

**CCHOA Board Meeting Agenda**  
**26 April 2023, 6:30pm**  
**Circle C Community Center via zoom**

- I. Roll Call
- II. Acceptance of Agenda
- III. Acceptance of March 29, 2023 board meeting minutes *Joanne Kinzer*
- IV. Homeowner Forum (3 min each)  
*(Homeowners may sign up to speak for the Homeowners Forum by calling the HOA manager at 512-288-8663 or sending an email to [info@circlecranch.info](mailto:info@circlecranch.info) at least a week before the meeting, in writing. Members will be given 3 minutes to address the board. The Board will send a reply through the HOA Office after the meeting.*
- V. Management Reports
  - a. General Report, *Karen Hibpshman*
    - 1. Mar YTD Financials
  - b. Landscape Report, *Susan Hoover*
  - c. Aquatics Report, *Brody McKinley*
  - d. Maintenance Report, *Robert Bardeleben*
- VI. Discussion Items
  - a. Swim at your own risk committee/discussion
  - b. Storm Damage Update
  - c. Circle C Café Patio Proposal
  - d. Newsletter options
  - e. The Board is considering amending the Bylaws
  - f. Escarpment Loop Project
  - g. Updated Reserve Study
- VII. Action Items
  - a. 2022 Financial Audit
  - b. Texas Gas Easement Agreement
- VIII. Adjourn Public Meeting
- IX. Executive Session

**Attachments**

- 1. March 2023 Board Meeting Minutes
- 2. General Report (including YTD Financials)
- 3. Landscape Report
- 4. Aquatics Report
- 5. Maintenance Report

**Circle C Homeowners Association**  
**Board Meeting Minutes**  
**March 29, 2023**

1. The CCHOA Board of Directors convened on March 29, 2023, at the Community Center and via video conferencing (Zoom). Stephen Bega called the meeting to order at 6:34p.m. In attendance were board members Stephen Bega, Kimberly De La Garza, David Lachance and Paul Oveisi. were in person. Joanne Kinzer and Trinh Bartlett joined at via Zoom. CHOA Manager Karen Hibpshman (HOA Manager), Robert Bardeleben (Facilities Coordinator) and Brody McKinley (Aquatics Director) were present.
2. Stephen presented the March 29, 2023 agenda. David motion to accept the agenda as written. Paul seconded the motion. All were in favor and the motion passed.
3. Stephen presented the February 22, 2023 Board of Directors Meeting Minutes. David motioned to approve the minutes as written. Paul seconded the motion. All were in favor and the motion passed.
4. Stephen introduced the Homeowner Forum. No owners present for the Homeowner Forum.
5. Karen provided the management report and the YTD Financials.
6. Karen presented the landscaping report.
7. Brody presented the aquatics report.
8. Robert presented the maintenance report.
9. The first discussion item was the Storm Damage Update. We have started the removal of the broken limbs and tree branches high up in the trees, but this will still take time. The amount of damage is more than we thought and with every storm, more damage is found. We have not touched anything in the greenbelts unless a tree/limb fell onto the resident's fence. We will evaluate the greenbelts at a later date but will still encourage residents not to enter the greenbelts for safety issues.
10. The second discussion item was the Circle C Café Patio Proposal. The Café is proposing an outdoor patio area in the grass area. Karen will meet with the café owners to start working on the details to bring back to the board.
11. The third discussion item was the Newsletter options. Neighborhood News reached out to the HOA about doing our Newsletter. Unfortunately, the cost a printed newsletter is not something that we can afford at this time. Karen will reach out to them about the cost about doing just an electronic newsletter. In the meantime, we will continue to publish the newsletter electronically.

12. Stephen asked that the Board Officer Appointments to the end of the action items.
13. The first action item was the Escarpment Loop. David motioned to table the item. Kimberly seconded the motion. All were in favor and the motion passed.
14. The seconded action item was to Ratify the Avana pool repair vote. Kimberly motioned to ratify the motion to approve repair proposal on the Avana pool, as presented. David seconded the motion. All were in favor and the motion passed.
15. The third action item was the Texas Gas Easement Agreement. David motioned to table the item. Paul seconded the motion. All were in favor and the motion passed.
16. The fourth action item was the Board Officer Appointments.

Stephen nominated himself for President. David seconded the motion. All were in favor and the motion passed.

Trinh nominated herself for Vice President. David nominated Kimberly for Vice President. Trinh withdrew herself from the nomination. Paul seconded the nomination for Kimberly. All were in favor and the motion passed.

Stephen nominated David for Treasurer. Kimberly seconded the motion. All were in favor and the motion passed.

Joanne nominated herself for Secretary. Paul seconded the motion. All were in favor and the motion passed.

17. Kimberly motioned to adjourn the Public Meeting at 7:42 pm. David seconded the motion. All were in favor and the motion passed.
18. The Bboard went into executive session at 7:44pm to discuss Swim At Your Own Risk. No votes or actions were taken. The Board adjourned the executive session at 7:53pm.

**Circle C Homeowners Association  
 Manager's Report  
 March 27, 2023 – April 21, 2023**

**Violation Report  
 March 27, 2023 – April 21, 2023**

	March 27, 2023 – April 21, 2023		March 29, 2022- Mar 23, 2022	
305 Violations			233	
Rubbish/Debris	70	22.95%	130	55.79%
Front Yard Maintenance	110	36.07%	49	21.03%
Architectural	25	8.20%	8	3.43%
Vehicle Storage	17	5.57%	10	4.29%
Repair of Exterior Damages	11	3.61%	16	6.87%
Exterior Lighting	18	5.90%	15	6.44%
Driveway	6	1.97%	0	0.0%
Fencing	5	1.64%	1	.43%
Use Limitations	4	1.31%	0	0.0%
Recreational Equipment	24	7.87%	0	0.0%
Offensive Activities	1	0.66%	0	0.0%
Common Properties	0	0%	0	0.0%
Maintenance	13	4.26%	4	1.72%
Abutting Landscaping	0	0.00%		

305 Violations by Stage			233 Violations by Stage		
Stage 1/Cooperative Letters	248	81.31%	190	81.54%	
Stage 2 Letters	46	15.08%	41	17.59%	
Stage 3 Letters	9	2.95%	1	.43%	

305 Violation Updates/Creates			233 Violation Updates/Creates		
Closed	97	31.80%	152	65.24%	
New	102	33.44%	56	24.03%	
Escalated	36	11.80%	21	9.01%	
Re-Opened	10	3.27%	4	1.72%	
Attorney			2		

## **Administration**

18 New Homeowner Packets mailed March 18<sup>th</sup> – April 20<sup>th</sup>.

## **Financial**

AP checks were signed on April 20<sup>th</sup> with Terri Giles

## **Upcoming Special Events**

April 29<sup>th</sup> – 1<sup>st</sup> Semi-Annual Garage Sale

April 29<sup>th</sup> – Select Swim Meet – Swim Center will open at 1pm

May 6<sup>th</sup> – Primary Election – Community Center is a voting location (Not an early voting location)

May 6<sup>th</sup> – Seals Timing Meet – does not impact pool operations

May 12<sup>th</sup> – Food Trailer Night – last one until September

May 13<sup>th</sup> – Seals Meet – Swim Center to open at 1pm

May 13<sup>th</sup> – Circle C Baker's Bazaar

May 29<sup>th</sup> – Memorial Day – HOA Office Closed

Pools open

May 31<sup>st</sup> – May Board Meeting

## **Project/Updates**

- Storm Damages – will walk through that under “Discussion Items”
- There are still issues from the Verizon project that are still being repaired. Irrigation wiring is still an issue and not 100%.
- Food Trailer Nights are back and the 3<sup>rd</sup> Food Trailer Night will be May 12<sup>th</sup>. We will not have Food Trailer Nights during the summer and will return in September.
- We have partnered with the City of Austin for a “Varsity Program” (55+) at the Community Center on Monday, Wednesday and Friday mornings. They are working on getting me a monthly calendar to publish on trips and events are being planned.
- The city will start the remaining part of the corridor project. I am continuing to work with the corridor folks and the shared Use Path project from Barstow to MoPac and the start date was delayed due to permitting issues. From the new plans, it appears that they will be pinching down the sidewalk around trees and also utility boxes. In locations where we need a sleeve under the sidewalk, we will provide the sleeves to ensure we are able to access the irrigation. The intersection at Escarpment/Slaughter, they are bidding out the project Oct 2023? Construction could start February 2024. They will be installing a pond in the southeast corner of Slaughter/Escarpment for this project and the entrance will be off of Slaughter Lane.
- Billing for the 1<sup>st</sup> semi-annual payment from Commercial HOA was sent for \$54,500.00. Payment has been received.
- The Rowell 1<sup>st</sup> semi-annual invoice was sent for \$55,897.12.
- The Cove @ Circle C 1<sup>st</sup> semi-annual was sent for \$9,007.05.

- Received an email the USPS is no longer taking responsibility for any of the Cluster Box Units (CBU). This includes repair and replacement. For repairs, we will have to coordinate with the USPS for them to open the boxes, empty them of mail and once repairs are done, the USPS will resecure the mailboxes. The same will be for the replacement of any CBU's.
- The phones at the Swim Center have been changed. The new number is 512-363-5578.
- We continue to use the Circle C Ranch HOA Facebook page along with the website to get information out to the residents.

