

**CEDAR MESA RANCHES HOMEOWNERS
BOARD OF DIRECTORS MEETING**

**March 28, 2006
San Juan Basin Technical College
MINUTES**

In Attendance: Jim Bignell, Gary Brodhagen, Eric Gray, Nova Hankins, Bryan Johnson, Greg Kemp, Chris Schaufele, Ruth Bignell, and Lanita McCafferty. **CMRHOA Members:** 15 members were present.

Call to Order: The meeting was called to order at 7:00 p.m.

Approval of Minutes: The minutes of the February 28, 2006 meeting were approved, 2nd and passed.

Secretary Report: Ruth Bignell

- Minutes went out on March 1, 2006.
- Lot 64 sold to Don & Pat Murrell of Vicksburg, MS

Treasurer Report: Lanita McCafferty

- The total of outstanding dues is \$22,912.50
- Notices were sent out on March 20th via email and regular mail to those that had not paid the first installment of their dues on Jan. 14th.
- **A reminder to everyone that has not paid their dues in full by April 14th, 2006, liens will be placed on their property on Monday, April 17th. There will be no exceptions. Please make sure your check gets here in plenty of time.** Additional charges such as filing fees and interest will be incurred on liens filed with the County. Make checks payable to: Cedar Mesa Ranches HOA (include your lot #) and send to:
Lanita McCafferty
10700 Road 35
Mancos, CO 81328

Committee Reports:

Fire/Weed-Bryan Johnson

- Bryan asked for approval to send a bulletin to all members from the San Juan Mountain Assoc. regarding fire information. Motion made, 2nd and approved. This bulletin will go out very soon.

Building Advisory-Greg Kemp

- A letter is being prepared to send to members who do not have their property identified by either a lot number or address. The covenants state that each homeowner is responsible for this identification. Since we are coming into our fire season, it is important that in case of an emergency, official vehicles are able to identify the proper lot. After a survey this week, 24 lots have no identifying information on them. These letters will go out with the fire bulletin. A motion was made to accept and send this letter, 2nd, passed.
- A second letter is being sent to vacant lot owners regarding site preparation and building setbacks.

Road Committee: Gary Brodhagen

- Road 35 and J.8 were graded. A water truck was brought in and the road was rolled in order to produce a better surface. The cost was: \$3,000.
- We received 32" of snow over a 5-day period, which resulted in 3 snow removals for the subdivision. A partial snow removal was also done on the hill because of the buildup of ice. Total cost: \$2,300.
- Road 36.7 has been redone. More gravel will be needed to finish this project.
- Lisa Liljejdahl thanked the committee for a job well done on Road 36.7.

- Eric Gray asked that the committee prepare a list of projects including costs that are slated to be done for the remainder of this year and present it to the membership. It was decided that the Road Committee as a whole should discuss this before bringing it up at this meeting. The Road Committee will meet and bring the information to the next meeting. Request was tabled until the next meeting by motion, 2nd, passed.

Activity & Grounds: Ruth Bignell

- The committee would like to set up a cleanup day in the subdivision. A request has been sent to Waste Management for the donation of a dumpster. A tentative date is May 19-30 if approved by WM. We would be responsible for the landfill charges only, which is \$28.75 per ton. We will ask permission from the Mancos Fire Dept. to set it at the front entrance. If approved, a list of what you can legally throw away will be provided. We should have a reply from WM before the next meeting.
- The committee is also considering having a community garage sale in summer at the same location.

Old Business:

- Litigation: Disclosures have been made by our attorneys. The BOD has received a proposal of settlement from Mr. Andrews. The proposal was read to members present and is included in these minutes.
- The BOD went into a brief executive session to review the proposal from Mr. Andrews and communications from the Association's attorneys.
- The BOD, after communication with the Association's attorneys, recommended a counteroffer to Mr. Andrews' settlement proposal and presented the counteroffer to the members present. A motion was made to approve the counteroffer, the motion was seconded and the motion passed. The BOD will advise the attorneys to send the counteroffer as amended by the BOD to Mr. Andrews' attorney. A copy is included in these minutes.

Open Discussion:

- Cut, stacked wood has recently been stolen from 3 lots. More people are coming into the subdivision, some are contractors, and others are not. We encourage everyone to be watchful of people cruising around and if necessary, stop and question them. Getting license plate numbers and vehicle description is helpful if you think they are not legitimately in the subdivision.
- A suggestion was made by Nancy Schaufele to have an evacuation plan and a centralized emergency-calling list. The fire committee will consider this project. Anyone interested in being on this list can call Nancy-565-8385 or Bryan-564-1440.
- Fire Mitigation: While Greg was doing his survey, he noticed many properties that have not cleared their property at all. Since we are in a very high fire area, it is important that everyone take this seriously for the protection of your property as well as your neighbors.
- Greg brought attention to an article in the Tuesday Cortez paper regarding an application that was made for a 60 ft. permanent right of way across BLM land for a gravel road and utility line. This is part of a plan to build a 54 lot residential subdivision between Rt. 160 and Mesa Verde. The BLM is asking for input from the public on an environmental assessment. Part of this project will affect about 6.5 acres of undisturbed BLM land. You can review the EA at the Dolores Field Office. Contact: Eric LaPrice-882-6827. Comments can be made at: Charlie Higby, BLM Realty Specialist, San Juan Public Lands Center, 15 Burnett Ct., Durango, CO 81301. Deadline is April 7, 2006

The meeting was adjourned at 8:45 p.m. **The next meeting will be on Tuesday, April 25, 2006.**

Respectively submitted:

