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CLARIFICATION OF DECLARATION OF EXTENSION OF RESTRICTIONS FOR CREEKWOOD RANCHES, UNITS 1, 2, AND 3 CONDUCTED AT NOVEMBER 3, 2007 ANNUAL MEETING

THE STATE OF TEXAS }

COUNTY OF COMAL }

BEFORE ME, on this day personally appeared John M. Ousset, who being by me first duly sworn, did on his oath depose and state the following:

1. My name is John M. Ousset. I am over the age of 21, of sound mind, and am fully competent to testify to the matters stated in this affidavit. I have personal knowledge of the facts set forth in this affidavit, and they are true and correct. I am currently a member of the Board of Directors of Creekwood Ranches Property Owners Association (“Creekwood Ranches” or “Association” herein) and have been since November 2020. I have personal knowledge about the meeting and actions of the Association and its membership as it relates to the voting in connection with the 2007 meeting and recording in 2008 of the renewal of the Restrictions for Units 1, 2 and 3. I was President of the Association during all relevant times in 2007 and 2008. When I use the terms “Restrictions” or “Reservations,” it is shorthand for the full name of the covenants and conditions and restrictions as to the Units specified.
2. The purpose of this document is to clarify the filing of the original document recorded on May 28, 2008 (Doc. #200806020973) in the Real Property Records of Comal County, Texas relating to the extension of the Restrictions for Units 1, 2 and 3 following the Annual Meeting of the membership in Units 1, 2 and 3 conducted on November 3, 2007, a copy of which I am attaching hereto as Exhibit A.
3. On November 3, 2007, the Association held a vote for the members of Units 1, 2 and 3 to further extend Units 1, 2 and 3 Restrictions for an additional 10-year period. I was then the President of the Association. I personally attended, presided over, and oversaw the voting process at this meeting of the membership of the Association on November 3, 2007. I participated in the vote to extend the restrictions for Unit 3, where I live. The voting was done by Units at the November 3, 2007 meeting. Board members counted the votes of members present, and proxy and absentee votes received by the Board at the meeting, as well as votes received by Board members prior to the meeting. I can confirm that the Board members counted the “for” and “against” votes separately for Units 1, 2 and 3 to extend the Restrictions, and it was so announced. Consequently, the Restrictions for Units 1, 2 and 3 that were originally set to expire on June 1, 2008, were extended by appropriate “yes” votes by a majority of tract owners in each of the Units 1, 2 and 3, on or before November 3, 2007 with the votes referenced above and the subsequent filing for the Creekwood Ranches Property Owners Association Annual Meeting Minutes and notarized acknowledgement for the meeting held November 3, 2007 so that it represents a “duly recorded written instrument” memorializing the votes of the membership in Units 1, 2 and 3. Attached as Exhibit A hereto is a true and correct copy of the minutes and

acknowledgment recorded in the Real Property Records of Comal County, Texas on May 28, 2008 at Doc. #200806020973.

4. I wish to clarify that on page 6 of same, when I stated that I acknowledged that the deed restrictions in Units 1, 2 and 3 were voted on by a "majority at the Annual Meeting to extend the deed restrictions for Units 1, 2 and 3 for a successive ten-year period through June 2018 per the attached minutes," I did not mean a majority of all persons present voted on unit restrictions in which they did not live. Further, I meant all persons present and absentee and proxy voting as set forth above for each unit separately. To be perfectly clear, the members representing a majority of the tract owners in each of the Units 1, 2 and 3 voted to extend the Restrictions for their units. The November 3, 2007, minutes also contain, as set forth in Exhibit A hereto, three Registration Sign-In pages for the meeting of the membership. The purpose of the sign-in sheets was merely to account for a quorum for the meeting. Such sign-in sheets, as attached to the minutes and recorded on May 28, 2008 was never meant to be a representation of all members present whose votes were counted in person or by proxy or absentee. Such sign in sheets were not complete. For example, according to the minutes, Dorothy Woods, a Unit 2 owner, was present and seconded a motion at the meeting; however, her name is not shown on the recorded sign-in sheets. A subdivision newsletter was sent out to all members' addresses on file at that time prior to the annual meeting, which provided notice as to the date, time and location of the Annual meeting on November 3, 2007, along with a reminder to send in or give proxies and votes if unable to attend. I am certain that the Restrictions were properly voted on and resulted in the extension of the Restrictions for Units 1, 2 and 3. No one to my knowledge ever complained, challenged such vote or announcement after such announcement and recording of the minutes of said extension.
5. As such, as correctly concluded in the original minutes and my verification attached and filed in May 2008, the Restrictions for Units 1, 2 and 3 were extended for an additional ten-year period at that time.

