

Committee reports for the annual meeting.
Allen Johnson, Vice President

Dues Structure Committee

This committee was formed to see if there was a better way to assess dues for the care and maintenance of Blue Lake. Interlachen Inc has members on Blue Lake and Fairview Lake. Interlachen focuses its efforts on issues that affect both lakes. Funds for the care and maintenance of Fairview Lake come from the dues assessed by the Fairview Lake Property Owners Association (FLPOA). Blue Lake depends on Boat Fees and requests from the Blue Lake Improvement Association (BLIA) to address matters of interest to Blue Lake. The committee was to look at Blue Lake's needs and to see if the boat fees should be eliminated in favor of an annual fee to each homeowner on Blue Lake similar to what FLPOA does. After several meetings, including BLIA members, it was concluded that things should stay as they are.

Leaning Trees

Interlachen received a request to remove a tree that was in the easement and was felt to be a danger to the homeowner across the street. A committee was formed to see who is responsible for removal of trees and was Interlachen at risk if a tree in the easement fell.

Multnomah County Planners Office said the easement is 40 feet wide. Assessment of trees along Interlachen Lane showed 33 trees clearly in the easement and another 27 that border the easement. At one to three thousand dollars a tree for removal, this was concerning. If we do one, we could be obligated for many more.

The By-Laws say "The general upkeep of the roadside consists of mowing lawns, trimming trees and shrubs, and pulling weeds." This was written when Interlachen had many vacant lots and a dirt road. It was recommended that the wording be brought up to date. The committee felt the wording did not include the complete removal of trees.

From a legal standpoint, checking with a real estate lawyer and a "right of way permit specialist" with Multnomah County, the responsibility for trees lies with the owner of the property that the tree is on or that borders the easement. When asked if the County was responsible for trees in the easement, we were told the "easement is for road purposes only for access by county and utility companies and for access by homeowners to their properties". The road does not belong to Multnomah County. This refers to the section of road without curbs in the middle and East end of Interlachen Lane. The County does not own the land, but the homeowner must get a permit from the county to remove a tree in the easement. The property owner who's property borders the easement is responsible for the easement to the middle of the road.

From an insurance standpoint, Interlachen Inc is responsible for "Common Areas". This would be Welch Park and the easement to Blue Lake. So, we do have an obligation for trees in those two areas.

The Committee concluded that Interlachen Inc has no legal obligation to address leaning trees unless they are on Interlachen Inc. property. The committee recommended the by-laws be updated to clarify this issue.