- **Capital Projects**

2023 Capital Budget Projects include:

SC – Pool. Covers	Will order in August
SC – Lane Lines	Completed
SC – Lounge Chairs	Completed
SC – Partial Replacement of Benches/Tables	Will Order in April
CC – Lounge Chairs	Completed
CC- Refinish Splash Pad Features \$4,500 from 2022 Budget	Features Received
CC- 2-Sewage Grinder	Completed
Splash Pad Surface/Bollard Repair	Coating has been received – Will complete in April
CC-Replace Rails/Repair Decking	Coating has been received. Will be completed by May
SC – AC Replacement	Completed
CC – Replace Grinder Pumps	Parts Ordered – should be completed in April
Node Clock Replacement	Started
Rock Work	Not Started
Plant Replacement	
Escarpment Project	Need to hold a workshop
CCN Improvement	Bid approved and signed bid was sent to contractor to schedule
Construction Repairs	

Construction Repairs	Repairs due to construction have been done at Bernia, Trissino, Slaughter, La Crosse, Escarpment and Archeleta.

**Current or Future Projects**

- Irrigation Infrastructure
- Signage
- Monuments
- Landscape Prep
- Expansion of CCCC pool
- Phase II

# 2023 CCHOA INCOME BUDGET

Category	Subcategory	2023 Budget	Jan-23	Feb-23	Mar-23	Totals	%
Homeowner Income	Homeowner Dues	\$4,470,000	\$29,483.04	\$1,168,979.37	\$670,704.38	\$1,869,166.79	42%
Homeowner Income	Resale Certificates	\$30,075	\$2,700.00	\$2,925.00	\$4,725.00	\$10,350.00	34%
Homeowner Income	Transfer Fees I0come	\$55,125	\$1,400.00	\$1,925.00	\$2,800.00	\$6,125.00	11%
Homeowner Income	Late Fees Collected	\$25,000	\$616.49	\$2,385.58	\$1,157.08	\$4,159.15	17%
Homeowner Income	Lien Admin Fees Income	\$420	\$14.00	\$276.00	\$327.46	\$617.46	147%
Homeowner Income	Filing Fee Income	\$1,680	\$56.00	\$241.54	\$280.00	\$577.54	34%
Homeowner Income	NSF Charges	\$50	\$0.00	\$0.00	\$0.00	\$0.00	0%
<b>Homeowner Income Total</b>		<b>\$4,582,350</b>	<b>\$34,269.53</b>	<b>\$1,176,732.49</b>	<b>\$679,993.92</b>	<b>\$1,890,995.94</b>	41%
Architectural Review Incom	Architectural Review I0come	\$10,000	\$1,140.00	\$960.00	\$1,215.00	\$3,315.00	33%
<b>Architectural Review I0come Total</b>		<b>\$10,000</b>	<b>\$1,140.00</b>	<b>\$960.00</b>	<b>\$1,215.00</b>	<b>\$3,315.00</b>	33%
Rental Income	Office Rent	\$9,000	\$0.00	\$1,834.11	\$0.00	\$1,834.11	20%
Rental Income	Grill Rent	\$6,600	\$1,100.00	\$525.30	\$0.00	\$1,625.30	25%
<b>Rental Income Total</b>		<b>\$15,600</b>	<b>\$1,100.00</b>	<b>\$2,359.41</b>	<b>\$0.00</b>	<b>\$3,459.41</b>	22%
Aquatics Income	Pool Programs	\$60,000	\$2,112.00	\$3,180.00	\$2,815.00	\$8,107.00	14%
Aquatics Income	Pool Programs - Swim Team	\$136,500	\$15,390.00	\$15,233.00	\$14,132.50	\$44,755.50	33%
Aquatics Income	Facility Income	\$35,000	\$5,139.34	\$8,971.80	\$1,012.00	\$15,123.14	43%
<b>Aquatics Income Total</b>		<b>\$231,500</b>	<b>\$22,641.34</b>	<b>\$27,384.80</b>	<b>\$17,959.50</b>	<b>\$67,985.64</b>	29%
CCCC Income	CCCC Facility Rentals	\$50,000	\$7,300.00	\$6,207.50	\$9,020.00	\$22,527.50	45%
<b>CCCC Income Total</b>		<b>\$50,000</b>	<b>\$7,300.00</b>	<b>\$6,207.50</b>	<b>\$9,020.00</b>	<b>\$22,527.50</b>	45%
Landscape Reimbursements	Stratus Reimb	\$109,000	\$0.00	\$0.00	\$0.00	\$0.00	0%
Landscape Reimbursements	COA Reimb	\$17,600	\$0.00	\$0.00	\$0.00	\$0.00	0%
<b>Landscape Reimbursements Total</b>		<b>\$126,600</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	0%
Credit Card Rewards		\$0	\$0.00	\$0.00	\$7,500.00	\$7,500.00	#DIV/0!
Miscellaneous	Interest Income	\$15,000	\$5,421.11	\$12,182.71	\$7,360.93	\$24,964.75	166%
Miscellaneous	Sales Tax Discount	\$0	\$0.30	\$0.00	\$0.00	\$0.30	
<b>Miscellaneous Total</b>		<b>\$15,000</b>	<b>\$5,421.41</b>	<b>\$12,182.71</b>	<b>\$14,860.93</b>	<b>\$32,465.05</b>	216%
Cove @ CC Reimbursement	Cove @ Circle C HOA	\$15,000	\$0.00	\$0.00	\$0.00	\$0.00	0%
Rowell Reimbursement	The Rowell HOA	\$110,000	\$0.00	\$0.00	\$0.00	\$0.00	0%
<b>Rimbursement Total</b>		<b>\$125,000</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	0%
<b>Grand Total</b>		<b>\$5,156,050.00</b>	<b>\$71,872.28</b>	<b>\$1,225,826.91</b>	<b>\$723,049.35</b>	<b>\$2,020,748.54</b>	39%

## 2023 CCHOA EXPENSE BUDGET

Category	Subcategory	2023 Budget	Jan-23	Feb-23	Mar-23	Totals	%
Commons Area Services	Landscape Maint Contract	\$1,510,634	\$125,888.25	\$125,888.25	\$125,888.25	\$377,664.75	25%
Commons Area Services	Contract Landscape SC	\$38,606	\$3,217.25	\$3,217.25	\$3,217.25	\$9,651.75	25%
Commons Area Services	Contract Landscape CCCC	\$38,606	\$3,217.25	\$3,217.25	\$3,217.25	\$9,651.75	25%
Commons Area Services	Contract Landscape AV	\$27,376	\$2,281.41	\$2,281.47	\$2,281.47	\$6,844.35	25%
Common Area Services	Contract Landscape GR	\$27,376	\$2,281.41	\$2,281.41	\$2,281.41	\$6,844.23	25%
Common Area Services	Common Area Holiday Lighti	\$53,116	\$0.00	\$0.00	\$0.00	\$0.00	0%
Commons Area Services	Landscape Repairs	\$140,000	\$6,708.00	\$19,749.20	\$11,773.26	\$38,230.46	27%
Commons Area Services	Landscape Water Utilities	\$255,000	\$7,269.44	\$6,474.85	\$5,096.10	\$18,840.39	7%
Commons Area Services	COA Water Utility Complianc	\$8,000	\$6,014.18	\$0.00	\$0.00	\$6,014.18	75%
Common Area Services	Landscape Electric Utilities	\$36,000	\$3,234.98	\$2,847.78	\$3,007.38	\$9,090.14	25%
Common Area Services	Tree Care	\$75,000	\$0.00	\$1,426.19	\$0.00	\$1,426.19	2%
Commons Area Services	Fence Repairs & Maint	\$8,000	\$0.00	\$0.00	\$196.10	\$196.10	2%
Commons Area Services	Electrical Repairs & Maint	\$12,000	\$476.30	\$421.53	\$3,241.63	\$4,139.46	34%

