

Canyon Lake Acres Civic Club, Inc.

Handbook
2008

Canyon Lake Acres Civic Club Incorporated Member Handbook
Revised with amendments and to correct typing errors: May 2008

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The CANYON LAKE ACRES CIVIC CLUB, Inc. Board of Directors approved this Handbook on June 2005. The last amendment was approved in June 2007.
Address any suggestions, comments, or complaints to the Board of Directors:
705 Lonesome
Canyon Lake, TX. 78133

INTRODUCTION

Originally, the developer of what are now Canyon Lake Acres Subdivision I and II maintained the pool, park, and picnic area and collected the annual maintenance fees as prescribed in the deed restrictions.

In the late seventies the amount of delinquent maintenance fees was nearly \$14,000. The developer made it known to members of the Property Owners Association that unless something changed, the areas that the property owners had come to enjoy (especially the pool) would be closed permanently.

In 1979, the Canyon Lake Property Owners Association began the conversion to a corporation, which was completed in April 1981. The developer subsequently deeded all properties and accounts to the CANYON LAKE ACRES CIVIC CLUB, Inc.

Note: The above information was extracted from the writings of Gary Stogsdill in the Canyon Lake Acres Civic Club Handbook, 1987 Revised Edition.

CORPORATION MANAGEMENT, MEMBERSHIP, AND FUNDING

Corporation direction and overall management is provided by the Board of Directors, which is elected by the membership.

Reference: Article VI of the By-Laws

Membership in the Canyon Lake Acres Civic Club consists of the subdivision property owners.

Reference: Article III of the By-Laws

Funding of corporate activities is provided by Maintenance Assessment Fees.

References: Article I Number 6 of the By-Laws

Article X of the By-Laws.

An annual membership meeting, special called meetings, and monthly meetings of the Board of Directors provide for membership participation in Civic Club management.

References: Article V of the By-Laws

Amendment June 6, 1993 of the By-Laws.

CORPORATE ACTIVITIES

1. Enforce covenants and deed restrictions.
2. Promote good will and provide mutual helpfulness of the members.
3. Own, operate, and maintain non-residential, non-commercial properties, and recreational facilities for the use of members.
4. Collect maintenance assessment fees and disburse funds as necessary to support corporate activities and comply with By-Laws

Reference: Article II of the By-Laws.

GENERAL INFORMATION

The Board of Directors approved this handbook on June 5, 1993.

The Board of Directors approved this handbook on June 5, 2005.

When used in this handbook, or other corporate documents that are intended primarily for internal corporate use, the acronym CLACC shall be interpreted to mean: CANYON LAKE ACRES CIVIC CLUB, Inc.

Reference: Minutes of the 1993 annual membership meeting.

Minutes of the 2005 annual membership meeting.

The CLACC address is: 705 Lonesome
Canyon Lake, TX. 78133.

Maintenance assessment fees are billed annually on 1 May and a service charge of \$1.50 will be made on accounts that are 90 days overdue. An additional charge of \$1.50 will be added to the balance due each 90 days until the account is paid up to date. The service charge is needed by CLACC to defray the costs of additional billing and the costs involved in filing liens on property having outstanding balances. Questions and comments concerning maintenance assessment accounts should be directed to the Treasurer at the CLACC address.

Reference: Article X of the By-Laws.

Property owners who are planning to build on their lot(s) should review the Deed Restrictions and submit building plans to the Vice President of the Building and Planning Committee at least 30 days prior to the desired construction start date. Failure to submit plans prior to constructions start will be grounds for legal action by CLACC. Address plans and correspondence to: B & P Committee at the CLACC address.

CLACC Recreational Facilities consist of:

The upper level park area includes the swimming pool, bathhouse, gazebo, and surrounding picnic areas. The lower level park area includes camping and picnic space, plus access to the "fishing hole" on the lake.

Access to the swimming pool enclosure and to the lower park area is via locked gates.

CLACC property does not extend to the shoreline of the lake and access to the lake is controlled by the U.S. Army Corps of Engineers. Corps rules and regulations prohibit overnight camping, open fires, cutting of trees, and boat launching except in designated areas.

Recreation facilities are available for use only by CLACC members (in good standing), resident families, and guests as defined by the club By-Laws.

