussion was held concerning bids on electrical work to be done at the entrances on FM2325 and Woodcreek Drive. It was moved that the work be done by Olsen not to exceed \$350. Dottie moved, to accept motion. Sally seconded. Motion passed unanimously.

12) Discussion was held concerning the purchase of new filing cabinets. Emory Jones stated that the Texas State surplus has filing cabinets at reasonable cost. Dottie moved that we purchase the filing cabinets not to exceed \$200 with a \$25 gas allowance. Chris seconded. Motion passed unanimously.

13) Discussion was held concerning the selection of an outside auditor to conduct an audit of the WPOA financial records for years 2006 to 2012. Chris Scudder recommended Montemayor for conducting the audit. They submitted a bid not to exceed \$10,000 to conduct the entire audit. Dottie moved that the bid be accepted.

Charles seconded. The motion passed with Chris Scudder abstaining. Donna Hathway made a public comment.

Liz Sumter called a 10-minute recess at 8:30pm.

Meeting resumed at 8:45pm.

14) Discussion was held concerning creating a committee to draft a policy for land sales of properties held by the WPOA. Chris Scudder proposed that a committee be set up to draft the policy to sell lots or get rid of them. Liz moved that a committee be formed to draft a policy to manage assets in terms of land sales and that Chris chair the committee. Sally seconded. Motion passed. P. Funderburg and Dottie volunteered to be on the committee.

15) Discussion was held to set aside the funding of the new WPOA building. Chris moved that the building of an office be set aside. Sally seconded. Motion passed

16) Discussion was held concerning subcontracting maintenance duties. Chris stated he wants to bid the duties out to the public. Chris and Charles would develop a sub contractor proposal to be used in subcontracting. Sally moved that Chris develop a subcontracting proposal. Dottie seconded. Motion passed.

17) Discussion was held regarding late fees and the amount charged. Liz suggested adding interest on to accounts on Dec 31 instead of every month. Cullen agreed. Dottie moved to apply interest on Dec 31, not to exceed 6%. Cullen seconded. Motion Passed.

18) Discussion was held concerning legal remedy regarding Aqua Texas/CAS damage to WPOA roads. Cullen has spoken with Brian, with Aqua. Shady Bluff Drive is falling apart and there are many potholes. He suggested a letter from our attorney to CAS. Cullen will turn over his information to the Chris for follow-up since he is now chair of the road committee. No action was taken.

19) Discussion and possible action to file liens in March 2013 on properties in arrears for year 2012 will be put on the March agenda.

20) Discussion was held concerning adoption of Board of Directors Conflict of Interest and Board Member Ethics Policy and Procedures. Liz asked that between now and March meeting the board members review the policy and send any wordsmith to her prior to the meeting. No action

Committee Reports:

Treasurer: Treasurer's report given. Written report included.

Roads: Postponed until Feb 15

ACC: Cullen reported on number of houses built and issues concerning dog barking complaints and complaints about trailers.

Parks: Report given by Charles concerning walkways and parks are being cared for. No issues at this time.

Bylaws: Liz stated that the bylaws committee is on schedule.

Due to the lateness of the hour the meeting was recessed at 10:30pm.  
The meeting is scheduled to resume at 7pm. Feb 15, 2013

Meeting resumed at 7pm. Present was Sumter, Caldwell, Purcell, Sweeton, Scudder, Davis, Jones and Crook

Road Report given by Scudder, written report provided.

Item 2, 3 and 5 were discussed then moved into executive session at approximately 7:15pm. Reconvened in open session at approximately 9:00pm.

2). Motion made to have the attorney draft an order for the judge to release the second advisory opinion of the arbitrator and first mediation information if WSP agrees. Motion made by Crook, second by Sweeton. Motion failed. 2 yes, 5 nays and 1 abstention (Scudder declared conflict of interest).

3). No action

5). No action

Executive Session. No action on POA fees owed. No action on update of litigation. Action taken on performance review of employees. Motion made by Sweeton to take action as discussed in executive session, second by Scudder. Motion passed unanimously.

8). ACC committee has no change to membership or chair.

Meeting adjourned at approximately 9:45pm.

**WOODCREEK PROPERTY OWNERS ASSOCIATION  
BOARD OF DIRECTORS  
SPECIAL CALLED MEETING**

**February 20, 2013  
6:30 PM  
WPOA Office**

After determining that a quorum was present President Sumter called the meeting to order at 6:35pm.

Directors present were: Liz Sumter, Sally Caldwell, Merry Merian, Diane Purcell, Charles Crook, and Chris Scudder.

