

OAK PARKE HOMEOWNERS ASSOCIATION, INC.

Minutes of the Meeting of the Board of Directors
March 22, 2011

The meeting of the Board of Directors (the "Board") of Oak Parke Homeowners Association, Inc. (the "HOA") was held at 7:00 p.m. on March 22, 2011 at Bethany Lutheran Church.

In attendance were Chris Driggs and Monique Wells, Directors; Carl Gamble, Property Manager; Ginger Grissom, Recording Secretary; and Member Zeke Salinas.

1. **Call to Order.** After determining that a quorum was present, the meeting was called to order by Chris Driggs at 7:16 p.m.
2. **Minutes.** Monique Wells moved that the minutes of the February 15, 2011 meeting be approved. Chris Driggs seconded the motion, and the motion carried.
3. **Members' Comments.**

Fence Request. One Member, whose fence borders a common area, discussed his previous request to put the smooth side of the fence on his property when he repairs it since he is paying for the materials and making the repairs. The smooth side is currently on the common side of the fence, and it has been that way since the subdivision was developed. This Member referenced Article 5.2 of the Deed Restrictions (stated below for ease of reference), and said that it is his opinion that he is now the "Declarant" since the developer is no longer a part of the subdivision and he purchased his property from the developer.

Secretary's Note #1: Article 5.2 of the Deed Restrictions states:

"Section 5.2. Scope of Review. No building, fence, wall, outbuilding, landscaping or other structure or improvement shall be erected, altered, added onto or repaired upon any portion of the Property without the prior written consent of the ACC, provided, however, that repairs to structures previously approved in accordance with approved plans shall not be required, and improvements erected, altered, added onto or repaired by Declarant shall be exempt from the provisions of this Article V."

Secretary's Note #2: For further clarification of the above, the Deed Restriction defines "Declarant" as:

Section 1.6. "Declarant" shall mean and refer to Benchmark Land Development, Inc., its successors and assigns who are designated as such

in writing by Declarant, and who consent in writing to assume the duties and obligations of the Declarant with respect to the Lots acquired by such successor or assign.

The Board will seek an attorney's opinion on this matter.

4. **Committee Reports.**

(a) Activity Committee. There was no report by the Activities Committee.

(b) Pool Committee. Chris Driggs reported that the Board is in the process of obtaining bids for lifeguard companies for the 2011 season. It was also discussed that the pool baskets need to be emptied more often until the leaves are through falling. The porter will be asked to check the baskets more often.

(c) Landscape Committee. Chris Driggs reported that the Board is in the process of obtaining bids for tree removal and replanting in the common areas. Circle C Landscape will be responsible for planting new flowers, if necessary. They are currently waiting to see if the current vegetation survived the freeze.

(d) Parking Committee. Zeke Salinas reported that the Aspen Creek study is pending. Some residents of Aspen Creek have shown interest in submitting a petition to the City.

(e) ACC Committee. Ginger Grissom reported on one new ACC submission that was uploaded into the ACC's system late. Carl Gamble reported that he had contacted the owner, and the owner had agreed to wait for the ACC's decision.

5. **Property Manager Reports.** Carl Gamble gave the following reports:

(a) Garage Sale/Pool Party Permits. None noted.

(b) Homeowner Concerns. None noted.

(c) Manager Action Items Report. Carl Gamble reported that he received a call from Brad Hagen. Mr. Hagen is interested in getting support for development of I-45. If I-45 is built, it will greatly reduce the amount of traffic on Brodie Lane. Anyone interested in this matter should contact Brad Hagen at 294-0460.

(d) Budget. Carl Gamble reported that the HOA is currently a little over budget due to repairs caused by the freeze. However, overall he believes that the budget is in very good shape. There were also overages noted in gas lantern repairs, which were much needed. Future gas lantern repair costs should be greatly reduced since current repairs included painting the posts and replacing broken glass. In the future it is expected that only mantles will need to be replaced.

(e) Delinquency Report. To be discussed in Executive Session.

(f) Deed Restriction Violations. To be discussed in Executive Session.

6. **Old Business.**

(a) Annual meeting date is set for April 26th at Bethany Lutheran Church (Fellowship Hall).

(b) The HOA attorney was consulted about the following question, which had been posed by a Member: "If a member or person(s) working for or hired by the member is injured while repairing their fence that is on HOA property, what is the liability to the HOA?" The attorney's email opinion is attached to these minutes.

7. **New Business**

(a) Annual meeting. There was discussion about getting volunteers to assist with the annual meeting.

(b) Bids. There was discussion about bids for bathroom renovations, lifeguard services, and tree removal/replanting services. The Board will discuss what is needed so that bids can be obtained and appropriate decisions made.

8. **Adjournment.** The meeting was adjourned at 7:57 p.m.

Chris Driggs, President

Attachments: Attorney's March 21, 2011 Email Opinion.