

Homeowner Questions from the Annual Meeting

Question: Were the townhomes located in the northeast area of Creekshaw phase 2 on the original plans submitted to Royse City and Rockwall County?

Answer: Yes. This information was included in the Zoning for the property located as Ordinance No. 19-12-1352 adopted by the City of Royse City on 12-10-2019.

Question: What contractual agreement does Creekshaw HOA have with the vendor who installed the holiday lights at the entrance to Creekshaw?

Answer: The original agreement with the holiday lighting vendor was for a 3-year term.

Question: Are we planning on building another pool or activity in the neighborhood to help with the capacity of the new homes?

Answer: The current existing amenities are the extent of the Developer's scope of work for Creekshaw. The Homeowners can determine later if they would like to construct additional amenities with excess funds they may have for such work.

Question: What can homeowners advocate for being built in our neighborhood that will help profit the community rather than continue to raise our taxes and bring little outcome?

Answer: Taxes are not set in relation to what is built in the neighborhood, instead they are determined by the Rockwall CAD based on market value of the properties being sold within the neighborhood. Homeowners can determine what additional amenities they would like the HOA to fund.

Question: Will the HOA fees continue to stay at the same rate given the expansion of the community and the lack of addons.

Answer: The HOA annual master assessment was established at the completion of Phase 1 lots through a build-out-budget designed to anticipate the cost of all completed lots/amenities. All lots have been assessed with regular annual dues since day 1, regardless of owner, and the Developer paid dues on all vacant lots. This process ensures that the HOA will be able to sustain all costs at full build out and will be left with a healthy reserve account once the Developer hands the board over to the homeowners.

Question: Concerns with the lawn near the walking trails not being in good condition. Such as broken trees, large areas with bare spots and a lot of fire ant's nests.

Answer: The board will obtain quotes for weekly porter service in addition to pricing of trash cans and including the emptying of these in the porter service contract.

Question: Request for a picnic table along the trail area near the lift station

Answer: If the homeowner could please send details regarding exact locations of this complaint, the board will review the area in question with the landscaper.

Question: What can the community do about residents using the pond to fish and not cleaning up after themselves? Suggest putting trash cans near fishing area.

Answer: The board will obtain pricing for trash cans to be installed around the ponds.

Question: Is the landscape team responsible for cleaning up the garbage in public areas like the walking trail and fishing ponds?

Answer: Yes, they do a light clean up when they are out to do the regular landscaping schedule. The board will obtain pricing for a more thorough regular porter service.

Question: Erosion of Creek near pool. Who is responsible for addressing and who will cover the cost?

Answer: The board will investigate this matter. The HOA is responsible for addressing and covering the cost of any maintenance needed.

Question: What are the plans for the pool supervision? If we are willing to pay for pool monitoring, why not appoint a lifeguard on high traffic days?

Answer: Lifeguarding costs are high and expose the HOA to liability. Pool safety is the responsibility of the individual owners using the pool. The pool monitor's role is to make sure pool rules are being enforced and followed in lieu of having a homeowner manager this personally.

Question: ETA on when the community will transfer to homeowner control?

Answer: Texas Property Code Section 209.00591(c) - Until such time as 75% of the total lots in the association are conveyed to homeowners, the Declarant retains HOA board control. On or before the 120th day after the date that 75% of the lots are conveyed to homeowners, at least 1/3 of the board must be elected by owners other than the Declarant. For Creekshaw, there are 276 lots in Phase 1 and 479 lots in Phase 2, for a total of 755 lots in Creekshaw. At the time of 566 total homes owned by homeowners, the Declarant is statutorily required to

make sure 1/3 of the board seats are elected by owners. As of today's date, there are 400 homes owned by Homeowners in Creekshaw. The Declarant holds 3 board seats and has already appointed 1 homeowner as a full board member. Further, the Declarant plans to appoint another homeowner to the board within the next 6 months. With continued interest from homeowners, the Declarant desires to transition the board to full homeowner control much sooner than statutory guidelines. The Declarant will retain control of the New Construction Committee until the completion of the final home in Creekshaw.

Question: How are the CC&RS communicated to current homeowners and renters? Some homeowners and renters are stating they are not aware of the restrictions in the community such as commercial vehicles, renting out homes, and landscape maintenance.

Answer: The owner of the property is responsible for obtaining the CC&Rs for their property. Builders typically provide this information on a new home sale, but title companies should always provide a copy of any title restrictions at home closings. Ignorance of the CC&Rs is not cause for receiving any kind of variance on the restrictions. The board enforces the leasing restrictions located in the CC&Rs and can only address these matters if notified of properties in violation. As a reminder, owners can lease their property after 2 years of ownership. They are required to provide the lease and tenant information to the board, and the Lessor is required to provide a copy of the CC&Rs to their Tenant. An owner is held responsible for any actions made or not made by their tenant.

Question: Are we enforcing the governing documents with warnings and fines?

Answer: Yes

Question: Requesting pet stations in Phase 2 along Shaw Spring and Anglers Way.

Answer: The board will address this.

Question: Concerns of the crumbling wall that borders the community. Who will cover the cost of the repair to the wall even if it is located inside of the lot?

Answer: The installing retaining wall contractor was sold a bad batch of stone by his supplier, which includes one particular stone that erodes/busts apart rapidly with weathering. He has been out several times to make warranty repairs to this specific stone as requested by builders. The developer sold the lots to the home builders and any warranty issues with the walls would need to be managed between the developer and the builder. If you are experiencing this specific issue inside your private property, you need to contact your builder and instruct them to reach out to the Developer to schedule the warranty repair work. The contractor should be out soon to make replacements on the wall that faces FM 35 and

Creekshaw Blvd. Please note that any mortar cracks in retaining walls are very common in Texas. They are cosmetic and do not deteriorate the structural integrity of the wall. It is the responsibility of the property owner to manage any cosmetic repairs on their own.

Question: Trash can storage, specifically whether trash cans may be stored in front of the home?

Answer: Trash cans cannot be stored in sight of the street or any adjacent property owners. Ideal places to store them would be in the garage or behind the property's side yard fencing. Homeowners can submit requests to the Modifications Committee for side yard storage options such as concrete pads, but they must also provide screening fence options in this case.

Question: Flock Safety and community safety measures were brought up. There have been multiple incidents regarding criminal activity within the Creekshaw neighborhood.

Answer: Criminal activity should always be reported to Royse City PD and it is the responsibility of law enforcement to handle these specific matters. The board recommends the creation of a Safety Committee run by homeowners to provide the board with options for added security.