

# Frio Cielo Ranch Association Official Newsletter March 2014

[www.frio-cielo.org](http://www.frio-cielo.org)

Good News from the Frio Cielo!

Many good things have happened in recent months at the Frio Cielo Ranch. We thought you, our members, would appreciate knowing all the measurable, positive things recently accomplished at the Frio Cielo.

## Fencing

The dilapidated pasture fence has been removed completely from the north pasture and mostly from the south pasture. About half of the south pasture



fence has been rebuilt. JW has done much of the work and volunteers have helped from time to time.

The north pasture fencing was removed

because it was choked by cedar and was no longer serving as a fence. As a bonus we are now better able to capture the water coming from the mountain into our well. In addition, neighbors outside the ranch have commented how much safer it is on the road along the north pasture because visibility is better with the cedar trees removed.

The line of fencing near the driveway was moved to help those using the mailboxes to gain better access to their boxes without endangering their car or the fence.

## Cedar Trees and Water Lines

Cedar trees have been professionally removed in common areas and along fence lines. Now those areas have nicer views as well as improved access for those enjoying the river banks. More sunlight is now available for the live oaks, mountain laurels,

sycamores, and wildflowers. Most piles of cedar have been burned at times when the ban has been lifted. Again, many thanks to JW and the few volunteers who have been willing to help.

Water lines have been repaired. Various water lines have broken or been leaking with excessive amounts of water lost in some cases. Fortunately, our volunteers are watching and checking for leaks. Records indicate that water usage has gone down after these leaks were detected.

## Entrance Gate & Records Storage

We've had a beautiful new entrance gate built and installed at the ranch entrance. This project was paid for strictly with donations and a garage sale the



Association had to help raise funds. Kudos to Yvonne Farrar, Pat Barbour and Juanita Rinche for their tireless work in making this project a reality.

The records storage building is almost complete, thanks to Tommy Parkinson. The inside still needs a few finishing touches. Cheryl sorted and cleaned old records and spent many hours making folders and filing all records so that anyone wanting access can easily do so after contacting our ranch agent.

## **Security System**

Our security system was installed last fall. Pat Barbour was instrumental in getting that purchased and installed. The board heard from many ranch residents that the numerous break-ins were concerning. The new system has proven to be an asset to the ranch. No vandalism of resident property or break-ins have been reported since installation! The sheriff's department has commented that this system is quite good and will help them to help us.

## **Clarifying Deed Restrictions**

The board has been hearing complaints for several years that some residents have been violating various deed restrictions. It has become evident that the deed restrictions need clarity for all those on the ranch. The document has not been updated - ever - in the last 35 years. The board feels with legal advice and careful planning, the deed restrictions can be modernized, brought in line with current law, and work better for all.

## **Hummingbird Lane**

The name change for the road running parallel to the south pasture and the river finally became official. (See addendum to this newsletter for exact street names corresponding to Lot Numbers). Those with properties on the newly named Hummingbird Lane also have new house numbers assigned from the county

office. Owners will be notified of their new number. The biggest help here is that now those who call 911 or the sheriff will have their location clearly mapped so that responders can find those needing assistance

## **Management Documents**

Two important documents, the FCRA Management Certificate and FCRA Records Production and Copying Policy, have been updated and filed with both counties that have jurisdiction over the ranch. Now when property owners need contact information or choose to sell their property and need to comply with the necessary notification to the board, the pertinent information will be accessible in both county offices. This information will also be online on our official ranch website. <http://www.frio-cielo.org/>

## **Bath House**

Lastly, the bath house has been improved thanks to Fred Kost. New paint and railing have been added.

## **Volunteers**

Emilio Rinche and Mark Van De Venter were incredibly helpful to Pat Barbour when her husband, Bobby, took a turn for the worse and he needed hospitalization. Board President Darrell Wolff has often stopped in and checked on Pat and Bobby for the last few years. His assistance on so many

occasions has been invaluable to both of them.

