

## Semi-Annual Roadside Cleanup, BBQ & Annual Membership Meeting

It is time again for the annual Roadside Clean-up of Thurman Bend, BBQ and annual membership meeting.

The cleanup and BBQ will be Saturday October 18<sup>th</sup> along with the Annual LEA membership meeting. Trash has been collecting all summer so it is time for a good clean-up of Thurman Bend. We hope everybody will be able to come and lend a hand to help clean up the road and our park. We will begin at 9am sharp. In the past we have had great participation so we hope to see you there! Someone will be manning the table at the entrance to Lakewood Estates with the sign-up sheet, trash bags and orange safety vests. Pick a section of the road to walk and someone will be along to pick up the full trash bags. Remember to ask for help if you find a heavy object, wear gloves for protection from sharp objects, and drink plenty of water to keep hydrated.

After the trash pickup there will be a BBQ lunch at 12:00 noon for LEA. The lunch will be at the LEA Park Pavilion. Please bring your favorite side dish and beverage. (The meat will be provided.)

**After the BBQ lunch we will hold the annual Fall meeting of the membership starting at 1:00 pm at the LEA Park Pavilion.** Members are invited to attend the annual meeting so hope to see you there. For the details of the meeting agenda, see the Annual Meeting Agenda section in this newsletter. **If you are not able to attend the meeting, be sure to fill out the attached proxy for your vote and send it to the LEA Board ASAP.** The LEA Board highly encourages all members to attend the Annual Meeting.

### Note from the President

I would like to thank all the volunteers that helped with moving tables, adjusting and fixing the member dock, mowing the grass, trimming the trees and hauling off the trash to keep the park looking good.

The board has spent a lot of time discussing the legal cost and how to pay the bill and the level of funds needed to operate the association and maintain the property. In the short term of the next few years the membership fees and the dock fees will have to be increased so we can pay back the Legal bill in a reasonable time frame and still provide the funds to operate the association. The board opted to not get a loan and have worked out a payment schedule with our legal counsel.

The board has proposed the membership fee to be increased to \$100 and the dock fees to be increased to \$15 per foot. This will allow us to pay down at least 1/3 of the legal bill next year and run the association without putting any one out. We are currently paying \$400 a month to service the debt and hope to increase to \$500 a month next year.

If you have not been down to the lake front lately, the lake level is down over 25 feet from where we begin the year. In March the lake was above full, 683 but by end of September it was down to 658 and dropping at almost 3/4 foot a week. The ramp was unusable by early July. At the current rate we will be back to the low levels we saw in 2006, 643 or lower without any significant rain over the next few months.

I have one shameless plug, please visit.

<http://www.draininglaketravis.org> - DELTA (Don't Empty Lake Travis Association) is a 501 (c) (4) non-profit corporation whose purpose is to inform the public of issues on the Lower Colorado River.

In other news, while the lake is down Bob Johnson has been removing the large boulders in the park that are between the membership dock, below the sun shade and along the ramp to make access much easier for everyone. If anyone would like some of the decorative boulders from the park they are available for a donation based on the size of the rock and delivery expense, Please get with BJ at 447-7001. Donations of diesel fuel or helping hands for the continuing work to landscape the park would be greatly appreciated. Thanks Bob!!!

Best Regards,

*Tod Grubbs, President of LEA*  
tgrubbs@austin.rr.com ♦

### Status of Legal Matters

On November 18, 2005, the LEA Board received notification that an association member (dock owner) was preparing a lawsuit against the association claiming adverse possession of the park property under and leading to their dock if they were forced to sign the license agreement. LEA filed suite Oct 10, 2006 after many months of failed negotiations.

The Board called a special membership meeting on June 2, 2007, to discuss the status of the case and get approval for LEA to acquire a loan to pay for the litigation costs that go above what has been generously donated by members so far.

The LEA appeared in court for trial on February 4<sup>th</sup> and 5<sup>th</sup> and presented our case to the Judge. The final ruling from the court was issued in LEA's favor on all points. The defendant decided to appeal the judgment, which appeal is currently underway and that appeal will have to be defended by the LEA through its lawyer. Because of the work load of the Austin Court of Appeals the appeal process may take up to 2 years to complete.

