

Board members and other concerned residents of Bluewater Bay:

The task of determining the common area boundary line for a stretch of Range Road east of the Hwy 20 to the Bluewater Elementary School property line on the Northern most part of the community has been somewhat confusing.

Clearly the legal description of the BWB MSBU under the ordinance is that this area under question has the southern edge of the Range Road right-of-way defined as the boundary line for that section of our community. Therefore, the grassy area along side the southern portion of Range Road and most certainly the northern portion Range Road is NOT within the BWB MSBU defined area.

There is somewhat of a discrepancy in this view because all other areas along the boundary of the BWB MSBU include the road right-of-way in the legal description. Additionally, Range Road is included as a named common area road in the ordinance. However, there are other examples of this situation in the defined boundary of the BWB MSBU. Hwy 20 (between Range Road and Lancaster Road) does not include the road right-of-way and another example on Range Road along Parkwood Circle sub-division.

Contact with those persons that constructed the legal description for the original ordinance, gave the opinion that this was designed in this way because of the Gannon State Park land would then be included in that area as defined by the legal description. The State Park land has not granted a right-of-way for that area along Range Road or Hwy 20.

I hope this clarifies the confusion associated with the BWB MSBU's authority to improve this specific area within our community. Please let me know if I can be of any further assistance in the matter.

Regards,

Karl Welhart, Director & Finance Chairman  
BWB MSBU