

Meeting with Attorney Jeremy Anderson

McBride Hills Homeowners Association Officers
Charles McClure- President
Steve Bryant- Vice President and Treasurer
Mike Smith- Secretary

On Friday January 13, 2023 at 11am the officers of the McBride Hills Homeowners Association, listed above, met with Attorney Jeremy Anderson of Anderson, Givens and Fredericks at his office located at 1689 Mahan Center Blvd. Suite B Tallahassee, FL 32308.

The purpose of the meeting was to get legal clarification and advice regarding ownership and responsibility for maintenance and repair infrastructure (such as drainage ditches and culverts) roads and related items in the HOA.

The issue has come to the forefront because of damage to a culvert and drainage pipe that extends under McClure Drive between 7825 and 7826 McClure Drive.

Prior to the meeting the board sent Mr. Anderson a list of items for him to review including but not limited to the covenants of the HOA.

The HOA has obtained an estimate for the repairs in the amount of \$18,400 and the board has taken the step to begin the repair process and pay North Florida Asphalt to do the work. The HOA determined this was a safety issue and the repairs are set to begin the week of January 16, 2023.

The board was seeking legal guidance from Mr. Anderson on the following questions. Do homeowners own into the center of the street and if yes what can they do with the portion of the street they own? Mr. Anderson said yes the homeowners do own to the middle of the street but the covenants, while vague, show that the maintenance and repair of the roads are the responsibility of the HOA.

Mr. Anderson said it would be in the HOA's best interest not to have individual homeowners maintaining small areas of the road.

A question of can the HOA invoice a homeowner for all or part of the bill for repairs was proposed to Mr. Anderson. He said we could invoice a homeowner but in his opinion the repair and maintenance for the roads was and is the responsibility of the HOA.

He was asked if we could repair the road without the consent or approval of the homeowners of the properties directly involved. Mr. Anderson said in his opinion the board had that ability under its mandate to protect the safety of its members.

Because there are three HOAs in this same neighborhood and all have agreed to pay a portion of the cost for this current culvert repair, the officers asked about the legal possibility of combining the three HOAs into one corporate entity. Mr. Anderson said that it was possible, and the legal cost might be approximately \$2,000. Because of this and other potential legal matters, Mr. Anderson asked if our Association wanted to sign a retainer contract with his firm, we said that we would consider that option after our Annual Meeting on January 25, 2023.

The board then clarified the cost of Mr. Anderson's consultation. He informed us that with the prep work he had done and the length of the meeting his fee would be \$300. We agreed to pay the fee and he will be invoicing the HOA.

The meeting adjourned at 11:40am.