

Lot Sales in BQS

At one of the first meetings of the new BQS Board of Directors after the September 2003 election, several long-term projects were discussed. Among them was to plan to sell off some of the property acquired by BQS over the years.

Lots had been deeded to BQS through several means —abandoned by the owners, due to failure to pay dues & taxes, bequeathed to BQS, or donated by individual owners or the original developer. These included what have been known as access lots , but not all of these were listed. A selection of the more underutilized lots was included in the original listing.

In January 2004 when the newsletter was published, it referenced the list lots for sale. Most of the lots were sold as a direct result of the newsletter, or the web site, a few by word of mouth. Given our tax structure, the sales price was determined by the 2003 Northumberland County tax assessment on each property. No sales commissions were paid to anyone and the costs of the sales included the filing of the deed and the membership dues through 2004. No negotiations on price were accepted, and simple contract sale and simple deed were the instruments of choice.

The original purpose for this undertaking was to increase the number of dues paying members in the corporation while divesting ourselves of excess property. When the fire at the clubhouse occurred, and it was clear we were not adequately insured for the loss, it became even more important to raise funds for rebuilding.

During the month of January and February a number of contracts were written and presented to the BQS board prior to ratification. The Board members reviewed the contracts and approved them setting in motion the final process for the sale, which was filing the deeds. Through June all of the lots, except one of the access lots (which had a contract on it) and one other lot had been sold. This raised enough capital to offset an approximate \$ 250 per lot special assessment.

The final sale was halted due to one board member raising an objection to the sale of access lots. He made an assertion that there was no authority to sell this property, however BQS holds clear title to this land and in article #17 of the covenants authority does exist to *increase or decrease the acreage of its common property* . A legal opinion has been requested also, but the covenants are uncommonly clear on this issue.

All of this background is to inform the membership that the board does not operate in the dark, and operates in what it collectively feels is in the best interest of all 520 members of the association. Given the concern over the continued sale of access lots , no further sales will be conducted until the full membership at the annual meeting has an opportunity to be heard. While there is no perfect way of communicating with every member on every issue, the newsletter, the web site, and the monthly board meetings are all accessible to all members of the association. The board offers the information for member s consumption through these conduits. The Board of Directors for Bay Quarter Shores Inc. hopes that each member takes advantage of these opportunities to remain involved in the association s business.