Common Area Services	Neighborhood Maint & Repa	\$24,000	\$60.56	\$716.50	\$10,772.05	\$11,549.11	48%
Common Area Services	Non Contract Landscape - St	\$20,000	\$0.00	\$0.00	\$0.00	\$0.00	0%
<b>Commons Area Services Total</b>		<b>\$2,273,714</b>	<b>\$160,649.03</b>	<b>\$168,521.68</b>	<b>\$170,972.15</b>	<b>\$500,142.86</b>	22%
Aquatics Facilities	Administrative	\$65,000	\$4,047.24	\$6,586.28	\$5,326.70	\$15,960.22	25%
Aquatics Facilities	Supplies - Pool	\$27,500	\$2,594.02	\$1,716.95	\$1,025.45	\$5,336.42	19%
Aquatics Facilities	Supplies - Chemicals	\$95,000	\$2,445.38	\$6,051.40	\$4,026.74	\$12,523.52	13%
Aquatics Facilities	Supplies & Fees - Swim Team	\$19,000	\$3,463.40	-\$407.38	\$911.25	\$3,967.27	21%
Aquatics Facilities	Maintenance - Pool	\$125,400	\$8,778.12	\$10,038.92	\$15,705.32	\$34,522.36	28%
Aquatics Facilities	Maintenance - Building	\$86,200	\$4,276.02	\$7,208.57	\$8,431.71	\$19,916.30	23%
Aquatics Facilities	Payroll - Staff	\$954,650	\$31,482.30	\$40,240.79	\$83,053.03	\$154,776.12	16%
Aquatics Facilities	Payroll - Programming Staff	\$49,950	\$77.86	\$401.31	\$1,388.39	\$1,867.56	4%
Aquatics Facilities	Payroll - Swim Team	\$144,600	\$7,751.24	\$8,283.88	\$14,134.96	\$30,170.08	21%
Aquatics Facilities	SC-Utilities - Water	\$30,000	\$1,951.17	\$2,180.04	\$2,048.06	\$6,179.27	21%
Aquatics Facilities	Avana _Utilities-Water	\$9,000	\$100.85	\$685.84	\$431.32	\$1,218.01	14%
Aquatics Facilities	GR- Utilities - Water	\$4,500	\$160.37	\$231.10	\$180.13	\$571.60	13%
Aquatics Facilities	SC-Utilities - Electric	\$33,000	\$1,891.51	\$1,948.76	\$2,089.23	\$5,929.50	18%
Aquatics Facilities	Avana - Utilities- Electric	\$16,000	\$643.00	\$469.85	\$818.17	\$1,931.02	12%
Aquatics Facilities	GR -Utilities-Electric	\$9,000	\$478.68	\$528.22	\$456.72	\$1,463.62	16%
Aquatics Facilities	Utilities - Natural Gas	\$52,000	\$5,493.65	\$8,921.80	-\$508.92	\$13,906.53	27%
Aquatics Facilities	SC-Utilities - Telephone/Inte	\$15,000	\$575.53	\$575.53	\$580.55	\$1,731.61	12%
Aquatics Facilities	Avana - Telephone/Internet	\$5,000	\$261.67	\$262.37	\$976.94	\$1,500.98	30%
Aquatics Facilities	GR- Telephone/Internet	\$5,000	\$282.08	\$269.02	\$973.58	\$1,524.68	30%
<b>Aquatic Facilities Total</b>		<b>\$1,745,800</b>	<b>\$76,754.09</b>	<b>\$96,193.25</b>	<b>\$142,049.33</b>	<b>\$314,996.67</b>	18%
Circle C Community Center	Utilities - Water	\$27,000	\$344.53	\$387.88	\$357.30	\$1,089.71	4%
Circle C Community Center	Utilities - Electric	\$26,000	\$1,581.99	\$984.20	\$1,688.36	\$4,254.55	16%
Circle C Community Center	Utilities - Telephone/Interne	\$9,000	\$676.63	\$676.64	\$685.00	\$2,038.27	23%
Circle C Community Ctr	Events Payroll	\$8,500	\$275.96	\$505.96	\$1,069.22	\$1,851.14	22%
Circle C Community Center	Maintenance - Building	\$61,500	\$1,628.51	\$3,779.56	\$2,235.40	\$7,643.47	12%
<b>Circle C Community Ctr Total</b>		<b>\$132,000</b>	<b>\$4,507.62</b>	<b>\$6,334.24</b>	<b>\$6,035.28</b>	<b>\$16,877.14</b>	13%
Maintenance Operations	Office Supplies	\$1,200	\$150.47	\$0.00	\$0.00	\$150.47	13%
Maintenance Operations	Employee Education	\$1,200	\$215.00	\$0.00	\$0.00	\$215.00	18%
Maintenance Operations	Uniforms	\$1,800	\$0.00	\$0.00	\$0.00	\$0.00	0%
Maintenance Operations	Staff Recruitment	\$300	\$0.00	\$0.00	\$0.00	\$0.00	0%
Maintenance Operations	Safety Equip/Supplies	\$1,400	\$0.00	\$110.64	\$38.94	\$149.58	11%
Maintenance Operations	Maintenance Payroll	\$225,000	\$15,897.88	\$15,897.88	\$23,846.82	\$55,642.58	25%
Maintenance Operations	Pool Tech	\$95,000	\$4,197.70	\$4,197.70	\$6,296.55	\$14,691.95	15%
Maintenance Operations	Payroll Taxes	\$20,000	\$1,784.58	\$952.05	\$1,916.60	\$4,653.23	23%
Maintenance Operations	Computer/Software	\$1,400	\$0.00	\$0.00	\$0.00	\$0.00	0%
Maintenance Operations	Tools/Supplies	\$5,000	\$556.56	\$1,488.02	\$20.00	\$2,064.58	41%
Maintenance Operations	Office Furniture	\$600	\$0.00	\$0.00	\$0.00	\$0.00	0%
<b>Maintenance Operations Total</b>		<b>\$352,900</b>	<b>\$22,802.19</b>	<b>\$22,646.29</b>	<b>\$32,118.91</b>	<b>\$77,567.39</b>	22%
HOA Operations	Office Supplies	\$9,000	\$457.23	\$44.82	\$764.17	\$1,266.22	14%
HOA Operations	Equip & Maintenance	\$18,000	\$341.27	\$437.11	\$366.66	\$1,145.04	6%
HOA Operations	HOA Owned Vehicle Expense	\$8,000	\$426.31	\$1,643.54	-\$3,805.69	-\$1,735.84	-22%
HOA Operations	Postage	\$20,000	\$2,993.37	\$2,136.36	\$572.51	\$5,702.24	29%
HOA Operations	Web Operations	\$3,000	\$69.79	\$1,071.11	\$305.30	\$1,446.20	48%
HOA Operations	Printing	\$5,000	\$2,400.03	\$144.38	\$0.00	\$2,544.41	51%
HOA Operations	HOA Meetings	\$5,000	\$2,988.31	\$127.92	\$445.48	\$3,561.71	71%
HOA Operations	Deed Restrictions	\$5,000	\$719.45	\$0.00	\$0.00	\$719.45	14%
HOA Operations	HOA Special Events	\$45,000	\$0.00	\$2,073.53	\$4,469.45	\$6,542.98	15%
HOA Operations	Professional Fees	\$2,000	\$0.00	\$0.00	\$0.00	\$0.00	0%
HOA Operations	Reserve Study Update	\$5,500	\$2,675.00	\$0.00	\$0.00	\$2,675.00	49%
<b>HOA Operations Total</b>		<b>\$125,500</b>	<b>\$13,070.76</b>	<b>\$7,678.77</b>	<b>\$3,117.88</b>	<b>\$23,867.41</b>	19%
Financial Management	Management Services	\$115,000	\$9,276.30	\$9,276.30	\$9,276.30	\$27,828.90	24%
Financial Management	Resale Certificate	\$13,350	\$450.00	\$850.00	\$650.00	\$1,950.00	15%
Financial Management	Lien Filing Administrative Fee	\$4,500	\$840.00	\$1,400.00	\$104.00	\$2,344.00	52%

Financial Management	Bank Fees	\$40,000	\$2,982.49	\$2,178.25	\$12,103.42	\$17,264.16	43%
Financial Management	CPA/Audit	\$10,000	\$0.00	\$2,259.74	\$1,518.00	\$3,777.74	38%
<b>Financial Management Total</b>		<b>\$182,850</b>	<b>\$13,548.79</b>	<b>\$15,964.29</b>	<b>\$23,651.72</b>	<b>\$53,164.80</b>	29%
HOA Management	Management Payroll	\$225,000	\$15,996.89	\$16,973.64	\$23,647.71	\$56,618.24	25%
HOA Management	Management Payroll Taxes	\$20,000	\$1,826.68	\$1,073.12	\$1,986.53	\$4,886.33	24%
HOA Management	Mileage Reimbursement	\$6,000	\$351.74	\$454.57	\$677.04	\$1,483.35	25%
HOA Management	Insurance Stipend	\$60,000	\$4,729.33	\$3,722.77	\$3,219.49	\$11,671.59	19%
HOA Management	Cont Ed & Skills Enhancement	\$2,000	\$0.00	\$0.00	\$0.00	\$0.00	0%
<b>HOA Management Total</b>		<b>\$313,000</b>	<b>\$22,904.64</b>	<b>\$22,224.10</b>	<b>\$29,530.77</b>	<b>\$74,659.51</b>	24%
Architectural Review Expenses	Architectural Review Expenses	\$8,000	\$969.00	\$816.00	\$1,032.75	\$2,817.75	35%
<b>Architectural Review Expenses Total</b>		<b>\$7,500</b>	<b>\$969.00</b>	<b>\$816.00</b>	<b>\$1,032.75</b>	<b>\$2,817.75</b>	38%
Legal Services	Legal Services	\$20,000	\$590.00	\$95.00	\$380.00	\$1,065.00	5%
<b>Legal Services Total</b>		<b>\$20,000</b>	<b>\$590.00</b>	<b>\$95.00</b>	<b>\$380.00</b>	<b>\$1,065.00</b>	5%
Taxes	Property	\$5,500	\$9,986.25	\$11.32	\$0.00	\$9,997.57	182%
Taxes	Income/Franchise Taxes	\$0	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!
<b>Taxes Total</b>		<b>\$5,500</b>	<b>\$9,986.25</b>	<b>\$11.32</b>	<b>\$0.00</b>	<b>\$9,997.57</b>	182%
Insurance	General, Property, Boiler & A	\$85,500	\$7,381.91	\$7,381.91	\$7,381.91	\$22,145.73	26%
Insurance	Auto	\$6,000	\$471.00	\$471.00	\$471.00	\$1,413.00	24%
Insurance	D & O Insurance	\$12,000	\$0.00	\$0.00	\$0.00	\$0.00	0%
Insurance	Worker's Comp	\$16,000	\$0.00	\$0.00	\$0.00	\$0.00	0%
<b>Insurance Total</b>		<b>\$119,500</b>	<b>\$7,852.91</b>	<b>\$7,852.91</b>	<b>\$7,852.91</b>	<b>\$23,558.73</b>	20%
Community Enhancement	Donations	\$1,000	\$0.00	\$0.00	\$0.00	\$0.00	0%
Community Enhancement	Association Memberships	\$2,000	\$50.00	\$0.00	\$180.00	\$230.00	12%
<b>Community Enhancement Total</b>		<b>\$3,000</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$180.00</b>	<b>\$180.00</b>	6%
<b>Reserve Transfer</b>		<b>\$0</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	
<b>Grand Total</b>		<b>\$5,281,264</b>	<b>\$333,635</b>	<b>\$348,338</b>	<b>\$416,922</b>	<b>\$1,098,895</b>	<b>21%</b>

