

UPDATE TO PROPOSED GAS STATION:

The following information is an update to the Mustang Creek neighborhood. A formal, written interpretation from Bob Karlseng's office will be forthcoming next week. Once received, the formal, written interpretation will be emailed and posted to the MC website. Both attorneys involved were recommended to the HOA Board and are not friends, acquaintances, or coworkers of the HOA Board.

- Telephone call 03/29/2023 afternoon from Bob Karlseng with Karlseng, Leblanc & Rich, Real Estate Attorneys at Law who related the following information: Mr. Karlseng is of the legal opinion that lot 15R was removed from the MC Phase 4 plat in 2006 by the developers. When the Phase 4 HOA was established, lot 15R was not included in the CCR's. Mr. Karlseng's professional interpretation is neither HOA has control over the proposed construction on lot 15R. He suggested that the HOA Board reach-out and set up a "get-to-know-you" meeting with Mr. Javeed to discuss neighborhood-friendly suggestions that will allow for a cooperative relationship. Mr. Karlseng further stated that a meeting set-up by the HOA Board is in the neighborhood's best interest as not to appear adversarial because Mr. Javeed has the right to build a business on lot 15R.
- One of the MC homeowners recommended the office of Kelly Hart, Environmental attorney, as a resource for possible concerns impacting the neighborhood and for potentially stalling or stopping the construction. This afternoon, I received a call back from Brenda Clayton, Environmental attorney located in Austin and in practice with Kelly Hart. Detailed information was provided to Ms. Clayton regarding the proposed gas station to include an email with attachments as follows: Warranty Deed for Mr. Javeed's purchase, Warranty Deed from previous owner, copy of CCR's, and Plat records. Additionally, I reviewed the history of home and grass fires in our neighborhood and in neighboring Rocky Creek. Ms. Clayton remarked that the Texas Commission on Environmental Quality (TCEQ) has strict quality control measures to ensure compliance with the regulatory standards including environmental. However, Ms. Clayton did question the viability of a gas station in a neighborhood that has no immediate water access in case of a fire. Ms. Clayton stated that because of this information, she will reach out to her contact in Fort Worth to discuss the information given and to review any additional steps to ensure safety to the neighborhood and to the environment. Ms. Clayton should reach out with more information by week's end.