

AMENDMENT #6: COMMON AREA FUND

Each residence shall remit an assessment in the amount of twenty-five dollars (\$25) to the Whispering Oaks Common Area Fund during March of each year. Contributions to the Fund shall be used to maintain and enhance the entrances and perimeter landscaping of the subdivision and to administer the Fund. The Fund shall be administered by the Whispering Oaks Homeowners Association Inc. who shall publish an annual summary of collections and expenses. The assessment shall increase one dollar (\$1) each calendar year. A processing fee of four percent (4%) may be applied to electronic remittances. Delinquent remittances shall incur a five percent (5%) penalty each calendar month and shall be paid in full prior to transfer of property ownership.

Why was this amendment proposed?

Every property benefits from attractive, welcoming community entrances to greet passersby and visitors such as prospective home buyers. It's reasonable to require residences to contribute a nominal amount annually to maintain these prominent common areas.

Who maintains the common areas?

For over 50 years, WOHA has served as the subdivision's primary caretaker using monies collected from its voluntary memberships.

How much does it currently cost to maintain the community entrances and the perimeter roadsides?

WOHA typically spends over \$30,000 annually on greenery, mulch, irrigation, electricity, insurances, trimming, upgrades and repairs. The Fund is anticipated to cover only half of these on-going expenses and WOHA members will continue to provide the balance of needed funding.

How will Common Area Fund collections be spent?

The Fund is limited to expenses directly associated with upkeep of the subdivision's six entrances and the community roadsides along Wurzbach and Lockhill-Selma. Monies may also be used for administrative expenses such as soliciting the annual contributions from obligated households.

How can I verify my contribution is being spent properly?

The Fund's Treasurer is required to post an annual summary of collections, expenses, and any remaining balance which shall be visible to all residents.

Who will administer the Common Area Fund?

The Fund is a non-profit corporation with a Board of Directors. This organization is separate from WOHA.

How are collected remittances put to use?

The Fund may either reimburse WOHA for payments made to contractors and vendors, or pay them directly.

What happens to any residual monies each year?

Any unspent collections would accumulate and provide the Fund's reserve for future needs.

How will affected households submit remittances?

Residents will receive notification each Spring starting in 2027. Payments can be made online or via check.

Does my remittance to the Common Area Fund establish my household as a WOHA member?

No. WOHA membership is separate and voluntary.

Does my contribution to the Fund negate the need for my annual WOHA membership?

No. The Fund will underwrite only a small portion of WOHA's annual expenses. Membership fees will continue to provide the majority of WOHA's funding.

What happens if property owners forget or refuse to pay?

Monthly penalties will be accrued for late remittances. These fees will subsidize the cost of repeated collection outreach.

Could a lien be imposed on a property for failure to pay?

No. A lien would be impractical for the amount at stake and therefore this procedure was not included in the amendment. However an outstanding balance could complicate the eventual sale of a property or its refinancing because a statement of account for the property may be requested for such transactions.

Which Units ratified this amendment?

The amendment and its supporting documentation are accessible to the public via Bexar County Property Records. The WOHA website also provides a summary of approvals by Unit.

How is this Covenant enforced?

Please refer to the Violations page posted on whisperingoaks.org