**Expected Reserve Expenditures and Capital Improvement for 2023**

YTD

SC Pool Covers	\$8,000	\$0.00
SC - Lane Lines	\$10,000	\$9,426.13
SC - Lounge Chairs	\$2,000	\$2,000.00
SC - Partical Replacement of Benches/Tables	\$12,000	\$0.00
CC - Ounge Chairs	\$2,500	\$2,323.88
CC - Refinish Splash Pad	\$4,500	\$3,537.86
Splash Pad Surface/Bollard Repair	\$6,000	\$6,775.12
CC - 2 Sewage Grinder Pumps	\$12,000	\$0.00
CC - Replace Rails/Repair Decking	\$4,000	\$0.00
SC - AC Replacement	\$12,000	\$10,691.40
Node Clock Replacement	\$75,000	\$0.00
Rock Work	\$25,000	\$0.00
Escarpment Project	\$500,000	\$0.00
CCN Improvement	\$200,000	\$0.00
Construction Repairs	\$50,000	\$109.25
Storm Damage	\$0	\$274,099.44
Avana Pool Leak Repair	\$0	\$13,800.00
<b>Total</b>	<b>\$923,000</b>	<b>\$322,763.08</b>

<b>Total Capital Budget Projects</b>	<b>\$923,000.00</b>	<b>\$322,763.08</b>
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<b>Grand Total Expenses</b>	<b>\$6,204,264.00</b>	
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**Circle C Landscape**

**Board Report**

**April. 2023**

**Weather**

General: Hot during early April, with intermittent cool spells

Rainfall Total: 1-2"

Temperature: 55-93 degrees

Major Events: intermittant rains

Drought Status: Abnormally Dry to Severe Drought in Travis County  
Continues

**Maintenance General:**

Mowing: Weekly mowing rotation has returned

Bed Weeding ongoing

Trimming ongoing in selected areas

Mulching Will resume after oak pollenfalls

**Treatments** Routine ant treatment, routine weed spraying

**Outlying Area** Filter Pond, CCCC weedeated, trash removed

Outlying mail centers cleaned and weed-eated

**Irrigation** Irrigation is OFF

Annual Irrigation Check is Underway

Doublechecks cleaned and repaired Ongoing

Troubleshoot leaks Ongoing



Renovation of front area needed  
Irrigation repair needed

**Circle C Aquatics**

**March-23**

**Winter/Spring Operations**

Facility Usage	Swim Center		Community Center		Avaña		Greyrock		Total	
	Mar-23	YTD	Mar-23	YTD	Mar-23	YTD	Mar-23	YTD	Mar-23	YTD
Resident Entries	2,522	4,952	0	0	0	0	0	0	2,522	4,012
Unique Residents	968	1,006	0	0	0	0	0	0	968	1,006
Unique Households	463	486	0	0	0	0	0	0	463	486
Guest Entries	183	237	0	0	0	0	0	0	183	216
Other Entries	629	2,775	0	0	0	0	0	0	629	0
Average Hourly Count	121									
Average % of Capacity	5%									
Max Hourly Count	13									
<b>Total Entries</b>	<b>3,334</b>	<b>7,964</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,334</b>	<b>4,228</b>

Incidents	Swim Center		Community Center		Avaña		Greyrock		Total	
	Mar-23	YTD	Mar-23	YTD	Mar-23	YTD	Mar-23	YTD	Mar-23	YTD
Water Rescues	0	0	0	0	0	0	0	0	0	0
First Aid Responses	3	6	0	0	0	0	0	0	3	6
Sudden Illness Treatments	0	0	0	0	0	0	0	0	0	0
Patron Behavior Incidents	0	0	0	0	0	0	0	0	0	0
Biohazard Cleanups	0	0	0	0	0	0	0	0	0	0
Suspensions/Expulsions	0	0	0	0	0	0	0	0	0	0
EMS/911 Callouts	0	0	0	0	0	0	0	0	0	0
<b>Total Incidents</b>	<b>3</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>6</b>
<b>Incident per Entry Ratio</b>	<b>0.09%</b>	<b>0.08%</b>							<b>0.09%</b>	<b>0.14%</b>

Revenue	Mar-23	YTD
Aquatics Programs	\$ 2,815.00	\$ 7,676.50
Swim Team	\$ 14,132.50	\$ 44,717.50
Guest Fees	\$ 235.00	\$ 244.00
Area Reservations	\$ -	\$ -
Facility Rentals	\$ -	\$ -
Lane Rentals	\$ -	\$ 13,799.00
Other Facility Income	\$ 777.00	\$ 1,076.14
<b>Total Aquatics Revenue</b>	<b>\$ 17,959.50</b>	<b>\$ 67,513.14</b>

Programs	Mar-23
Select Swim Team	97
Masters Swimming	8
Group Swim Lessons	0
Private Swim Lessons	38
Water Aerobics	0
Certification Courses	1
WSI Course	0
<b>Total Participants</b>	<b>0</b>

Reservations & Rentals	Mar-23	YTD
Area Reservations	0	0
Facility Rentals	0	0
Lap Lane Reservations	0	0
<b>Total Reservations</b>	<b>0</b>	<b>0</b>

Aquatics Staffing	Mar-23
Lifeguards/Head Guards	72
Front Desk Staff	18
Instructors/Coaches	6
<b>Total Staff</b>	<b>96</b>

Resident Stats	Individuals	Households	Members / Household
Homeowners	18,323	5,294	3.46
Renters	711	201	3.54
New Memberships	198	1,085	
<b>Totals</b>	<b>19,034</b>	<b>5,495</b>	<b>3.46</b>

Circle C HOA  
Maintenance Report for Board January April 2023  
Prepared by Robert Bardeleben -Facilities Director

SWIM CENTER COMPOUND/Maintenance Offices

- Routine Cleaning and Maintenance have been completed
- Minor Equipment and Facility Repairs Made

COMMUNITY CENTER

- Routine inspections and maintenance have been completed
- Sewage Lift Station Has Been Replaced

COMMUNITY CENTER POOL

- Routine cleaning and maintenance have been performed.
- Minor Repairs have been completed on equipment and facility.
- Preparations have started for Spring pool opening

NEIGHBORHOOD

- Minor repairs have been completed as needed
- Removed minor graffiti throughout the neighborhood.

AVANA AMENITIES CENTER

- Routine Cleaning and Maintenance have been completed
- Minor repairs have been made
- Preparations have started for Spring pool opening

GREY ROCK AMENITIES CENTER

- Routine Cleaning and Maintenance have been completed
- Minor repairs have been made
- Preparations have started for Spring pool opening

FOURTH AMENDED BYLAWS  
OF  
CIRCLE C HOMEOWNERS ASSOCIATION, INC.  
A TEXAS NON-PROFIT CORPORATION

ARTICLE I

NAME AND LOCATION. The name of the corporation is Circle C Homeowners Association, Inc., hereinafter referred to as the "Association". The principal office of the Association shall be located in Travis County, Texas at a location established by the Board of Directors. Meetings of members and directors may be held at such places within the State of Texas, County of Travis, as may be designated by the Board of Directors.

ARTICLE II  
DEFINITIONS

Section 1. "Properties" shall mean and refer to that certain real property described in the Declaration, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

Section 2. "Common Area" shall mean all real property owned by the Association for the common use and enjoyment of the Owners.

Section 3. "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of the Properties with the exception of the Common Area.

Section 4. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 5. "Declarant" shall mean and refer to Circle C Development Corporation, its successors and assigns if such successors or assigns should acquire more than one undeveloped Lot from the Declarant for the purpose of development.

Section 6. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the Properties recorded in the Office of the County Clerk of Travis County, Texas.

Section 7. "Member" shall mean and refer to those persons entitled to membership as provided in the Declaration.

ARTICLE III  
MEETINGS OF MEMBERS

Section 1. Annual Meetings. The annual meeting of the members shall be held within the first quarter of the year. The place, date, and time of meeting shall be established by the Board of Directors.

Section 2. Special Meetings. Special meetings of the members may be called at any time by the president or by the Board of Directors, or upon written request of the members who are entitled to one-tenth (1/10) of all of the eligible votes.

Section 3. Notice of Meetings. Written notice of each meeting of the members shall be given by, or at the direction of, the secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least 15 days before such meeting to each member entitled to vote thereat, addressed to the member's address last appearing on the books of the Association, or supplied by such member to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting.

Section 4. Quorum. The presence at the meeting of members entitled to cast, or of proxies entitled to cast, one-tenth (1/10) of the eligible votes of membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration, or these Bylaws. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote thereat shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

Section 5. Voting Methods. At all meetings of members, each member may vote in person or by proxy. The Board may in its discretion implement any other voting method allowed by law, such as voting by mail or electronic means. All proxies shall be in writing and filed with the secretary or other designated Association agent. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his Lot. The Board shall promulgate the form of all proxies and ballots, and no other form shall be valid.

Section 6. Conduct of Members' Meeting. All meetings of the Association will be conducted under the current edition of Robert's Rules of Order.

Section 7. Vote Taken Without a Meeting. An election or vote may be held without a meeting using any method of voting that the Board in its discretion shall determine: provided, that notice of such election/vote and the instructions on how to cast a vote must be given not later than the 20<sup>th</sup> day before the latest date on which a ballot may be submitted, returned, or cast.

ARTICLE IV  
BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

Section 1. Number. The affairs of the Association shall be managed by a board of seven (7) directors, each of whom shall be a member of the Association.

Section 2. Term of Office. A director's term of office shall be three years. Every third year, three terms shall expire; in the other two years, two terms shall expire. At the time of adoption of this Fourth Amendment to Bylaws, two terms will expire in 2024, three terms will expire in 2025, and two terms will expire in 2026.

Section 3. Removal. Any director may be removed from the Board, with or without cause, by a majority vote of the members of the Association voting at a meeting at which a quorum is present. In the event of death, resignation or removal of a director, his successor shall be selected by a majority of the remaining members of the Board, and shall serve for the unexpired term of his predecessor.

