

**RESOLUTION  
BOARD OF DIRECTORS  
LOOKOUT RIDGE PROPERTY OWNERS ASSOCIATION, INC.**

**WHEREAS**, the Bylaws of the Lookout Ridge Property Owners Association, Inc. (the "Association") vest in the Board of Directors the duty to maintain all access roads and private streets which have been entrusted to it in accordance with the Declaration of Covenants, Conditions and Restrictions of Lookout Ridge as recorded in Volume 12578 Page 658, Real Property Records of Travis County, Texas (the "Restrictions"), and

**WHEREAS**, paragraph 20 of the Restrictions purports to require each Lot Owner in the Lookout Ridge Subdivision to contribute \$100 per year lot assessment for maintenance of the Subdivision's access road, Blue Cove Road, and for such collected funds to be made available to the Blue Cove Property Owners Association by February 15 of each year for coordination of street maintenance and for enforcement of the assessment provision; and

**WHEREAS**, at the time the Restrictions were recorded, the Association had not yet been formed and incorporated; and

**WHEREAS**, upon incorporation of the Association, the authority to enforce the Restrictions and the duty to exercise the obligations imposed by the Restrictions became vested in the Association; and

**WHEREAS**, Article IV of the Bylaws adopted by the Association imposes the duty on the Board of Directors to accept, own, operate and maintain all areas of the Property which may be conveyed or leased to it by Declarant, together with all improvements of whatever kind and for whatever purpose which may be located in said areas, and do, accept, own, operate and maintain all other Property, real and personal, conveyed or leased to the Association by Declarant as defined in the Restrictions and to maintain in good repair and condition, all lands, improvements, and other property owned by or leased to the Association; and

**WHEREAS**, Article IV, Section 3 of the Bylaws provides that the Board of Directors shall have the powers to fix, determine, levy and collect in accordance with the Restrictions, the special assessments to be paid by each of the Owners in order to meet increased operating or maintenance expenses and/or costs, and additional capital expenses; to collect delinquent assessments by suit or otherwise and to enjoin or seek damages from an Owner, as provided in the Restrictions and these Bylaws; and to protect and defend the entire Property from loss and damage by suit or otherwise; and

**WHEREAS**, the Board of Directors, meeting pursuant to a called meeting in accordance with the Bylaws after a duly called meeting of the Lookout Ridge Property Owners Association on April 28, 2001, has determined that the duty and authority to maintain the Blue Cove Access Road pursuant to paragraph 20 of the Restrictions, having been duly assigned by the Declarant to the Association with the assignment of all Declarants rights in the Subdivision at the time of

incorporation of the Association on January 28, 1998, that the Blue Cove Road assessments collected by the Association should hereinafter be retained by the Association and managed by the Board rather than maintained by the Blue Cove Homeowners Association;

**NOW, THEREFORE**, be it resolved by the Board of Directors of the Lookout Ridge Property Owners Association, Inc, that henceforth the access road maintenance assessment assessed and collected by the Association pursuant to paragraph 20 of the Restrictions shall be exclusively managed, controlled and spent for road maintenance as determined necessary and appropriate by the Board of Directors of the Association in accordance with the authority vested in it by the Restrictions and pursuant to the duly adopted Bylaws of the Association, and shall not be made available to the Blue Cove Homeowners Association by February 15 of each year. The Board further resolves to continue to cooperate and coordinate access road maintenance with the Blue Cove Homeowners Association, but shall exercise its independent right to collect, manage and dispose of all funds assessed and collected pursuant to the access road maintenance provision of the Restrictions.

**IN WITNESS WHEREOF**, the Board of Directors, by a vote of 3 to 0 hereby adopts this Resolution on 8<sup>th</sup> day of May, 2001.

**SIGNED:**

Helen E McKinstry Date: 2/22/2002  
Helen E. McKinstry, President

**ATTEST:**

Cindy Brown Date: 2-22-02  
Cindy Brown, Secretary of the Board

**FILED AND RECORDED**  
OFFICIAL PUBLIC RECORDS

Cindy Brown  
02-22-2002 12:52 PM 2002084118  
KNOWLES \$13.00  
DANA DEBEVERE, CLERK  
TRAVIS COUNTY, TEXAS

**MEMORANDUM OF RESOLUTION**

On April 28, 2001 the Board of Directors of the Lookout Ridge Property Owners Association, Inc. at a duly called meeting adopted a Resolution regarding the assessment, collection, maintenance, control and disposition of the assessment funds for Blue Cove Road maintenance by the Lookout Ridge Property Owners Association, Inc, and resolved to not make such funds available to the Blue Cove Homeowners Association, a copy of which Resolution is attached hereto and incorporated herein by reference as Exhibit "A".

SIGNED:

Lookout Ridge Property Owners Association, Inc.

By: Helen E. McKinstry  
Helen E. McKinstry, Its President and  
Member of Board of Directors

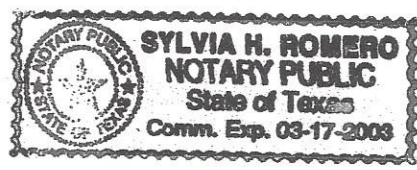
Date: 2/22/2002

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on the 22nd day of February, 2002, by Helen McKinstry, President of Lookout Ridge Property Owners Association, Inc. On behalf of such corporation.

Sylvia H. Romero  
Notary Public, in and for  
The State of Texas



Return Address: Lookout Ridge  
Property Owners Assoc  
4908 Lookout Ridge Drive  
Marble Falls TX 78654