

Pearland Homeowners Association
Annual Meeting
4103 Pine Mill Court
Pearland, TX 77584
Tuesday, April 11, 2006

Dwain Evans called the meeting to order at 6:10 p.m.

I. Dwain introduced himself and asked the other members present to introduce themselves:

Chad and Desiree Armond of 4210 Pine Mill Court
Andy Bornefeld of 3410 Old Holly
Robert and Cynthia Castro of 3402 Old Holly
Hope Dean of 4002 E Timber Cut
Vickie Elledge of 4203 Pine Mill Court
Frank and Linda Fort of 4005 E Cedar Trail
Dave and Christel Mark of 4203 W Timber Cut
Eric and Sophia Pena of 4002 Pine Mill Court
Mark and Dinah Smith of 4006 E Cedar Trail
Jeremy Thomas of 4004 E Cedar Trail
Paula Muramon Valdez of 4205 Pine Mill Court

Dwain asked the other attendees to introduce themselves:

Betty Floyd, of Kebbell Homes
Laura Nix, of Kebbell Homes
Frank Wood, of Chase Lodge

II. Dwain provided the background of Pearland Farms.
The land was part of a 100 acre tract containing only Chinese tallow trees. It was originally zoned "commercial." He made 3 or 4 trips to the city planning committee. Finally, the neighbors voiced their support to change the zoning from commercial to residential and that convinced the committee to change the zoning to residential. Dwain wanted to create attractive houses in a historical sense. He explored around Atlanta, GA and copied their designs. He also wanted to create a sense of community. This is where Laura has been working with owners. He is now creating new urbanism subdivisions like on the East Coast, West Coast, and the 2 that are currently on Galveston Island.

III. Dwain provided an overview of Section 2.

Dwain showed a drawing of the plat of Section 2 and stated the following:
Old Holly Drive will be continued into section 2. The first two lots will be reserved for a recreational area and pool. The pool was intended to be in Section 1, but city regulations in place at the time prohibit the addition of a pool. The pool is now planned for section two. At this time we do not have completed plans for the pool, although the city has given there verbal approval. We are looking forward to construction of the pool on September 1 and on new homes in Section 2 in January or February.

IV. Dwain reviewed the deed restrictions.

Dwain asked a raise of hands for anyone who did not have a copy of the restrictions.

Dwain stated he brought 4 extra copies, and Laura said she, after the meeting is over, will get the names of those who need additional copies.

Dwain stated everyone should have received copies of the deed restrictions from the title company and then began going over selected topics from the deed restrictions.

Chase Lodge, the developer, maintains control until 75% of the homes have been sold because he receives 3 votes per lot (the restrictions actually state 5 votes per lot) compared to 1 vote for each homeowner's lot.

Every lot is restricted to single family residential use. You can run a business, such as in your garage apartment, so long as it is not detectable, conforms to all zoning requirements, and the business activity does not involve unreasonable visitation.

Animals may be kept provided that they are not kept for business purposes, that no more than four such pets, the fence is in compliance with the Architectural Control Committee (ACC), and the structure of animal enclosures is not visible from the street.

No motor vehicle may be parked on the street overnight. No vehicle may be parked or stored unless it is concealed from view by structures approved by the ACC or is in operating condition and has current license plates and inspection stickers and does not exceed 6' 6" in height. No vehicle shall be parked on the grass. No owner may be permitted to work on vehicles in driveways or streets other than work of a temporary nature, that being less than 48 hours. No vehicle may block public access to streets or sidewalks.

No trash shall be kept or allowed to remain on any lot nor shall any lot be used or maintained as a dumping ground for such materials. All garbage must be stored in containers in a style approved by the board and must not be in view other than the day before and the day of collection.

No signs without the consent of the ACC, except those professionally made signs no more than 6 square feet (the restrictions say 48").

Question by Frank Fort asked if this applies to religious signs.
Dwain replied that it does apply.

Owners have 3 months to repair burned homes. Modular homes are not allowed. Carports are allowed if first approved by the ACC. No window air conditioners should be visible from the street. No solar panels are allowed unless first approved by the ACC.

Dwain suggested reading the powers of the ACC. Each owner is a member until ownership ceases. Class A members are the owners. Class B members is the declarant, which Dwain represents. When 75% of the homes are deeded to owners, the HOA becomes self-governing, or January 1, 2010, whichever comes first.

What is the \$240 for? Every lot is assessed and it is uniform. Benefits include parks, median, pools, street lights, and irrigation. The annual assessment is \$240 per year.

Everybody needs to receive a set of restrictions from the title company.