Absent were: Emory Jones, Cullen Davis and Dottie Sweeton. Dottie Sweeton arrived at the meeting at 7pm and was recognized as present.

Discussion was held concerning the adoption of a policy regarding Compliance with Internal Revenue Service Form 990 Guidelines as it relates to the sale of WPOA real property.

The purchase of lots owned by the WPOA, by property owners, was discussed.

President Sumter told the board that all future 990's will be shared with the board prior to filing with the IRS.

Sally Caldwell moved to approve the policy as presented by Sumter and sent out to the board prior to the meeting. Merry Merian seconded the motion.

Discussion on the motion was held. Sumter, Caldwell, Merian and Purcell voted to accept the policy. Scudder, Crook and Sweeton voted no. The motion passed.

The meeting was adjourned at 7:10pm.

Respectfully submitted: Merry Merian, secretary.

## Item #2

# RESOLUTION OF THE WOODCREEK PROPERTY OWNERS ASSOCIATION

## POLICIES AND PROCEDURES REGARDING CONFLICTS OF INTEREST AND BOARD MEMBER ETHICS

**EFFECTIVE DATE:** March 14, 2013

The Woodcreek Property Owners Association of Hays County, Inc. (the "Association") hereby adopts the following policy and procedure regarding Director Ethics and Conflicts of Interest

**1. General Duty.** The Board of Directors ("Board") shall use its best efforts at all times to make decisions that are consistent with high principles, and to protect and enhance the value of properties of the members and Association. All Directors shall exercise their power and duties in good faith and in the best interest of, and with utmost loyalty to, the Association. All Directors shall comply with all lawful provisions of the Declarations and the Association's Articles, Bylaws, Policies, Rules and Regulations, and federal, state and local laws, ordinances, regulations, and requirements.

**2. Definition.** A conflict of interest exists if a director receives or may receive financial compensation from a transaction or decision or if the director is party to or an interested party to any litigation against the Association. Apart from financial benefits that would flow to all members of the Association, a conflict of interest also exists whenever any contract, decision or other action taken by or on behalf of the Board would financially benefit: (i) a Director; (ii) a person within the third degree of consanguinity of the Director; (iii) a parent or spouse of any of the persons in subsection (ii); or (iv) an entity which employs the Director or in which a Director has a financial interest.

**3. Disclosure of Conflict.** Any conflict of interest or potential conflict of interest on the part of any Director shall be disclosed to the other Directors in open session at the first open meeting of the Board of Directors at which the interested or potentially interested Director is present and prior to any discussion or vote on the matter giving rise to the conflict of interest or potential conflict of interest. After disclosure, and if by a majority vote of the disinterested Directors, a conflict of interest, as opposed to a potential conflict of interest, is determined to exist, the Director may participate in the discussion, but the Director shall not vote on the matter. The minutes of the meeting shall reflect the disclosure was made, the abstention from voting, the composition of the quorum and record who voted for and against.

**4. Code of Ethics.** In addition to the above, each Director and the Board shall adhere to the following Code of Ethics:



(a) No Director shall use his/her position for private gain, including for the purpose of enhancement of his/her financial status through the use of certain contractors or suppliers.

(b) No contributions will be made to any political parties or political candidates by the Association. The Association will not support or oppose a particular person for political office.

(c) No Director shall solicit or accept, directly or indirectly, any gifts, gratuity, favor, entertainment, loan or any other thing of monetary value from a person who is seeking to obtain contractual or other business or financial relations with the Association.

(d) No Director shall receive any compensation from the Association for acting as a volunteer. This does not include or prohibit reimbursement of approved Association expenses.

(e) No Director shall knowingly misrepresent facts to the members of the Association for the purpose of advancing a personal cause or influencing/encouraging others in the Association to place pressure on the Board to advance a personal cause.

(f) No director shall interfere with any Association contract. All communications with Association contractors shall go through the Board President, the person designated in writing as the Board's representative, or in accordance with Association policies regarding contractor – Association relationships.

(g) No Director shall harass, threaten, or attempt, through any means, to control or instill fear in any Member, Director, Employee or Agent of the Association.

(h) No promise of anything not approved by the Board can be made by any Director to any subcontractor, supplier, or contractor during negotiations.

(i) Any Director convicted of a felony or a crime of moral turpitude shall voluntarily resign from his/her position.

(j) No Director shall knowingly misrepresent any facts to anyone involved in anything with the Association which would benefit himself/herself in any way.

(k) Language and decorum at Board meetings will be kept professional. Personal attacks against owners, residents, managers, service providers and Directors are prohibited and are not consistent with the best interest of the community.

