

Section 1: [Article III, Section 2] Notice of Annual and Special Meetings

Written notice of the time, place, and agenda of the Annual Meeting of the Sabbaday Point Road Association shall be sent to each Member at least ten (10) days prior to the date of the meeting by regular mail or posting at the entrance to the road.

Section 2: [Article V, Section 1] Scope of Mandatory Assessments

The Board of Directors may levy mandatory annual assessments against all owners of parcels benefited by the private way not only for road grading, plowing, and culvert repair, but also for community social events, neighborhood beautification, and capital construction of new recreational amenities.

MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. Article III, Section 2 (p. 1): 10-Day Meeting Notice Violates Mandatory 30-Day Written Notice Under Maine Private Ways Act

Statutory / Legal Reference: 23 M.R.S. § 3101(2) (Maine Private Ways and Road Associations Statute)

Statutory Comparison: Under 23 M.R.S. § 3101(2), a call to a meeting of a statutory road association must be given by written notice mailed or delivered to the owners of all parcels benefited by the private way at least 30 days before the date of the meeting. A 10-day notice or roadside sign posting invalidates assessments voted at the meeting.

CURRENT WORDING IN DOCUMENT:

[Article III, Section 2] Notice of Annual and Special Meetings - Written notice of the time, place, and agenda of the Annual Meeting of the Sabbaday Point Road Association shall be sent to each Member at least ten (10) days prior to the date of the meeting by regular mail or posting at the entrance to the road.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend Section Article III, Section 2 ([Article III, Section 2] Notice of Annual and Special Meetings - Written notice of the time, place, and agenda of the Annual Meeting of the Sabbaday Point Road Association shall be sent to each Member at least ten (10) days prior to the date of the meeting by regular mail or posting at the entrance to the road.) to conform with 23 M.R.S. § 3101(2) (Maine Private Ways and Road Associations Statute) and the manual attorney audit recommendations for Sabbaday Point Road Association.