A Brief Introduction to Indian Creek Condominiums for New Owners

# The Property

The site is Lot 1, Block A, Indian Creek Addition, 12.35 acres. Indian Creek was built in 1969 as speculative apartments. The complex consists of 16 residential buildings and one clubhouse. It backs up to Indian Creek, which drains into Lake Waco. The site is zoned R3A. There are 59 residential units of varying size and design. On January 5, 1987, the property was converted into a condominium. The founding documents for the Condominium were amended on May 13, 2020.

# Documents and Legal Status

This is an unofficial document provided for your convenience. Under no circumstances shall this document be interpreted to replace the official documents governing Indian Creek. The official documents are:

* Amended Declaration (establishes Indian Creek as a legal entity)
* Bylaws (establishes the governing procedures)
* Rules and Regulations (establishes rules of behavior for owners and residents)

The official documents can be obtained from the Cromwell Management company. The current contact person is Leighton Cromwell.

The Cromwell Company

1725 Columbus Avenue

Waco, Texas 76701

254-752-9667

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PDF versions are provided at no cost; hard copies can be obtained for a reasonable fee to pay for printing costs. Every owner is responsible for obtaining copies of the official documents and becoming familiar with them. Moreover, every owner is responsible for informing any renters of the Rules and Regulations. Owners are responsible and accountable for their renters (if any). All leases shall be in writing and shall be for an initial term of no less than thirty (30) days. Owners shall give notice of any lease to the Board of Directors within ten days of execution of the lease.

Indian Creek Condominiums is a non-profit corporation according to the Texas Non-Profit Corporation Act. INDCREEK ASSOCIATION, INC. is the official title of the corporation; however, INDIAN CREEK CONDOMINIUMS is the name of the condominium. Sometimes the Homeowners Association is abbreviated HOA.

# Board of Directors

The Amended Declaration and Bylaws establish the authority of the Board of Directors to manage the property. The Board consists of 5 to 9 owners. Board members serve without pay or compensation. The Board meets four times a year with representatives from the Cromwell Company attending. The Board frequently schedules other meetings as needed. Contact the Cromwell Company or one of the Board members for more information about meeting dates. Meetings take place in the clubhouse, and all owners are welcome to attend. If you are interested in serving on the Board, contact one of the Board members or Cromwell.

# Monthly Payments and Expenses

All owners are responsible for submitting monthly payments. All payments shall be submitted to the Cromwell Company listed above. Payments are due by the tenth of each month. As of November 1, 2020, the monthly payments are $365.00. The Cromwell Company can help you arrange automatic payments from your bank account if you so desire. On rare occasions, additional assessments may be necessary to pay for emergency repairs (Article 14, Amended Declaration). Payments are used to pay for operational and maintenance expenses. Expenses include but are not limited to the following:

* Management company (Cromwell)
* Insurance premiums
* Water
* Sanitary sewer
* Trash disposal
* Electricity for all Common Elements This includes streetlights, site entrances, and porch lights. Porch lights are on a separate circuit operated by a photocell. (Don’t look for a wall switch for your porch light.)
* Landscape maintenance, repair, and replacement
* Street repairs (the Association owns the streets—not the City)
* Roofing
* Site drainage
* Swimming pool and clubhouse maintenance and repair
* Emergency phone service at the pool
* Maintenance and repair of all Common Elements (Article 1.08)
* Supplies and printing costs for the HOA

The following procedures apply to delinquent payments:

1. After one month of late payment, Cromwell will send a letter requesting the payment.
2. After three months, Cromwell will send a stronger reminder.
3. After six months, the Board will hire an attorney to file a lien on the delinquent property.

Beginning Jan I, 2023, an interest charge of 10% will be assessed to all HOA dues accounts. Interest will be applied monthly until the account is paid.

Delinquent Owners will be contacted by phone and in writing by Management Company as a reminder of the first month of delinquency. Interest charge applied after the 25th of the second delinquent month to all delinquent amounts. Interest will continue on the total unpaid dues and fees until the Owner Account is current.

ARTICLE 14.04- GIVES AUTHORITY FOR HOA TO CHARGE INTEREST ON DELIQUENT PAYMENT -"AT A LAWFUL RATE OF INTEREST AS MAY BE SET BY THE BOARD OF DIRECTORES"

# Common Elements and Limited Common Elements

In general, owners are responsible for what is inside of their units, and the Association is responsible for what is outside of the units. Please refer to the official documents for more details. However, there are important exceptions. Limited Common Elements are the responsibility of the respective owners. Air conditioning compressors and condensers are also the responsibility of the respective owners.

