

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
CatsPaw Property Owners Association, Inc.
Teleconference on Thursday February 24, 2011 6:00 – 6:35

The meeting of the Board of Directors of the CatsPaw Property Owners Association was called to order. Secretary Bill Kee served as chairman of the meeting. Members in attendance were: Charles Davis, Chet Mahon, Bill Watts, Debbie Mackie, Bill Kee and Felton Mitchell. The chairman noted that a quorum was present,

Charles Davis made a report for the Bylaws Committee in the absence of Randy Aderhold. Charles stated that a draft of the bylaws had been sent out to all the members and the committee was working on further revisions. The committee planned to present the current draft at the members meeting on February 26, 2011 for further comments and discussion. Discussion ensued among the Board members concerning the bylaws. Chet Mahon suggested that any person nominated should submit a biography to be circulated to the membership prior to the vote for new members for the Board.

A response is being drafted to the North Carolina house Select Committee on Homeowners Association to respond to the letters sent by Steve Nelson and Ross and Susan Henderson.

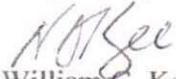
Gate Committee: Bill Kee made a report to the board concerning the status of the electronic gates and the signs for the community. Bill Watts suggested that a joint letter be sent out to the property owners signed by the board of CatsPaw and the Road Committee for Walnut Gap Community. Bill Kee reported that 3 committees have now been formed concerning the gates and the signs in order to allow maximum participation by members of the two communities in the decision process: Electronic/electrical Committee, Sign/wood/stone Committee and Legal committee. Anyone who wants to be part of the process is welcome to join.

The sign/Wood/Stone committee has been active and will have a proposal to bring before the membership at the general meeting. The Electronic/electrical Committee is being chaired by Roger Mechling who welcomes participation from any community members.


Minutes of the 2009 members meeting has been circulated and will be voted on for approval at the members meeting on Feb. 26th.

A motion for adjournment was made, seconded and approved by the board.

Respectfully submitted:


William G. Kee
Secretary

Approved:


Charles Davis
President

Charles G. Davis

From: "Ken Fromknecht" <kwflaw@dnet.net>
Date: Thursday, February 03, 2011 1:06 PM
To: "Aderhold, Randy (USAGAM)" <Randy.Aderhold@usdoj.gov>; "Charles Davis" <charles@davisfamilyusa.com>; "Kice Stone" <kstone@stoneanddriggers.com>
Attach: CatspawGate2.pdf
Subject: Gate Construction

I have conducted a limited title search and done some brief legal research in response to your inquiry regarding the rights the association may have to build a gate at the intersection of Walnut Gap Road and Pine Creek Road; NCSR #1163. Attached are the documents referred to below.

The Catspaw Subdivision lot owners derive their rights to the use of Walnut Gap Road by a "Right of Way Agreement" recorded at Book 328, Page 545. That document does not contain any language of conveyance or any real attempt to create a right of way or private easement. Ideally it would have included a reciprocal easement and the right to construct an entryway at the intersection. It does not give any right to build a gate, sign or other amenity at the site of the road. The size of the road on July 5, 1968 would be the dimension of the rights created under this agreement. It does provide for a 60 foot wide right of way if the state takes over the road; but, that has not happened.

The owners of the properties on either side of the road are subject to the agreement or easements reserved in their respective deeds. But, neither their deeds, nor the declarations referenced in their deeds reserve any right to construct a gate or other entryway into the subdivisions at this point.

Without a recorded easement for a gate to be constructed; the association and its members would be exceeding the scope of what easement rights they do have and could be liable for any such attempt. I recommend procuring an easement from the property owners wherever the gate is to be situated for the construction, maintenance, repair and replacement of the gate.

On the mailbox issue presented by Bill Kee; all I can say at this point in time is that the USPS usually dictates the location of the boxes and usually requires them to be located in the right of way of a publicly maintained road. If you want me to contact the complaining property owners; let me know.

Sincerely,

Ken Fromknecht
Board Certified Civil Trial Lawyer by the Florida Bar
Law Offices of Kenneth W. Fromknecht, II
PO Drawer 1146

2/20/2011

Ross Henderson
3124 Ortega Drive
Tallahassee, FL 32312
USPS July 2, 2011
e-mail June 27, 2011

Bill Kee
64 Society Street
Charleston, SC 29401

Dear Bill,

I am requesting a copy of the contact information for Catspaw members entitled to notice and the number of votes each member is entitled to at the July meeting.

Please send to the above address.

Sincerely,

Ross Henderson

Ross Henderson

From: CatsPaw Property Owners Association Inc.
Board of Directors

To: _____

Date: _____

Re: Taylor Creek Gate Key

By receiving a copy of the key to the Taylor Creek Gate I agree:

- (1) not to copy the key.
- (2) not to give the key to others nor have it used in an unsupervised fashion.
- (3) to make sure the gate is locked after every use made of the gate.