

TERN BAY HOMEOWNER'S ASSOCIATION
545 PINELLAS BAYWAY
TIERRA VERDE FLA, 33715

Re: Minutes – Special Board Meeting 6/28/05

Subject: Submerged Land Lease Requirement – Dock Area

Note – These minutes shall also serve as a notification to all dockholders.

Board Members Present:

Bob Johnson,
Ann Lewis,
Brian Carrol,
Phil DiGenova,
Bob Green

The meeting served to provide information and notification that the State of Florida Department of Environmental Protection has informed Tern Bay that we do not currently hold a required submerged land lease for the docks.

The board is currently in the process of responding and procuring the appropriate lease.

The meeting was adjourned.

The following information is pertinent to dockholders.

A submerged land lease was not obtained as required by law by the original developer of Tern Bay. The dockholders do not own the land beneath the docks. They remain state property. We have received notice, have contacted our attorney and have started the process to bring Tern Bay into compliance. Based on information from our attorney – this is not particularly unusual.

What will be the effect on dockholders?

- Tern Bay HOA will procure the lease on behalf of dockowners because the docks are adjacent to common area.
- The cost shall be borne evenly between dockholders, which will receive bills as appropriate.
- There is an estimated \$500-\$600 due per dock for back lease fees, estimate of \$150 per dock procurement fees.
- The leases are expected to be about \$104-\$124 per dock annually. TBHA will bill these when it receives notice.
- There may be other expenses, unknown at this time, to bring the docks in compliance with construction guidelines required by the DEP.
- The title regarding the docks will remain unchanged, as does the right of exclusive access.
- Based on information from the state, the back fees will apply to when TBHA took over the association from the developer, which was early 2000. We are checking the appropriate date.