V. Frank Wood presented the financials, pointed out the addendum that explains some of the expenses recorded in 2006 were actually incurred in 2005 and loaned interest-free from Chase Lodge, and the mowing expenses will be audited because it was recently believed they possibly included charges for mowing vacant lots that would be expenses of Chase Lodge.

Betty Floyd said going forward, we will provide monthly financial statements and to email Frank Wood if you have any questions regarding the financials (frankw@kebbellhomes.com).

David Mitchell asked why do we spend so much on lake management like blue dye which he feels is just aesthetic and asked if it kills the fish.

Laura Nix said the dye is safe for fish and the chemicals are now added monthly to avoid paying the expensive fountain repairs we incurred last year.

David said it would be cheaper to buy enough bleach that would take care of the whole lake.

Laura said we cannot add bleach because we are trying to get the chemical levels acceptable to fish that will eat the algae and then we won't have to keep paying so much for chemicals.

Vickie Elledge asked if we can see about getting rid of the snakes like water moccasins she has seen.

Frank Wood responded that if they killed the snakes, they would also be killing the fish and if they deterred the snakes, they would only drive them out into the yards.

Frank Fort asked what we are doing to vary the floor plans so every house does not look alike.

Betty said we do vary the floor plans and colors to achieve some variety and to avoid having two homes with the same floor plans right next door.

Frank Fort added that otherwise it would hurt sales and retail values. Betty agreed.

Mark Smith asked how will we handle the debt.

Dwain said it took 2 ½ years to catch up for a subdivision that had about 240 lots. In this case, it should be built out at the same time the debt is paid so he expects it too will take 2 ½ years.

Frank Fort asked if fees stay the same and Dwain replied that is correct.

VI. Pool Plans were already discussed.

VII. Dwain believes that commercial use of the reserves at the front of the subdivision would hurt property values so he presented a drawing of the proposed use of the land and stated he proposes one story office buildings built in the same historical fashion.

Andy Bornefeld asked what is happening on Magnolia Street.

Dwain said Magnolia would become four lanes with an overpass and a U turn.

Frank Fort asked if they will block the tracks.

Dwain said we have been assured that we will have access.

Eric Pena asked if Magnolia will be blocked once the overpass is built.

Dwain said the crossing will go away.

Andy said that we will probably have people taking shortcuts through the subdivision.

Dwain agreed that they probably will.

Frank Fort said that there were previous talks of having it gated and what is the status on that?

Dwain stated that then the streets become private instead of public, the homeowners association would then be responsible for maintaining them, and that makes it unattractive.

Jeremy Thomas stated that he would still like to see a financial proposal on making it gated.

Eric saw a For Sale sign behind his property and wants to know its status.

Dwain said there is a builder next door with property zoned industrial and next to him is property zoned heavy industrial. He added that the property to the south went from being zoned commercial to being zoned residential.

Hope Dean said she does not know where one line stops and another starts.

Dwain said everything from Canterbury to the railroad tracks is residential.

Dwain stated it was time for Director Elections.

Dwain states that with his votes he elects himself and then Frank Wood, so now we need a third director and that we have two nominees, Jeremy and Candy, volunteering to be co-directors. Dwain then allowed the nominees to speak.

Jeremy stated he would like to be a positive voice for the community.

Dwain said Jeremy and Candy are nominated and asked for a motion to cease nominations.

Motion was made, seconded, and carried by oral voting.

Dwain asked if there were any further questions.

Vickie asked whose responsibility is it for mowing the front fields?

Dwain said the developer is.

Vickie added that she has a mice infestation problem because they come from the fields that have high weeds. She added that there are also a lot of nutria that come from the fields. She then asked if we are going to pave the jogging trails.

Dwain said no, the current plan is to just use RoundUp to control the weeds.

Vickie said the gulleys in the trail are too much for her bad knees.

Dwain said he would look into that.

Frank Fort asked if the pond would be extended.

Dwain said yes, it would be extended beyond a cross street, probably with a pipeline connecting them.

David said the post office is not delivering to the west side. Several others agreed.

Dwain said prepare petitions and they will.

Jeremy said they are delivering on the east side because of a precedent and that we need to show a precedent on the west side.

David said they need mailboxes.

Dwain said he will do mailboxes if necessary.

Andy asked about door-to-door solicitations.

Dwain said we can post a sign out front, but there is nothing in the deed restrictions to enforce on them.

Vickie said the city can post No Thru Streets signs.

Dwain asked for a motion to adjourn, the motion was made, seconded, and ratified by oral voting.

Jeremy noted that he and Candy set up an e-mail account pearlandfarms@yahoo.com.

Laura took the names of those people who wanted a set of deed restrictions.