



**Board of Directors
AUGUST 22, 2009 AGENDA**

TO: Board of Directors
PREPARED BY: John P. Rutledge, General Manager
SUBJECT: Adoption of Property Line Surveys as Requirement for the CONVEYANCE OF PIER SITE EASEMENT to Contiguous Property Owners

SYNOPSIS:

Mr. Jack Cooperman has recommended that a property line survey be required as a condition for the CONVEYANCE OF PIER SITE EASEMENT to contiguous Property Owners.

FISCAL STATEMENT:

The adoption of a policy requiring this procedure would normally cost buyers of Lake Front properties between \$1000 and \$1500, depending upon the size of the property.

BACKGROUND:

Throughout the history of the Arrowhead Lake Association, new owners of contiguous properties have encroached upon ALA property and represented that they thought that they had purchased all of the property between their home and the lake's edge. The encroachments have included the construction of temporary and permanent improvements, the removal of trees, and landscaping. Investigations have shown that listing agents and selling agents have not done a good job explaining the boundaries of the residential properties. Further, the encroachments are often not reversible without major expense to both the property owner and the ALA.

In a discussion of such an encroachment with Jack Cooperman, he recommended that requiring a survey of the common property line prior to conveying a Pier Site Easement might solve some of these issues. The issue was discussed with Scott L. Rindenow and he concurred. Accordingly, the following recommendation is presented for your consideration.

RECOMMENDED MOTION:

"I move that a survey of property lines contiguous to Arrowhead Lake Association property be required as a condition to the Conveyance of a Pier Site Easement to any contiguous Property owner."