“Common Elements” are defined by the Amended Declaration (Article 1.08) to be that portion of the property not included in the units.

“Limited Common Elements” (Article 22) are property reserved for the use of a certain unit to the exclusion of other units. Patios, decks, patio fences, patio roofs and storage closets are Limited Common Elements. Costs of maintaining Limited Common Elements shall be borne by each owner. This includes the responsibility to periodically paint, stain, or seal wood surfaces on patios, decks, or balconies and, when necessary, replace broken, cracked, or rotting wood. Failure to do so may result in the Association hiring a contractor to make the necessary repairs and billing the owner. One exception refers to trees that are inside of the patios. The Association has agreed to assume responsibility for maintaining all of the trees on the property. Any alterations or additions to Limited Common Elements must be approved by the Board.

# Utilities

The HOA pays for electricity for the Common Elements. Owners are responsible for electricity usage in their own apartments. Owners must make arrangements with their provider. Any repairs or alterations to plumbing or electrical systems must be performed by licensed plumbers or electricians. Remember to replace your air filters once a month.

It is too expensive to install a water meter for each unit, so water costs are shared by all. This requires that all owners and renters act responsibly. Please try to conserve your water use.

An irrigation system provides water for most of the landscaping. However, hose bibbs (faucets) are provided throughout the property for those areas not covered by the irrigation system. The hose bibbs are not freeze resistant. The Association tries to insulate all of the hose bibbs before freezing weather, but a few are inevitably overlooked. Please cooperate and insulate any hose bibbs at your unit that are left exposed. Wrapping with a rag or towel will probably work. Washing cars, trucks, boats, or other personal vehicles is prohibited. Please use a commercial car wash for this purpose.

Spectrum provides the infrastructure for Internet and cable television service. You must make arrangements with Spectrum for these services. Satellite dishes are prohibited.

# Parking

Parking spaces under cover are numbered and reserved for owners or renters. Uncovered parking is provided for guests. Please contact the Cromwell Company for the space(s) assigned to your unit. We encourage all residents to use your assigned spaces. It may be tempting to park in an unassigned space that is closer to your front door, but this reduces the spaces available for guests. Please try to be a good neighbor. No owner or resident can park more than two vehicles on the property. All vehicles must have a current inspection sticker.

# Obligations of Members

Article 20 of the Amended Declaration defines the obligations of every owner. Every owner is required to read and abide by the obligations. Article 20 is only two pages, so there is no excuse not to be familiar with it.

# Rules and Regulations

The official Rules and Regulations are stipulated in a six-page document that was approved by the Board on October 21, 2019. This document addresses the following issues:

* Use of property
* Signage and decoration
* Parking and vehicles
* Unit doors
* Patios, decks and exterior enclosures
* Solid waste removal
* Pets
* Swimming pool
* Clubhouse
* Enforcement

The rules are simple and easy to understand. You are obliged to read, understand, and comply with the rules. Moreover, as an owner, you are required to give a copy of the Rules and Regulations to your tenants, if you have any. You are responsible for their behavior. A copy of the Rules and Regulations is included in this package.

# Pets

Please read Section VIII in the Rules and Regulations. The most important thing for you to know is that all pets must be on a leash when outdoors. Also, you are responsible for picking up after your pets. This helps us to keep the property clean and sanitary. There are fines for noncompliance.

# Dumpsters

There are three dumpsters on the site: two at the southwest end and one at the northeast end. Please read the Rules regarding Solid Waste Removal. The City typically picks up on Wednesdays and Saturdays. Tie all organic waste in plastic bags. The City prohibits certain waste in the dumpsters. These items are listed in the Rules and on signs at the dumpsters. Please place your waste towards the rear of the dumpsters so the front does not overflow. Also, replace the covers when you are through.

The City operates a recycling center at 2021 N. 44th Street (254-299-2612). Recycling is a little more trouble, but it does help the environment. Please call before you go because they have certain restrictions.

# The Clubhouse and Swimming Pool

The clubhouse is for the use of all owners and tenants. To reserve the clubhouse, call Dianne Baldarrama at (254) 717-8641. Rules regarding the clubhouse are included in the Rules and Regulations. The swimming pool cannot be reserved. You can obtain a key to the pool enclosure from the Cromwell Company for a nominal fee.

# Garage Sales

Garage sales are not permitted.

# Contact Information

Please give your contact information to the Cromwell Company. We need to able to contact all owners. We strongly encourage you to include your email address.

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