**5. Failure to Disclose Conflict.** Any contract entered into in violation of this policy shall be void and unenforceable. In such event, the Board, at the next meeting of the Board, shall vote again on the contract, decision or other action taken in violation of this Policy.

**6. Supplement to Law.** The provisions of this Resolution shall be in addition to and in supplement to the laws of the State of Texas.

**7. Amendment.** This policy may be amended from time to time by the Board of Directors.

IN WITNESS WHEREOF, the undersigned certifies that this Resolution was adopted by the Board of Directors of the Woodcreek Property Owners Association on

\_\_\_\_\_.

Date

By: \_\_\_\_\_  
President

# Item #6

To: Woodcreek P.O.A.  
P.O. Box 1026  
Wimberley, Texas 78676

From: Harris Road Co., Inc.  
P.O. Box 1001  
Wimberley, TX 78676

## INVOICE

Date: February 21, 2013  
Location: Misc Road Improvements

Item No.	Estimated Quantity	Unit	Item Description	Unit Price (\$/Unit)	Amount (\$)
<b>Ridgewood #19 - #21</b>					
1			<b>Repair w/Asphalt</b>		
	6	TN	Type D HMAC Shoulder Repair	\$200.00	\$1,200.00

APPROVED

TOTAL

\$1,200.00

HARRIS ROAD CO.

DATE

2/21/13

WPOA

DATE

## Item #7

# RESOLUTION OF THE WOODCREEK PROPERTY OWNERS ASSOCIATION

## POLICIES AND PROCEDURES REGARDING COLLECTION OF UNPAID ASSESSMENTS

**EFFECTIVE DATE:** March 14, 2013

The Woodcreek Property Owners Association of Hays County, Inc. (the "Association") hereby adopts the following policy and procedure regarding Collection of Unpaid Assessments

**Purpose:** To provide notice of the Association's adoption of a uniform and systematic procedure to collect assessments and other charges of the Association.

**Effective Date:** March 14, 2013

It is in the best interest of the Association to refer delinquent accounts promptly to an attorney for collection so as to minimize the Association's loss of assessment revenue.

- 1. Due Dates.** The installments of the annual assessment as determined by the Deed Restrictions. For deed restrictions that allow monthly payments the payments shall be due on the first day of the month and payable no later than the fifteen day of the month. For all other deed restrictions the payment is due by January 1<sup>st</sup> and is considered past due by June 1<sup>st</sup> of the very same year unless otherwise noted in the deed restrictions. Assessments not paid by December 31<sup>st</sup> in full to the Association shall be considered past due and delinquent. Assessments not paid in full by December 31<sup>st</sup> will incur interest charges as allowed by the State of Texas.
- 2. Receipt Date.** The Association shall post payments on the day that the payment is received by the Association.
- 3. Return Check Charges.** A reasonable fee of \$25.00 shall be assessed against an Owner in the event any check or other instrument attributable to or payable for the benefit of such Owner is not honored by the bank or is returned by the bank for any reason whatsoever, including but not limited to insufficient funds. Such return check charge shall be due and payable immediately, upon demand. The Association shall be entitled to all additional remedies as may be provided by applicable law if payment is not received. If two or more of an Owner's checks are returned unpaid by the bank within any calendar

year, the Association may require that all of the Owner's future payments, for a period of one year, be made by certified check or money order.

4. **Attorney Fees on Delinquent Accounts.** The Association shall be entitled to recover its reasonable attorney fees and collection costs incurred in the collection of the assessments or other charges due the Association from a delinquent Owner. The reasonable attorney fees incurred by the Association shall be due and payable immediately when incurred, upon demand. If Attorney fees are not paid within 30 days of request, the Attorney on behalf of the Association will take appropriate legal action necessary to collect the legal fees and assess any additional fees required for collection.
5. **Application of Payments.** All sums collected on a delinquent account that has been turned over to the Association's attorney shall be remitted to the Association. All payments received on account of any Owner or the Owner's property shall be applied in compliance with Texas State Law. Payments are applied to the maintenance fees, interest, lien fees, expenses of enforcement and collection, any and all legal fees and costs (including attorney fees), returned check charges, and other costs owing or incurred with respect to such Owner.

#### **6. Collection Process.**

- a. After an installment of an annual assessment fee due to the association become more than six (6) months delinquent, then the manager shall send a written ("Notice of Default") of non-payment, amount past due and request for immediate payment.
- b. After an installment of an annual assessment fee due to the Association becomes more than twelve (12) months delinquent (December 31<sup>st</sup>), the manager shall send a second written notice ("Second Notice") of non-payment, amount past due, notice of interest accrued, notice of intent to file a lien, and request for immediate payment.
- c. If the Association does not receive payment in full within 30 days after the Second Notice has been sent, the manager will file a lien against the delinquent property.
- d. After an installment of an annual assessment fee due to the Association becomes more than eighteen (18) months delinquent, the Manager will send a Demand Letter which will advise the Owner of their rights to appeal to the Board, advise the Owner of a Payment Plan and intent to send collection to Association's Attorney for legal action.

