



## NEWSLETTER

### IMPORTANT, PLEASE READ

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March 18, 2025

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Dear Neighbors,

Our previous newsletter made mention of a legal situation that had to be addressed in the course of drilling the new well. The situation has unfortunately escalated to the point where the board needs to alert the OBCG community.

Last fall a lawsuit was filed in Mason County Superior Court regarding a boundary between the community-owned wellhouse property and an adjacent parcel belonging to a member. It pertains primarily to the access on the north side of the wellhouse, which the member has traditionally used for property access with the implied permission of OBCG.

We had not heard from the member's attorney for many months and thought the correspondence between our attorney and the member's attorney might have resolved the concern to everyone's satisfaction. But then a letter arrived March 7 with their settlement demand, to avoid going to court. It includes OBCG paying the opposing attorney's fees, of an unknown amount, as well as a non-exclusive easement to the community property.

The purpose for our reaching out is to explain that because OBCG is devoting its resources to infrastructure improvements and continued maintenance, it does not have the resources in hand to pay anything beyond the legal costs incurred with our attorney. There is a very real possibility that the board will have to impose, as allowed under OBCG bylaws, a special assessment on the membership to help with legal fees. As an example, if OBCG is forced to pay a \$20,000 legal bill for the opposing side, dividing that by 38 member connections equals \$526 per connection.

Aside from a possible assessment, we are concerned that this situation also could impair our ability to bring in a third party to take over the operation of our water system.

To be clear, this situation is not of the board's making -- but it's the situation in which we find ourselves, and now you may have to become involved financially. If you have more questions, it would be best to ask the board members directly.

We will keep you informed.

The Board