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La Buena Reader

La Buena Vida Property Owners Association Newsletter

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The La Buena Vida Property Owners Association, Inc is incorporated under the laws of the State of Texas as a non-profit corporation, and granted powers of administering the Covenants, Conditions and Restrictions for La Buena Vida.

Report from the Board

Spring in La Buena Vida provided some absolutely beautiful days, and a welcome respite from the harsh winter of 2009. The shorebirds are back wading the shallows of the "lake", and the water grasses and landscaping once again green and colorful. And along with summer come the boats drifting adjacent Estes Flats – in search of trophy trout or redbfish.

As for the neighborhood, there was some freeze damage to various palms – especially the "Royals" and some "Queens" – which replacement planting is currently being finished. Other changes this year at LBV include update of the gate security system to allow residents – through their home phone – to open the gate remotely for visitors. The Scharck's have also begun building their new residence at 22 La Buena Vida Drive, and the Samuel's residence is nearing completion.

Each of you that own vacant Lots in LBV should have recently received an invoice to prepay for lot mowing through the end of the year. While we underestimated required mowing frequency for 2010, it is also a reflection of the amount of rainfall received. *(Which also means less expense in watering common areas, as well as helping mature palms recover.)*

Also, the Board has received a lot of feedback regarding signs in the neighborhood – mostly from people wanting them removed. After significant deliberation on this, we have adopted a sign policy going forward that we hope meets the combined objective of facilitating marketing of lots "for sale", and construction activity, but to apply limits and require uniformity to reduce the impact on the aesthetics of the neighborhood. There is more information – and the actual sign policy – included in this newsletter.

Finally, probably the item of most interest to Lot Owners is the status of the POA treasury. Due to some very aggressive cost cutting, we finished fiscal year 2009 with a \$44,000 positive balance – which the Board recommended to maintain as a reserve fund. For 2010, the Board implemented a reduction in the property owner assessments, from \$2,500 to \$1,600 per year. This was a very aggressive reduction in fees, and was predicated on continued control of expenses. The Board is happy to report that according to the independent accountant's statement ending May 31, 2010 – six months into the POA fiscal period – revenues exceeded expenditures by approximately \$5,400. While it is too early to predict a further lowering of Association assessment in 2011, it certainly appears that – with diligence – the current \$1,600 per annum levy is adequate to cover Association expenditures.

If you have any questions, concerns, or comments, please contact one of us - the LBV POA Officers – either by phone or email. Our contact information is listed in the sidebar to the left. And please make plans to attend the POA Annual Meeting, scheduled for Saturday, November 13. *(Aside from settling some POA business, it is also a great opportunity to meet the other Owners, check out your property, and see how the neighborhood is progressing!)*

Board Adopts Sign Policy

As a response to several complaints regarding the location, number and appearance of real estate and other signs in the neighborhood, the Board has formalized the policy regarding signs. Note that the Covenants, Conditions and Restrictions prohibit signs in the neighborhood, except as specifically approved by the Board.



Until 2008, no signs were allowed, but the Board at that time made an exception of For Sale signs on Lots. This was also a topic of discussion at the Annual Meeting last November, as well as concern by residents attending the Board Meeting in April 2010.

The Board's objective regarding signs is to not hinder the marketing of any Lot, but to apply limits and require uniformity to reduce the impact on the aesthetics of the neighborhood. Additionally, aside from For Sale signs, and a Builder sign on a house under construction, no other signs will be allowed on the Lots, and no signs are ever allowed on the frontage road, front gate or Common Areas.

Effective July 6, 2010, the Board adopted the following Policy. (This policy is also posted on the LBV POA website).

- a) To facilitate the active marketing of a Lot, up to two (2) For Sale Signs may be posted on the Lot. One sign is allowed on the street side of the property, not nearer than 30 ft from the street property line. A second sign (optional) may be placed on the water side of the property, within 50 ft of the bulkhead. When the sale of the property has closed, the signs must be removed within seven (7) days.
- b) A Lot which has a house under construction may display one (1) Builder Sign. The sign shall not be posted prior to Architectural Committee approval of house plans and specifications, nor shall it remain on-site after completion of house construction.
- c) All other signs are expressly prohibited, including subcontractor signs.
- d) Sign Size and Appearance. The overall sign dimension shall not more than two (2) feet wide, nor three (3) feet tall. Signs shall not be faded, weathered, broken or otherwise unsightly.
- e) Unless specific exception is provided in writing by the Board, any Sign that does not comply (in the opinion of the Board) with paragraphs a) – d) above - either by type, placement, size, appearance or duration - are specifically prohibited. Prohibited signs will be removed and disposed of without further notice, and any expense incurred in doing so will be assessed to the Lot Owner as per CCR Article 4.4.

