

**CASSIE PROPERTY OWNERS ASSOCIATION**  
P. O. BOX 34  
BUCHANAN DAM,  
TX 78609

cassiepoa@cassiepoa.org

**Board of Directors**

**Ron Petrick**  
President  
512-793-2242

**Harry Ransier**  
Vice-President  
512 793-2027

**Johnnie Headrick**  
Secretary  
512 793-2503

**Nellie Smith**  
Treasurer  
512 793-6193

**Donna Kiley**  
512 793-6111

**Gerald Marx**  
Chairman,  
Maintenance of Common  
Areas Committee  
512-793-2173

**Carroll O'Rear**  
512 793-6506

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# *The Advocate*

**Volume 5, Number 4**

**May 2010**

## **POA and Community Center Install New Signage**

You may have noticed new signs at each of the entrance points in Cassie. The project was a joint effort between the Cassie POA and the Community Center



Association. The total cost of the project was \$5,233.33. We have paid \$3136.47 from donations and fund raisers and the remainder of \$2,096.86 was taken from POA General Funds and will

be paid back through additional fund raisers. Please contact a POA or Cassie Community Center Association officer if you like to assist or donate additional funds for the project.

### **Annual Meeting Agenda Cassie Property Owners Association June 17, 2010 7:00 PM**

1. Opening of Meeting
2. Reading of the Minutes
3. Treasurer's Report
4. Discussion by Members (three minute maximum per member)
5. Nomination of Directors from the Floor (Each candidate must be a Cassie resident, property owner, and willing to serve as a director)
6. Election of Directors
7. Adjourn

## Overview of POA Definitions, Rules, and Regulations

There have been many changes in the make up of our Cassie Subdivision within the last year. I would like to re-introduce some of the rules and regulations that make our community great and a place where people want to move to and live.

### Board Goals

- Enforce the deed restrictions, rules, and regulations that maintain our property values
- Protect the Beach Area for the use by all property owners of Cassie
- Protect the property from encroachments which inhibit the use of the Beach Area by other residents
- Preserve and improve access to the Beach Area for residents
- Prevent property owners from building seawalls that cut off or interfere with neighboring residents' lake front property rights

I would like to summarize some of the more misunderstood definitions and rules that the POA governs by:

### Definition of "POA property"

"POA property" is generally described as the roadway areas, the nine entrance areas, and the property from lakeside subdivision lot lines to the closest side of the old riverbed of

the Colorado River, the boat ramp, and the seven access areas.

The only exception is the property underwater near the dam that is claimed to be owned by the LCRA.

### Definition of "Fixed Property"

"Fixed Property" is any structure, retaining wall, concrete, posts, fences, trees, fill, or dirt (as authorized by the Rules and Regulations), or any other property, the normal purpose of which is to build or create Fixed Property, or property which is intended to be used for building, constructing, or creating Fixed Property.

### POA Rules

POA Rules provide that a property owner must receive approval and sign a Fixed Property Document before constructing or placing Fixed Property on POA property.

The Fixed Property Agreement Document establishes the right of the property owner to place or construct Fixed Property on POA property if the owner agrees that:

- the owner does not now nor will in the future claim any interest in the POA property by adverse possession, accretion, or otherwise,
- the owner will not alter or modify the Fixed Property the owner places on the POA property

without the permission of POA Board. The owner may repair such property or remove it from the POA property without the POA Board's consent if done at the owner's sole cost and expense and the POA property is left clean and in good condition,

- the owner will indemnify and hold the POA harmless for the design, construction, and use of the Fixed Property,
- any Cassie property owners may use the POA property and the Fixed Property placed there, except in the case of piers and boat docks,
- the Fixed Property must be maintained by the owner and kept in good condition at the owner's sole cost and expense, and
- since there is no time limit on the permission to place Fixed Property on POA property, the owner will remove the Fixed Property as directed by the POA Board. Everyone must have the permission of the owner before entering upon or using a pier or dock.

The Rules authorize the POA Board to allow seawalls to be on POA property up to 20 feet beyond the owner's lot lines if there is a hardship in putting the seawall within the property owner's platted lot lines.