Dated this 13th day of January 2022




John M. Ousset, former President
Creekwood Ranches Property Owners Association, and
current member of the Board of Directors of Creekwood
Ranches Property Owners Association

STATE OF TEXAS }
COUNTY OF COMAL }

This instrument was acknowledged before me on the 13 day of January 2022 by **John M. Ousset**, former President, and current member of the Board of Directors of Creekwood Ranches Property Owners Association.




Notary Public, State of Texas
My commission expires: 3/26/2022

Amendments To The Restrictions



200806020973 06/20/2008 01:52:04 PM RESTRIC 1/7

Creekwood Ranches Property Owners Association Annual Meeting Minutes
Saturday, November 3, 2007

I. Introduction

Quorum established and meeting called to order at 11:21 a.m.

Board Members Present: John Ousset-President & Unit 3 Rep., Dorothy Wood-Vice President & Unit 2 Rep., Lourdes Mann-at Large, Vernell Adams-at Large, David Birnbaum-Unit 4 Rep., and Yolie Garcia-Secretary.

Yolie Garcia - Secretary
Amy Milchanowski-Treasurer

Board Members Not Present: Bob Nowotny-Unit 1 Rep., and David Garcia-at Large

John introduced the current Board of Directors.

II. President's Comments

Items and projects that John mentioned:

- Completed and distributed the 2006 Member Directory
- Garage Sale
- Trash Containers - May and November 2007
- Newsletter distributed twice this year
- Updates done on the website to keep members informed
- Hired a third party (Barbara's Bookkeeping) to handle the 2004 to present bookkeeping.
- Maintenance of the front entrance to include power washing the wall, and the park clean up.
- Construction of a new welcome sign.
- Fall Festival that included a hayride, pumpkin carving contest and lots of candy for the children.
- Bob Nowotny resigned his position with the Board as Unit I Representative, and will not be running again due to his film projects.
- John urged the members to get involved and be aware of issues concerning our community, especially the topic of Extra Territorial Jurisdiction (ETJ). John asked the members to read an article written by Bob Nowotny that is posted on the website.

John complimented the Board and volunteers for keeping the projects on track.

III. Reading of Minutes:

Minutes from the November 4, 2006 Annual meeting were read by Yolie Garcia.

There being only one correction to the minutes (under Accounting Update the word "account" should be "amount"), Scott Shepherd made a motion to accept the minutes and Don Stutsman seconded; a vote was taken, motion passed.

IV. Accounting Review

The Financial reports prepared by Barbara's Bookkeeping Services were presented by Treasurer, Amy Milchanowski.

Ron McTee asked about POA fees. John explained that payment plans are being offered to members who need help.

G. Duncan asked why we are paying utilities. John explained that we have street lights in the subdivision that we have to pay for.

G. Duncan asked about the maintenance fees and was this for the proposed park trails? John explained that no, the park trails did not happen and the maintenance fees are for the mowing and trimming of both the front entrance and park.

Earl Morris made a motion to accept the Financial Statement and Budget as presented, Scott Shepherd seconded, a vote was taken, motion passed.

John asked that \$8,000 be transferred from the Money Market account to be used for projects that need to be finished.

Earl Morris made a motion to move \$8,000 from the Money Market account to the Checking account to use only for projects that are to be completed. Don Stutsman seconded the motion, a vote was taken, motion passed.

V. Election

At Large Board Members:

- a. Three At Large positions are open for Vernell Adams, Lourdes Mann, and David Garcia. To replace Lourdes Mann, Carol Stegman was nominated. Robbie Brown moved to elect Carol Stegman; motion was seconded by Dorothy Wood. A vote was taken, motion passed. To replace David Garcia, David Brown was nominated. Brian Horton moved to elect David Brown; motion was seconded by Don Stutsman. A vote was taken, motion passed. To replace Vernell Adams, Vernell was nominated by Lourdes Mann. Genie Benavides moved to elect Vernell Adams; motion was seconded by Lourdes Mann. A vote was taken, motion passed.

Unit I.

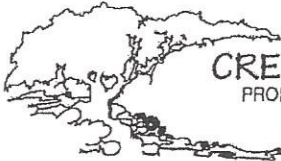
- b. Replace Bob Nowotny as Unit I Representative: Dorothy Wood nominated Ed Beissner. Brian Horton moved to elect Ed Beissner; motion was seconded by Genie Benavides. A vote was taken, motion passed.

Extend Deed Restrictions:

- c. Units I, II, and III up to extend deed restrictions for a successive ten-year period through June 1, 2018. Dorothy Wood moved to extend, Vernell Adams seconded. A vote was taken, motion passed.