In the past, the Board has contacted Lot Owners, builders or realtors to have signs removed, with typically no response afterwards. Going forward, signs that do not meet the rules will be removed by a Board or Committee Member, and disposed of – all without further notice. If size or installation requires additional labor to remove, the mowing company or another contractor will be hired to do this at the Lot Owners expense. If you – or your realtor representative – have a sign on your Lot, it is your responsibility to assure that it is appropriate given the above policy. We appreciate cooperation from Lot Owners on this matter.

*Annual Meeting
scheduled for
November 13, 2010.*

POA Annual Meeting

The Annual Meeting of the La Buena Vida Property Owners' Association will be held on Saturday, November 13, 2010. Please note the date, and plan to attend. There will more details forthcoming regarding location (albeit Rockport, Texas area) and time.

Remote Gate-Opening System Installed

In early April, installation of phone-operated, remote gate-opening system was completed. Visitors can look up a residents name at the security station outside of the gate, select to call them, and the resident – via answering their home phone – presses “9” to open the gate for the visitor. Phone numbers for all current residents have been programmed into the system.

As before, entry of a gate code – or use of the “garage door type” transmitter or a home link system in your car – will still open the gate. However, we hope that residents use the new system for visitors, deliveries, etc. The neighborhood is fortunate to have the extra security associated with the gate and perimeter fence; property owners should help maintain that security by limiting distribution of the gate code. To facilitate construction activities in the neighborhood, the gate is still programmed to be open between the hours of 6 am to 6 pm.

The current gate code is XXXX. (Note the code reference in this web-version Newsletter has been removed, for security purpose. Lot Owners may contact a Board Member for current gate code reminder.)

Architectural Committee Report

Probably the most important committee within the subdivision is the Architectural Committee, which reviews and approves proposed construction. Since inception, Bob Hardesty has served as Chairman of the Committee, as well as on the Association Board, but in January chose to resign. The Board wishes to extend a sincere “Thank You” to Bob for his leadership and dedication especially important during this early period of La Buena Vida activity.

In January, Michael Zotzky was selected by the Board to replace Bob as Chairman of the Architectural Committee, and Randy Hunter volunteered to be on the Committee as well. In April, the construction plans and specifications for Michael and Fronia Scharck’s new residence at 22 La Buena Vida (Lot 26) were approved by Architectural Committee members Randy Hunter, David Becker, and Michael Zotzky. As the Lot includes wetlands extending from the adjacent Common Area, the evaluation included a thorough review of the environmental study on the subject property – and the associated Army Corp of Engineers ruling on revised wetland boundary – to ascertain there are no wetlands issues. Construction began in May. There are currently no other Architectural Committee issues under consideration.



Photo courtesy of Ed & Ellie Block

Bulkhead Maintenance

At the Annual Meeting in November 2009, a question was asked regarding who is responsible for maintaining and repair of the Lot bulkheads – whether it was the individual Lot owners, or the POA. Referring to the CCR Section 2.8, “All Improvements upon any Lot and the portion of the Beach, Channel and Road adjacent thereto, including the bulkhead, any dock, boardwalk and street, shall be maintained in good condition and repair by the Owner of such Lot.”

The entry gate can now be opened via phone line.

Scharck house currently under construction.

Architectural Committee**Chair**

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Lot Mowing Status

In October 2009, Lot Owners were invoiced for the September 7, 2009 mowing, plus prepayment of the next three Lot mowings at \$60 each. (The prepayment allowed the POA to save money on individual billings and associated accounting fees.) Subsequently, vacant Lots required mowing on November 7, 2009, March 8, 2010, and April 24, 2010 – which used up all of the prepaid funds.

On June 28, the vacant Lots were again mowed. Based on 2009 experience, Lots will need mowing again in August, late September, and before the Annual Meeting in November. So it appears that we should plan on mowing vacant Lots six (6) times per year.