Signs posted at the upper level park area, the swimming pool gate, and the lower level park gate clearly state that the facilities are “For Use By Members Only”.

Persons who cannot produce evidence of membership in good standing via a current membership card or proof of relationship to a member in good standing, will be asked to leave CLACC property. Persons refusing to leave will be considered as trespassers and reported to law enforcement agencies.

The Recreation Facilities cost money to operate and maintain; therefore, members are requested to make a contribution of one dollar per guest per day for use of the pool and/or gazebo. The contributions can be made at the swimming pool donation box.

Reservation requests, comments, suggestions or complaints may be addressed to the V.P. Recreational Facilities Committee at the CLACC address.

GENERAL RULES FOR ALL CLACC RECREATION FACILITIES

1. The maximum speed limit for any vehicle on CLACC Recreation property is 5 miles per hour.
2. Pets are not allowed in the upper level park area at any time. Pets are allowed in the lower park area under the following conditions:
The person bringing the pet into the park area must be able to show proof that the pet has a current inoculation. Pets must be caged or on a leash, under control of a responsible person at all times. Cleaning up after pets is the responsibility of the person bringing the pets into the Recreational Facilities area.
3. Overnight camping is not permitted in the upper level park area or in the “fishing hole” area.
4. Open fires are not permitted in any area at any time. Fires are to be confined to the available fire pits or to a portable cooking device provided by the user. Charcoal, wood, and other such fuels must be discarded in a fire pit or removed from the facility property.
5. No trees will be cut on CLACC property and cutting of trees on the adjacent federal property could result in prosecution by the federal government.
6. Discharge of firearms, B-B guns, pellet guns, sling shots, explosion of fireworks, or use of archery equipment is prohibited on CLACC property.
7. Refuse must be removed from all recreational facility areas upon leaving. Metal refuse containers are available at the upper level park.
8. The volume on radios or other sound equipment must be kept at a level not offensive to other members in the area. Requests to reduce volume will be strictly enforced. Loud noises are not permitted from 9:00 pm until 9:00 am the following day.

ANY PROPERTY OWNER OR GUEST NOT COMPLYING WITH THE RULES OF THE CANYON LAKE CIVIC CLUB INC. WILL SUBJECT THE PROPERTY OWNER TO PROBABLE LOSS OF ALL RECREATION FACILITY PRIVILEGES, SUBJECT TO REVIEW BY THE BOARD OF DIRECTORS.

SWIMMING POOL GENERAL INFORMATION

The pool will be open daily from 1, May to 30 September except when unscheduled maintenance is required or during inclement weather. Pool hours are from 9:00 am until 9:00 pm. The pool may be closed for 2 to 3 hours on random days so that sanitary standards can be maintained.

The pool capacity is 50 people and the first 50 people to sign in on the Recreational Facilities daily log have priority for that day until they sign out.

A member in good standing can make reservations for group use of the pool at \$1.00 per person per day.

Reservations cannot be made for Saturday, Sunday and legal holidays.

A deposit of 25% of the fee is required when the reservation is made.

The deposit is not refundable unless the reservation is cancelled at least 24 hours prior to the reservation start time.

The member making the reservations:

- Is responsible for the conduct of the guests/group,
- Will assure that no Recreational Facility rules are violated,
- Must remain with the guests until the guests vacate the property.