VI. Adjournment

A motion was made by Don Stutsman to adjourn; motion was seconded by Earl Morris. A vote was taken, motion passed and the meeting was adjourned at 11:35 a.m.

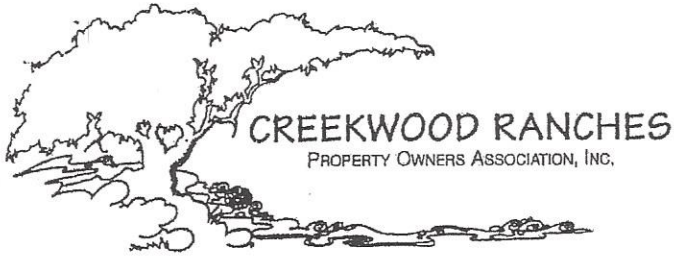


CREEKWOOD RANCHES
 PROPERTY OWNERS ASSOCIATION, INC.
 5000 CREEKWOOD PASS
 SPRING BRANCH, TX 78070


ANNUAL MEETING
 NOVEMBER 3, 2007

REGISTRATION SIGN-IN

SIGNATURE/S	VERIFY ADDRESS/PHONE	EMAIL
<i>Alayna & Phila</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	<i>aa.p@gvta.com</i>
<i>Maen & Duena</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	<i>BDUNCAN@gvta.com</i>
<i>Ben & Denise</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	" "
<i>Ron & JUNE MCTEE</i>	<input checked="" type="checkbox"/> correct <input type="checkbox"/> change on form	<i>mctee@gvta.com</i>
<i>Earl Morris</i>	<input checked="" type="checkbox"/> correct <input type="checkbox"/> change on form	<i>EJMTXHC@gvta.com</i>
<i>KEV & PAULA ANDERSON</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	
<i>Don & Ellen Stutzman</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	<i>stutzme@gvta.com</i>
<i>Ken & Luli Mann</i>	<input checked="" type="checkbox"/> correct <input type="checkbox"/> change on form	<i>Kmann@gvta.com</i>
<i>Nancy & Rubin King</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	
<i>Frank & Mary Lee Volz</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	
<i>Julius & Barbara</i>	<input checked="" type="checkbox"/> correct <input type="checkbox"/> change on form	
<i>K. Streptel</i>	<input checked="" type="checkbox"/> correct <input type="checkbox"/> change on form	<i>KSt</i>
<i>Eld & John Beissner</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	
<i>Shirley Beckman</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	
<i>Jim & Darlene NEAL BAVER</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	<i>NBAVO@MSN.COM</i>
<i>Hector & Eric Benardis</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	<i>genib@gvta.com</i>
<i>Robbie Brown</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	<i>Robbiebrown@hotmail.com</i>
<i>Laurie Standard & Malinda</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	<i>area143@sbcpob.com</i>
<i>John & Amy Robinson</i>	<input checked="" type="checkbox"/> correct <input type="checkbox"/> change on form	
<i>Patty Falkenberg</i>	<input checked="" type="checkbox"/> correct <input type="checkbox"/> change on form	<i>pafalken@gvta.com</i>
<i>Kim & Ann</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	<i>kcbraun62@aol.com</i>
<i>Frederic Bader</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	FB
<i>Kathrina Turner</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	<i>winney@gvta.com</i>
<i>Kychee G. Stone</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	
<i>Marta & Steve</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	
<i>DAVID CHAVIRA</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	
<i>Paul D.</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	<i>panday2@gmail.com</i>
<i>Frank & Vernell Adams</i>	<input type="checkbox"/> correct <input type="checkbox"/> change on form	
	<input type="checkbox"/> correct <input type="checkbox"/> change on form	



I, John M. Ousset, hereby acknowledge that the Creekwood Ranches Property Owners Association voted by majority at the Annual Meeting to extend the deed restrictions in Units 1, 2 and 3 for a successive ten-year period through June 2018 per attached minutes.



John M. Ousset
President
Creekwood Ranches Property Owners Association, Inc.
2003-2007

5.28.08
Date

THE STATE OF TEXAS }
COUNTY OF COMAL }

Before me, a Notary Public, on this day personally appeared JOHN M. OUSSET known to be to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed

Given under my hand and seal of office this 28th day of May, AD. 2008



Alice Goebel
Notary Public

ALICE GOEBEL
Print Name

My commission expires:

March 15, 2012

Filed and Recorded
Official Public Records
Joy Streater, County Clerk
Comal County, Texas
05/28/2008 01:52:04 PM
CASHONE
200800020973



Joy Streater

Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
01/14/2022 11:05:09 AM
CASHONE 9 Page(s)
202206002383



Bobbie Koepf