

RESOLUTION No. 16
Drainage Easements and Waterfront Boundary Responsibility

GRAND HARBOR PROPERTY OWNERS ASSOCIATION on LAKE CONROE
(GHPOALC)
BOARD of DIRECTORS
RESOLUTION

In a meeting of the GHPOALC Board of Directors (BoD), at 11301 Grand Harbor Blvd., Montgomery, TX 77356, duly called (per By-Laws Art. III, Para. B, Sec. 4) and held on April 23, 2008, both directors in attendance, the following resolution was offered and adopted:

Resolution Part A:

"On or before July 11, 2007, the then president of the Grand Harbor Property Owners Association (POA) accepted, from the Grand Harbor Developer, 'Deeds without Warranty' for all common area assets, thereby making them the responsibility of the POA. Included were all roadways within the GH subdivision boundaries (approximately 10 miles, excluding county-owned Peel Road). The deeded sixty (60) foot roadway Right-of-Ways (RoW), for these roadways also included the congruent, roadway-specific drainage easements."

"In carrying out its responsibilities for owned assets, the Grand Harbor Property Owners Association on Lake Conroe (GHPOALC) acknowledges the need to maintain roadway RoW drainage easements. However, the ownership of and associated responsibility for all identified drainage easements beyond the RoW easement limits is apparently not specifically documented."

"Whereas, the intra-lot drainage easements are shown on official, county-recorded plats to all be within the boundaries of individually-owned property, and the city, county, and state taxing authorities all hold accountable the property owners-of-record for the taxes assessed against the easement real-estate, *it is therefore resolved that the GHPOALC has no real or implied responsibility to repair or maintain any physical aspect of the drainage easements outside the boundaries of the roadway RoW's.*"

Resolution Part B:

"Whereas, the ownership of the canals and open waters contiguous to all waterfront properties resides with the San Jacinto River Authority (SJRA), as evidenced by the SJRA authority to grant fee-bearing waterfront structure licenses each year to the property owners, and the land-water interfaces are shown on official, county-recorded plats to be at the boundaries of individually-

owned property, it is therefore additionally resolved that the GHPOALC has no real or implied responsibility to repair or maintain any land based structure or remove silt or obstructions other than for common area properties of record within Grand Harbor/Harbor Side."

I certify that the foregoing is a correct representation of the resolution passed by a majority of the Board of Directors of the GHPOALC on the date specified.



GHPOALC Secretary

April 23, 2008
DATE

APPROVED:

N/A
President



Vice President/Treasurer