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August 10, 2010

Via Email:

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Mr. Jim Casey

Mr. Vern Aunchman

Bay Breeze Point Homeowners Association

RE: Ownership of White Masonry Wall along 30th Bay Street

Dear Board Members:

We have been asked to review the findings of the HOA Fencing Study (hereinafter "Study") performed by the Fencing Study Group with regard to legal ownership of the white masonry fence that runs along both sides of 30th Bay Street (hereinafter "the Wall"). We were asked to verify whether or not the Group's conclusion was correct. We have not been asked to determine legal ownership of the black metal fencing that runs along the waterway on Bay Point Drive at this time. I understand that a determination as to maintenance responsibilities for the Wall will be discussed at a later date.

In reaching our conclusion, we have reviewed the following documents: recorded Declaration of Covenants, Restrictions and Easements; recorded Phase 1 and Phase 2 Subdivision Plats; Special HOA Fencing Study Group Process and Results January-May 2010; Executive Summary of Bay Breeze Point Homeowners Association's Fencing Study Group; and letter to association members dated May 21, 2010.

We have not received a copy of and; therefore, have not reviewed documentation regarding the dedication of the pump station site to the City of Norfolk or the two (2) wall and landscape easements from the City cited in the Study. We have also not yet reviewed the Executive Summary of the Phase 2 Fencing Study Group since this study group was put on hold July 19, 2010 and the Phase 2 Study was not completed.

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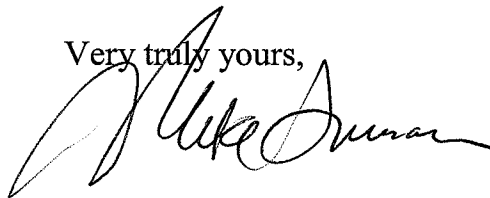
The fact that the Association pays no property taxes is not conclusive proof that the Association has no common area as homeowners associations are exempt from the payment of real estate taxes on property owned by the Association.

In reviewing the recorded plats, we have determined that the Study properly concluded that Bay Breeze Point contains no common areas.

With the exception of those sections of the Wall located on the south side of the entrance within the City of Norfolk right-of-way (adjacent to the city pump house), it our opinion that the Wall is located on property owned by individual lot owners. Therefore, those portions of the wall located on property owned by individual lot owners are owned by the respective lot owners. There is no easement of any kind permitting this use of the lots.

Thanking you for this opportunity to be of service, I am

Very truly yours,

A handwritten signature in black ink, appearing to read "Mike Inman", written over the typed name.

Michael A. Inman

MAI/jdk