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◦ FOURTH
◦ QUARTER
◦ 2010

AMBERWOOD

QUARTERLY NEWSLETTER OF AMBERWOOD HOMEOWNERS ASSOCIATION, INC.

2010 AMBERWOOD ANNUAL MEETING CONCERNS

I want to share a concern with all Amberwood residents about a continuing loss in member participation at our annual meetings. Annual meetings are held each October and give homeowners an opportunity to elect Board members, hear reports from our property management company, and voice neighborhood concerns.

Our HOA has 618 properties with voting rights and at least 62 properties must be represented to conduct the annual meeting. A quorum can be met by homeowners eligible to vote attending the meeting, by homeowners assigning proxy votes, or a combination of both. This is data from the last three annual meetings and the basis for my concern about the 2010 meeting.

October 24, 2007 - 57 Homeowners + 6 Proxies (No builder vote proxies were cast since we met quorum with homeowners and homeowner proxies.)

October 15, 2008 - 34 Homeowners + 6 Proxies (50 builder vote proxies)

were cast since we were unable to meet quorum with homeowners and homeowner proxies.)

October 21, 2009 - 27 Homeowners + 5 Proxies (70 builder vote proxies were cast since we were unable to meet quorum with homeowners and homeowner proxies.)

At this time there are no builder lots in Amberwood and builder vote proxies will not be available to allow us to meet quorum for the 2010 Annual Meeting. This is our neighborhood and I am requesting all homeowners try to participate this October. I also receive e-mails, comments, and calls from Amberwood homeowners with ideas to improve Amberwood. If you would like to participate as a Board member, please make sure you are nominated using the form provided by RealManage or attend the meeting and you can nominate candidates from the floor. The Board needs diversity and homeowner participation.

Tom Witt – Board President

Amberwood Community Website

<http://amberwoodhomeowners.org>

Please check the Amberwood website as shown above regarding Monarch Utilities. Per the article, our billing address is now Umland, Texas not Kyle, Texas. Is there any reason why Monarch shifted our city address or plainly an honest mistake? Is your water bill too high as compared to other months?

http://amberwoodhomeowners.org/classifieds/1_Kyle/

CORRECTION TO THE 3RD QUARTER NEWSLETTER, JULY 2010

We apologize for the error in the 3rd quarter newsletter issue on Section 2.12 - Animals; of the Amberwood Declaration of Covenants, Conditions and Restrictions, it should read as follows:

No animals, including pigs, hogs, swine, poultry, fowl, wild animals, horses, cattle, sheep, goats, or any other type of animal not considered to be a domestic household pet within the ordinary meaning and interpretation of such words may be kept, maintained, or cared for on the Property. No Owner may keep in such Owner's Lot more than four (4) cats and dogs, in the aggregate. No animal may be allowed to make an unreasonable amount of noise, or to become a nuisance, and no domestic pets will be allowed on the Property other than on the Lot of its Owner unless confined to a leash. No animal may be stabled, maintained, kept, cared for, or boarded for hire or remuneration on the Property, and no kennels or breeding operation will be allowed. No animal may be allowed to run at large, and all animals must be kept within enclosed areas which must be clean, sanitary, and reasonably free of refuse, insects, and waste at all times. Such enclosed area must be constructed in accordance with plans approved by the Architectural Committee, must be of reasonable design and construction to adequately contain such animals in accordance with the provisions hereof, and must be screened so as not to be visible from any other portion of the Property.

Speeding and Other Issues

Speeding above the posted speed limit is always an issue in our neighborhood. This could be caused by new residents, teenage drivers or those who are unaware of the traffic signs, rules and regulations. The posted speed limit in Amberwood is 30 MPH and there are plenty of residents who drive through the neighborhood at faster rates than what is posted. In addition, stop signs are being ignored; especially at the "T" intersection of Amberwood Loop and Cherrywood, south section. If you happen to witness speeding or a failure to stop then please write down the following information and report it to the Kyle Police Department dispatch/non-emergency number at 268-3232: make/color of vehicle, plate number, time/date, and the specific area where it happened. In addition to calling the Police Department you can also notify the Amberwood Board.



Association Manager:

Jodie Walker
RealManage

10800 Pecan Park Boulevard
Suite 100

Austin, TX 78750

1-866-4RealService

1-866-473-2573



KEY CONTACTS:

Thomas Witt
President

James Havis
Secretary/Treasurer

Mike Rubsam
Vice President

Do you want to get involved?