Ruth Bignell,
Secretary to the Board

Cedar Mesa Ranches Financial
 2006 Budget
 March 28, 2006

<i>Accounts Receivable</i>	Owe	Accounts Paid	Balance Owed
2005 DUES	\$175.00	\$0.00	\$175.00
2005 DUES INCREASE	\$550.00	\$0.00	\$550.00
2006 DUES	\$62,725.00	\$39,812.50	\$22,912.50
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TOTAL	\$63,450.00	\$39,812.50	\$23,637.50

Accounts Payable

	\$0.00
	\$0.00
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TOTAL	\$0.00

CARRYOVER FROM 2005	\$4,910.01
DEPOSIT DUES-2006	\$39,812.50
2005 DUES	\$0.00
EXPENDITURES	\$32,739.44
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TOTAL CASH ON HAND	\$11,983.07

WORKING BUDGET (2006)

Item	Budgeted Amount	Spent to date	Balance
CPA/TAX Prep	\$200.00	\$195.00	\$5.00
Contingency Fund	\$2,000.00	\$0.00	\$2,000.00
Fire Mitigation	\$100.00	\$0.00	\$100.00
Insurance	\$4,000.00	\$1,400.00	\$2,600.00
Office Supplies	\$2,000.00	\$187.44	\$1,812.56
Professional & Other Fees	\$2,500.00	\$0.00	\$2,500.00
Road Maint/Improvements	\$52,132.40	\$28,657.00	\$23,475.40
Shed/Mailboxes	\$0.00	\$0.00	\$0.00
Signs	\$500.00	\$0.00	\$500.00
Snow Removal	\$2,000.00	\$2,300.00	(\$300.00)
Social	\$200.00	\$0.00	\$200.00
Web Page	\$125.00	\$0.00	\$125.00
Weed Control	\$1,800.00	\$0.00	\$1,800.00
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TOTAL	\$67,557.40	\$32,739.44	\$34,817.96

JAMES R. ALVILLAR
ATTORNEY AT LAW

AND ASSOCIATES

101 SOUTH 3RD ST., SUITE 100 • GRAND JUNCTION, COLORADO 81501
970/241-2500 • FAX 970/245-2312 • e-mail: ajr21@qwest.net

March 23, 2006

VIA FACSIMILE
Michel P. Williams, Esq.
Kimberly A. Allegretti, Esq.
Wood Ris & Hames, P.C.
1775 Sherman Street, Suite 1600
Denver, CO 80203-4313

**Re: Torin K. Andrews v. Cedar Mesa Ranches Homeowners Association, Inc.
Montezuma County District Court; Case No. 05 CV 110**

Dear Counsel:

This will confirm our telephone conversation of March 22, 2006, regarding proposed settlement.

Mr. Andrews is willing to dismiss all claims against your clients in exchange for a dismissal of the counterclaim, and mutual release, by your clients. Mr. Andrews will concede liability to pay assessments to the homeowners association for as long as he owns the property, beginning in 2006. Mr. Andrews agrees that his lot is bound by all legally valid covenants of record. Mr. Andrews also agrees to quitclaim all the property interest that the Cedar Mesa Lot Owners Association has in the roads and roadways in the subdivision for consideration of \$5,000. This offer is conditioned upon a stipulated motion to dismiss all claims with prejudice and a general release between the parties, each party to pay their own costs.

Please convey this offer to your client as soon as possible, and let me or Jim Alvillar know your position. Jim Alvillar will be in Denver today and Friday and in Telluride Monday through Wednesday.

I look forward to hearing from you.

Very truly yours,


Leila Reilly

rcac

cc: Torin K. Andrews
Laura Boekhout, S/F Claim No. 20-R750-673

April 2, 2006

James R. Alvillar, Esq.
Leila Reilly, Esq.
101 South 3rd St. #100
Grand Junction, CO 81501

RE: Torin K. Andrews v.
Cedar Mesa Ranches Homeowners Association, Inc.
Montezuma County District Court
Case No. 05 CV 110
WR&H File No. 10155.060

Dear Mr. Alvillar and Ms. Reilly:

The Board of Directors for the Cedar Mesa Ranches Homeowners Association, Inc. (the "Association"), and each of the individual Defendants who have been named, but not yet served, in the above-referenced civil action, have reviewed the written settlement proposal that you sent on March 23, 2006. Our firm has been authorized by our clients to convey the following counteroffer to your client.

The Association will dismiss its counterclaim against Mr. Andrews in exchange for his dismissal of all claims alleged against the Association and the individual Defendants in this case or any claims that could have been asserted by Mr. Andrews and payment of \$10,000 by Mr. Andrews to the Association. Mr. Andrews must agree that he has been and must continue to remain a member of the Association as long as he (or any successor owned or controlled by him) owns his lot in Cedar Mesa Ranches Subdivision. Mr. Andrews must pay his past due assessments for the year 2005 and 2006 and will continue to pay all assessments due to the Association for as long as he (or any successor owned or controlled by him) owns his lot in Cedar Mesa Ranches Subdivision. Mr. Andrews must agree to be bound by all of the Amended Covenants and Amended Bylaws recorded on November 1, 2005 with the Clerk and Recorder for Montezuma County and agree that his lot is bound by these and all other covenants, bylaws or declarations of record. Mr. Andrews will quitclaim any and all property interest held by the Cedar Mesa Lot Owners Association to the Association. Mr. Andrews must also agree that the settlement agreement may be published and recorded.

This counteroffer is subject to the approval of a final Settlement Agreement and Release of all claims that were or could have been raised in civil action no. 05 CV 110.

Best regards,

Kimberly A. Allegretti

UPDATED: April 1, 2006

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