- e. After an installment of an annual assessment fee due to the Association becomes more than twenty-four (24) months delinquent, the Manager is directed to turn the account over to the Association's attorneys for collection. Upon receiving the delinquent account, the Association's attorneys may file a summons and complaint with the court of jurisdiction. If a judgment or decree is obtained, including without limitation a foreclosure action, such judgment or decree shall include reasonable attorney's fees together with the cost of the action and any applicable interest and late fees.
7. **Acceleration of Assessments.** The Board reserves the right to accelerate and call due the entire unpaid annual assessment on any delinquent account. Such acceleration shall result in the entire unpaid annual assessment being due to the Association immediately. The Board also reserves the right to decelerate any accelerated assessment.
8. **Collection Procedures/Time Frames.** The following time frames shall be followed for use in the collection of monthly installments of the annual assessment and other charges.

Due Date for monthly payment	1 <sup>st</sup> day of the month
Due Date for all others	1 <sup>st</sup> day in January
Past Due date for monthly payment	15 <sup>th</sup> day of the month
Past Due date for all others	1 <sup>st</sup> day in June
Notice of Default	6 months after due date (June)
Second Notice that interest have accrued, notice of intent to file lien	6 months after Notice of Default (January)
Lien Filed for non-payment	30 days after Second Notice (February)
Demand Letter for payment, payment plan, appeal to the Board	6 months after Second Notice (June)
Delinquent account turned over to Association's Attorney, judicial process	6 months after Demand Letter (January)

for collection.

The attorney is to consult with the Association as necessary to determine if payment has been arranged or what collection procedures are appropriate.

9. **Bankruptcies and Foreclosures.** Upon receipt of any notice of a bankruptcy filing by an Owner, or upon request of a notice of a foreclosure by any holder of an encumbrance against any unit within the Association, the manager shall advise the Association's attorney of the same and turn the account over to the Association's attorney.
  
10. **Use of Certified Mail/Regular Mail.** In the event the Association shall cause a collection or demand letter or notices to be sent to a delinquent Owner by regular mail, the Association may also cause, but shall not be required to send, an additional copy of that letter or notice by certified mail.
  
11. **Referral of Delinquent Accounts to Attorneys.** After an account has been referred to an attorney, the attorney shall take all appropriate action to collect the accounts referred. After an account has been referred to an attorney, the account shall remain with the attorney until the account is settled, has a zero balance or is written off. The attorney, in consultation with the Association, is authorized to take whatever action is necessary, in consultation with the President believed to be in the best interest of the Association, including, but not limited to:
  - a. Filing of a suit against the delinquent Owner for a judgment
  - b. Instituting a judicial foreclosure action of the Association's lien
  - c. Filing necessary claims, documents, and motions in bankruptcy court in order to protect the Association's interests
  - d. Filing a court action seeking a judgment for attorney's fees or other charges.

Upon referral of any matter to the Association's attorney, the Association shall pay the attorney's usual and customary charges as well as any costs incurred by the attorney on the Association's behalf, promptly upon receipt of the monthly invoice from the attorney.

12. **Judicial Foreclosure.** The Association may choose to foreclose on its lien. The purpose of foreclosing is to obtain payment of all assessments owing in situations where either all other venues for collection have failed or other circumstances favor such action.
  
13. **Waivers.** The Association is hereby authorized to extend the time for the filing of lawsuits and liens, or to otherwise modify the procedures contained herein, as the Association shall determine appropriate under the circumstances.

14. **Communication with Owners.** All communication with a delinquent Owner shall be handled through the Association's attorney once a matter has been referred to the attorney. Neither the manager nor any member of the board shall discuss the collection of the account directly with an Owner after it has been turned over to the Association's attorney unless the attorney is present or has consented to the contact.
15. **Defenses.** Failure of the Association to comply with any provision in this Collection Policy shall not be deemed a defense to payment of assessment fees or other charges, return check charges, attorney fees and/or costs as described and imposed by this Policy.
16. **Supplement to Law.** The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Deed Restrictions and the law of the State of Texas.
17. **Deviations.** The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.
18. **Amendment.** This Collection Policy may be amended from time to time by the Board of Directors.

