

Nantucket Preservation Association, Inc.  
Board of Directors Meeting  
Location-1733 Arrington Road  
6:30 P.M.  
Tuesday October 28, 2013  
MINUTES

1. Approval of minutes of September 17, 2013 NPA Meeting.
2. Management report - Hank Mc Quaid.
  - a. Expenses below budget.
  - b. Only 5 delinquent (2.15%)
  - c. Donald Clark to be issued a notice of lien for \$764.00 in past due.
3. Old Business-
  - a. Hank given go ahead to remove WWF along Nantucket Blvd and section specified along Harpers Ferry. Total length is 1800 feet. Cost of removal \$1.00 per linear foot.
  - b. Discussed electric fence gate by Lake. No action.
  - c. Fish – Gary – no action.
4. New Business
  - a. Dead and storm damaged trees in Park. Board voted for removal. For: Garcia, Griffin, Maness, Morris, Spence.
  - b. Real estate signs – should not be placed upon Public Areas.
  - c. Bylaw Policy statement – fencing. Board vote to enact new Bylaw Policy (Article XXI Section 21.05) is as follows: For: Garcia, Griffin, Maness, Morris, Spence. Article XXI Section 21.05 attached.
  - d. Leisure Isle – Hank will get opinion from Cully L.. Jim to meet with Homeowners to discuss their options.
  - e. Hank to spray Round upon weeds in Spillway. Also cut down Caster bushes intruding upon Lake.
5. Next Board meeting to be November 19, 2013.

# BYLAWS

## ARTICLE XXI POLICY STATEMENTS AND INTERPRETATIONS

### 21.05 FENCING NANTUCKET PRESERVATION ASSOCIATION, INC

This is a Statement of Policy prepared by the Board of Directors (the “Board”) of Nantucket Preservation Association, Inc. effective on the 29th day of October, 2013.

#### PREAMBLE

WHEREAS, The Bylaws of Nantucket preservation Association, Inc. (NPA) are governed by the Texas Non-Profit Corporation Act, and

WHEREAS, such Act allows amendments to the Bylaws by a vote of the majority of the members of the governing body, and

WHEREAS, NPA is subject to certain declarations of Covenants, conditions, reservations and restrictions in all of its phases (the “Declarations”). The Declarations are the same for all phases of Nantucket, and for purposes of the Statement, any differences between declarations in separate phases is not relevant, and

WHEREAS, For the purpose of assisting property owners of lots in Nantucket and advising prospective purchasers of property in Nantucket, this Statement of Policy is made for the purpose of clarifying the current interpretation of various terms and the policy of the Board regarding *placement of residential fencing*, and

WHEREAS, for the guidance of owners of property in Nantucket, the following conditions or issues shall be viewed by the Board as issues of concern, that will make application to the Architectural Control Committee (ACC) necessary or will be factors in establishing violations of the Declarations:

## STATEMENT OF POLICY

It is hereby declared by the Board of Directors of Nantucket Preservation Association, Inc. (NPA) that its current policy regarding placement of residential fencing is as follows:

1. All fence types, locations, and materials must be approved by NPA's Architectural Control Committee (ACC). All exceptions to the following guidelines must be granted by the ACC.
2. A special variance and exception is granted to the property owners where the existing white wooden fence (WWF) is removed by the NPA. The owner so affected may replace fencing of ACC approved type and style in the same physical locations from which the WWF is removed. The replacement action must commence within 12 months from date of WWF removal. Replacement cost is the responsibility of the homeowner.
3. All fences must be maintained in terms of appearance and kept in good repair as approved by ACC.
4. No wire fencing (hog wire, chicken wire) may be visible from any road or common area.
5. Chain Link fencing may be used in areas not within normal view of any road or common area as long as the fence is coated in green, brown or black vinyl.
6. Fences shall be of masonry construction, wrought iron, vegetative hedge, approved chain link, or substantially constructed wood or wood like synthetics. Other material may be submitted to the ACC for consideration.
7. Fences shall be no more than 6 feet in height.
8. Missing board on wood fences must be replaced within 14 days of written notification from the ACC.
9. Any fence leaning more than 10 degrees from vertical must be repaired, replaced, or removed within 60 days of receiving written notification from the ACC. Leaning fences may be temporarily repaired with bracing which shall only be used on the inside of the fence (on the owners property). No braces may be used on the outside of a fence or on the public right of way. "Temporary" shall be interpreted to be not more than 6 months from the date of ACC notice.
10. The Bylaws of NPA assigns powers and duties to the NPA Board which includes enforcing the provisions of the Declarations and seeking damages or other remedial action from any owner for violation of the Declarations or any of its individual provisions. To support the financial cost of performing these duties and responsibilities, it is the policy of the Board that it will assess fines of \$50.00 per day against any lot owner for failure to cure a violation ("failure to cure"). A failure to cure shall be considered after notice has been given once a month for three

consecutive months for a specific violation of the Declarations. If any owner receives notice, sent via certified mail, return receipt requested and fails to cure the violation, the fine shall commence thirty (30) days following the date of the third notice. Additional legal fees shall be assessed against the property owner as accrued and shall constitute a lien against the lot.

This Statement of Policy and Interpretation of the NPA Bylaws duly approved and spread upon the minutes of a regular meeting of the NPA Board the 29th day of October, 2013.

Jim Maness  
President  
Nantucket Preservation Association, Inc.