

WILDWOOD HIGHLANDER

Summer-Fall 2009

The *Wildwood Highlander* is a periodic newsletter providing information to property owners in

Wildwood Highlands, near Datil, NM. Hard copy is mailed to all owners. Published at least annually in Datil, NM by the Wildwood Highlands Landowners' Association, POB 87, Datil, NM 87821-0087. For further information contact any member of the WHLA Board of Directors (BoD), listed below. Also consult the WHLA website at www.wildwoodhighlands.org

SUMMARY of ANNUAL MEETING:

The 2009 WHLA annual meeting was held at the Datil VFD Firehouse on Saturday 16 May. There were few attendees, and business was quickly and efficiently conducted. There were no amendments on the ballot. There were 3 BoD nominees for 3 vacancies: Kathy Kanely was elected, replacing Terri Brown, and Tom Cook and John Schaefer were reelected. Full minutes of the meeting are available on the WHLA website.

WELCOME NEW LANDOWNERS:

We welcome Rick and Bobby Stark to our community. They are the new owners of Lot 36. They currently reside at Fort Polk, LA.

EASEMENT ISSUE RESOLVED:

The long-standing controversy over the 4 emergency access easements “connecting” the Highlands with neighboring Sugarloaf Subdivision has recently been resolved. It is the unanimous opinion of the BoD that the resolution is far from the best possible, but in the spirit of compromise the BoD feels it best that we move on. The material below is a brief summary of the details of the resolution, provided by President Tom Cook.

EMERGENCY EVACUATION ROUTES

As you may know, the board has been working for over two years to clarify the status of the four access and utility easements shown on the subdivision plat that is filed with the Catron County Clerk. After a considerable amount of research (see the easement history posted on our web site at www.wildwoodhighlands.org) we concluded that the easements were put in place in order to provide a) means for the developer, Dick Wellborn, to access his property to the west and north of the subdivision, and b) escape routes for Wildwood and Wildwood Highlands landowners and their guests in case of emergency.

Some time ago our landowners' association bought and installed locked gates that blocked the roads on two of the easements in order to prevent unauthorized use. The other two easements were permanently blocked by individuals, one with a dirt berm and the other with a pipe barrier. The present board has been concerned about the liability that the association (and its members) might have in case someone was injured or perished because they were unable to evacuate in an emergency.

We feel that the chance that the gates would be unlocked in an emergency situation would be greatly enhanced by issuing keys to active board members. At the time the letters mentioned below were written they did not have keys to the two association owned gates.

The board recently sent letters to the owners of the land affected by the easements. (A sample copy of the letters can be seen on the web site.) We offered to share responsibility with the land owners and to minimally maintain the roads so that they were passable for emergency use. In the case of the two gated easements, we asked that the landowners purchase the gates from the association if they were unwilling to share responsibility. In the cases of the two easements with permanent barriers we offered to remove the barriers and install gates.

The owners of the land with one of the association-owned gates elected to remove the gate and replace it with one that they purchased. The owner of the land with the other association-owned gate has purchased the gate and chain from the association (and returned the lock). The owner of the land with the berm on it originally agreed to the board's proposal but later agreed with the adjoining landowner to jointly remove the berm and install a locked gate that is solely their responsibility. The owners of the properties with the pipe barrier declined to make any change.

It is the opinion of the WHLA Board of Directors, that, by declining the Association's offer to share responsibility, the easement landowners are now solely liable for any damages that may occur in case the gates are not opened for emergency egress.

For your information, a map showing the emergency evacuation routes, their condition, and contact information is enclosed.

ROADS MAINTENANCE PLANS:

WHLA plans to commence our autumn road maintenance around the first of October. Those members who wish to take advantage of this time period to have work done on their own premises should contact:

Summers Reid
Hometown Construction, LLC
PO Box 68
Quemado, NM 87829

Phone 575-773-4974
Cell 505-331-2317

BOARD OF DIRECTORS MEETINGS:

The WHLA BoD has, to date, met 3 times since the first of the year: 15 March, 17 May and 28 June. All meetings were at the Cook residence on Rock Spring Circle. Minutes of all BoD meetings are posted on the website.

UPDATE on SAN AUGUSTINE WATER STEAL:

There is rumor that the State Engineer plans on tackling this case “soon”. An opposition group (San Augustine Water Coalition) has been formed to coordinate opposition; Tom Cook serves on its Board.

POLICY ON MEMBER COMMUNICATIONS:

Our policy has changed. Due to marginal to poor results with email notifications, we have decided that all “significant” (such as this newsletter) communications will be by surface mail. Electronic mail will still be used for “less important” and time-sensitive matters. Please keep the secretary [jfs(at)gilanet.com] apprised of your physical, snail, and email addresses.

BoD MEMBERS & CONTACT INFORMATION:

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