IN WITNESS WHEREOF, the undersigned certifies that this Resolution was adopted by the Board of Directors of the Woodcreek Property Owners Association on

\_\_\_\_\_.  
Date

By: \_\_\_\_\_

Elizabeth Sumter, President



## Item #8

# STATUS REPORT

## Foreclosure List as of 2/25/13

Improved	Vill-11	\$300.00 Breach of Agreement	File judicial suit
Unimproved	Sec 25	12/31/06=\$1,382.02	Research ownership  Taxes owed 98-07 = Check with John Banks = letter sent 11/04/08 = TO BE A TAX CASE PER 11/06/08 EMAIL FROM SERGIO GARCIA = Tax case petition has been prepared to be filed per 8/19/09 email from John Banks' office – tax case still not filed
Unimproved	ERR-1	12/31/06=\$1,119.54	Research ownership  Taxes owed 98-07 = Check with John Banks = letter sent 11/04/08 = TO BE A TAX CASE PER 11/06/08 EMAIL FROM SERGIO GARCIA = waiting on title work per 8/19/09 email – tax case still not filed
Unimproved	Sec 19	Owes \$718.82 (2/13)	Notice letter sent 6/30/08 to comply by 7/31/08 (Unclaimed) = Tax case filed 08-1181 Answer and cross action filed 11/08 to be in tax judgment for excess in the amount of \$988.03 (assessment + 35 filing + 500 atty fee) = CHECK ON EXCESS PROCEEDS = DONE – No order of sale or judgment in file as of 2/13 (still no activity in file since 2/4/09)
Improved	Sec 8	Owes \$715.18 (7/11)	Notice letter sent 5/4/09 to comply by 6/5/09 (RR) Bd approved at meeting in June = will pay \$100 per month July – until balance paid – defaulted then contacted WPOA and promised to pay = HOLD per 8/12/09 email = Proceed, breached payment agreement = petition prepared 2/10 and filed 3/10 = both served = Set for default on 7/7/2010 = granted = wait for judgment to become final = Abstract and order of sale requested 8/10/10 = pulled from sale per WPOA 2/11 fax = proceed with order of sale = requested 5/30/11 = HOLD ORDER OF SALE UNTIL DECEMBER 2011 PER CONSTABLE – Abstract filed 6/11 – New notice and payment plan policy sent 1/19/2012 – Send notice to lien holder
Unimproved	Sec 13	Owes \$1,464.27 (2/13)	Trying to locate for service
Unimproved	Sec 13	Owes \$227.54 (2/13)	Need more info. Unable to locate owner on HCAD or in deed records.= search by Street Address? = try new notice to SAT address
Unimproved	Sec 13	Owes \$146.07 (2/13)	Notice letter sent 10/13/09 to comply by 11/13/09 (Returned – REFUSED) = PROCEED = petition prepared 2/10 and filed 3/10 = Citation returned – deceased = file a

			motion for substituted service? (no taxes paid since 2007) move to tax cases?
Improved	Sec 20	(\$791.12 - 2/13)	Notice letter sent 3/22/10 = returned unclaimed = PROCEED = Petition filed 5/28/10 = both served and ready for default = Set for 11/22/10 = GRANTED = hold for payment plan = Ready for Order of Sale = HOLD UNTIL DECEMBER 2011 PER CONSTABLE – HOLD PER WPOA (improved lot) – new notice sent 1/19/2012 w/ payment policy – no payments but sale may be in progress – Payment plan options presented to owner as agreed to by Board on 2/14/13. Awaiting owner's decision
Improved	Sec 20	(\$732.07 2//13)	Notice letter sent 3/22/10 = Proceed = Petition filed 5/28/10 = set for private foreclosure on 7/6 per 7/2/10 fax. – disc. sent 9/13/2010 = set for trial 12/8/10 – substitute trustee appointed = no foreclosure deed as of 11/12/10 = Judgment GRANTED = request order of sale after 1/7/11 = done 1/10/11 = issued 3/15/11 = pulled per WPOA = Reinstate – REQUEST ORDER OF SALE IN DECEMBER 2011 PER CONSTABLE- HOLD PER WPOA – new notice sent 1/19/2012 w/ payment policy – no payments – proceed with notice to lien holder(s)
Improved	Sec 9A	\$390.59 (2/13)  Amt due: \$142.40 in BR	In bankruptcy = payout to WPOA monitor to see if payments under BR and current payments (2010+) are made = making some payments= PROCEED – Notice to BR atty = File motion to lift stay? = got payments in 2012 – plan for paying balance? Last payment received from BR on 11/7/12
Improved	Vill-11	\$850.39 (2/13)	Notice letter sent 8/19/10 = hold – in Probate – Authenticated claim filed 11/2010 = Check on lots 52 and 53 = Contact Court for setting on claim Check on status of Bankruptcy = Atty for Estate = contacted for possible purchase = to deal directly with WPOA – deal not reached, amended claim filed 2/2012 – Fannie Mae fought recognizing lien – has now agreed to pay lien amount.(2/13)
Improved	CFV	\$658.87 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12 Refused letter – send notice to mortgage holder
Improved	9A	\$679.13 and \$595.30 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12, RR – send new notice to owner
Unimproved	8	\$348.88 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12, RR On payment plan per 4/11/2012 fax –making payments. has not missed any payments
Improved	20	\$576.78 (2/13)	Notice letter sent 3/28/12 to comply by