Section 4. Compensation. No director shall receive compensation for any service he may render to the Association. However, any director may be reimbursed for his actual expenses incurred in the performance of his duties.

Section 5. Action Taken Without a Meeting. The directors shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all the directors. Any action so approved shall have the same effect as though taken at a meeting of the directors.

#### ARTICLE V NOMINATION AND ELECTION OF DIRECTORS

Section 1. Nomination. Nomination for election to the Board of Directors can be made by any member of the association. In order for a nominee's name to be included in any official ballot, that nominee must 1) be an association member in good standing, 2) obtain signatures of association members representing at least twenty (20) lots in good standing in the association or receive a recommendation from the Nominating Committee and 3) have completed a Candidate Questionnaire composed by a Nominating Committee appointed by the Board. No candidate meeting these requirements will be removed from the ballot unless they so choose. Nominations can also be made from the floor at the annual meeting.

Section 2. Election. Election to the Board of Directors shall be by secret written and/or electronic ballot. Members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

#### ARTICLE VI MEETINGS OF DIRECTORS

Section 1. Regular Meetings. Regular meetings of the Board of Directors shall be held annually at such place and hour as may be fixed from time to time by resolution of the Board. Should said meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday.

Section 2. Special Meetings. Special meetings of the Board of Directors shall be held when called by the president of the Association, or by a majority of directors, after not less than three (3) days notice to each director.

Section 3. Quorum. A majority of the number of directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

## ARTICLE VII POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 1. Powers. The Board of Directors shall have power to:

(a) adopt and publish rules and regulations governing the use of the Common Area facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof;

(b) suspend the voting rights and right to use of the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed 60 days for infraction of published rules and regulations;

(c) exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these Bylaws, the Articles of Incorporation, or the Declaration;

(d) declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors; and

(e) employ a manager, an independent contractor, or such other employees as they deem necessary, and to prescribe their duties.

Section 2. Duties. It shall be the duty of the Board of Directors to:

(a) cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members, or at any special meeting when such statement is requested in writing by one-fourth (1/4) of the members who are entitled to vote;

(b) supervise all officers, agents and employees of this Association, and to see that their duties are properly performed;

(c) as more fully provided in the Declaration, to:

(1) fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period;

(2) send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of each annual assessment period; and

(3) foreclose the lien against any property for which assessments are not paid within thirty (30) days after due date or to bring an action at law against the owner personally obligated to pay the same.

(d) Issue, or to cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid. A reasonable charge may be made by the Board for the issuance of these certificates. If a certificate states an assessment has been paid, such certificate shall be conclusive evidence of such payment;

(e) procure and maintain adequate liability and hazard insurance on property owned by the Association.

(f) cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate; and

(g) cause the Common Area to be maintained.

## ARTICLE VIII OFFICERS AND THEIR DUTIES

Section 1. Enumeration of Offices. The officers of this Association shall be a president and vice-president, who shall at all times be members of the Board of Directors, a secretary, and a treasurer, and such other officers as the Board may from time to time by resolution create.

Section 2. Election of Officers. The election of officers shall take place at the first meeting of the Board of Directors following each annual meeting of the members.

Section 3. Term. The officers of this Association shall be elected annually by the Board and each shall hold office for one (1) year unless he shall sooner resign, or shall be removed, or otherwise disqualified to serve.

Section 4. Special Appointments. The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.

Section 5. Resignation and Removal. Any officer may be removed from office with or without cause by the Board. Any officer may resign at any time giving written notice to the Board, the president or the secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6. Vacancies. A vacancy in any office may be filled by appointment by the Board. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he replaces.

Section 7. Multiple Offices. The offices of secretary and treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices except in the case of special offices created pursuant to Section 4 of this Article.

Section 8. Duties. The duties of the officers are as follows:

#### President

(a) The president shall preside at all meetings of the Board of Directors; shall see that orders and resolutions of the Board are carried out; shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all checks and promissory notes.

#### Vice-President

(b) The vice-president shall act in the place and stead of the president in the event of his absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of him by the Board.

#### Secretary

(c) The secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; keep the corporate seal of the Association and affix it on all papers requiring said seal; serve notice of meetings of the Board and of the members; keep appropriate current records showing the members of the Association together with their addresses, and shall perform such other duties as required by the Board.

#### Treasurer

(d) The treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall sign all checks and promissory notes of the Association; keep proper books of account; cause an annual audit of the Association books to be made by a public accountant at the completion of income and expenditures to be presented to the membership at its regular annual meeting, and deliver a copy of each to the members.

ARTICLE IX  
COMMITTEES

The Association shall appoint an Architectural Control Committee, as provided in the Declaration, and a Nominating Committee, as provided in these Bylaws. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purpose.

ARTICLE X  
BOOKS AND RECORDS

The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any member. The Declaration, the Articles of Incorporation and the Bylaws of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at reasonable cost.

The Association may maintain an email list for the purpose of communicating with its members. The contents of this list shall be confidential, shall not be filed among the records of the Association, and shall not be disclosed to any member and/or third party unless required by Court order. The email list will be used for official Association communications only.

ARTICLE XI  
ASSESSMENTS

As more fully provided in the Declaration, each member is obligated to pay to the Association annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Any assessments which are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of 18 percent per annum or the maximum legal rate, whichever is lesser, and the Association may bring an action at law against the Owner personally obligated to pay the same or foreclose the lien against the property, and interest, costs, and reasonable attorney's fees of any such action shall be added to the amount of such assessment. No Owner may waive or otherwise escape liability for the assessments provided for herein by nonuse of the Common Area or abandonment of his Lot.

ARTICLE XII  
AMENDMENTS

Section 1. These Bylaws may be amended, at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy, except that if there is a valid FHA or VA Letter of Approval in effect, the Federal Housing

Administration or the Veterans Administration, as applicable, shall have the right to veto amendments while there is Class B membership.

Section 2. In the case of any conflict between the Articles of Incorporation and these Bylaws, the Articles shall control: and in the case of any conflict between the Declaration and these Bylaws, the Declaration shall control.

ARTICLE XIII  
MISCELLANEOUS

The fiscal year of the Association shall begin on the first day of January and end on the 31<sup>st</sup> day of December of every year, except that the first fiscal year shall begin on the date of incorporation.

Throughout these Bylaws, words importing the masculine gender shall be read as also importing the feminine gender.

*Draft*

Circle C Homeowners Association, Inc.

Audited Financial Statements

For the Year Ended December 31, 2022

Circle C Homeowners Association, Inc.

*Draft*

Audited Financial Statements

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Ronald W. Meyer, P.L.L.C.  
Certified Public Accountant

*Draft*

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INDEPENDENT AUDITOR'S REPORT

To the Board of Directors  
Circle C Homeowners Association, Inc.  
Austin, Texas

**Opinion**

We have audited the accompanying financial statements of Circle C Homeowners Association, Inc. (a non-profit corporation) which comprise the balance sheet as of December 31, 2022, and the related statements of revenues, expenses, and changes in members' equity and cash flows for the year then ended, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Circle C Homeowners Association, Inc. as of December 31, 2022, and the results of its operations and cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

**Basis for Opinion**

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for Audit of the Financial Statements section of our report. We are required to be independent of Circle C Homeowners Association, Inc. and to meet our ethical responsibilities in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

**Management's Responsibility for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Circle C Homeowners Association, Inc.'s ability to continue as a going concern within one year after the date that the financial statements are available to be issued.

**Auditor's Responsibility for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when one exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements, including omissions, are

considered material if there is substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- \* Exercise professional judgment and maintain professional skepticism through the audit.
- \* Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- \* Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Circle C Homeowners Association, Inc.'s internal control. Accordingly, no such opinion is expressed.
- \* Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- \* Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Circle C Homeowners Association, Inc.'s ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

#### **Disclaimer of Opinion on Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that supplementary information on future major repairs and replacements on pages 18 and 19 be presented to supplement the basic financial statements. Such information, although not part of the basic financial statements, is required by the Financial Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Austin, Texas  
April 13, 2023

*Draft*

Circle C Homeowners Association, Inc.

Balance Sheet

December 31, 2022

	<u>2022</u>
<b>Assets</b>	
Current Assets	
Cash - Operating	\$ 82,933
Cash - Payroll	64,384
Cash - Reserves	3,627,490
Accounts Receivable, net	126,438
Prepaid Expenses	<u>19,862</u>
Total Current Assets	<u>3,921,107</u>
Fixed Assets	
Fixed Assets, Net of Depreciation	<u>2,786,762</u>
Total Assets	<u><u>\$ 6,707,869</u></u>
<b>Liabilities and Members' Equity</b>	
Current Liabilities	
Accounts Payable	\$ 23,210
Credit Cards Payable	38,371
Swimming Deposits	3,176
Payroll Taxes Payable	1,523
Prepaid Assessments	20,539
Security Deposit Payable	<u>500</u>
Total Current Liabilities	<u>87,319</u>
Members' Equity	
Undesignated	5,617,743
Designated Reserves - Amenity Center	<u>1,002,807</u>
Total Members' Equity	<u>6,620,550</u>
Total Liabilities and Members' Equity	<u><u>\$ 6,707,869</u></u>

See accompanying notes to financial statements.

Circle C Homeowners Association, Inc.