SWIMMING POOL SPECIFIC RULES

1. Showers are provided and must be used prior to entering the pool. Also, persons leaving the pool enclosure must assure that their feet are clean prior to reentering the enclosure.
2. No one will be admitted to the pool area showing evidence of a skin disorder or open lesions.
3. Only appropriate swimwear shall be worn in the pool. An upper body covering to prevent sunburn is permissible if the garment is clean, hemmed, and free of strings or other components that might easily become detached. Common dress shorts, cut-offs, and other daily attire are not permitted.
4. Suntan lotions or oils are not permitted inside the pool enclosure. Water based sun screen may be used.
5. Flotation devices will be restricted to plastic inflatable.
6. Unsanitary actions will not be permitted in the pool area.
7. Children under 14 years of age must be accompanied by an adult and remain under direct supervision of the adult while inside of the pool enclosure.
8. No food, beverages, or breakable items will be permitted inside of the pool enclosure.
9. No pets will be permitted inside of the pool enclosure or in the upper recreational park area.
10. Throwing of foreign objects, running, or other dangerous actions will not be permitted inside the pool enclosure.
11. Diapered children are not permitted in the pool.
12. The pool gate must be latched at all times when not being used to enter or depart the enclosure. The last person leaving the enclosure is responsible for locking the gate.
13. Electrical wires or electrical equipment are not permitted inside of the pool enclosure and are not to be attached to the pool fence or placed close enough that someone inside the pool enclosure could touch the wire or equipment.
14. The liability insurance company required that the diving board be removed; consequently, diving is not permitted.
15. No member is allowed to give the combination out to others without penalty:
 - 1st offense- loses privileges for 1 month and pays a fine of \$20
 - 2nd offense- loses privileges for 2 months and pays a fine of \$50
 - 3rd offense- loses privileges for one year

ANY PROPERTY OWNER OR GUEST NOT COMPLYING WITH THE RULES OF THE CANYON LAKE CIVIC CLUB INCORPORATED WILL SUBJECT THE PROPERTY OWNER TO PROBABLE LOSS OF ALL RECREATION FACILITY PRIVILEGES, SUBJECT TO REVIEW BY THE BOARD OF DIRECTORS.

GAZEBO GENERAL INFORMATION

The gazebo constructed in 1993 by member labor and funded by member donations, is available all year from 9:00 am to 9:00 pm daily to all members for official meetings, family gatherings, and other appropriate uses.

More than one resident family and guests are permitted to use the gazebo at the same time; therefore, for groups of more than ten people reservations are permitted and recommended. The gazebo can be reserved for any day of the year except for the first Saturday in June. Reservations can be made by contacting the Club Secretary at CLACC address.

Improvements are being made to the gazebo, as funds are available. Maintenance is a never-ending process; therefore, a minimum donation of \$25.00 is requested for each reservation. Donations can be made at the same time the reservations are made or at the swimming pool donation box.

GAZEBO SPECIFIC RULES

1. All rules listed under GENERAL RULES FOR ALL CIVIC CLUB RECREATION FACILITIES apply to the gazebo.
2. Cooking is not permitted in the gazebo.
3. Picnic tables placed in the gazebo by the user must be returned to their previous location.
4. The gazebo must be left clean and orderly.

ANY PROPERTY OWNER OR GUEST NOT COMPLYING WITH THE RULES OF THE CANYON LAKE CIVIC CLUB INCORPORATED WILL SUBJECT THE PROPERTY OWNER TO PROBABLE LOSS OF ALL RECREATION FACILITY PRIVILEGES, SUBJECT TO REVIEW BY THE BOARD OF DIRECTORS.

LOWER LEVEL PARK GENERAL INFORMATION

Potable water, electricity, and sanitary facilities are not available in the lower park and picnic area.

Toilet and bath facilities are available in the upper level daily from 9:00 am until 9:00 pm, 1 May to 30 September.

A dump station is available for self-contained recreational vehicles at the entrance to Canyon Park that is operated by the Corps of Engineers.

LOWER LEVEL PARK SPECIFIC RULES

1. Dumping of black water in the park area or on federal property is a violation of county, state, and federal health laws. Violators will be prosecuted.
2. Members are responsible for their guests and must make them aware of the Specific Rules.
3. No member is allowed to give the combination out to others without penalty:
 - 1st offense- loses privileges for 1 month and pays a fine of \$20
 - 2nd offense- loses privileges for 2 months and pays a fine of \$50
 - 3rd offense- loses privileges for one year

ANY PROPERTY OWNER OR GUEST NOT COMPLYING WITH THE RULES OF THE CANYON LAKE CIVIC CLUB INCORPORATED WILL SUBJECT THE PROPERTY OWNER TO PROBABLE LOSS OF ALL RECREATION FACILITY PRIVILEGES, SUBJECT TO REVIEW BY THE BOARD OF DIRECTORS.

Section II By-Laws

BY-LAWS OF THE CANYON LAKE CIVIC CLUB

ARTICLE I

THE NAME OF THIS CORPORATION IS CANYON LAKE ACRES CIVIC CLUB, Inc.

