

OCTOBER 2008

BIENVILLE PLACE NEWS

BPOA PRESIDENT'S CORNER

Rick Rowe

Chuck Swan, our elected President, resigned from his position in September; so, as Vice President, I am moving up to complete his term. I served as BPOA President from 2006-2007 and look forward to working with the Board of Directors and Architectural Review Board (ARB) as we continue to make Bienville Place one of the premier communities on the Gulf Coast. However, we can't accomplish that without the support of all our property owners. As you will see throughout our newsletter, the Association has a lot of on-going initiatives that require support and action, as well as significant accomplishments during the past year.

This newsletter is one of several new initiatives for this year. It's a new format for distributing news to you and we hope you enjoy our new look. If you have comments or suggestions, send them to us at our Association e-mail box at bpoassn@att.net. As you will read further in our news, you'll find details about another new initiative -- our Association Web site, where this and numerous informative documents will be posted and always readily available to you.

We plan to post news and general articles of interest to homeowners on our Web site every month. This is a 2-way street -- we'd like to have your input and suggested articles. Let's all get involved in our Association and read all about it. The **Bienville Place News** is here for you!

SPEED LIMITS

The issue of speeding through our neighborhood has been a problem for as long as we can all remember. Many of you will recall the numerous discussions over the years about installing speed bumps, speed tables, and other possible solutions to slow down the speeders. After much research and discussions with City of



Ocean Springs officials, none of these solutions were viable.

At our January meeting, the majority of those in attendance approved a measure to reduce the speed limit to at least 21 MPH. Our new BPOA President, Rick Rowe, has arranged with the City of Ocean Springs to lower the speed limit in Bienville Place Subdivision to 21 mph.

This reduction has to go through an approval process at the City and the City will then replace our speed limit signs at no cost to our Association. The completion date is estimated to be November or December. In the meantime, the city will periodically place the digital speed sign on both Cabildo Place and Bergerac to help reduce speeding. This initiative should help with safety on our streets.

FRONT ENTRANCES

At our January meeting, the membership approved funding up to \$6,000 for upgrading the signage and lighting at the entrances. Thanks to the hard work of our BPOA Secretary, Tana Owen, and past BPOA President, Chuck Swan, the front entrances look great! They spent a lot of weekends weeding and trimming back the shrubs and trees at both entrances to save the Association landscaping fees, while accomplishing a very professional look.

Both our entrance signs received significant facelifts. We changed the color of the lettering on the Cabildo Place entrance sign to match that of the Bergerac entrance. We added matching slate to the faces of both signs. Then we refurbished the stucco and shape of the sign at the Bergerac entrance and added stucco and forms to the Cabildo Place sign to give both entrances as much similarity as possible. To finalize this phase of the entrance project, we added new lighting fixtures to the Cabildo Place entrance. We're not finished yet.

The Bergerac entrance is a much more detailed lighting project. Cabildo Place had existing electrical outlets, whereas, Bergerac does not. We are still evaluating lighting options for the Bergerac

entrance and additional lighting in the landscaping beds.

The feedback from our Association members has been nothing but positive on this effort and we certainly appreciate the positive feedback.

The Association approved \$6,000 in funds for this portion of the entrance project. The total amount disbursed against this project was \$5390.81. Thanks to Alderman Jerry Dalgo, Ward 5, the City reimbursed the Association the total amount expended. When we continue on the next phase of the entrance project, we'll once again seek financial assistance from the City.

HANSHAW ROAD WALLS

The brick wall project along Hanshaw Road is still a priority, but remains cost prohibitive for now. The funding offered by the City for this project will still not cover the entire cost of the project.

We are still pursuing alternative methods to assist us with the funding. The Board of Directors has asked Ocean Springs Attorney Steve Mullins, a past BPOA President, to pursue further action and research on the possibility of obtaining funding from the Singing River Power Association.

LAKE UPDATE

Over the past several months there have been a lot of rumors and discussions about access to and use of Lake I'berville.