The board has been working hard to serve our ranch owners. We hope you are benefitting from these improvements and are enjoying the updates to Frio Cielo Ranch. In between all the extras, the ongoing and necessary envelopes get stuffed, addressed and mailed; board minutes get typed, and agendas are posted. Construction plans are reviewed and approved regularly. Legal issues are evaluated and take tremendous time from Board members. None of this is paid work, so we appreciate everyone's patience with those of us who have been elected and still have busy lives 'on the side'. The Board is greatly appreciative of our volunteers and those who have stepped up to help their neighbors. Complaining does not get the job done. Those who not only have constructive advice but who show up to fix what needs fixing are truly assets to our community. Thanks to all of you that have made the ranch a better place this year.

by ~ Jane Huffstickler,  
FCRA Vice President



## **by Joe Allred, FCRA Board Member, based on comments made at the March 15, 2014 Board Meeting**

In the December 28 Board meeting, a number of points in the deed restrictions were discussed in order to develop a set of notes to be given to an attorney who was engaged by the Board to help develop a clarified document of deed restrictions.

The purpose of this was to have a clear, understandable, straightforward set of deed restrictions so that all FCRA landowners can follow the same set of rules.

This is very important: The purpose was not to change the meaning or to write new restrictions, but to clarify and make enforceable the same intentions of the original deed restrictions as they were intended originally.

We all know that the existing deed restrictions written 35 years ago in 1979 are badly written and have been a source of continuing conflict on many occasions. Our purpose has been to make things simple and reduce the conflict. We need to update the 35-year-old deed restrictions to make them consistent with current laws and to correct errors.

My connection with the Ranch began 39 years ago in 1975 when my mother and stepfather, Bill Steiner, for whom this park is named, were part of that and so was I.

In 1979 the people who lived here agreed on a set of deed restrictions so that the Ranch should be a safe and clean environment, a sanctuary for wildlife, deer and birds, and peacefulness. At that time, my mother and stepfather had several chickens of a special kind that they enjoyed and that my baby son loved, as they raised them from hatchlings. But in 1979 it was agreed that chickens and other livestock would be given up for the sake of peacefulness on the Ranch. They and the other owners did give up certain things, like chickens, to make the agreements in the deed restrictions in an honest desire to do what was right for everyone.

1. This January, 2014, the Board received a letter from attorney P. L. Kilpatrick a civil trial lawyer of the firm Langley and Banack representing Dan and Patricia Lawrence demanding a list of documents. This is the Lawrence Attorney.
2. The Board responded to this letter from the Lawrence Attorney by having several members of the board work hard to gather the documents and as a Board to create some documents that the FCRA has never had before. All requested documents that exist in association records were delivered in a timely manner.
3. As a result of having to focus on these demands the Board was unable to work on clarifying deed restrictions, as it had set out to do in the December 28 meeting. Instead the Board had to hire an attorney to review the demand letter and to review the documents that we were providing so we were sure that we were doing the right and legal thing.
4. Therefore, the demands were met to the best ability possible and timely to the demand by the Lawrence Attorney. As we were doing so under attorney guidance we are confident of that.
5. Friday afternoon, March 14, we received two letters from the Lawrence Attorney making a number of demands and making explicit and implicit threats of legal action.
6. The Lawrence Attorney letters allege that the response to the original demands was unsatisfactory and makes further demands under explicit and implicit threat of legal action, all the while denying that there was a legal action.
7. The Lawrence Attorney letter demands that an officer of the Board or a legal representative contact the Lawrence Attorney next week.
8. I, Joe, made a motion that the FCRA Board authorize an attorney, FCRA attorney, to represent the Board and Association to make the contact demanded by the Lawrence attorney, Motion 2nd, motion unanimously approved.

## **Keep the Change - An Op Ed by Doug Addington - FRCA Board Member**

I do not like change. I am led to understand that hardly anyone likes change. It just doesn't fit into our daily living. It is disruptive, confusing, life altering and just generally stressful. I do understand that it is inevitable as much as spring follows winter. Somehow that doesn't make it any easier to accept.

The last few years have seen some changes happening here at Frio Cielo. Some members welcome change, others do not. But change does occur, welcomed or unwelcome, planned or as acts of nature. As much as I dislike change, I prefer that it be planned rather than change that originates in chaos.

The Board of Directors has recently undertaken the task to review and clarify the documents that govern our Home Owners Association. The only purpose of this endeavor is to clarify the original deed restrictions to fit current law, strengthen enforceability, and make the deed restrictions clearly reflect their original intent.