ARTICLE II

The purposes for which this corporation is organized are:

1. To perpetuate the covenants and restrictions as recorded in the records of the County Clerk of Comal County, Texas.
2. To foster a spirit of sympathetic good will and mutual helpfulness of the property owners in Canyon Lake Acres.
3. To own, operate, and maintain a swimming pool and park for the pleasure and recreation of the property owners and guests of Canyon Lake Acres.
4. To have and exercise all the rights and powers conferred on non-profit corporations under the Texas Non-Profit Corporation Act, as such law is now in effect or may at any time hereafter be amended.
5. To do all other acts necessary or expedient for the administration of the affairs and attainment of the purposes of this corporation.
6. To collect and hold assessments collected from the property owners in Canyon Lake Acres, Unit 1, and Canyon Lake Acres, Unit 2, Subdivisions in Comal County, Texas, as provided in the Deed Restrictions applicable to property in said Subdivisions, and to disburse these funds as and when necessary to comply with the usage thereof as designated in said Deed Restrictions.
7. To own and maintain the non-residential and non-commercial properties and areas within said Subdivisions dedicated for the general use and benefit of the property owners therein. The operations aforesaid are to be exclusively limited to the type of operations contemplated by Section 501:C4 of the Internal Revenue Code.

ARTICLE III

Membership in the corporation shall be composed of all persons now or hereafter owning property in Canyon Lake Acres, Unit I and Canyon Lake Acres, Unit 2, Subdivisions in Comal County, Texas, according to plats thereof recorded in the Map and Plat Records of Comal County, Texas. For the purposes of these By-laws a "member" is defined as follows:

1. Every lot owner (whether one or more, a natural person or otherwise) owning fee simple title and/or a contract to acquire fee simple title, and required by contract, deed, or other restriction or lien to pay the full property maintenance assessment set out in any of the covenants and restrictions of record affecting the title to property in said Subdivisions.
2. If more than one owner has a fee simple interest and/or a contract to acquire a fee simple interest in any one lot, it is specifically provided that such multiple owners are considered as a unit to be one member. Each member shall, regardless of the number of lots owned, have the right to cast one vote per Directors and one vote

in the determination of any other matters properly presented to the membership of the corporation.

Addition to Article III adopted June 1993

Associate Memberships in the CANYON LAKE ACRES CIVIC CLUB, Inc. are approved under the following conditions:

1. Total memberships at any one time shall not exceed 25 and are not transferable.
2. Memberships are open to anyone regardless of age, sex, race or religion.
3. Two members in good standing must sign applications for associate memberships.
4. Associate Members must agree in writing to comply with the By-Laws and rules of the CANYON LAKE ACRES CIVIC CLUB, Inc.
5. A non-prorated and non-refundable membership fee of \$100.00 must accompany the application.
6. Approvals of Associate Memberships are at the discretion of the Board of Directors and shall not be valid until approved by the Board of Directors.
7. Associate Members shall have no voting rights and shall not serve in any official capacity in the Corporation.

ARTICLE IV

The initial Board of Directors who shall prepare a membership list, placing thereon members as defined in Article III hereof, shall determine the initial membership of the corporation. Thereafter, memberships may be transferred only upon the books of the corporation upon submission to the Secretary of evidence of the transfer of property in the aforesaid Subdivisions.

ARTICLE V

The annual meeting of members of the corporation shall be held on the first Saturday of June in each year. Written or printed notices setting the place and time of the meeting shall be delivered not less than ten (10) nor more than thirty (30) days before the date of the meeting, either personally or by mail, at the direction of the President or the Secretary, to each member, and such notice shall be deemed to be delivered when deposited in the United States Mail addressed to the member at his or her address as it appears in the records of the corporation, with postage paid thereon. The members present at said annual meeting shall constitute a quorum for the transaction of business at such meeting. Special meetings of the members may be called by either the President, the Board of Directors, or by written petition filed with the Board of Directors, or by written petition filed with the Board of Directors signed by not less than one-tenth (1/10th) of the total membership. Written or printed notices setting forth the place, time, and purpose of a special meeting shall be delivered not less than ten (10), nor more than thirty (30) days before the date of the meeting, either personally or by mail, to deposited in the United States Mail addressed to the member at his or her address as it appears in the records of the corporation, with postage paid thereon. The members present at a special meeting shall constitute a quorum for the transaction of business at such meeting.

