

White Oak Trails ***Homeowners' Association, Inc.***

P.O. Box 433,
Dayton, Texas 77535
www.whiteoaktrailshoa.org



Officers:
Kathryn Sharp, President
Patrick Spaller, Secretary
Aaron Anderson, Treasurer

Board Update – August 2020

1. Park and Greenbelt Trails - ATVs

The HOA membership voted several years ago to continue to allow ATVs in the common areas and applied a curfew of 10 P.M. for all activities in the common areas. The park and greenbelt trails along Bowie Creek are great places to walk, jog, bike or ride ATVs; however, as White Oak Trails has grown, we have experienced after hour beer parties on the trails with excessive littering, late night ATV riding and continual damage to the existing trails made by mudders.

Some of these problems have been caused by people outside of the neighborhood taking advantage of our facilities. Regardless of the cause, these issues disturb the homeowners that live close to the park and cost us time and money to repair and maintain the trails.

Article V, section 1(e) states, “the Association shall have the right to establish reasonable rules and regulations governing the member’s use and enjoyment of the common area. These common areas include the park, greenbelt, and all reserves. Obviously, riding laps with a two cycle ATV during school hours, tearing up the trails doing donuts in a mudhole, or riding in the wee hours of the morning are offensive activities.

In an effort to continue to provide our members trails and a park that can be enjoyed by all, the Board has created a set of rules specifically covering the operation of ATVs. There also an ATV permitting process which will allow homeowners to easily distinguish residents from trespassers. All ATVs in White Trails will be required to sign an acknowledgement of the guidelines and place a provided permit in a conspicuous location on the vehicle. Non-permitted trespassers will be prosecuted, and non-permitted residents risk the loss of the use of the common areas.

The current year permits are provided free of charge. This will be contingent in the future based on trail maintenance and repair costs made necessary by damages directly caused by ATVs.

2. Section 4 Mailbox

The board has received the final approval from the Houston regional expansion director of the US Post Office regarding the movement of the common box from the park to section 4. The current placement creates a child endangerment as it forces mail recipients to back up their vehicles in a playground. Complaints have been received by the board regarding near-miss incidents. The proposed location will be west of the Bowie Creek bridge on CR 632. The location will be determined by the post office in compliance with the US Postal guidance for common mailboxes.

3. Pavilion

In coordination with the relocation of the mailbox, the carport cover installed by the developers which was not in compliance with the architectural requirement in the covenants has been replaced with a wooden pavilion. It is a first step towards improving the common area facilities.

4. Common area signage and trail bollards with barriers

In order to protect the condition of the common areas and trails, the board is pursuing the installation of "Private Property for the use of White Oak Trails residents only" along with barriers that will prohibit vehicular access to the common areas and close the trails to all motorized vehicles when the trails are too wet to be responsibly used.

5. Common Area transfer

The developer has yet to transfer the remaining greenbelt and reserves to the HOA. However, the covenants do allow the full use and enjoyment of all common areas including all greenbelts, waterways, recreational reserves shown on the subdivision plats whether such areas are owned by the Association or not.

6. Pond stocking

The board has been in touch with Blessed Bayou Wildlife & Fisheries upon the recommendation of one of the homeowners that frequently fishes the pond. The original proposal received provided for a large number of Bluegill, Sunfish, Minnows, Shiners, Bass and Catfish, along with a solar feeder. While we believe this is a worthwhile item to pursue, the cost is over \$6,000 and the previous floods have shown that we could easily lose our investment.

7. Developer lawsuit and Section 5

The Liberty County grand jury failed to indict the developers on criminal fraud and related charges; however, the County Attorney did indicate that we have a strong civil case. Due to Covid-19 issues and the death of John Manning, we have experienced numerous delays in getting a hearing set. We are still moving forward with the intent of obtaining a settlement with which the subdivision can install the amenities which were used to induce homeowners to purchase their lots.

The closing process for every lot in section 5 has included a certificate from this HOA stating that the lots are within the White Oak Trails subdivision and are governed by the same covenants as sections 1-4. The fraudulent HOA created by the developers for section 5 is also the subject of the ongoing lawsuit and we intend to obtain all applicable dues when we prevail. In the meantime, owners of all platted lots within the original 1027 acres are considered members of White Oak Trails HOA and are welcome to participate in the HOA.