

FINANCE COMMITTEE REPORT FROM 5/87

For dues assessment and collection. If it is a SALEABLE - TAXABLE- and/or BUILDABLE lot, collect the dues.

Burden of Proof is on the Home Owner to incorporate 2 lots into one deed. Thus 1 taxable unit and 1 dues. (empty lots)

Problems discussed at meeting:

1. Two adjacent vacant platted lots - The land use plan makes it very difficult, but not impossible, to build 2 houses.

UNTIL ONE DEED IS OBTAINED AND REDUCES THE PROPERTY TO ONE LOT WE ARE TO COLLECT ON BOTH LOTS.

2. One house straddling 2 lots. Do the 2 lots have to be replatted, do we need proof from the property owner? At what stage of construction is it considered one house vs two vacant lots?

IF CONSTRUCTION WAS UNDER WAY JAN 1 COLLECT FOR 1 LOT

3. IF 2 homeowners buy one lot between them and split it, what do we do? COLLECT FOR 2 RATHER THAN 3 LOTS. AS THE LOT WOULD NO LONGER BE BUILDABLE.

4. Tract C was never legally platted as far as we know, thus the tax rolls show 12 owners of 12 "unplatted parcels" even though in two cases, 2 duplexes are taxed on a single tax bill.

CHECK TRASH BILLS. FIND OUT HOW THE COUNTY IS CHARGING. WE FEEL TROPICAL BAY SHOULD CHARGE PER STRUCTURE. Monroe Co Municipal District charges per unit, 1 house 2 families 2 charges.

5. Attorney Greenman recommends that our billing should coincide with the tax rolls and/or legally filed plat, if possible. He didn't have an opinion on the duplex problem, unplatted Tract C.

6. Current dues collection procedure is as follows:

1. January - 1st dues notice payable by March 1

2. May - 2nd dues notice

3. June/July Phone calls where we think there's a chance of collecting

4. Sept - Certified letter to unpaid property owners.

Attorney Greenman thinks we should take anyone delinquent after step 4 to Small claims Court on the grounds that they receive "unjust Enrichment"

FINANCE COMMITTEE IS IN AGREEMENT.

7. Should dues from vacant lots and homes remain equal? Some lot owners argue that only homeowners benefit because we live here, while some homeowners say that only lot owners benefit because lots are maintained and houses are not?

DUES SHOULD REMAIN EQUAL FOR BOTH. EACH OWNER BENEFITS.

8. Tract C - Mrs. Fisher. Tax records will have to be checked to see if 1 parcel or 2 lots are being assessed. Our dues are to be charged Accordingly. She is paying for 2 lots at the present time.

Meeting attended by the following

Don Jessup

L.O. Miller

Ruth Bevis, Treas.

F. C. Mannillo

Report prepared for board by Ruth Bevis

The Tropical Bay Property Owners Association, Inc. has followed a policy of billing one dues payment per "property" owned in areas covered by Tropical Bay deed restrictions (excludes Tropical Bay 1st Addition, Tract A). The Association's definition of "property" has not necessarily been the same as that of a platted lot. Among reasons for this is that Tropical Bay 2nd Addition, Tract C was platted as one parcel and then sold off as unplatted tracts described by metes and bounds.

Any Tropical Bay owner was billed for a Tropical Bay "property" if the answer to at least one of the following questions was "yes":

1. Is the "property" a separate salable, taxable and/or developable lot or tract, or already developed as a separate salable house or duplex? (The Land Use Plan makes it very difficult, but not impossible, to build 2 houses on two contiguous lots.)
2. Does the Association provide regular maintenance work on the lot/tract?

SINCE AT LEAST 1985, OWNERS BILLED FOR MORE THAN ONE "PROPERTY" HAVE BEEN INFORMED IN WRITING THAT THE BURDEN OF RESPONSIBILITY IS ON THEM TO ADVISE US IF THEY FEEL THAT OUR RECORDS ARE INCORRECT SO THAT THE MATTER CAN BE REVIEWED. SEE SAMPLE NOTICE ATTACHED.

Examples:

	<u># of "properties" billed</u>
One house/duplex on one lot/tract	1
One house straddling two lots	1
Two undeveloped lots (whether or not adjoining)	2
One house adjoining one undeveloped lot	2
One undeveloped lot divided and "annexed" by lots adjoining it on each side	0*
Two duplexes built on one unplatted tract	2

*Three "properties" billed become two properties billed. The center lot when divided and "annexed" is no longer billed.

Spring 1992 - Frank Greenman says this should be only one spelling or

Through 1986 the policy for billing was determined by the Board of Directors based on precedent, consistency and fairness. Beginning in 1987 a Finance Committee was appointed to advise the Board on matters including dues collection policy.

1. Unplatted - UNPLATTED
 2. Unplatted - UNPLATTED
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