			4/28/12, RR On payment plan per 4/11/2012 -fax = did not accept payment plan and no payments = send notice to mortgage company
Unimproved	ERR-1	\$733.27 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12, RR = no payments = proceed with suit
Unimproved	Sec 8	\$675.48 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12, RR = called and is coming in to pay (2/13) = PAID per 2/20/2013 fax
Improved	Sec 9B	\$549.43 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12 to comply by 4/28/12 = Called and on payment plan per 4/12/2012 fax = did not make payments = called, came in 2/26/13 and paid in full
Unimproved	Sec 18	\$530.46 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12 returned bad address = try POB Jacksonville Fl 32245 and send new notice
Unimproved	Sec 22	\$555.90 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12, RR = proceed with suit
Unimproved	Sec 8	\$674.65 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12, RR = proceed with suit
Unimproved Improved	ERR-2 Oak Crest	\$1,031.64 (2/13) \$1,179.15 (2/13) \$681.27 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12 Refused letter = notice to lien holder on encumbered lots and proceed with suit on others
Unimproved	Sec 20	\$808.46 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12 Refused letter = proceed with suit
Improved	Sec 25	\$663.52 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12 Refused letter = Send notice to mortgage company
Improved	Sec 9A	\$671.36 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12 RTNed Bad address = new notice sent to new address and copy to mortgage company on encumbered lot
Improved	Sec 9A	\$671.36 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12 RTNed Bad address = new notice sent to new address and copy to mortgage company on encumbered lot
Unimproved	Sec 9A	\$971.95 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12 Refused letter = proceed with suit
Improved	ERR-2	\$823.17 (2/13)	Notice letter sent 3/28/12 to comply by 4/28/12 refused letter = send notice to mortgage company

Unimproved	20	WISD Tax Sale No bidders in WISD Trust	Not in HCAD - Research Title Tax?? 1/09=Owes \$7,817.66 Follow tax suit - GET TAX Case no. no records found at Dist. Clerk's office Research=Citation by publication? = Tax case to be filed depending on title issues = tax case filed and
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			answer/cross action filed on 12/09 = set for trial 9/21/11 = judgment granted for WPOA Held in Trust. Proceed ?
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Unimproved	Sec 13	12/12 WISD/County Tax Sale No bidders in WISD/County Trust	Notice letter sent 2/6/06  Returned not deliverable as addressed  Relative found 1/07 – Michael = try substituted service or by publication?  Citation by Publication? Hold for tax case? = Check with John Banks = TO BE A TAX CASE PER 11/06/08 EMAIL FROM SERGIO GARCIA – Tax case petition has been prepared to be filed per 8/19/09 email = filed and cross action filed for WPOA 12/09 = Set for trial on 2/29/2012 – WPOA in judgment = held in trust proceed v. county?
Unimproved	Sec 25	12/12 WISD/County Tax Sale no bidders in WISD/County Trust	Notice letter sent 2/6/06  Sandra C = deceased 2001?  SUIT FILED 6/06  Will make monthly pymts?  ARE THE PYMTS BEING MADE?  Was Lien released? Sent reminder 5/4/07 SUIT FILED 6/25/07  GET SUBSTITUTED SERVICE ON UNKNOWN HEIRS? CITATION BY PUBLICATION?? Hold for tax suit? Janelle to check for WPOA lien = Hold for tax sale (Check with John Banks) = TO BE A TAX CASE PER 11/06/08 EMAIL FROM SERGIO GARCIA = Tax case petition has  been prepared to be filed per 8/19/09 email = tax case filed and answer/intervention/cross action filed for WPOA on 12/09 - amended petition filed by Taxing entities 12/2010 = Set for trial on 2/29/2012 = to be reset by tax office = held in trust proceed v. county?
Unimproved	Sec 12	6/12 WISD/County Tax Sale No Bidders	Notice letter sent 3/10/06  Returned unable to forward