In late July 2010, Johnson & Cate (the POA accountant) billed each of the Lot Owners for the June 28 mowing, plus three prepaid mowings. This should suffice thru the end of the year. At that time, we plan to bill vacant Lot Owners for the 2011 Annual Assessment plus six (6) prepaid Lot mowings. (Of course, if weather dictates that less mowing is needed in 2011, excess funds will be credited to the Lot Owner.) Again, we ask that everyone participate in this prepaid Lot mowing program, which allows the POA to negotiate a lower mowing cost, plus avoid accounting fees associated with billing each Lot Owner at each mowing. As in 2010, there will be a \$15 per Lot mowing discount to those that pre-pay.

Lighting and Landscaping

Barre Electric has completed installation of two sets of new lights at the front entrance which helped improve visibility. Four of the street lights are not working, but parts have been received and the electrician should have completed repair by the time you receive this newsletter!

Some of you have asked how much landscape damage occurred – especially to the palm trees - as a result of the severe freeze in winter 2009-10. Four Royal palms – three around the flagpole and one at the highway frontage - and two Queen palms in the fountain island were lost. Royals are expensive and not really suited for this area. The highway frontage palm was replaced with a Foxtail palm which – although not freeze tolerant – looks great and will be inexpensive to replace, if required.

Three new Queens and a double Pigmy Date palm were planted last week. At that time, all of the palms in the common areas were examined, and six more Queens identified as needing replacement. We received a competitive bid to remove the dead palms and replace them, which should be done next week. So all total, ten palms will have been replaced.

In the fountain area, Ixora plants (yellow and orange) were planted to provide color. The common lawn areas have been fertilized, and earlier this year weed killer was applied – especially to control the dollar grass. The palms have also been fertilized, and the sprinkler system was checked, heads fixed and replaced as needed. The Water Committee has been active making adjustments to the system frequently to assure the common areas stay green without overwatering, especially with the heavy rains experienced lately.

The stucco wall at the entry is showing some deterioration, and we are currently evaluating options to return the wall and fence appearance to original condition. Finally, effective May 3, Kerry Washington is the new landscape contractor for the POA. Cost savings is approximately \$250 per month.



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We're on the Web!

See us at:
www.lbvpoa.com

Association Newsletter and Website

Just a reminder that the Association website address is: www.lbvpoa.com. The website is a repository for official documents (i.e., covenants and restrictions, bylaws), minutes of Board meetings, and related information. If you have any suggestions, or an article or story that you would like published in the newsletter, please contact a Board member.

Property Owner E-mail Addresses

If you received this newsletter by US postal mail, it is because we do not have a valid email address for you on file. Note that most of the other Lot owners received it via email at least a week earlier! We hope to avoid the expense and delay of printing and postal-mailing future newsletters, so please send a quick email to one of the Board members and we will update our list. Having your email address also allows the Board to provide quick communications for other important items such as annexation, dues assessments, etc. Plus the newsletter emailed in Acrobat pdf form is in full color, has email and other links to click on, etc!

Board of Director Meetings

Meetings of the Association Board are normally held during the third week of each month. (Meetings are typically on a Monday, Tuesday or Wednesday, and are scheduled a month in advance. But the exact day does move to accommodate Board member business travel.) All meetings are open to property owners of La Buena Vida - with the occasional exception of closed executive sessions - and are currently held at 21 La Buena Vida (Donna Vaughan's residence). As the meeting date and time is subject to change, please contact Donna in advance if you wish to attend a Board meeting.

About Our Organization...

The La Buena Vida Property Owners Association, Inc (the "Association" or "POA") is incorporated under the laws of the State of Texas as a non-profit corporation, and granted powers of administering the Covenants, Conditions and Restrictions (these "Restrictions") for La Buena Vida. The purpose of the Restrictions is to preserve the natural beauty of the property, to encourage attractive improvements which are harmonious and compatible, and to enhance the quality and economic value of the community and each lot therein.



Rosette Spoonbills in flight, March 2010.

The Bylaws of the Association govern the election of the Board of Directors of the Association, their term of office, and meetings, powers and duties. Each owner of a lot in the La Buena Vida subdivision is automatically a Member of the Association, with one vote per lot. Members elect all Directors for a term of one year.

LA BUENA VIDA POA

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