However, the sea-

wall may not interfere with or cut off adjacent property owners' water front property rights.

The Rules prohibit vapor and other high intensity lights and excessive incandescent lighting to be installed on POA property or on an owner's property if the lights shine on POA-owned property or on a neighbor's property.

### **Remember that POA Property is for the Benefit of its Property Owners**

POA property is for the use and benefit of all Cassie property owners.

Placing Fixed Property or other property on POA property or removing dirt or lakebed material from POA property is not always in the interest of other Cassie property owners.

A Cassie property owner must receive the POA Board of Directors' written

approval prior to placing Fixed Property on POA property.

The placing of other property on POA property may be prohibited.

The removal of dirt or lakebed material from POA property must be done in compliance with POA Rules and Policies and with prior written Board approval.

### **Deed Restrictions**

All our properties are restricted to residential single-family homes.

Many of us have bought lots that are adjacent to our current single-family home and at times desire to build structures (such as workshops, boathouses, etc) on the adjacent lot(s) that do not conform to the residential restrictions.

The restrictions are met if the owner receives the POA Board's prior written approval for the structure

and signs an affidavit of use of the two properties in conjunction with each other.

This affidavit, which is filed with the County, states that the property owner must consider the two lots as one property. If sold, both properties must be sold as one.

However, if the lot(s) not used for the single family home is removed, the affidavit is voided.

*By Ron Petrick*

## **Come Join Us For the Second Annual 4<sup>th</sup> of July Parade on July 3<sup>rd</sup>**

Come join us celebrating the 4<sup>th</sup> of July with a parade featuring floats, cars, bicycles, wagons and walking groups. The Parade route will

be determined later, but will start and end at Fire Station.

Please join us — or at least wave at us as we go by.

If you have questions call Marilyn Petrick at 512 793-2242.

## **Hypoxylon Canker-** **A deadly fungal disease of trees**

In 2009, the heat and drought that affected Burnet County stirred up a deadly fungal disease that killed hundreds of trees in the Central Texas area including Cassie. The disease is known as Hypoxylon Canker. Canker is brought about during very hot and dry summer weather conditions. Dry soil conditions, which cause stress on the trees, coupled with extreme temperatures cause these trees to succumb to the disease.

The disease is first evident as a dieback of one or more branches. The foliage of the diseased limbs turns yellow and dries. This dieback continues from branch to branch through the stem until eventually the tree dies. This may require 1 or more years depending upon the environment and amount of stress experienced by the tree. Near death or shortly after tree death the outer bark sloughs off and exposes large masses of brown, dusty one-celled spores (conidia). These spores are gone within a few weeks and a grayish surface is visible. This is covered with numerous black fruiting structures. Mature fruiting structures (perithecia) can forcibly discharge sexual spores (ascospores) for distances of 60 mm. They are then blown to surrounding trees where infection occurs again. Entry appears to be through injured surfaces on limbs or trunk. The fungus grows best at 86 degrees F but can grow at 50 to 100 degrees F.

1. Hypoxylon canker causes a dark brown discoloration of the sapwood. With age the infected wood is lighter in color and has black zones or patterns in the wood when observed in cross section.
2. Hypoxylon canker occurs primarily on trees which are or have been in stressed conditions. Trees which have been damaged by excessive fill soil are often attacked by this organism. It is also suspected to be a fungus that can invade on oak wilt-infected trees.
3. Control is achieved by maintaining the trees in a healthy condition. Avoid injury to the trunk and limbs and never apply fill soil around the trees.

Chemical treatments would not be effective because the fungus is located within the tree. Attempts have been made with copper based fungicides but not control was ever noted.

Stress can be reduced on these trees by applications of 1 inch of decomposed compost then covered with 3 inches of mulch to cool the root zone of the tree and provide nutrients for the trees feeder roots. As noted above never put fill dirt over the roots of these trees due to the stress the added soil will give the tree.