Join a COMMITTEE!

Contact the chairperson below to join or just stop in at the next scheduled meeting!

Covenant Committee

Co-Chair: Mrs. Frances Witt.....295-4651
.....thomaslwitt@austin.rr.com

Co-Chair: Ms. Judy Moss.....504-3475
.....jamoss@austin.rr.com

Beautification Committee

Chairperson: Ms. Kay Rush.....262-0527
.....krush@txfleetfuel.com

Newsletter Committee

Chairperson: Mr. Sonny Tamayo.....262-7281
.....jay2fair@msn.com

Safety Committee

Co-Chair: Mr. Richard Vasquez.....426-4248
Co-Chair: Mr. Duane Ammerman.....789-2493
.....durango446@hotmail.com

Social Committee

Co-Chair: Ms. Linda Freeman.....ladybfree04@gmail.com
Co-Chair: Mr. Gary Rush.....262-0527
.....kgsagebrush@aol.newscom

Website Committee

Webmaster: Mr. Chris Villanueva.....484-5133
.....chrisv@texas.net

Co-Chair: Ms. Linda Freeman

Co-Chair: Ms. Peggy Farrell.....576-8775
.....bluebelletx@yahoo.com

RealManage Property Management

Manager: Ms. Jodie Walker.....866-473-2573
.....jodie.walker@realmanage.com

KYLE POLICE REPORT FOR AMBERWOOD COMMUNITY

April through June 2010

Compiled by Craig Wiseman and Mike Rubsam, Amberwood Safety Committee

36 incidents of non-specific police investigations
27 incidents of animal disturbances
10 incidents of family disturbances
6 incidents of criminal property mischief
2 incidents of disorderly conduct
2 incidents of vehicle burglary
1 incident of residence burglary
1 incident of assault
13 vehicle stops
1 misdemeanor arrest
1 incident of I.D. fraud

The 2nd quarter of 2010 has been relatively quiet and crime free. Many of our residents have been filing their vacation schedules with the Kyle police department to provide extra security during their absence from home. The number of residents who leave their garage door up has also decreased. Good neighbors are always our best line of defense, get to know yours.

Kyle Animal Control 268-8800
Kyle Police Department 268-3232

If any Amberwood resident has a safety concern they may contact one of the Safety Committee Co-Chairmen listed below:
Duane Ammerman: 225 Amber Ash Drive: 789-2493
Richard Vasquez: 133 Amber Ash Drive: 426-4248



Amberwood Yard Watering Schedule

Monarch Utilities has issued the following voluntary yard watering schedule for the Amberwood and Indian Paintbrush neighborhoods for the summer/fall of 2010.

Address ends in 2 or 9 -- Monday and Thursday
Address ends in 1 or 5 -- Tuesday and Friday
Address ends in 6 or 7 -- Wednesday and Saturday
Address ends in 0 or 3 -- Thursday and Sunday
Address ends in 4 or 8 -- Friday and Monday

Monarch recommends voluntary irrigation of landscaped areas with hose-end or automatic sprinkler systems between 12:01 AM to 4:00 AM; 7:00 AM to 10:00 AM and 8:00 PM to 11:59 PM on the designated days for your residence address.

AMBERWOOD NEW CONTEST WINNERS

Amberwood held its first Most Improved Yard Contest and we are pleased to announce the winners. 1359 Amberwood Loop won 1st place and \$150. 165 Poplarwood won 2nd place and \$100. We will continue this contest next year and hope to have additional properties winning each of the prizes. This would be a good time to start planning next year's landscaping project and get a leg up on the competition. Congratulations to both homeowners and our thanks for helping Amberwood look great.

Deed Restrictions

Deed Restriction enforcement is often confusing for Association members. How the Association enforces restrictions, the time frame used for violations and just exactly what the Association can do to members who break the rules is often misunderstood.

Enforcement of the Deed Restrictions is based on the idea that most residents will cooperate when told of a violation and they will fix the problem. All homeowners signed paperwork when they bought their homes that they would keep it in compliance with the Declaration of Covenants, Conditions and Restrictions.

It is important to remember that all homeowners are part owners of the Association and everyone in the neighborhood has a real interest in the things that go on.

If a member does not comply with the restrictions, the Association does have options in enforcing the rules, which are set by the Texas Property Code, Chapter 209.

The Association tries to communicate with the homeowner by mail before taking other actions, and most of the time those letters are enough to get the home into compliance.