The LEA Board members feel it is extremely important to protect the LEA property and its future use for the membership. It has cost a good deal of money and time to take this to court, and some additional costs and fees will be incurred in the appeal.

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We are looking for donations to assist with the cost of protecting the LEA property for the membership. The more donations we receive the quicker we can pay off the dept and lower the membership and dock fees. If you are willing to donate to the LEA legal fund, please contact LEA Treasurer Brad Harvey at 512-264-2637,

or  
mail donations to:  
Lakewood Estates Association  
Legal Fund  
1110 Skyline Drive  
Spicewood, TX 78669

## Update on Park Access

Thanks to all members who use their tags when in the park. It helps tremendously to be able to quickly see who should or should not be in the park. If you see a non-tagged vehicle in the park please contact one of the Board members ASAP so they can take appropriate action.

If you need to park your boat and/or trailer in the park for longer than a day or so, please contact one of the LEA Board members so action is not taken to remove it.

## 2008 LEA Board Member Contact Info

President	Tod Grubbs	264-0501
Secretary	Marlowe MacIntyre	799-0104 (cell)
Treasurer	Brad Harvey	264-2637
Vice President	Jan Tollett	264-0846
Vice President	Fred Hoskins	264-0203
Vice President	Steve Rudkin	264-1197
Vice President	Richard Dreiss	264-2153

## From the Board

The following motions were presented and passed by the LEA at the last 2 board meetings this summer.

- Brad motioned that the LEA Board declare a moratorium on the transfer of dock space mooring rights until a comprehensive park management plan is in use. Anyone selling their property in Lakewood Estates will have their dock lease agreement terminated and must relinquish their mooring space to the park in order to relieve crowding and free space for a homeowners park facility. Richard 2<sup>nd</sup>, and approved.
- Brad motioned that the LEA Board declare their intent to create an open water recreation area at the east end of the park, 2<sup>nd</sup> by Marlowe, and approved by all.

- Brad motioned that the LEA Board, before granting permission to any member to make alterations to the park property, first obtain from that member a signed document stating: The alteration gives the member no rights whatsoever to any portion of the park property. The member agrees to modify or remove the alteration within 30 days of written notification by the board, or within 30 days of being exposed to falling water levels if the alteration is generally below the waterline. Jan 2<sup>nd</sup>, and all approved.
- Brad motioned that we publish all motions that affect the duties and privileges of LEA Membership via the letter box at the entrance to Lakewood Estates, placed on the LEA website, included in the newsletter (starting in September), and copies available at annual meeting. Jan 2<sup>nd</sup> and all approved.

## Boat Docks

The dock licensing agreement will continue in 2009 with the fee to be set at \$15 per linear foot. In 2009 the licensing agreement, fee and membership will be due by January 31 for the dock owners in the park. **There will be a \$25 late fee assessed for payments made after that time.** The 2009 licensing agreement will be sent to the dock owners of record in December along with the newsletter.

## Welcome New Neighbors

All new neighbors are invited to join the LEA to have use of our park, pavilion and boat launch.

We extend a warm welcome to our newest neighbors and members:

Leslie & Margaret Lawson  
Jerry & Ellen Ryan

## Current Membership (as of 9/15/2008)

The LEA Board extends a **big thanks** to all current LEA members for paying your voluntary dues for membership in a timely manner, and a **special thanks to those who made an extra donation.** We currently have 68 members. If you have not already opted for electronic email to receive this newsletter, please email the board and request it. (lakewoodestatestx.org)

## Information from the 'Steering Committee for Thurman Bend'

In May of 2006 we were asked to participate in a community steering committee (SC) with the other communities on Thurman Bend to discuss and assess the threat of annexation by Lakeway and review options.

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The Legal committee presented the options to the SC meeting in early February and the SC chose to pursue a possible long term development agreement with Briarcliff to be part of their protected ETJ but worded in such a way so Briarcliff could not annex or force city restrictions on our area, pay city taxes and not trade us to any municipality that comes along.

The SC group is finalizing the information guide to be sent to everyone in the community and will be setting up Q/A meetings for the community to attend. As soon as we receive the guide and hear about the community meetings, the information will be posted in the LEA message board and emailed to the addresses we have.