There were discussions among some Association members that all members had rights to fish from the easement property of those homeowners on the lake. That is incorrect. The easement around the lake is a lake maintenance easement and is owned by the homeowners on the lake. Association members and non-members cannot fish from the lake easement and should not go onto lakefront property without the expressed permission of the property owner.

Additionally, during the same period of time, there were issues with the property along the west end of the lake shore at the end of Chaumont Circle that butts up to the Association common area of the dam. That is part of the lake easement and belongs to the homeowner who lives at the southwest end of the lake, and it is not for public access.

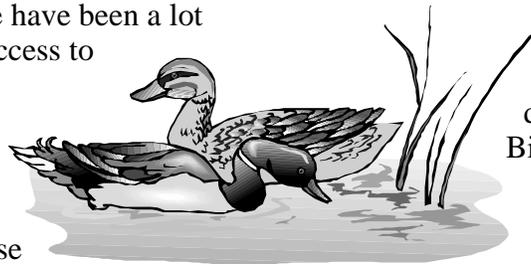
In the past, the homeowners at the end of the lake allowed Association members to feed the ducks, which are not Association property, and to fish from that portion of their property next to the dam common area. Extending that courtesy to Association members got out of hand.

There were Association members and non-members trying to use their piece of property for fishing, launching boats into the lake, as well as inviting and telling friends from outside the Association it was okay to launch their boats or fish in the lake at that location. There is no lake boat launch.

In addition to the above issues, these same offenders were leaving trash on the homeowners' property, the dam, and in the public right-of-ways. The homeowners at the end of the lake had their property surveyed, which reconfirmed that the strip of land along the lake that some thought belonged to the Association, in fact, belongs to the homeowner. This ownership was reconfirmed when the Board had another independent survey conducted.

To add to the issue and concerns, some parents were dropping young children at the lake, leaving them unsupervised.

Contrary to rumor, the homeowners residing there did not remove the lake sign or the park bench. As a result of the existing circumstances, the Board of Directors removed the sign designating the area in question as Bienville Place access and also removed the park bench. In place of the previous sign, the Board placed a sign on the homeowners' property stating it was no longer accessible to the Association explaining that the property is private and "no trespassing" should be respected.



The Association still retains ownership of the undeveloped lot on and around the dam and there remains limited access to the lake through the wooded area. A decision needs to be made as to what to do with this small piece of undeveloped property in order to get partial access to the dam for Association members who wish to fish or feed the ducks. There are some serious negative drawbacks to this property. It is heavily wooded, has uneven terrain and has a major drop-off in the back of the dam. Extreme caution should be exercised if you or

your family members decide to walk through this area to get to the dam.

The Board welcomes any suggestions from the Association on how to make it accessible for homeowners. We'll make this one of our major topics for our annual meeting in December. Send recommendations to our e-mail box at bpoassn@att.net.

HOW TO MAKE CHANGES TO YOUR PROPERTY

As a covenant community, requests for improvements to your property must be submitted

in writing to the Architectural Review Board and approved prior to beginning the project. Include a brief description of your project, along with materials, and a drawing or contractor's proposal. The ARB will review each proposal on a case-by-case basis and determine if the project conforms to the covenants and meets the general appearance of the community.

Please do not begin any exterior project on your property without first consulting the ARB. The Approval of Plans is covered by Article II, Section 2 of the Covenants. *ARB requests should be submitted to BPOA ARB, PO Box 71, Ocean Springs, MS 39566-0071.*

EVER WONDERED WHY YOU HAVE AN ASSOCIATION?

Source: Association Times

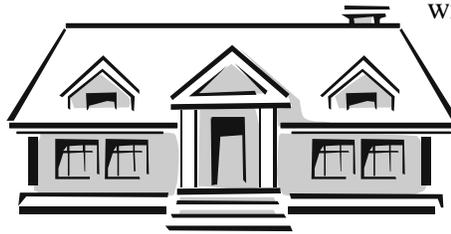
Your association may be your best tool to protect the value of your home and the quality of your neighborhood. Community associations do any number of different things, such as setting and collecting the maintenance fees required and needed to run an association, maintaining landscaping or recreation centers, and providing for events or meeting places for neighborhood functions. **That being said, one of the most important functions of an association is to enforce deed restrictions and protect the value of the community assets among those being your home.**

If deed restriction violations are not corrected, there can be very negative results over time. Estimates

are that property values in a subdivision with an inactive association can fall as much as twenty percent due to failure to enforce restrictions.