In addressing this issue we have alarmed some members of our community. I know this because the board has received a letter from an attorney hired by those members. Their attorney demanded the Board make available a list of ranch records,

which are available to anyone who makes a written request. When attorneys are involved, sums of money usually follow. As is prudent, it is advisable to answer an attorney with a response from another attorney. You can thank our forefathers for introducing an adversarial legal system. (I'm sure most of them must have also been attorneys.) Anyway, we are entering into expensive dialog between two parties to produce records that are readily available to any member who might request them. Regrettably, all of the members will be paying the legal fees.

It seems there is always a price to change.

\*\*\*\*\*

**The board is hard at work resolving these issues while attempting to keep all the positive accomplishments at the forefront and working for you, our members.**

\*\*\*\*\*

### **Water Concerns**

Another ongoing concern at the FCRA is the use of water and undetected water leaks.

In January 2014, a leak at an unoccupied residence went undetected for a long time. No one is quite sure how long. However, the water use in January was **469,600 gallons**. The leak was detected and repaired by volunteer Water Manager Jim Moss and JW Young.

**After fixing the leak, water usage in February dropped to 200,300 gallons; over 200,000 gallons of water saved.**

This scenario outlines how important it is to be mindful of our own water lines and the potential for leaks during absences.

The FCRA Water Manager recommends that those of us who are visitors to the FCRA and not permanent residents turn off the water to our homes/lots when we leave our properties. This ensures that if a pipe or line breaks, water doesn't continuously leak until the break is detected.

During this time of extreme drought in South Texas, any conservation of water, especially in a fragile environment like the FCRA where water is extremely finite, is helpful to all members and owners at the FCRA.

### **Scheduled Meetings**

The next Board of Directors meeting is scheduled for May 17, 2014, 10:00 am at the Ranch Pavilion. The Annual Membership meeting is scheduled for July 5th, 2014.

If you'd like to receive future FCRA newsletters in electronic format, please email [diane@frio-cielo.org](mailto:diane@frio-cielo.org) and she'll add you to the list.

Many thanks to all, and especially to our hard working, dedicated volunteers.

~~~~ **Your FCRA Board of Directors**



Middle Rio Grande Development Council  
 9-1-1 Planning Dept.  
 1200 Ferry St.  
 Eagle Pass, TX. 78852  
 830-773-1191 Ext. 26150  
 830-757-6141 Fax



### Frio Cielo Ranch Lots J - V

**Corrected Plat** recorded at County Clerks Office Vol. 03, Pg. 74  
 Cabinet One, Side 158-B

50' road easement recorded on 02/04/2010 # 2010000399

**Note:** Address are subject to change depending the out come of  
 Final Recorded Plat @ County Clerk's Office

| <u>Block</u> | <u>Legal</u> | <u>Lot / Track</u> | <u>911 Physical Address</u> | <u>Total Lots</u> |
|--------------|--------------|--------------------|-----------------------------|-------------------|
| 0            |              | J                  | 66 Hummingbird Ln           | 13                |
|              |              | K                  | 80 Hummingbird Ln           |                   |
|              |              | L                  | 96 Hummingbird Ln           |                   |
|              |              | M                  | 114 Hummingbird Ln          |                   |
|              |              | N                  | 132 Hummingbird Ln          |                   |
|              |              | O                  | 146 Hummingbird Ln          |                   |
|              |              | P                  | 162 Hummingbird Ln          |                   |
|              |              | Q                  | 178 Hummingbird Ln          |                   |
|              |              | R                  | 192 Hummingbird Ln          |                   |
|              |              | S                  | 208 Hummingbird Ln          |                   |
|              |              | T                  | 220 Hummingbird Ln          |                   |
|              |              | U                  | 234 Hummingbird Ln          |                   |
|              |              | V                  | 248 Hummingbird Ln          |                   |

**Note:**

Street Name updated 01/17/14  
 From: Humming Bird Ln  
 To: Hummingbird Ln

Eddie Guerra, Jr.  
 911 Field Mapping / GIS Mapping Supervisor  
 830-757-6150 Direct Line  
[eddie.guerra@mrqdc.org](mailto:eddie.guerra@mrqdc.org)

# Frio Cielo Ranch Association Official Newsletter March 2014

[www.frio-cielo.org](http://www.frio-cielo.org)

---

Frio Cielo Ranch Association  
10 Turkey Trot  
Uvalde, Texas 78001