



CCSPOA News

Council Creek South Property Owners Association, Inc.
120 Council Park Road, Burnet, Texas 78611

June 2011

CRITICAL UPCOMING ELECTION-YOUR VOTE NEEDED

Upcoming CCS Election to amend the Current Deed Covenants, Conditions and Restrictions (CC&Rs)

Deed Covenants, Conditions and Restrictions (CC&Rs) are often referred to as simply deed restrictions by property owners. Either terminology is acceptable for most of us.

This article is provided to remind all property owners that a strong need exists to amend the Council Creek South (CCS) deed CC&Rs that were originally written in 1965. The really big deal for all property owners is that our current deed CC&Rs are not perpetual and will terminate in 2015. Within a matter of days you will receive a ballot package that contains the ballot for you to vote on the proposed amended version of our CC&Rs. The need for this election has been presented to you several times over the last 4 years so there should be very little surprise at the ballot package contents.

Why is it important to prevent our CC&Rs from terminating in 2015? We will be in quite a mess if we allow that to happen. Imagine our dilemma if there were absolutely no deed restrictions. Most property owners want to have property that increases in value over time but this is not likely to happen if we have no fair and reasonable CC&Rs. The absence of reasonable CC&Rs typically creates barriers to effective development of communities. These include but are not limited to the ones listed below:

- Owners of land in real estate subdivisions without CC&Rs are unable to govern the subdivisions by democratic principles of self-government;
- Subdivisions without CC&Rs find impractical and unworkable conditions for bringing needed change and improvement;
- The absence of effective and reasonable CC&Rs creates uncertainty in living conditions and discourages investments in those subdivisions;
- Owners of land in affected subdivisions are reluctant or unable to provide proper maintenance, upkeep, and repairs of structures.
- Financial institutions are reluctant to or will not lend money for investments, maintenance, upkeep, or repairs in affected subdivisions
- These conditions will cause dilapidation of housing and other structures and cause unhealthful and unsanitary conditions in affected subdivisions, contrary to the health, safety, and welfare of property owners and the public.

Fortunately, if we take responsible action, we can prevent such a dilemma. We (property owners) established a formal process in 2009 that allows us to amend our deed restrictions so that we can have reasonable ones in place by 2015. To actually make the needed change, we must take the upcoming election seriously, read the proposed amended restrictions and vote exactly as instructed in the ballot package instructions. Our formally approved election process requires approval of at least 2/3 of the voting property owners so it is critical that you vote in this election.

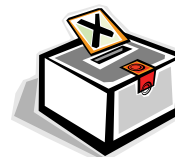
The CCSPOA Board fully understand that creating amended CC&Rs that are acceptable to all property owners is a challenging and time-consuming endeavor since different people have different views of what should be in the CC&Rs. It would, however, be irresponsible for us to ignore the detrimental impact of our existing CC&Rs terminating in 2015. To this end the CCSPOA Board has worked to produce a proposed amended version of the current CC&Rs that, hopefully, will minimize potential controversy.

The final proposed amendment of the CC&Rs focused on minimizing the number of changes to the current version, which was originally created in 1965 and amended in 2009 for maintenance fees only (this was amendment #1). The Board's goal for the upcoming election was to create an amended version of the CC&Rs that is perpetual and, also, allows future amendments to be made as determined by property owners in accordance with the CCS formal process summarized below. Other proposed changes to the current version mainly updated the text and removed ambiguities.

The formal process to be used in this election is that process approved by CCS property owners and filed with the Burnet County Clerk's office in early 2009. That formal process ensures that (1) all property owners of record receive a ballot package and (2) the secrecy of votes is maintained. Because the process is formal and strictly executed by the Canvassing Committee (not the Board), it is critical that you follow the exact steps in the instructions provided in the ballot package.

You should receive a ballot package within 2 weeks of getting this newsletter. If you do not, please contact Candy Smith at jsmith532@austin.rr.com

PLEASE



MARK YOU BALLOT AND PUT IT IN THE MAIL ASAP!

THIS AFFECTS YOU!

Important items from the Annual Meeting

*Commissioner Bill Neve reported that the Lake Buchanan Water Committee is fighting the LCRA on several issues. One issue is that under the current contract for water for farmers downriver, the lake can be taken to 200 acre feet of water, which is essentially the river level. The second issue is the possibility of a proposed coal plant in Matagorda that wants to contract for “firm” (non-interruptible) water. The committee may ask for an environmental study about this. Contact Jo Karr Tedder at jostevet@hotmail.com

*Jan Fulkerson from the Forest Service reported on the current severe drought conditions, and reminds everyone that conditions currently exist for firestorms across Texas and Oklahoma. Firefighters have never seen conditions this severe. Everyone needs to do what they can to fireproof their homes and land, and have an evacuation plan ready. Remember, nothing is ever worth your life! The firefighters who protect your life and property are all volunteers, and fires in Texas have stretched the resources very thin. ***Please help support these wonderful volunteers.*** Contact Jim Cooper, our local Fire Chief, at elb4510@gmail.com, 512-756-4590 or 512-755-0253 to find out how you can help.

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