The association, acting through its board of directors, can control the appearance of the neighborhood by taking deed restrictions seriously and by vigorously enforcing any significant infraction of those restrictions.

Deed restrictions are legally binding covenants, filed with real property records, which provide for building, maintaining, and using the homes in your neighborhood. The deed restrictions control how homes look and what can be done to alter them within the subdivision.



Why do so many homeowners buy their home in a community association? Perhaps they liked the curb appeal of the house or its floor plan, but they most assuredly considered the entire neighborhood - how the house looked next door as well as down the street. Purchasers make a decision to buy into a lifestyle and surroundings which include so many things outside the home itself, encompassing everything from the subdivision entries, the recreation center, to the general condition of all the other homes in the neighborhood. *They purchased with an expectation that their property and those in their community would be protected by deed restrictions and maintained to a certain reasonable standard.*

What does it take to keep a neighborhood attractive and nice? The crucial factor is the willingness of the men and women who make up the association's board of directors to enforce the rules that have been created.

What could happen if the restrictions are not enforced? An average size community with 100 or more members will invite varying degrees of what constitutes an acceptable standard of maintenance. With that in mind, the appearance of a development can steadily decline if the board members do not discuss and establish uniform standards for everyone.

The neighborhood can either become an architectural showcase for sustained property values, or it can become a venue for the weird and unusual. People have differing views of what

is attractive and, without certain deed restrictions, there is a good chance of the neighborhood looking dramatically different over time from the way it did when you first bought your home.

What about commercial use of homeowner property within an association? Again, it would be surprising to note how many different viewpoints are out there. How would you feel about the owner of a portable toilet company keeping its toilets in the side yard between your yard and his, and cleaning them on the driveway next door? Or what about a semi tractor-trailer truck parked right across the street? Or people in every other business under the sun operating out of their homes?

It all happens and the only way to preserve the lifestyle you thought you were buying into is to enforce the deed restrictions of the homeowner association. Without these restrictions, some people would leave garbage in their yards permanently, never maintain their homes, park their cars and boats on the grass in their front yards, park motor homes in the street for years, leave construction unfinished, and make every kind of bizarre, structurally unsound remodeling project you can imagine. These are very real examples of problems faced by many subdivisions in the last ten years.

So, what is the value of your homeowner association? If you consider the amount of assessments you are paying annually and compare that to any drop in value of your property, wouldn't you agree that the value you are receiving for the payment you are making is worth it?

Source: Association Times

NEIGHBORHOOD'S NEW WEB SITE!

The Internet has now made it possible for you to easily and conveniently be informed and involved in our neighborhood. The Bienville Place Owners



Association now has its own **free, interactive Web site** where we can display unlimited correspondence such as newsletters, covenants, bylaws, notices, meeting schedules, and

neighborhood issues, as well as direct links to our local schools, community police officers, and local government officials. Check us out at www.neighborhoodlink.com/osprings/bp.

Simply type this Internet address into your Web browser and visit the site to see how useful it can be! Once you arrive, we encourage you to bookmark the site (or make it your home page) so you can return easily and often! It contains useful community information and links that you can readily access without a lot of research. We've done the research for you.

In addition to the features mentioned above, our Web site has an easy-to-use discussion area called "Talk About It" that enables all of us to exchange ideas, concerns and questions about neighborhood issues. Our Web site also has a Community Calendar that lists upcoming meetings, events, and garage sales; a Meet Your Neighbor section that allows us to create (or hotlink) our personal Web pages; and a free Classified Advertising section.

Visit our Web site to learn more about our Association, and become actively involved by posting announcements and events and participating in its many interactive features.

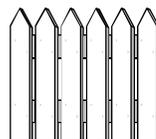
Our Web site has been made available to us at no cost by Neighborhood Link and its corporate sponsors, who have created a place on the Internet where every neighborhood around the country can have their own free, interactive Web site.