Tod Grubbs, Chip Cramer and Richard Dreiss are representing LEA on the Steering Committee.

## Nomination Process

The board of directors passed a resolution at the June board meeting that changes the nomination and election process for the members of the board to help reduce the confusion of last year's nomination and election process. We are not changing anything in the bylaws, but have enhanced the process to open the door for all members to participate in the nomination and election process so it will include all members even those that vote via proxy.

The new nomination process will start with this year's election for board of directors. We have created a nomination form to be filled out and signed for each nomination to the board that was sent to all members of record in early September. All properly filled out nomination forms handed in on time will be reviewed by the board to insure all parties are current members and the member nominated agrees to be on the ballot. Then we will publish the entire list of nominations in the Q3 Newsletter and proxy form for those that cannot attend the annual membership meeting. Each nominated member will be listed and voted on separately.

All members will be able to vote for each nominee on the list up to 7 total and the top 7 if we have more than 7 members nominated will serve on the BOD. At the annual meeting we will open the nominations from the floor but any one nominated from the floor will only get votes from those present since they were not listed in the newsletter/proxy.

## Annual Meeting

The LEA annual membership meeting will be held after the BBQ on Oct 18 and will start at 1:00pm. We highly encourage all members to attend or send your Proxy to the LEA Board so your vote can be counted. (See the Proxy form at the end of this newsletter.)

As we did last year the Board has implemented a few changes for the running of the Annual meeting based on Robert's Rules of Order Revised. We have a lot of business to cover and hope the changes will help facilitate a quick and orderly meeting so everyone can get back to enjoying the weekend.

- A member wishing to speak shall raise their hand, be acknowledged by the Chairman, and then state their name.
- All motions shall be presented in writing.
- No member shall speak more than twice and no longer than two (2) minutes on the same piece of business without the consent of the majority.
- Forms for motions will be available at the meeting and on the web site for down load before the meeting:  
<http://www.lakewoodstatedtx.org/forms/meetingMotion.pdf>

## Annual Meeting Agenda

- Review previous meeting minutes,
- Review treasury report,
- Review old business
- Review new business and proposed motions
- Proposed Membership fee for 2009 to be set at \$100.
- Proposed Board membership for 2009 as nominated by membership:

Tod Grubbs  
Brad Harvey  
Richard Dreiss  
Jan Tollett  
Steve Rudkin  
Marlowe MacIntyre  
Lewis Boehm  
Whitey Whitehurst

- Any Motions from the floor
- Any other information or announcements.
- Adjourn

If you are a current LEA member and are not able to attend the meeting, be sure to fill out the proxy below for your vote(s) and send it to the LEA Board ASAP.

**PROXY FORM  
LAKEWOOD ESTATES ASSOCIATION  
ANNUAL MEETING  
October 18, 2008**

The undersigned, a voting member of Lakewood Estates Association (LEA), hereby revokes all previous proxies for his/her vote in the LEA and appoints the designated LEA members, and each of them proxies his/her votes in the LEA meeting to be held at the LEA Park at 1:00pm, October 18, 2008, including any adjournments thereof, upon the matters set forth below.

This proxy is solicited on behalf of the LEA Board of Directors. It will be voted as specified. If no specification is made, this proxy shall be voted in favor of each listed item except for board membership and within the discretion of the proxy holders to any other matter which may legally come before the meeting.

Please sign and promptly return to the Lakewood Estates Association at:  
1110 Skyline Drive  
Spicewood, TX 78669

Approve the Proposed membership fee for 2009 of \$100.  
For                      Against                      Abstain

Vote for (7) of the proposed members for the LEA Board for 2009. (If more than 7 are selected the ballot will be discarded and marked invalid)

Name	For
Tod Grubbs	
Brad Harvey	
Richard Driess	
Jan Tollett	
Steve Rudkin	
Marlowe MacIntyre	
Lewis Boehm	
Whitey Whitehurst	

Any other business that comes up at the Meeting  
For                      Against                      Abstain

(Note: If signing for estates, trusts, or corporations, state title and capacity.)

Dated \_\_\_\_\_, 2008

Signature \_\_\_\_\_

Printed Name \_\_\_\_\_

Title or Capacity \_\_\_\_\_