

Route 1, Box 61-I
Clarksville, Virginia 23927
November 13, 1973

Dear Fellow Landowner,

You probably know that earlier this year Mrs. Mary Fran Lewis sold the majority of Merifield Acres to Messrs. Robert K. McKee and Richard C. Rathke. She only retained some acreage around her own house. In so doing, she has assumed the same landowner status as the other many property owners in the development; and has discontinued any further road maintenance or general caretaker responsibilities of any fashion.

Many of you were present at a meeting at Mrs. Lewis' on June 23, 1973, when approximately 100 Merifield Acres property owners met Messrs. Rathke and McKee. At that time, they outlined their plans to develop Merifield Acres into approximately 600/650 individual one-acre homesites, but indicated that it might take as much as two years to finalize and set their plan into motion. At that time, they plan to improve, or replace, the existing paved roads and to build additional new roads as necessary to accommodate their development plan. However, it is not their intention to maintain any of these roads after the initial construction or improvement, except to the extent that they share an overall proportional responsibility for maintenance with other property owners based upon total lot ownership.

This change in property ownership has created a number of rather critical problems which were explored at some length in the June 23rd meeting. Obviously, one of the most pressing problems discussed was the continued maintenance of roads, right-of-ways, etc. After lengthy discussion, it was agreed that the most logical vehicle through which to resolve these problems would be a landowners association. At the meeting, the five people listed below were elected to serve on a committee to organize such an association and handle initial, related negotiations with Messrs. Rathke and McKee. (Mr. T. J. Russell was a sixth committee member elected, but unfortunately was subsequently forced to resign for reasons of health.)

As you know, Merifield Acres has been a private development, and Messrs. Rathke and McKee have expressed a desire and intent to continue this status. However, this private status excludes us from county road maintenance, or other town or county governmental services. These basics must be provided by ourselves if we wish to sustain our present secluded community atmosphere and low tax rate.

The purpose of the Landowners Association will be to provide such services, on a consolidated basis, as the membership desires. Naturally, these services will cost money, and the Association must be established and funded in a manner to assure perpetuation. It is the feeling of the committee that the Association can be established and vital services continued, and possibly even improved, assuming full involvement and support of all Merifield landowners. However, it will be essential that all landowners join and support the Association after agreement is reached with Messrs. McKee and Rathke. In this manner, the financial load will be spread, and should not burden anyone.

Following is a brief recap of actions taken by your committee to date:

1. An initial meeting was held with Messrs. Rathke and McKee to explore mutual problems and establish their willingness to work with the committee

November 13, 1973

in creating a functional landowners association fully empowered to oversee and administer on a continuing basis the appropriate services, restrictions, etc. of the development. Messrs. Rathke and McKee pledged their support toward that end.

2. The committee then undertook a series of meetings to work out a list of proposed restrictions, by-laws, and articles of incorporation necessary to establish the landowners association as a legal entity. This was accomplished to the extent possible, short of professional legal assistance.
3. The committee has now employed an attorney who is assisting in finalizing by-laws, restrictions, etc., preliminary to conclusive negotiations with Messrs. McKee and Rathke, and incorporation of the landowners association.
4. Arrangements have been made with Messrs. Rathke and McKee to continue basic road maintenance until these final negotiations are concluded, and the landowners association is able to assume responsibility for such services. They have agreed to provide these services at no cost to other property owners until the spring of 1974 when they expect to be in a position to resolve agreements with the Landowners Association. As you have no doubt noticed, the roads are being patched and maintained.
5. In view of the strong objection to hunting within Merifield Acres which was voiced by a number of property owners, the committee has obtained authorization from Messrs. Rathke and McKee to immediately post "No Hunting" signs in the area. This should be accomplished within the next week or two, and any Merifield property owner should feel free to assist with administration of this restriction in the event hunters are detected in the area.

Future Plans

1. The committee and its attorney expect to conclude preparation of drafts of by-laws, restrictions, agreements, etc., and be prepared for negotiations with Messrs. Rathke and McKee within the next two weeks. These gentlemen have indicated that their plans will not be completed to the point that will permit such negotiations until spring, but we hope to precipitate earlier action since we feel it is to our mutual advantage to resolve basic agreements and remove existing doubts and uncertainties at the earliest possible date.
2. As soon as we can meet with Messrs. McKee and Rathke, and establish what we believe to be a sound agreement, we will communicate specifics to all landowners, and arrange another general meeting for the purpose of establishing Merifield Landowners Association, electing officers, etc.

This letter is rather lengthy, but felt it necessary to bring all property owners completely up-to-date on status of the project. We all have a great deal at stake in this matter, and urge your understanding and support. If anyone would like further specific information, or has suggestions which should be considered by the committee, please contact one of the committee members.

Sincerely,

Coleman Speece
Chairman

Committee
Don Ackerman
Tom Lilly
Russell Reid
Vance Rucker
Coleman Speece