

MINUTES  
2011 ANNUAL HOA MEETING  
LEGACY SHORES HOMEOWNERS ASSOCIATION  
OCTOBER 15, 2011 - 1:00 PM  
LOT 51, LEGACY SHORES

The Annual Legacy Shores Homeowners Association met on October 15, 2011, 1:00pm onsite, at Lot 51, Legacy Shores.

Board Members Present:

President – Jerry Anderson

Vice President – Doug Willard

Secretary – Linda Richardson

Treasurer – Frank Burke

Brian Dix – Architectural Review, Chairman was not present

The meeting was led by President, Jerry Anderson who opened with greeting and the introduction of the Board.

**OLD BUSINESS:**

Anderson gave an overview of the achievements of the Interim Committee, elected to represent the lot owners in lieu of an HOA, and the ratified Homeowners Association beginning November, 2010.

The Interim Committee, over the course of a year, had 7 meetings and various telephone conversations regarding the ongoing lawsuit against Loren Dickey and Alabama Land Partners. We traveled to Monroeville to meet with our attorney, David Steele, and met in Camden with a court appointed mediator, David Steele, Loren Dickey and ALP's attorney, in an attempt to reach a settlement through mediation. There have been telephone conference calls with our attorney, there have conference calls, telephone calls and email communications among the five board members as frequently as several times a week, to discuss, and plan the best next step toward settlement or arbitration. We had been ordered by the judge to make every effort to settle before going to arbitration.

Anderson reported the current status of the lawsuit was "as of this week", as close as we've been to reaching an agreement. It had been agreed earlier in the negotiating process, that the Plaintiffs' and the Defendant would share in the cost of hiring an independent engineering firm, to evaluate

the road system in Legacy Shores and give an opinion on the options for repair and the approximate cost of the repairs. TTL, Inc. a Geotechnical Engineering firm in Tuscaloosa, AL was hired. They have offices in Decatur and Montgomery, Alabama, Albany, and Valdosta, Georgia and Nashville, Tennessee. The parties to the suit just received that report which was dated 10/10/11. We've been told by our attorney that his communication with ALP's attorney is promising for settlement. They have indicated that they want to settle. The amount of settlement will be negotiated in the coming weeks. If an agreement cannot be met, then we will be forced to proceed to arbitration.

Anderson reported the board is proceeding with getting prices on a security gate. This gate will not be located on County Road 29, but at the end of Legacy Shores Drive and at the immediate entrance to Legacy Shores. The cost and design of that gate are being researched. The board will report to all lot owners once a decision is made.

### **NEW BUSINESS:**

Frank Burke, Treasurer, passed out to all present, a statement of Legacy Shores HOA bank account balance \$48,338.46. He reported a total of **90** lot owners have paid thus far. Yearly HOA dues are \$475.00, due by January 1<sup>st</sup> and delinquent on January 31<sup>st</sup> of each calendar year.

Burke gave explanation to everyone the difficulty we as the HOA Board had in determining which lot owners had paid their dues for 2010. Loren Dickey and ALP did not give us an accounting of who had paid their dues. In fact, he did not give us any bank records or minutes. He had printed on one piece of paper the totals of what he paid for road repair, power bill, maintenance of common grounds, etc. He did not make reference to any bank account, bank statements or check numbers. He refused to give us any other documents regarding management of the HOA while he was acting as our agent.

Anderson reported the Board solicited bids in May, 2011 to two local contractors for a contract to maintain the common rights of way within the subdivision which includes all common areas, front entrance, entrance road and interior roads and ditches. The contract was ultimately given to Henry Square.

Anderson reminded everyone that the annual HOA Dues were due and payable. If you have paid your dues in the past to Loren Dickey and ALP, and we don't have a record of that payment, please provide the Board with proof of payment.

Anderson extended an invite for open discussions and questions.

1. Discussion regarding the lawsuit and communication regarding the lawsuit was addressed. Lack of communication between the lot owners and the Board was the main complaint. Secretary, Linda Richardson, reported that every effort would be made in the future to keep lot owners more informed. There wasn't an intentional attempt on the part of the Board "not to report". We have met or talked so frequently that we were waiting on that "big announcement" to report and not all the back and forth negotiations. In the future, minutes to all formal meetings will be emailed to all lot owners, and the Board will report in the interim on any substantial, concrete information we receive on the lawsuit.
2. Anderson reminded all present that the Board had not addressed infractions of the covenants this first year but everyone should be reminded that all lot owners must abide by our covenants. Covenants are designed to maintain not only the beauty and continuity of our subdivision but also to maintain future property values. Beginning this year, infractions will be addressed.

Anderson introduced three local business owners and contractors available for lot clean-up, garbage pick-up, driveway installation, septic tank installation, bush hogging, etc:

Keith Bridges, owner of Safford Tire and Hardware, Safford, AL

Johnny Abrams, owner of Abrams Place Grocery, County Road 29, Alberta, AL

Henry Square, owner of Square Lawn & Bush Hogging Services, Lower Peachtree, AL

All three were available after the meeting for questions.

Motion was made and seconded and approved by all present that the present Home Owners Association Board Members would continue to serve as the Board officers for a term of one year.

Meeting was adjourned.

Respectfully submitted by:

Linda Richardson, Secretary

Legacy Shores Home Owners Association