June, 1993: Addition to Article V

A proxy vote will be accepted at the regular or special called meeting if the proxy meets all requirements as set forth in Article III. All proxy votes must be in the hands of the President 48 hours before meeting time; the responsibility for this lies with the proxy.

ARTICLE VI

The management of the corporation shall be vested in a Board of Directors composed of not less than three (3) and not more than fifteen (15) persons. Subject to the foregoing, the election of any additional Director or Directors at any time shall, without any additional action by the members, automatically increase the number of Directors to the number elected. The Directors constituting the first Board of Directors shall be named in the Articles of Incorporation and shall hold office until the first annual meeting of the members. Vacancies on the Board of Directors shall be held without other notice than this By-law immediately after and at the same place as the annual meeting of the members. Special meetings of the Board of Directors may be called the President, or by the majority of the Board of Directors. Written or printed notice stating the place, day, and hour of such meetings of the Board, and the purpose or purposes for which the meeting is called, shall be delivered to each Director not less than ten (10), nor more than thirty (30) days before the date of the meeting, either personally or by mail. Any Director either before or after the meeting is held may waive such notice. Three (3) Directors shall constitute a quorum for the transaction of business by the Board of Directors at any such annual or special called meeting. NO Director shall receive any compensation; however, any actual out-of-pocket expenses incurred by the Directors may be taken without a meeting if consent in writing setting forth the actions so taken shall be signed by all of the Directors.

Addition to Article VI adopted June 1993

The Board of Directors shall schedule a monthly meeting of the Board at a date, time, and place agreeable to the board and available to as many interested members as possible.

ARTICLE VII

The officers of the corporation shall be a President, one or more Vice Presidents, and a Secretary-Treasurer. The same person may hold any two (2) or more offices at the same time, provided that the President and Secretary may not be the same person. The Directors shall choose the officers of the corporation. Whenever the office of an officer becomes vacant for any reason, the Board of Directors may elect a successor to fill the vacancy. The term of office of each officer shall expire at the annual meeting of the members provided; however, the term of office of each officer shall continue until his or her successor have been elected and qualified. The Directors may, by resolution, from time to time extend, restrict, alter, or abolish such powers, authority, and duties.

By-Law revision adopted June 1986

Resolved: That the board of Canyon Lake Acres Civic Club be constituted of six members, with two members retiring each year in rotating order. In 1986-87 the length of service will be decided by drawing straws for 1, 2, or 3 year terms. Thereafter, only two new members will be elected each year, to serve a three-year term.

By-Law revision adopted June 1987

Resolved: No Board Member of Canyon Lake Acres Civic Club may be elected for two successive terms. After rotation off the board, at least ONE year must elapse before a member can be considered for election again.

Resolved: That a member of the board may be asked to resign after three or more absences in one year, at the discretion of the board.

By-Law revision approved at the 1983 general membership meeting: The officers of the corporation shall be a President, one or more Vice Presidents, and a Secretary and a Treasurer.

By-Law revision approved at the 1983 general membership meeting: If two or more members of the same family serve on the Board of Directors at the same time, only one family member shall vote on matters being considered by the Board for approval or disapproval.

ARTICLE VIII

It is the intent and purpose of the corporation to expend funds for the general benefit of all property owners in the two Subdivisions above described in compliance with and pursuant to the restrictions adopted in connection with the sale of property in said Subdivisions. Within the guidelines of these By-laws, the Articles of Incorporation of the corporation, and the aforesaid restrictive covenants affecting property in the said Subdivisions, the Board of Directors shall be authorized to expend funds of the corporation on such projects, as shall qualify under said guidelines for the benefit of all property owners in said Subdivisions.

ARTICLE IX

The Board of Directors may provide for certificates evidencing membership in the corporation, which shall be in such form as may be determined by the Board. If issued, the certificates will be signed by the President or Vice President, and by the Secretary or an assistant Secretary. All membership certificates so issued shall be sealed with the seal of the corporation. All certificates shall be numbered and shall be registered on the records of the corporation. If any such issued certificate shall become lost, mutilated or destroyed, a new certificate of membership shall be issued, a membership certificate must be surrendered to the Board of Directors before a membership may be transferred on the books of the corporation.