		in WISD/County Trust	Records show deceased in 2003 & heirs unknown = Citation by publication? Check with John Banks = TO BE A TAX CASE PER 11/06/08 EMAIL FROM SERGIO GARCIA = Tax case petition has been filed = tax case filed and answer/cross action filed for WPOA on 12/09 = Set for Trial on 1/19/2011 = WPOA in judgment = wait on excess proceeds = held in trust proceed v. county?
Unimproved	19	\$1,179.79(2/13)	Notice letter sent 12/30/06 to pay by 1/31/07 – Returned unclaimed  Owes taxes for 02-06 SUIT FILED 6/25/07 Returned unserved = citation by publication?? TO BE A TAX CASE PER 11/06/08 EMAIL FROM SERGIO GARCIA= Tax case filed 6/11 and answer/cross action filed for WPOA – Taxing entities filed an amended petition 12/2011

## Item #9

### STATEMENT OF AGREEMENT

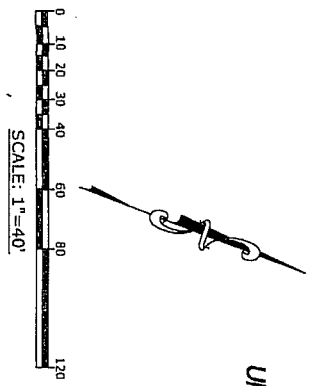
This document establishes an agreement between the Woodcreek Property Owners Association (the WPOA) and the Village Property Owners Association (the VPOA), whereby a project will be undertaken to re-establish the parking area and create a green space area along the perimeter of the Country Cabins portion of the VPOA (formally known as Woodcreek Village Section 1A).

Both parties will work together to develop a plan for the project and oversee the project to its successful completion. The financial contribution from the VPOA will be in the amount of \$1000, to be paid in two installments of \$500 each, the first installment to be paid in 2013 and the second installment to be paid in 2014.

This agreement was approved by the Board of Directors of the VPOA on February 24, 2013.

Sally Caldwell, President VPOA

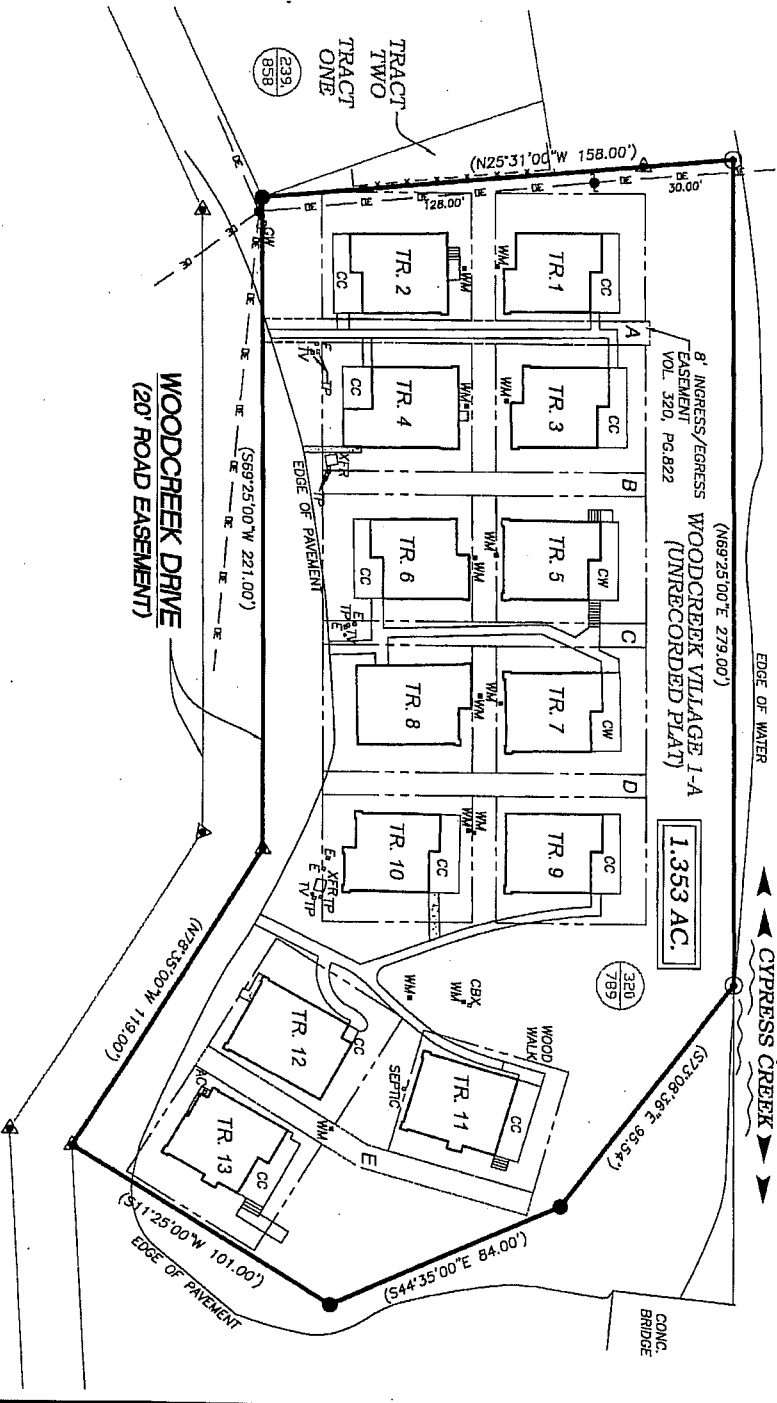
# EXHIBIT OF IMPROVEMENT LOCATIONS OF COUNTRY CABINS, WOODCREEK VILLAGE 1-A, AN UNRECORDED SUBDIVISION, BEING 1353 ACRES OUT OF THE ELIZA SNEDECOR SURVEY IN HAYS COUNTY, TEXAS



