

3/03



**CANYON SPRINGS RESORT PROPERTY OWNERS' ASSOCIATION**  
**Resolution to withdraw Rules and Regulations**  
**Recorded as document 202206020432, DTD 2 May 2022**

**Whereas:** The rules and regulations were created without due consideration to the total of governing document of the association. They were extracted from a neighboring association and "generally sounded good", but often without supporting authorization from other documents.

**Whereas:** Our governing documents are titled deed restrictions, not CCR's thus causing confusion of members about true contractual requirements of the association.

**Whereas:** PC3.1 is in error, Deed restrictions do allow for servants, guest quarter on a lot.

**Whereas:** *The rules on common area, Club House, Pool, etc., may be drafted by the board, input and at times approval of the members, should have been considered. The rules were never discussed in an open meeting. Therefore members had no chance to provide input. The rules were just forced on the membership.*

**Whereas:** Many of the rules are arbitrary and capricious and thus totally disregard the requirements of property code 202.004 to not be arbitrary and capricious. An example is the rule on *Short Term Rental. The Texas Supreme and several Courts of Appeal have ruled on the requirements in dedicatory document to prevent, manage, or control short term rental. Canyon Spring Resort has never met any of these requirements. Thus that rule is arbitrary and capricious and determined in the settlement of Nelson vs Canyon Springs Resort POA (C2023-1379).*

**Whereas:** CCR's did not establish the ARC, property code 209 did. Most of the rules in Architectural Planning and Compliance are not supported with the deed restrictions on file with Comal County. An example: *Burning, Garbage and Refuse Containers (Trash cans), Property Maintenance are not addressed in our dedicatory documents. Topographical maps, forms and footings, working hours, etc., are not address in the deed restrictions so cannot be required with an ARC request, nor construction management. Thus the rules are arbitrary.*

**Whereas:** General Rules and regulations discusses FINES. Nowhere is our governing documents are fines authorized for the board to use to enforce deed restriction. The only means to secure a fine is through the Justice of the Peace Courts. While past board have utilized fines, they still were never authorized by dedicatory documents. Thus a fine very well may be Fraudulent. The only disciplinary authority granted by the dedicatory documents is suspension of membership or utilization of common areas.

**Whereas:** The restriction on parking on streets is not within the authority of Canyon Springs Resort. That is under the authority of Comal County who has ownership of the streets and adjacent land approximately 15 feet from the edge of the street. Nor is storage of RV's.

**Whereas:** Deed restrictions prohibit signs yet the rules allow 2 signs to be displayed.

**Canyon Springs Resort Property Owners' Association  
Resolution to withdraw the Rule of 2022 as arbitrary and capricious.**

**Now therefore:** The board has approved the resolution to withdraw the rules passed in 2022 for the reasons presented in the resolution. These rules will no longer be considered as part of the dedicatory document of CSRPOA. The resolution to withdraw said rules will be filed with Comal County.

Signed by Dewayne Nelson, Director: date 14 Oct 2025  
Signed by Serry Harris, Director: date Oct 14, 2025  
Signed by B B, Director: date 14 OCT 2025  
Signed by [Signature], Director: date 14 OCT 2025  
Signed by [Signature], Director: date 14 Oct 2025  
Signed by James McCaen, Director: date 14 Oct 2025  
Signed by Debraak Frieschahn, Director: date 10/14/2025  
Signed by [Signature], Director: date 10/14/2025  
Signed by [Signature], Director: date 10/16/2025

Disapprove:

Signed by \_\_\_\_\_, Director: date \_\_\_\_\_  
Signed by \_\_\_\_\_, Director: date \_\_\_\_\_  
Signed by \_\_\_\_\_, Director: date \_\_\_\_\_

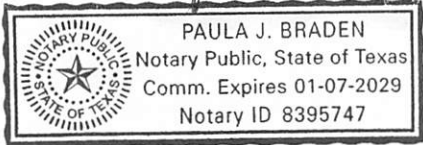
Abstain:

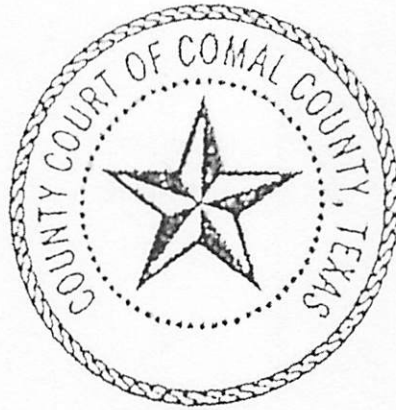
Signed by \_\_\_\_\_, Director: date \_\_\_\_\_  
Signed by \_\_\_\_\_, Director: date \_\_\_\_\_  
Signed by \_\_\_\_\_, Director: date \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF Comal

Sworn to (or affirmed) and subscribed before me  
this 5<sup>th</sup> day of Feb., 2026  
by Christopher Payton, President  
Paula J. Braden Notary Name  
Notary Public's Signature  
My Commission Expires 01/07/2029

[Signature]  
Christopher Payton





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This page becomes part of the document identified by the file clerk number affixed on preceding pages.

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*Bobbie Koepf*