*Draft*

Statement of Revenues and Expenses

For the Year Ended December 31, 2022

	<u>2022</u>
Revenues	
Assessments	\$ 4,121,138
Aquatics Income	320,754
Landscape Reimbursements	114,600
Resale Certificates	49,500
Transfer Fees	43,070
Rowell HOA	107,722
Cove at Circle C HOA	13,848
Late Fees	24,691
Facility Rentals	71,353
Rental Income	16,563
Other Income	1,890
PPP Loan Forgiveness	246,607
Architectural Review Fees	14,960
Interest Income	18,013
Total Revenues	<u>5,164,709</u>
Expenses	
Common Area Services	
Landscaping	1,493,299
Common Area Holiday Lighting	48,287
Landscape Repairs	156,406
Landscape Water Utilities	271,274
Landscape Electric Utilities	32,297
Tree Care	89,006
Fence Repairs and Maintenance	4,099
Electrical Repairs and Maintenance	11,218
Neighborhood Repairs and Maintenance	17,804
Non-contract Landscape	19,998
Total Common Area Services	<u>2,143,688</u>

See accompanying notes to financial statements.

Circle C Homeowners Association, Inc.

*Draft*

Statement of Revenues and Expenses  
(continued)

For the Year Ended December 31, 2022

	<u>2022</u>
Financial Management	
Financial Management Services	111,316
Resale Certificate Expense	11,250
Lien Filing Fees	1,786
Bank Charges/Credit Card Fees	67,755
Annual Audit and Tax Return Preparation Fees	8,000
Interest Expense	1,669
Total Financial Management	<u>201,776</u>
Aquatics Expenses	
Administrative	31,074
Supplies - Pool, Chemicals, and Swim Team	99,018
Maintenance - Pool	72,065
Maintenance - Building	49,057
Payroll - Staff	779,701
Payroll - Programming Staff	28,639
Payroll - Swim Team	99,170
Utilities - Water	40,485
Utilities - Electricity	41,396
Utilities - Natural Gas	31,378
Utilities - Telephone/Internet/Camera	22,100
Total Aquatics Expenses	<u>1,294,083</u>
Architectural Review	<u>13,907</u>
Legal Services	<u>5,880</u>
Taxes	
Property Taxes	7,092
Income/Franchise Taxes	116
Total Taxes	<u>7,208</u>

See accompanying notes to financial statements.

Circle C Homeowners Association, Inc.

*Draft*

Statement of Revenues and Expenses  
(continued)

For the Year Ended December 31, 2022

	<u>2022</u>
Insurance	
Insurance - Property and Liability	81,624
Insurance - Auto	5,161
Insurance - Directors and Officers	12,131
Insurance - Workers Compensation	<u>18,727</u>
Total Insurance	<u>117,643</u>
Community Enhancement	
Donations	450
Association Memberships	<u>1,471</u>
Total Community Enhancement	<u>1,921</u>
Circle C Community Center	
CCCC Water	7,913
CCCC Electricity	20,559
CCCC Telephone/Internet	8,125
Events Salaries	9,644
CCCC Building Maintenance	<u>35,616</u>
Total Circle C Community Center	<u>81,857</u>
HOA Operations	
Office Supplies	6,543
Office Equipment and Maintenance	10,609
Owned Vehicle Expense	2,852
Postage/Delivery HOA Office	16,777
Web Operations HOA Office	1,474
Printing HOA Office	5,518
HOA Meetings	5,575
Deed Restrictions	2,946
Professional Fees	139
HOA Special Events	<u>35,245</u>
Total HOA Operations	<u>87,678</u>

See accompanying notes to financial statements.

Circle C Homeowners Association, Inc.

*Draft*

Statement of Revenues and Expenses  
(continued)

For the Year Ended December 31, 2022

	<u>2022</u>
HOA Management	
Management Salaries	178,621
Management Payroll Taxes	16,664
Mileage Reimbursement	4,419
Insurance - Health	44,986
Total HOA Management	<u>244,690</u>
Maintenance Operations	
Maintenance Payroll	193,410
Pool Technicians	36,012
Maintenance Payroll Taxes	17,170
Tools and Supplies	4,912
Other Maintenance Operating Expenses	5,108
Total Maintenance Operations	<u>256,612</u>

See accompanying notes to financial statements.

Circle C Homeowners Association, Inc.

*Draft*

Statement of Revenues and Expenses  
(continued)

For the Year Ended December 31, 2022

	<u>2022</u>
Capital and Reserve Expenses	
SC Picnic Tables/Bench	4,743
GR Shade Structure	37,774
CC Pool Splash Pad UV	8,995
Pool Replaster	80,441
CC Pool Slide Repairs	5,409
CC Splash Pad Refinish	4,500
AV Parking Lot Seal/Striping	6,744
GR Parking Lot Seal/Striping	5,372
SC Lounge Chairs	8,221
SC Wade Pool Bucket	6,370
Node Clock Replacement	75,000
Rock Work	49,839
Escarpment Project	2,470
CCN Improvement	10,146
Construction Repairs	45,964
SC Roof	26,412
Mailbox Replacement	17,770
Irrigation Improvements	31,330
Air Conditioner Repair	13,375
Total Capital and Reserve Expenses	<u>440,875</u>
Depreciation	<u>163,391</u>
Total Expenses	<u>5,061,209</u>
Excess of Revenues Over Expenses	<u><u>\$ 123,604</u></u>

See accompanying notes to financial statements.

Circle C Homeowners Association, Inc.

*Draft*

Statement of Changes in Members' Equity

For the Year Ended December 31, 2022

	Operating Fund	Reserve - Amenity Center	Totals 2022
Members' Equity - Beginning of Year	<u>\$ 5,494,139</u>	<u>\$ 1,002,807</u>	<u>\$ 6,496,946</u>
Excess of Revenues Over Expenses	123,604	-	123,604
Transfers Between Funds	<u>-</u>	<u>-</u>	<u>-</u>
Members' Equity - End of Year	<u><u>\$ 5,617,743</u></u>	<u><u>\$ 1,002,807</u></u>	<u><u>\$ 6,620,550</u></u>

See accompanying notes to financial statements.

Circle C Homeowners Association, Inc.

*Draft*

Statement of Cash Flows

For the Year Ended December 31, 2022

	<u>2022</u>
Cash Flows from Operating Activities:	
Excess of Revenues Over Expenses	\$ 103,500
Depreciation	163,391
Changes in Operating Assets and Liabilities	
(Increase) Decrease in Accounts Receivable	(292)
(Increase) Decrease in Prepaid Expenses	4,217
Increase (Decrease) in Accounts Payable	5,186
Increase (Decrease) in Credit Cards Payable	25,675
Increase (Decrease) in Swimming Deposits	483
Increase (Decrease) in Payroll Taxes Payable	326
Increase (Decrease) in Prepaid Assessments	<u>20,105</u>
Net Cash Provided By Operating Activities	<u>322,591</u>
Cash Flows from/(used by) Investing Activities:	
PPP Loan Proceeds/(Forgiveness)	(246,607)
Principal Payments on PPP Loan	<u>(152,765)</u>
Net Cash Provided/(Used) by Investing Activities	<u>(399,372)</u>
Net Increase/(Decrease) in Cash and Cash Equivalents	(76,781)
Cash and Cash Equivalents at Beginning of Year	<u>3,851,588</u>
Cash and Cash Equivalents at End of Year	<u><u>\$ 3,774,807</u></u>
Supplemental Disclosure	
Income Taxes Paid	<u>\$ -</u>
Interest Paid	<u>\$ -</u>
Summary of Cash Accounts	
Cash - Operating	\$ 82,933
Cash - Payroll	64,384
Cash - Reserves	<u>3,627,490</u>
Cash and Cash Equivalents at End of Year	<u><u>\$ 3,774,807</u></u>

See accompanying notes to financial statements.

Circle C Homeowners Association, Inc.

*Draft*

Notes to the Financial Statements

For the Year Ended December 31, 2022

Note 1 - Nature of Organization

Circle C Homeowners Association, Inc. (the Association) was incorporated on March 8, 1988 under the Texas Non-profit Corporation Act for the purpose of operating, managing and administering the affairs of its membership. This Association contains approximately 5,622 residential lots. The Association is located in Austin, Travis County, Texas.

Note 2 - Summary of Significant Accounting Policies

*Basis of Accounting*

The Association uses the accrual basis method of accounting. Using this method of accounting, revenues and accounts receivables are recognized when earned regardless of when cash is received. Revenues received prior to being earned are reported as prepaid assessments. Expenses and accounts payable are recognized when the obligation is incurred regardless of when cash is disbursed. Expenses paid before being obligated are reported as prepaid expenses.

*Cash and Cash Equivalents*

Cash and cash equivalents include amounts in checking and money market accounts, time deposits, certificates of deposits and all highly liquid instruments with maturities of twelve months or less.

*Revenue and Revenue Recognition*

The Association recognizes revenue from homeowner assessment over the assessment period, which is generally one year. The assessments are used to cover the costs of operating the Association, maintaining the common elements and improvements, and providing for facility repair and replacement. Assessments for 2022 were \$370 on a semiannual basis and \$740 per year per site.

Homeowner assessments paid in advance are deferred to the year to which they relate. Due to the nature and timing of the performance and/or transfer of services and products, substantially all deferred revenue at December 31st of each year is recognized in the following year.

The allowance for bad debts was \$37,692 at December 31, 2022.

Circle C Homeowners Association, Inc.

Draft

Notes to the Financial Statements

For the Year Ended December 31, 2022

Note 2 - Summary of Significant Accounting Policies (continued)

*Recognition of Assets*

The value of common areas is not reflected in the financial statements as title to these assets is vested in the individual condominium owners on an undivided basis. Accordingly, expenditures relating to the improvement of common areas are expensed as incurred and are not capitalized in the accompanying balance sheet.

Personal property consists of various equipment, vehicles, furniture and fixtures, and a playscape. These assets are presented on the balance sheet at their historical cost less an allowance for depreciation. Depreciation is calculated using the straight-line method over a useful life of five to thirty years.

