

CAT MOUNTAIN HOMEOWNERS ASSOCIATION, INC
SPECIAL MEETING OF THE BOARD OF DIRECTORS

Date: January 21, 2014
pm

Time: 5:00

Location: The Directors first convened at 5827 West Slope Drive for a viewing from that property looking south and west over West Slope Drive; following the viewing, they reconvened at the CMHOA Clubhouse, 6007 Mt Bonnell Rd, Austin, TX, 78731

1. CALL TO ORDER. Present at the meeting were: Directors Mr. Harter, Mr. Harrison, Mr. Grant, Mr. Dully, and Mr. Blanchard; homeowners of 5627, 5634, and 5836 Westslope Drive; and Manager Jesse Chargualaf.
2. Viewing from 5827 West Slope Drive of oak trees planted at 5836 West Slope Drive.

After the viewing, the Directors reconvened at the Clubhouse at 5:33 p.m. with the owners of 5827, 5834, and 5836 Westslope Drive to hear input from the owners of 5827 and 5836 Westslope Drive related to the appeal by 5827 Westslope Drive of the ECC's decision on two oak trees planted at 5836 Westslope Drive.

The owner at 5827 Westslope Drive presented his position to the Directors mentioning a prior incident when the Association caused trees planted at 5834 Westslope Drive to be removed because of concerns related to the restriction in the property records on the height of a structure that can be constructed on the property to 16 feet. A similar restriction affects 5836 Westslope Drive, he indicated. The owner of 5827 Westslope Drive asserted that if the two oak trees are not required to be removed then there should be a recorded instrument containing a commitment of the owner of 5836 Westslope Drive to trim the trees so they do not intrude above the 16 foot ridgeline restriction.

The owner of 5836 Westslope Drive stated that one of the trees complained about had been planted about six years ago, so there is no cognizable basis for a complaint at this time regarding that tree. As to the second tree which was planted during 2013, the owner of 5836 Westslope Drive stated that he has willing upon reasonable request to trim the tree so as not to intrude above the ridgeline of his house.

The Directors discussed the matter. Mr. Grant mentioned that with respect to the first tree which was planted six years ago it seemed that no action would be appropriate. Mr. Dully made a motion that the ECC's decision be sustained but with the addition of a condition with respect to the second tree that the owner of 5836 Westslope Drive execute an agreement committing to trim the tree so it will not intrude above the ridgeline of the house on his property. After further discussion, the Directors tabled Mr. Dully's motion to a subsequent meeting of the Directors, providing the opportunity for them to consider the matter further in the meantime.

3. Discussion and consideration of potential remedial action regarding compliance of 6016 Mt. Bonnell Cove with the Association's constituent documents and the City of Austin's requirements.

Mr. Dully made a motion that, in the event the owner of 6016 Mt. Bonnell Cove did not bring its property into full compliance by the January 26th date in the Association

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attorney's letter of December 27, 2013, the Association authorize its attorney to institute a lawsuit to enforce the covenants based on the attorney's evaluation of the owner's response, if any, to the attorney's December 27th letter received by January 26th; Mr. Blanchard seconded the motion; the motion was unanimously adopted.

4. NEXT Regular MEETING - February 10, 2014.
5. ADJOURNMENT. 6:36 pm.