Wade Hibler  
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Texas AgriLife Extension Service  
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Burnet County  
512-756-5463  
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## **A Message from POA President Ron Petrick**

Cassie Community is a unique place to live and enjoy lake activities. Over 300 families own property in Cassie and many of them are full time residents. Lake Buchanan is one of the most beautiful lakes in Texas and offers a variety of activities for the individual as well as families.



The Board of Directors wants to reach out to each property owner to be a part of the community and to invite you to attend the Board meetings. We are interested in your ideas and your participation in our community. We also want the Board to appropriately serve this community to better the lifestyle in Cassie for all the owners and residents.

The Board has regular meetings on the 3<sup>rd</sup> Thursday of every month. The meeting notices are on a sign near our new signage at entrance #1. All members of the POA are encouraged to attend. The meetings begin at 6:00 P.M. at the Cassie Community Center on Hwy. 690 and usually conclude by 8:00 P.M. If members have matters to bring before the Board, we usually take up those matters first so the members can leave when they wish.

The POA Board will also be looking for members willing to work on committees. If you are willing to serve on a committee, please let a Board member know or write the POA Board of Directors at the POA's post office or email address.

If you are not a member of the POA, please join. If you have already joined, we thank you for your support. I also encourage you to join the Community Association and the Volunteer Fire Department which protects our community.

Cassie Rules and the Pier and Dock Policy for our subdivision are located on our Website [www.cassiepoa.org](http://www.cassiepoa.org). I encourage you to read these documents, and if you have questions, feel free to contact one of us.

Ron Petrick, President  
Cassie POA

## Driving on Cassie's Beaches Basically is a NO—NO

It is apparent that many Cassie Residents may not be aware of the State Law against driving in river and lake beds, Chapter 90 of the Texas Parks & Wildlife Code contains a prohibition against the operation of a wheeled or tracked motor vehicle in the "protected freshwater area" (the bed, bottom, and banks up to the 1020' elevation of a stream or lake navigable by statute.

**A person may transit to and from the 1020' elevation in Cassie under an exemption provided for the purposes of conducting maintenance, launching a small boat, fishing and swimming.**

During such transit, the individual must minimize harming or disturbing vegetation, wildlife, and wildlife habitat, and must cross by the most direct feasible route.

**This means that driving parallel to the water's edge or shore-**

**line is prohibited.** A county, city, or river authority may adopt a written "Local River Access Plan" allowing motor vehicle use in a stream bed within its jurisdiction.

The Cassie Property Owners Association and Lower Colorado River Authority (LCRA) have included the prohibition and allowances in their governing regulations that coincide with the State law, which is administered by the Texas Parks and Wildlife Department (TPWD). Burnet County, the LCRA, and Cassie Property Owners Association all have enforceable provisions in their codes or regulatory publication that prohibit any motor vehicle from using the lake bed for entry except for the purposes stated above.

Such motor vehicles include (dirt bikes, ATVs, golf carts, and other off road vehicles).

The TPWD Regulation,

under § 90.011, states that "a violation is a Class C misdemeanor( with a fine up to \$500), increasing to a Class B misdemeanor upon a person's third or subsequent offense."

If you see vehicles being driven on the Cassie beaches or water front areas in violation of the State law, please call one of the following numbers: Burnet County Sheriff at 512-756-8080, Game Warden Keith Gerth at 325-423-2722, Ronnie Langford at 512-755-5208, Bren Whitus at 512-755-5209 or the LCRA at 866-527-2267.

*Col. Edward G. Klaus(Ret.)*

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## Keeping the Access Areas Clean

The residents of Cassie are fortunate to have seven waterfront access areas that all residents can use. The residents who do not have waterfront property benefit from these areas because they provide access to the lake. These access areas are located throughout the Cassie with the boat ramp in the center. There is no lighting on any of the areas, so use is limited to daytime. **Camping is not permitted in Cassie or in the lake bed.** Members also need to remember that no brush or other refuse may be dumped in the access areas. These areas are maintained three to four times a year depending on the weed growth and the POA budget. Some residents have graciously maintained access No. 1 and others volunteered to maintain No. 7. The POA will greatly appreciate anyone who volunteers to maintain an access area. You can Volunteer by calling me at 512-793-2173. *Gerald Marx*