*Use of Estimates*

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Note 3 - Revenue from Contracts with Customers

The following table provides information about significant changes in homeowner assessments paid in advance for the year ended December 31, 2022:

	<u>2022</u>
Assessments paid in advance, beginning of year	\$ 20,538
Homeowner assessments and fees revenue recognized	(4,121,138)
Collections of homeowner assessments and fees	4,141,243
Assessments paid in advance, end of year	<u>\$ 40,643</u>

Note 4 - Federal Income Taxes

The Association has elected to be taxed under Internal Revenue Code Section 528 which allows the Association to exclude exempt function income from gross income. Exempt function income consists of owner assessments or other fees the Association receives from members as owners of the Association services. Taxable non-member income arises from amounts received from non-members of the Association including interest earned on reserve funds. Income tax of \$0 for 2022 is reflected in these financial statements.

Circle C Homeowners Association, Inc.

*Draft*

Notes to the Financial Statements

For the Year Ended December 31, 2022

Note 4 - Federal Income Taxes (continued)

The Association should no longer be subject to IRS examination for tax years prior to 2019.

Note 5 - Property and Equipment

Equipment consisted of the following:

	<u>2022</u>
Land	\$ 15,598
Equipment	291,093
Vehicles	64,517
Furniture and Fixtures	49,235
Computer Equipment	27,400
Circle C Community Center	4,081,938
Circle C Community Center Furniture and Fixtures	369,028
Playscape	26,502
Avana Pool	21,271
	<hr/>
	4,946,582
Less Accumulated Depreciation	<u>(2,159,820)</u>
	<hr/> <u>\$ 2,786,762</u>

Note 6 - Concentration of Credit Risk

Certain financial instruments potentially subject the Association to concentrations of credit risk which include primarily checking and money market accounts. The Association's cash investments are held in financial institutions insured up to \$250,000. At times, cash deposits may be in excess of FDIC coverage.

Note 7 - Debt

The Association received \$399,373 from Texas Partners Bank on May 4, 2021 under the Small Business Administration Paycheck Protection Program. In accordance with FASB ASC 450-30, these funds continued to be accounted for as a liability until the period in which forgiveness was obtained. Forgiveness of \$246,607 occurred during the year ended December 31, 2022, at which time revenue was recognized and the liability was reduced. The remainder of the loan was paid shortly thereafter.

*Draft*

Circle C Homeowners Association, Inc.

Notes to the Financial Statements

For the Year Ended December 31, 2022

Note 8 - Evaluation of Subsequent Events

The Association has evaluated subsequent events through April 13, 2023, the date which the financial statements were available to be issued.

*Draft*

SUPPLEMENTARY INFORMATION

Circle C Homeowners Association, Inc.

*Draft*

Supplementary Information on Future Major  
Repairs and Replacements (Unaudited)

December 31, 2022

The Association's Board of Directors engaged a consultant to conduct a reserve study that was completed in May 2018 to estimate the replacement lives of the components of common property. The estimates were based on a physical inspection of the individual common property components. Replacement costs reflect estimated future costs and do not take into account the effects of inflation. The Association's governing documents require that funds be accumulated for future major repairs and replacements of common property.

The following information is based on the study and presents significant information about the components of common property.

<u>Components</u>	<u>Estimated Remaining Useful Life (Years)</u>	<u>Estimated Future Replacement Cost</u>	<u>Designated for Repairs/Replacements December 31, 2022</u>
<i>Exterior Building Elements</i>			
Deck, Composite, Community Center	12	\$ 35,343	
Roofs, Metal, Avana	22	37,210	
Roofs, Metal, Grey Rock	25	27,424	
Roofs, Metal, Swim Center, Lifeguard and Café	1	8,392	
Roofs, Metal, Swim Center, Restrooms	17	20,988	
Roofs, Thermoplastic, Community Center	5	379,877	
Roofs, Thermoplastic, Swim Center, Mechanical and Maintenance	4	63,833	
Walls, Paint Finishes	0	166,922	
Walls, Masonry, Inspections and Repair	0	74,448	
Windows and Doors, Swim Center	10	19,499	
<i>Interior Building Elements</i>			
Interior, Renovation, Complete, Community Center	10	245,928	
Interior, Renovation, Complete, Swim Center	10	47,908	
Interior, Renovation, Partial, Community Center	0	145,085	
Interior, Renovation, Partial, Swim Center	0	50,610	
Rest Rooms, Pool Area, Renovation, Avana	12	35,855	
Rest Rooms, Pool Area, Renovation, Community Center	10	39,923	
Rest Rooms, Pool Area, Renovation, Grey Rock	15	33,975	
Rest Rooms, Pool Area, Renovation, Swim Center	8	73,188	
<i>Building Services Elements</i>			
Air Handling Unit, Rooftop Heating and Cooling Unit, 5-tons, Community Center	10	13,574	
Air Handling Unit, Packaged Cooling Unit, 2-tons, Swim Center	4	23,141	
Air Handling and Condensing Units, Split Systems, Community Center	10	55,893	
Security System, Avana, Phased	0 to 6	38,994	
Security System, Community Center, Phased	0 to 4	95,870	
Security System, Grey Rock, Phased	2 to 9	39,515	
Security System, Swim Center, Phased	0 to 4	78,439	
<i>Property Site Elements</i>			
Asphalt Pavement, Crack Repair, Patch and Seal Coat	0	233,955	
Asphalt Pavement, Remaining, Mill and Overlay	10	186,881	
Asphalt Pavement, Swim Center, Mill and Overlay	2	187,314	
Fences, Steel, Phased	0 to 18	249,894	
Fences, Wood	3	87,880	
Irrigation System, Partial	0 to 26+	5,194,238	
Light Poles and Fixtures (2019 are Swim Center Fixtures)	0	177,230	
Light Fixtures, Bollards	7	80,894	
Light Fixtures, Landscape and Miscellaneous, Phased	0 to 15	215,388	
Mailbox Stations, Capital Repairs (Roof and Masonry Repairs), Phased	0 to 24	115,914	
Pipes, Pool Backwash, Swim Center	2	36,664	
Playground Equipment, Avana	12	17,074	
Playground Equipment, Grey Rock	15	28,313	
Playground Equipment, Park Place	10	23,954	
Playground Equipment, Swim Center	8	74,682	
Playground Equipment, Wildflower Park	5	199,401	
Playground Equipment, Vintage Place Park	5	99,700	
Shade Structures, Wildflower and Vintage Place Parks	0	66,673	
Signage, Renovation, Entrance Monuments (2019 is Slaughter and Escarpment)	0	237,566	
Vehicles	5	340,780	

See independent auditor's report.

Circle C Homeowners Association, Inc.

*Draft*

Supplementary Information on Future Major  
Repairs and Replacements (Unaudited) (continued)

December 31, 2022

<u>Components</u>	<u>Estimated Remaining Useful Life (Years)</u>	<u>Estimated Future Replacement Cost</u>	<u>Designated for Repairs/Replacements December 31, 2022</u>
<i>Pool Elements</i>			
Artificial Turf, Swim Center	6	72,296	
Concrete Deck, Inspections, Partial Replacements and Repairs, Avana	2	33,695	
Concrete Deck, Inspections, Partial Replacements and Repairs, Community Center	0	43,944	
Concrete Deck, Inspections, Partial Replacements and Repairs, Grey Rock	5	24,619	
Concrete and Paver Deck, Inspections, Partial Replacements & Repairs, Swim Center	0	224,788	
Cover, Vinyl, Swim Center, Phased	0 to 3	381,768	
Fence, Steel, Avana	22	61,110	
Fences and Railings, Steel, Community Center	20	97,449	
Fence, Steel, Grey Rock	25	62,732	
Fences, Steel, Swim Center, Phased	0 to 8	117,293	
Mechanical Equipment, Filters, Community Center	5	89,551	
Mechanical Equipment, Filters, Swim Center	1	109,678	
Mechanical Equipment, Heaters, Swim Center	7	115,562	
Mechanical Equipment, Remaining, Phased	0 to 8	597,005	
Pool Finish, Plaster, Avana	2	286,359	
Pool Finish, Tile, Avana	12	35,138	
Pool Finish, Plaster, Community Center	0	394,299	
Pool Finish, Tile, Community Center	10	45,608	
Pool Finish, Plaster, Grey Rock	1	147,416	
Pool Finish, Tile, Grey Rock	11	14,564	
Pool Finish, Plaster, Swim Center	2	891,606	
Pool Finish, Tile, Swim Center (including Lane Lines)	12	150,249	
Shade Structures, Avana	7	66,638	
Shade Structures, Community Center	5	209,551	
Shade Structures, Grey Rock	10	73,669	
Shade Structures, Swim Center (including Playground)	1	219,355	
Diving Platforms, Swim Center	5	145,712	
Structure and Deck, Total Replacement, Swim Center	26	4,574,089	
Water Feature, Splash Pad, Community Center, Replacement	5	161,192	
Water Feature, Splash Pad, Swim Center, Capital Repairs	0	50,268	
Water Feature, Splash Pad, Swim Center, Replacement	1	78,341	
Water Slide, Fiberglass, Refinishing, Community Center	0	240,488	
Water Slide, Fiberglass, Replacement, Community Center	10	180,454	
<b>Totals</b>		<b>\$ 19,702,715</b>	<b>\$ 3,627,490</b>

See independent auditor's report.

