

NOTICE to Wilderness Trails

Homeowners

What: The Wilderness Trails Homeowners Association Board is seeking to modify the current deed restrictions to ensure residents comply to a set of standards designed to collectively uphold the value of each homeowner's property.

Why: The current deed restrictions were made official in 1980 with only two amendments since that time. They were written by the builder and largely designed to protect the builder's interests. As such many of the provisions are now obsolete, they do not adequately reflect the additions to the subdivision, and the document is not written to protect the collective interests of the homeowners.

How: Starting in the summer of 2004 a deed restriction re-write committee was formed comprised solely of homeowner volunteers. Over the course of several months restrictions directly affecting property appearance were deleted, added, or modified to both simplify and eliminate loopholes from the current document. These recommendations were submitted to the Homeowners Association Board for approval late in 2004. Early in 2005 the document was further revised to eliminate articles specifically designed to protect the builder and to make the document ownership reflective of the Homeowners association. After these revisions the document went through two iterations of legal review and comment, where additional changes were made to clarify intent and language. In December of 2005 the Homeowners Association Board approved the document.

The Process: In order to change the current deed restrictions, a simple majority of 51% of current property owners must approve the change. Both the current deed restrictions and the proposed deed restrictions are posted on the HOA Web site for your review (www.wthoa.org). In the next several weeks a Board member or a WTHOA representative will visit each home to answer any questions and get written documentation of the homeowner's vote (only one vote per household). Alternatively, on the back of this notice is a voting ballot which can be completed and returned via mail to the address listed. ***If voting by mail the ballot must be filled out completely.*** After all the votes are tabulated, the results will be posted on the WTHOA web site. If the new deed restrictions are approved they will then be filed as official documents with the Galveston County Courthouse.

Major Changes: The following items constitute the most significant changes from the current deed restrictions to the proposed deed restrictions, however this is not an all inclusive list thus it is recommended the documents be reviewed in detail (see above).

- Made the document declarant "Wilderness Trails Homeowners Association"
- Added lots for Sections 2, 3 and 4 of the subdivision to ensure all properties are covered by the covenants.
- In Article 1, definitions were added for "Noxious, Offensive, and Nuisance".
- Extensive modifications were made to Article 3 – "Use Restrictions". These modifications include elimination of many builder provisions, added additional restrictions covering lot maintenance, and modified restrictions to reflect current building standards (square footage, etc.).
- In Article 4, an appeal process was added for homeowners dissatisfied with Architectural Committee decisions. Also provisions were changed regarding how Architectural Committee members are chosen and how their powers are determined.
- In Article 5, voting rights are limited to one vote per lot for those owners current on the annual assessments. Also the different types of voting memberships were eliminated.
- In Article 6, the maximum dues allowed per year **was not** changed, nor have provisions been changed on raising the annual assessment if the current assessment is below the maximum value allowed. The interest rate applicable to homeowners delinquent on their assessments has been increased.
- In Article 7, a clause was added on how future amendments to the deed restrictions will be made, still keeping the simple majority (51%) approval of all homeowners rule intact.
- The overall document was reformatted to allow for easier identification of requirements.

WTHOA Deed Restriction Voting Ballot

I, as an Owner of a home in the Wilderness Pines Subdivision do hereby cast my vote for amending the Deed Restrictions as proposed by the Board of Homeowners Association. The proposed amendments and document can be viewed on the WTHOA web site (www.wthoa.org). I cast my vote as:

Approved

Disapproved

Name (printed): _____

Date: _____

Street Address: _____

Signature: _____

Please return the completed ballot to:

Wilderness Trails Homeowners Association
P.O. Box 65
Friendswood, Texas 77549-0065

Contact any WTHOA Board member with questions at the web site (listed above).