## **Cassie Property Owners Association 2009—2010 Annual Treasurer's Report**

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**POA ANNUAL MEETING OFFICIAL PROXY**

**THE POA'S OFFICIAL PROXY MUST BE USED.  
IT IS THE ONLY PROXY THAT WILL BE ALLOWED.  
IT MUST BE RETURNED IN ITS ENTIRITY.**

**If you are not able to attend the annual meeting on June 17, 2010  
at 7 p.m., please fill out this proxy and send it to:**

**Cassie Property Owners Association  
P. O. Box 34  
Buchanan Dam, TX 78609**

**If you attend, you may cancel this proxy.**

The undersigned may not be able to be present at the Annual Meeting of the Cassie Property Owners Association, Inc. that will be held at 7:00 P.M. on June 17, 2010. I understand I will be able to cancel this proxy if I attend the Annual Meeting. The undersigned hereby gives Nellie Smith, Treasurer, our proxy to vote on our behalf as set forth below:

**DIRECTORS NOMINATED BY THE BOARD OF DIRECTORS**

- 1. Greg Hosterman (off-water)
- 2. John Davis (at-large)
- 3. Patti Morrow (on-water)

**PLEASE GIVE YOUR PROXY ON MATTERS THAT MAY COME BEFORE THE MEETING**

I give my proxy to Nellie Smith to vote on any issue that may be presented for a vote in the POA Annual Meeting on June 17 ,2010, or any adjournment thereof, as she may decide.

—

Member's Signature	Print Member's Name	Date Signed

**All Members who paid dues of \$50.00 for 2009-10 are eligible to vote. Your proxy must be received no later then June 14, 2010. Each household is entitled to one vote, regardless of the number of joint owners or the number of Cassie properties owned.**

**CASSIE PROPERTY OWNERS ASSOCIATION, INC.**

P.O. BOX 34  
BUCHANAN DAM, TX. 78609  
Email: cassiepoa@cassiepoa.org

**INVOICE AND APPLICATION FOR MEMBERSHIP**

(July 1, 2010 - June 30, 2011)

NAME OF OWNER: \_\_\_\_\_

NAME OF SPOUSE AND/OR CO-OWNER: \_\_\_\_\_

MAILING ADDRESS:

\_\_\_\_\_  
\_\_\_\_\_

PHONE NUMBERS: \_\_\_\_\_

EMAIL ADDRESS:      *PLEASE PRINT LEGIBLY*

\_\_\_\_\_

CASSIE PROPERTY OWNED: LOTS \_\_\_\_\_, BLOCK \_\_\_\_\_  
CASSIE PROPERTY ADDRESS IF DIFFERENT FROM THE MAILING

ADDRESS: \_\_\_\_\_

***We are asking for email addresses to improve communication with our members and reduce costs. The POA has an email address now and a web page.***

***Please provide your email addresses.***

*THE POA WILL START TOWING UNAUTHORIZED VEHICLES AND TRAILERS FROM ALL POA PROPERTY.*

**DUES OF \$50.00 ARE DUE AND PAYABLE FOR 2010-2011 BY JULY 1, 2010. IF YOU WERE A RESIDENT IN PREVIOUS YEARS AND HAVE NOT PAY PREVIOUS YEAR'S DUES, THE PREVIOUS YEAR'S DUES MUST ALSO BE PAID (Maximum of \$250.00) TO REINSTATE YOUR MEMBERSHIP.**

**CHECKS SHOULD BE MADE PAYABLE TO CASSIE PROPERTY OWNERS ASSOCIATION, INC. AND MAILED TO THE ABOVE ADDRESS.**

**GET THE RAMP KEY FROM RON PETRICK AT (512) 417-2120. YOU MUST PICK UP THE KEY SINCE IT WILL NOT BE MAILED.**

PAYMENT RECEIVED By \_\_\_\_\_ Date \_\_\_\_\_  
Cassie POA Treasurer