



## **OUTSTANDING ISSUES**

### **The Seawall Liability**

The Adhoc Committee reviewed the Coastal Engineering and Bob Samara's engineering reports and it was determined that the approximately 4,400-foot seawall is so great a liability for the homeowners and the seawall is in poor condition. The estimate for future repairs is approaching \$25 million. We need to obtain the funds from the Developer, RAV and Genting/ Resorts World to cover the future repairs. This matter is still pending and needs to be rectified in our comprehensive turnover agreement.

#### Control of the Private Upper Roads

The Developer, RAV's license dated February 8th, 2013 between RAV, Bimini Bay Homeowners Association and BB Entertainment Ltd. appears to grant a license to BB Entertainment Ltd giving them unfettered use of the roads and the common properties to BB Entertainment. It was our understanding that all of the land behind the units down to the lower road was being deeded to the BBHOA. This matter is still pending and needs to be rectified in our comprehensive turnover agreement.

#### Control of the Private Road (Kings Highway)

The Developer, RAV will be deeding the roads and common properties to the Homeowners Association. However, BB Entertainment Ltd. owned by Ralph Reyes will be also be able to use these roads and common properties as they chose through the current agreement. This matter is still pending and needs to be rectified in our comprehensive turnover agreement.

### **Granting of the North Beach**

BBHOA was supposed to have a surveyed beach area on the "North Beach" Resort World /Beach Club and the Developer, RAV's development, Rockwell Island. e have yet to receive the updated survey. This matter is still pending and needs to be rectified in our comprehensive turnover agreement.

### **Ownership of Common Properties**

The Adhoc Committee's extensive due diligence discovered properties that were promised to be "Common Properties" belonging to BBHOA were sold to Resort World/Genting by the Developer, RAV. This matter is still pending and needs to be rectified in our comprehensive turnover agreement.

### **Sand/ Beach Erosion**

There has been a significant increase in beach erosion around the seawall due to the increase in cruise-ships. We recommend BBHOA looks into installing jetties to capture and maintain sandy beach areas that have disappeared from the cruise-ship traffic. This matter is still pending and needs to be rectified in our comprehensive turnover agreement.

### **BB Entertainment Ltd. Licenses and Leases**

The BB Entertainment Ltd. license agreement was supposed to be eliminated, so that the homeowners properties and roads were private. This matter is still pending and needs to be rectified in our comprehensive turnover agreement.

### **The Pier**

The Pier appears to have been built on homeowner property. A survey is necessary. This matter is still pending and needs to be rectified in our comprehensive turnover agreement.