

Notification of Order of Court to Join Necessary Parties

To: The Property Owners of Arundel on the Bay

From: N. Tucker Meneely, Esquire
Attorney for Plaintiffs, Property Owners Association of Arundel on the Bay, Inc.,
David Delia and Lori Strom

And Barbara J. Palmer, Esquire
Attorney for Defendants, Maurice Tose' and Teresa Layden

RE: Property Owners Association of Arundel on the Bay, Inc., et al. v. Tose' et ux.
Circuit Court for Anne Arundel County, MD Case No. C-02-19-003640

On November 8, 2019, the Plaintiffs filed an action to Quiet Title against Defendants, to address issues related to the paper road located on Magnolia Avenue, near its intersection with Saratoga Avenue. Plaintiffs sought an order declaring that the Plaintiffs and all lot owners within Arundel on the Bay have an implied easement to use this Disputed Street. On February 6, 2020, Defendants filed a Counter-Complaint to Quiet Title, seeking a declaration of title to the paper road and a limitation on the rights of use. Copies of the pleadings filed by the parties are available on the Association website. You may also request copies of pleadings by contacting the attorneys for the parties at the emails and phone numbers listed below.

On June 14, 2021, the Circuit Court for Anne Arundel County entered the attached Order, finding that *all property owners in the community of Arundel on the Bay are necessary parties in the litigation*. The Order also provides that if you do not wish to individually participate in the action, but instead are willing to be bound by the resolution of the action through a decision rendered by the Court or by the negotiated agreement of the participating parties, you are entitled to do so. The Plaintiffs and Defendants have each filed amended pleadings adding all property owners in the community of Arundel on the Bay as additional parties to the case.

If you would prefer NOT to be involved in the lawsuit, please review and complete the attached form and return it via mail to either address listed below or via e-mail to: Meneely@CouncilBaradel.com and/or bpalmer@hwlaw.com. If you do wish to participate in the lawsuit, or if you do not promptly complete and return the attached form to opt out of the lawsuit, you will need to file an answer to the amended pleadings filed by Plaintiffs and Defendants within the time set forth on the enclosed Summons.

If you have any questions, we encourage you to contact an attorney. You may also contact either Mr. Meneely, at 410-268-6600 or Ms. Palmer, at 410-266-0626, but please note that they may not give you legal advice.

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