To help in our Web site's ongoing development, or to suggest items you'd like to see added to our Web site, contact our Neighborhood Site Coordinator, Bebe Walls, via email at bpoasn@att.net or call her on her cell phone at 547-5449.

Look at our site often, but at least monthly for updates, specifically under our **Bienville Place News** link.

Covenants Violations

Covenants and Bylaws violations continue to be a problem. It is the responsibility of every property owner to comply with the Covenants and Bylaws. Non-compliance and not paying Association dues can lead to financial penalties and liens being placed on properties.



The major violations -- boats and fences.

As a reminder, fences are limited to six feet in height (four feet for the lake). Fences cannot come any closer to the front of your property than the rear of your home. The only fences that can come to the

front line of your home are the ones that were grandfathered” at the time all phases of Bienville Place were incorporated, or it has been granted an exception by the ARB.

Boats, boat trailers, and utility trailers continue to be a problem. Storage of such items and vehicles must be screened from public view, either within the garage or within an approved storage facility. This means stored somewhere else -- tucked away behind your home, hidden behind your fence, or stored in your garage. When owners of these items park them in their driveways, in the street, or on the grass in their yards, even for a temporary period of time, visitors or potential homebuyers get the impression that it must be alright to do this and it turns into a domino effect that we keep trying to correct.



When offenders are approached by Board members, it often turns into a discussion of how “others do it so why am I being singled out.”

The Board and ARB are working very hard to maintain the integrity of our Covenants and Bylaws, but we need the support of all our Association members. We just sent out quite a few violation letters, some as first-time notifications, and some as repeat offenders.

If you haven't done so already, please read our article beginning on Page 3, “**EVER WONDERED WHY YOU HAVE AN ASSOCIATION?**” It will help you understand why it so important for us to enforce our Covenants and Bylaws.

For most of us, our homes are the largest investments we will ever make. Not enforcing covenants places our homes at risk for a decrease in property value. People can live in any neighborhood, but choose Bienville Place because of its reputation as an upscale community. We all must abide by the Bylaws and Covenants as they will help protect us -- especially in this downward trending housing market.

ASSOCIATION DUES

Bebe Walls, Treasurer

As with the Covenants and Bylaws violations, dues assessments continue to be a problem. We sent out letters in December advising homeowners of their

standing in the Association with regards to their dues. There was a surge of attention at that time, and it has since gone by the wayside.



According to our Bylaws, the annual dues will be per lot and shall be payable in advance and are due on or before 31 January of the dues year. Payment of dues will be prorated for six months or less to one half of the annual dues assessment, due within 30 days of closing.

It further states that non-receipt of a bill shall in no way relieve the owner of the obligation to pay the amount due by the due date. A delinquent account more than thirty (30) days late will be assessed a ten dollar (\$10) late charge. If an account is more than sixty (60) days late, the owner will be sent a "Ten Day Notice of Lien." If the amount that is delinquent plus late charges is not received in the 10-day notice period, a lien in favor of the Association may be filed against the delinquent owner.

Such lien will include interest at 10 percent per annum, a fifty dollar (\$50) administrative cost and reasonable attorney's fees. A copy of the notice of lien will be sent to the lot owner.

The Board has done everything short of placing liens on properties, but is now giving serious consideration to taking that action. In a few weeks, we'll send out dues assessment notices to those with outstanding balances. We hope members will take advantage of this final courtesy to bring their dues up to date.

ANNUAL MEETING

We have scheduled our annual meeting for Wednesday, **December 3**. As in the past, we'll set a time of 7:00 pm. However, our location will be different. We have scheduled the **Ocean Springs Civic Center** meeting room.

Please mark your calendars and check our website calendar of events as well for any change until the notice of the meeting arrives in your mailbox. If you can't attend, plan to provide a proxy to the Association or another member to vote for you.

Submit items you'd like addressed at the meeting to our email box at bpoassn@att.net.

YOUR INPUT IS IMPORTANT!