ARTICLE X

The annual property maintenance assessment of thirty dollars (\$30.00) per member shall be due and payable in advance on or before June 1st of each year. In the event of nonpayment of said assessment, the non-paying member's voting rights shall be suspended until the assessment shall have been paid. The Board of Directors shall be authorized to take such action, as the Board shall deem necessary to collect delinquent assessments, including the enforcement of any liens on real property the corporation may hold, or by any other reasonable collection procedure.

ARTICLE XI

These By-laws may be altered, amended or repealed by vote of the majority of the members present at an annual meeting of the members or at special meeting of the members called for such purpose.

ARTICLE XII

Whenever any notice is required to be given under the provisions of the Texas Non-Profit Corporation Act or under the provisions of the Articles of Incorporation, or the By-laws

of the corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein shall be deemed equivalent to the giving of such notice.

The undersigned Secretary of CANYON LAKE ACRES CIVIC CLUB, Inc., a Texas Non-Profit Corporation, does hereby certify that the above and foregoing is the complete set of By-laws of said corporation adopted at the meeting of the Board of Directors held on April 6, 1981.

Mary E. Holzworth, Secretary

CHANGES IN BY-LAWS

Amended June 1993 to include:

Property owners who rent their Canyon Lake Acres property to persons who are not Canyon Lake Acres property owners shall be eligible to transfer their CANYON LAKE ACRES CIVIC CLUB, Inc. privileges to the renter under the following conditions:

1. The property owner shall be a member of the CANYON LAKE ACRES CIVIC CLUB, Inc. and current in all financial obligations to the Corporation.
2. The property owner shall relinquish all CANYON LAKE ACRES CIVIC CLUB, Inc. membership rights except voting rights associated with conduct of Corporation business.
3. The renter must apply to CANYON LAKE ACRES CIVIC CLUB, Inc. for an Associate Membership and the property owner must be one of the two co-signers on the application.
4. If the Board of Directors approves the renter for membership, the Associate Membership fee shall be determined by the Board of Directors but shall not exceed \$50.00 per year only so long as the property owner remains current in all financial obligations to CANYON LAKE ACRES CIVIC CLUB, Inc.

Amended June 1993 to include the following definitions:

Resident family is defined as the CANYON LAKE ACRES CIVIC CLUB, Inc. member and/or spouse, dependent children and/or dependent grandchildren, dependent parents and/or dependent grandparents living at the same residence as the member. Children and their spouses, parents, grandparents and grandchildren who are not legal dependents and not living at the same geographical residence as the member, are not considered as part of the resident family for use of the CANYON LAKE ACRES CIVIC CLUB, Inc. Recreational Facilities.

Guest is defined as any person who is not in the resident family of the CANYON LAKE ACRES CIVIC CLUB, Inc. member in good standing.

Renter is defined as any person living on property in Canyon Lake Acres Subdivisions I and II and is not a property owner or part of the resident family of a property owner. A renter is not authorized to use CANYON LAKE ACRES CIVIC CLUB, Inc. Recreational

Facilities unless the renter has been accepted by the Board of Directors as an Associate Member.

Associate Member is defined as any person who has been accepted for an Associate Membership by the Board of Directors as specified in the By-Laws governing Associate Memberships.

Amended June 2007 to increase assessment.

Article X

The annual property maintenance assessment of **thirty dollars (\$30.00)** per member shall be due and payable in advance on or before June 1st of each year.

ADDENDUM TO THE CANYON LAKE ACRES CIVIC CLUB REVISED HANDBOOK

1. CLACC members must pay an annual pool fee of \$30.00 to have access to the park swimming pool. The fee could be increased in \$5.00 increments as needed by a majority vote at the annual meeting. (The \$25.00 pool fee was approved at the 1997 annual meeting and the amendment to add \$5.00 increments if needed was approved at the 2001 annual meeting)
2. Associate memberships are \$100.00 annually. (This was approved at an earlier annual meeting that changed the Associate memberships from \$75.00 to \$100.00)