- LEGEND**
- 1/2" IRON ROD FOUND - UNLESS NOTED
  - 1/2" IRON ROD SET - DRIFTWOOD SURVEYING
  - ◀ MAG NAIL SET W/WASHER - DRIFTWOOD SURVEYING
  - E - ELECTRIC BOX
  - TP - TELEPHONE PEDESTAL
  - TV - CABLE TV BOX
  - XFR - TRANSFORMER
  - WM - WATER METER
  - CB - CONTROL BOX
  - CC - COVERED CONCRETE
  - CW - COVERED WOOD
  - SERVICE OR UTILITY POLES
  - OVERHEAD UTILITIES
  - EASEMENT
  - FENCE
  - LOTLINE
  - HAYS COUNTY PLAT RECORDS
  - HAYS COUNTY OFFICIAL PUBLIC RECORDS

**NOTES**

THIS SURVEY EXHIBIT WAS CREATED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, THEREFORE ALL ENCUMBRANCES MAY NOT BE SHOWN.



<b>Driftwood Surveying</b>	
Professional Land Surveyors - Surveying for the Hill Country	
P.O. Box 379	Wanderhook, TX 78876
Ph. (512) 847-7222	FAX (512) 847-7272
<b>EXHIBIT MAP</b>	
<b>COUNTRY CABINS</b>	
CLIENT VILLAGE PROPERTY OWNERS ASSOC.	
DATE: 03/18/10	FIELD CREW: DG/MG
DRAWN: CAP	CHECKED: RJP
PROJ. NO.: HCO2410	DWG. NAME: EXHIBIT
REVISIONS: 08/18/10	TR: 1

# **Woodcreek Property Owners Association Road Committee Meeting**

**December 11, 2012  
1:30p.m.  
WPOA Office  
15401 RR12, Suite 109**

Shady Valley Drive – The Committee voted to move this project forward with one change to the bid of \$19,760.00. \$1,500 to trim brush along roadway will be removed from the bid bringing the total bid to: \$18,260.00. The trimming will be done by our subcontractor. The Committee expects Harris Roads to begin the road build early next year.

Discussion and possible action to recommend to the Board resurfacing Midland, rebuilding Stepping Stone and East El Camino Real. - The Committee approved submitting the Bids to the Board of Directors at their regularly scheduled Board meeting on December 20, 2012. Diane Purcell will sponsor the item on the agenda.

Discussion and possible action to request Woodcreek Estates donate toward Section 8 Road Repair. - The Committee approved sending a request for funds to Jose Lyon, President of the Woodcreek Estates POA for a contribution toward the roads budget.

Discussion of Eagle Rock Fire Lane – The Committee approved Bill Bradfield work with Liz Sumter in order to seek financial assistance from the County Emergency Management Department. Also, Bill Bradfield will contact EMS and the Fire Department to see if grant funding is available.

Discussion of Road Work next to Country Cabins – The Committee approved having Bill Bradfield and Diane Purcell to work together on design elements and cost estimate proposals for presentation to the VPOA and the WPOA in January 2013.

Discussion and possible action to recommend to the board the purchase of signage (ie: Your WPOA at Work, etc.) – The Committee approved Bill designing and determining costs from Pathmark for presentation to the Board for their approval at their regularly scheduled Board meeting on December 20, 2012. Diane Purcell will sponsor this item on the agenda.

El Conejo Trail \_ The Committee approved Bill Bradfield obtaining bids for the complete rebuild of this road.