

Executive Session

June 4, 2022

An Executive session was called during a Board Meeting to discuss the Adkins lawsuit with our attorney, Tom Wilson. Tom Wilson was on speaker with the Board throughout the session.

All Board members present, expressed their concerns/opinions about the pending lawsuit.

The Board authorized Tom Wilson to start negotiations with Mr. Adkins' attorney to try to settle this lawsuit.

A motion was made:

1. All existing structures remain and with permission, can maintain and repair, but not expand in any fashion. Mr. Adkins assumes all liability and agrees to hold harmless and indemnify.
2. A retaining wall to be constructed no more than five (5) feet south of survey lines and not to extend in an easterly or westerly direction beyond the east and west survey lines. (This will allow wall to be constructed with existing deck in place.)
3. Adkins to pay all attorney fees and expenses incurred by Lexington Heights as a result of this litigation.
4. Any settlement would be contingent on approval of the general membership if concerns a conveyance of interest in real property.

A vote was taken. There were 7 yeas and 1 nay. Motion passed. Liz made the motion. Don seconded. Motion passed. (20225)

The Board returned to their regular meeting.