**TEMPORARY ACCESS AND WORKSPACE AGREEMENT**

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned (hereinafter referred to as “Grantor” whether one or more), in consideration for the payment of \$500, and other consideration, the receipt and sufficiency of which are hereby acknowledged, and for the term set below, does hereby grant and convey unto TEXAS GAS SERVICE, a Division of ONE Gas, Inc., an Oklahoma corporation, (hereinafter referred to as “Grantee”), a temporary easement to access and occupy a .4091 acre tract of land (the “Easement Area”) out of the below-described Property owned by Grantor, such Easement Area being shown on the drawings attached hereto and incorporated by reference herein. The easement is granted for the sole purposes set forth below and shall be for a term of eighteen (18) months from the date of executing this document (the “Term”). The Easement Area is located upon the following described lands situated in the County of Travis and the State of Texas:

Lot 146, Block A, Circle C Ranch Phase C, section Eight-B, a subdivision in Travis County, as described by General Warranty Deed recorded in Document No. 2003191033 in the Office of the County Clerk of the afore-mentioned County and State (the “Property”).

TO HAVE AND TO HOLD unto Grantee, its successors and assigns, so long as such temporary easement shall be used for the Term, for the following purposes: constructing, staging, storing, operating, inspecting, repairing, maintaining or replacing the property of the Grantee, including but not limited to vehicles, equipment and machinery, located on the Easement Area, or the removal thereof, in whole or in part, at the will of the Grantee. Grantee shall also have the right from time to time to clear the Easement Area of any trees, undergrown, brush and other obstructions located on or overhanging the Easement Area.

Grantee agrees to: (1) construct and maintain a silt fence for the duration of the Grantee’s use of the Easement Area as required by applicable law, rules or regulations; (2) promptly remove debris, litter, and construction spoils from Grantee’s activities from the Property that is outside the Easement Area; (3) except in the case of emergency, work in the Easement Area only from Monday through Saturday, 7am to 7pm; (4) remove any structures placed on the Easement Area by Grantee and restore the Easement Area to its original condition as nearly as practicable upon completion of Grantee’s construction project, but no later than the end of the Term, unless delayed by inclement weather or other circumstances beyond Grantee’s reasonable control; and (5) not assign this easement to any entity or third party without Grantor’s consent, which shall not be unreasonably withheld.

GRANTEE SHALL AT ALL TIMES INDEMNIFY, PROTECT, AND HOLD HARMLESS GRANTOR FROM ANY AND ALL LOSS, DAMAGE, CLAIMS, OR LIABILITIES ARISING OUT OF OR GROWING FROM GRANTEE’S USE OR RESTORATION OF THE EASEMENT AREA.

IN WITNESS WHEREOF, we have hereunto set our hands the \_\_day of \_\_\_\_\_, 2023.

Grantor: **Circle C Homeowners Association, Inc., a Texas Non-profit Corporation**

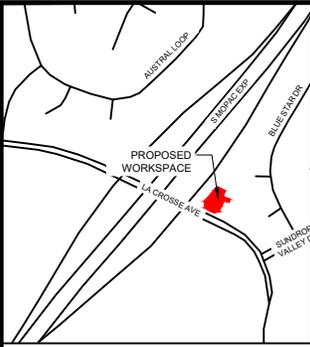
By: \_\_\_\_\_

Title: \_\_\_\_\_

# EXHIBIT 'A'

## TRAVIS COUNTY, TEXAS

### SAMUEL HAMILTON SURVEY NO. 16, A-340



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	134.00'	N40°06'56"E
L2	65.00'	S63°37'59"E
L3	41.02'	S20°25'07"W
L4	49.88'	S66°16'50"E
L5	25.96'	S20°54'30"W
L6	32.30'	N66°14'52"W
L7	81.08'	S26°44'24"W
L8	33.77'	S70°52'52"W
L9	81.81'	N64°13'58"W
L10	15.21'	N30°38'02"E
L11	31.08'	N05°10'02"W

AREA TABLE	
PROPOSED WORKSPACE	0.4091 ACRES
	17,822.09 SQ FT



LEGEND	
	= PROPOSED WORKSPACE
	= PROPERTY LINE
	= EXISTING OVERHEAD POWER
	= OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS



SCALE: 1"=60'

TXBPLS REGISTRATION NO. 10194092

NOTES:

- ALL BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE, U.S. SURVEY FEET.
- THIS IS AN EASEMENT DRAWING AND IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY.
- TITLE RESEARCH PERFORMED BY OTHERS.



REV.	DATE	REVISION DESCRIPTION	BY	CHK.	APP.
0	04/11/23	ISSUED FOR ACQUISITION	CDW	KC	PES

## PROPOSED VARYING WIDTH WORKSPACE

0.4091 ACRES SITUATED IN THE  
CIRCLE C HOMEOWNERS  
ASSOCIATION, INC. PROPERTY  
SAMUEL HAMILTON SURVEY NO. 16, A-340  
TRAVIS COUNTY, TEXAS

**TEMPORARY ACCESS AND WORKSPACE AGREEMENT**

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned (hereinafter referred to as “Grantor” whether one or more), in consideration for the payment of \$500, and other consideration, the receipt and sufficiency of which are hereby acknowledged, and for the term set below, does hereby grant and convey unto TEXAS GAS SERVICE, a Division of ONE Gas, Inc., an Oklahoma corporation, (hereinafter referred to as “Grantee), a temporary easement to access and occupy a 200’ by 200’ tract of land (the “Easement Area”) out of the below-described Property owned by Grantor, such Easement Area being shown on the drawings attached hereto and incorporated by reference herein. The easement is granted for the sole purposes set forth below and shall be for a term of eighteen (18) months from the date of executing this document (the “Term”). The Easement Area is located upon the following described lands situated in the County of Travis and the State of Texas:

Lot 1, Block A, Greyrock Ridge Phase 1 , a subdivision in Travis County, Texas as described by Special Warranty Deed recorded in Document No. 2014070751 in the Office of the County Clerk of the afore-mentioned County and State (the “Property”).

TO HAVE AND TO HOLD unto Grantee, its successors and assigns, so long as such temporary easement shall be used for the Term, for the following purposes: constructing, staging, storing, operating, inspecting, repairing, maintaining or replacing the property of the Grantee, including but not limited to vehicles, equipment and machinery, located on the Easement Area, or the removal thereof, in whole or in part, at the will of the Grantee. Grantee shall also have the right from time to time to clear the Easement Area of any trees, undergrown, brush and other obstructions located on or overhanging the Easement Area.

Grantee agrees to: (1) construct and maintain a silt fence for the duration of the Grantee’s use of the Easement Area as required by applicable law, rules or regulations; (2) promptly remove debris, litter, and construction spoils from Grantee’s activities from the Property that is outside the Easement Area; (3) except in the case of emergency, work in the Easement Area only from Monday through Saturday, 7am to 7pm; (4) remove any structures placed on the Easement Area by Grantee and restore the Easement Area to its original condition as nearly as practicable upon completion of Grantee’s construction project, but no later than the end of the Term, unless delayed by inclement weather or other circumstances beyond Grantee’s reasonable control; and (5) not assign this easement to any entity or third party without Grantor’s consent, which shall not be unreasonably withheld.

GRANTEE SHALL AT ALL TIMES INDEMNIFY, PROTECT, AND HOLD HARMLESS GRANTOR FROM ANY AND ALL LOSS, DAMAGE, CLAIMS, OR LIABILITIES ARISING OUT OF OR GROWING FROM GRANTEE’S USE OR RESTORATION OF THE EASEMENT AREA.

IN WITNESS WHEREOF, we have hereunto set our hands the \_\_day of \_\_\_\_\_, 2023.

Grantor: **Circle C Homeowners Association, Inc., a Texas Non-profit Corporation**

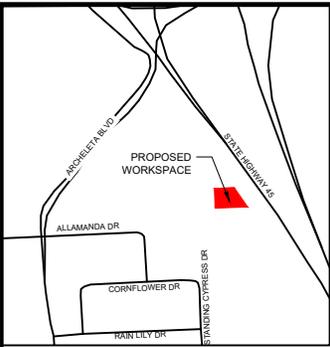
By: \_\_\_\_\_

Title: \_\_\_\_\_

# EXHIBIT 'A'

## TRAVIS COUNTY, TEXAS

### J.G. MCGEHEE SURVEY, A-17



LOCATION  
NOT TO SCALE



**CIRCLE C HOMEOWNERS  
ASSOCIATION, INC.**  
DOCUMENT NUMBER 2014070751  
O.P.R.T.C.T.

GREYROCK RIDGE  
PHASE 1 SUBDIVISION  
BLOCK A, LOT 1  
DOCUMENT NUMBER 201200216  
O.P.R.T.C.T.

FOUND 1/2 IRON ROD  
N: 10034106.85  
E: 3069560.51

L=346.02'  
R=7439.30'  
Δ=2°39'54"  
CHB=S33°20'30"E  
CHD=345.99'

L=200.02'  
R=7439.30'  
Δ=1°32'26"  
CHB=S31°14'20"E  
CHD=200.02'

**PROPOSED  
200' X 200'  
WORKSPACE**

TOE SLOPE

TOP SLOPE

TXBPLS REGISTRATION NO. 10194092

LEGEND	
---	= PROPOSED EASEMENT
— PL — PL —	= PROPERTY LINE
— OH —	= EXISTING OVERHEAD POWER
O.P.R.T.C.T.	= OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
⊕	= POWER POLE

AREA TABLE	
PROPOSED REGULATOR SITE	0.9203 ACRES
	40,089.64 SQ FT

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3. TITLE RESEARCH PERFORMED BY OTHERS.



450 GEARS RD., STE 500  
HOUSTON, TX 77067  
PHONE: 281.506.7168

REV.	DATE	REVISION DESCRIPTION	BY	CHK.	APP.
0	04/04/23	ISSUED FOR ACQUISITION	CDW	KC	PES

**PROPOSED 200' X 200'  
WORKSPACE**

0.9203 ACRES SITUATED IN THE  
CIRCLE C HOMEOWNERS  
ASSOCIATION, INC. PROPERTY  
J.G. MCGEHEE SURVEY, A-17  
TRAVIS COUNTY, TEXAS