However, some situations require stronger action. Chapter 209 of the Texas Property Code requires that a letter must be sent to the homeowner telling them of their rights and options. Some of the things the Association can do to insure compliance with the restrictions after a Chapter 209 notice is sent include:

The Association can enter onto a lot to fix a violation related to maintenance. This could mean mowing a yard or repairing exterior portions of a home. Fees connected with the work would be billed to the property owner.

The Association can file a lawsuit against a member for refusal to comply with the restrictions. It is an option for violations such as boats and trailers stored on the property, portable basketball goals, etc.

REALMANAGE, THE PROPERTY MANAGER

Your association employs a highly-qualified professional community manager, and we think it would be helpful for residents to know what the manager has - and has not - been hired to do. Your manager has two primary responsibilities: to carry out policies set by the Board and to manage the association's daily operations.

What does your association manager do for you? Your manager takes direction from the Board of Directors on how to serve the community. Below are the contracted expectations regarding the various roles your association manager performs.

- Your manager is instructed and trained to deal with conflict, but they cannot get involved in quarrels between neighbors. However, if association rules are being violated, the manager is the right person to contact.
- While your manager works closely with the Board, they are an advisor - not a member of the Board. If you have a concern, please send a letter



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All of the steps can and will be taken only after the member has been given a chance to fix their problem. This is a condition of the Texas Property Code.

All members are encouraged to let their Manager and Board know if they have a family emergency or other issue that makes it difficult for them to be in compliance or resolve a violation.

Thank you to each and every homeowner who makes a conscious effort to maintain their property and pay their assessments on time.

or email directly to the Board or manager via service@realmanage.com.

- The manager works for the Board, but they are also available to residents. If you need to see the manager, please call to arrange a meeting. If a matter is so urgent that you need an immediate response, call RealService at 1-866-473-2573 or 911.
- Your manager is always happy to answer questions, but for routine inquiries, like the date of the next meeting, please check the Resident Portal, www.realmanage.com, or contact RealService.
- The manager is responsible for monitoring contractors' performance, but contractors are responsible for supervising their own personnel. If residents become aware of a problem with a contractor, please notify the manager, who will forward your concerns to the Board. The Board will decide how to proceed under the terms of the contract.

continued on page 4...

Amberwood is a deed restricted subdivision. If any homeowner requires a copy of the Bylaws/Deed Restrictions, please contact RealManage. RealManage also asks that all homeowners update their contact information and mailing addresses by contacting RealManage (contact information listed on page 2).

AMBERWOOD HOMEOWNER RIGHTS AND RESPONSIBILITIES

As a homeowner in our association, you have certain rights and responsibilities.

You have the right to . . .

- A responsive and competent community association.
- Honest, fair, and respectful treatment by community leaders and managers.
- Attend meetings, serve on committees, and run for election.
- Access appropriate association records.
- Prudent financial management of fees and other assessments.
- Live in a community where the property is maintained according to established standards.
- Fair treatment regarding financial and other association obligations, including the opportunity to discuss payment plans and options before the association takes any legal action, and the right to appeal decisions.
- Receive all rules and regulations governing the community association—if not prior to purchase

and settlement, then upon joining the community.

You also have the responsibility to . . .

- Maintain your property according to established standards.
- Treat association leaders with honesty and respect.
- Read and comply with rules and regulations of the community and ensure that your tenants and guest do too.
- Vote in community elections and on other issues.
- Pay association assessments and charges on time.
- Contact association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements.
- Request reconsideration of material decisions that personally affect you.
- Provide your current contact information to the association so you receive all information from the community.

RealManage, the Property Manager ...continued from page 3

- The manager inspects the community regularly, but even with a careful eye some violations may be overlooked. Your help is essential and important. If you become aware of a potential Deed Restriction Violation, please report it to the manager.
- Association policy is set by your governing documents. Residents should contact their manager for clarification of the rules. All suggested changes and recommendations will be forwarded to the Board for consideration.
- The manager has a broad range of expertise in the association management industry. Your manager is not certified as an engineer, architect, attorney or accountant. Your manager may offer opinions, but cannot provide expert advice. However, inquiries pertaining to these fields can be forwarded to individuals trained in the appropriate area.
- Your manager is a great resource to the association. Your manager can be reached during regular business hours, Monday through Friday. They can be reached outside of normal business hours for association emergencies.

To contribute in this newsletter, email newsletter@realmanage.com. To advertise, email advertising@realmanage.com.



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