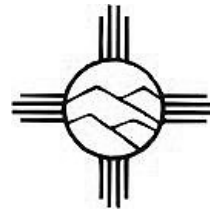


Tierra Grande Tales 'n' Trails

Tales 'n' Trails
Celebrates 20 Years in 2012!

P.O. Box 1388 • Belen New Mexico 87002 • 505 864-2345

October 2012



**Tierra
Grande
Improvement
Association**

Points Out Attorney at Annual Meeting

Covenants / Indentures Important to Tierra Grande Lifestyle

Tierra Grande's Covenants, Indentures and Bylaws are very important to the lifestyle that Tierra Grande residents enjoy and Tierra Grande land owners may enjoy in the future, pointed out Katherine (Katie) Lynch at the 2012 TGIA annual meeting at the Tierra del Sol Country Club.

Lynch is an attorney with Moses, Dunn, Farmer & Tuthill. She and two partners have been working with TGIA on various projects recently.

The Covenants, Indentures, Articles of Incorporation, and Bylaws govern Tierra Grande. The Covenants were placed on the land so land owners would know their neighbors were not going to do certain things, like build and open a store or install/build a non-conforming home, explained Lynch.

Covenants can only be amended by the land owners. The majority of lots in a unit must sign off an amendment. Once that amendment is approved then every lot in the unit is subject to the amended covenants.

TGIA was formed to enforce the Covenants. When TGIA began operating, the original land owners created the Indentures which provide a vehicle to collect assessments and enforce the Covenants. Articles of Incorporation and Bylaws also govern Tierra Grande.

The original Indentures called for the Indentures to expire after forty years. That forty years is coming up, which is why there has been the effort to amend the covenants. Without continuing revenue from the Indentures, the process of closing down the Association would begin.

The amendment would continue TGIA for 20 years with an automatic renewal for another 20. Lynch said that the amendment has to do with common law and allows the continuance of the benefits provided by TGIA if the amendment is signed. If the amendment is not passed by a majority in a unit then those TGIA benefits may not be provided in that unit

without charge. Remember, the current Covenants lie with the land and will continue to be in effect regardless of the amendment. Services such as Architectural Control, newsletters, clean up, access to office staff, etc., will be on a fee-for-service basis for those lots that do not fall under the amended covenant.

TGIA Administrator Sue Moran has been making sure that each amended Covenant has been filed with the appropriate county clerk. Once a majority of a unit has signed the amended Covenant, a Notice of Amendment is filed in the respective county clerk's office. This means that a buyer or seller can see that a unit is subject to amended covenants. This is important for buying or selling because then land will have enforceability, explained Lynch.

Lynch said one of the questions raised has been whether the assessments will increase. The Indentures govern the assessments. Assessments can only be increased in relationship to the Consumer Price Index. Increases are based on the needs of TGIA. There's no guarantee that they won't go up, said Lynch, adding that right now board members have no interest in increasing assessments.

Push Continues For Signed Amended Covenants

The amended Covenants relating to the continuation of Tierra Grande can still be signed, notarized and returned. Passing the covenants means TGIA can continue to serve its members beyond 2013 (when the current Indentures expire).

Currently, the Indentures, the funding mechanism for TGIA, are a document separate from the Covenants.

Your vote to incorporate the Indentures into the Covenants will allow that funding mechanism to continue. TGIA will be able to continue working for the common good of the members.

2011 TGIA TREASURER'S REPORT

SOURCE OF FUNDS	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 (Budgeted)
TOTAL ASSESSMENTS - ACCRUED	\$ 129,743	\$ 129,332	\$ 129,795	\$ 129,597	\$ 130,000
TOTAL C.D. & MM INTEREST	4,453	2,307	1,390	1,962	750
Interest - Delinquent Accounts	5,977	6,418	6,314	7,023	6,000
Refund on Foreclosed Lots		4,672	33,847	28,651	30,000
Tower Site Rental				450	1,300
Miscellaneous Income				25	0
TOTAL REVENUE	\$ 140,173	\$ 142,729	\$ 171,346	\$ 167,708	\$ 168,050

	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budget
A. SALARIES					
1. Administrator	\$ 23,785	\$ 26,860	\$ 27,300	\$ 27,300	27,300
2. Misc. Salaries	6,334	3,583	3,396	3,600	3,600
3. Director's Fees	6,600	6,600	6,600	6,600	6,600
4. Payroll Taxes	2,460	2,468	2,396	2,468	2,400
B. RENT/UTILITIES					
1. Rent	5,050	5,075	5,100	5,100	5,100
2. Telephone	2,026	1,962	2,054	2,075	2,100
3. Electricity/Gas	1,666	1,513	1,618	1,516	1,600
C. GENERAL OFFICE					
1. Supply/Clean	4,136	6,186	7,335	4,031	6,000
2. Postage	2,888	2,438	3,167	2,789	3,500
4. Newsletter	13,289	9,745	9,299	6,588	6,600
5. Repair & Maint./Security	580	615	649	685	685
6. Titles/Abstracts	5	0	0	0	0
D. INSURANCE					
1. Liability/Property	8,038	8,012	7,511	8,278	7,942
2. Directors & Officers	1,569	1,401	1,400	1,340	1,340
3. Employee Fidelity	162	162	162	152	178
4. Workers' Compensation	1,015	1,057	1,032	1,198	965
5. Umbrella	1,000	1,000	1,000	1,128	1,132
E. PROFESSIONAL FEES					
1. General Attorney	3,754	1,473	432	3,185	5,000
2. Bookkeeping	4,800	5,150	5,200	5,300	5,300
3. Audit	10,686	5,338	5,545	5,885	5,900
F. LAND TAXES					
1. Socorro County	635	460	496	526	550
2. Valencia County	1,934	2,575	2,212	2,446	2,500
3. Torrance County	1,113	1,057	1,050	1,094	1,100
G. MISCELLANEOUS					
1. Mileage/Special Projects	531	345	380	367	500
2. Meeting Expenses	2,629	2,244	2,751	2,569	2,600
H. PROMOTIONAL					
1. Donations	0	500	100	50	100
2. Advertising	0	0	0	0	0
3. Subscriptions	295	295	295	0	0
4. Web Site	242	601	548	809	900
I. MAINTENANCE					
1. Road Maintenance	1,166	2,300	0	0	0
2. Property Maintenance	4,149	1,500	1,522	704	1,500
TOTAL OPERATING BUDGET	\$ 112,537	\$ 102,515	\$ 100,550	\$ 97,783	\$ 102,992

NOT INCLUDED IN OPERATING BUDGET - capital improvements COMMUNITY MAINTENANCE & IMPROVEMENTS

	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budget
Power line ext.	0	0	0	0	0
Office Equipment	0	0	1,924	0	0
Road Improvements	0	0	0	0	0
Open Space Development	5,370	0	0	0	1,000
TOTAL:	\$ 5,370	0	0	0	\$ 1,000

FORECLOSURES - Recoverable

	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budget
Title Search	0	6,836	9,047	10,200	10,300
Attorney & Other Fees	0	18,284	29,977	58,771	40,000
TGIA Beyond 2013 / Covenants					
Attorney & Filing Fees	0	8,017	14,008	4,449	8,000
TOTAL:	\$ 0	\$ 33,137	\$ 53,032	\$ 73,420	\$ 58,300

President Judi Magnussen Reports on Year's Activities

This past year has been a very active one at TGIA, with staff distributing the paperwork necessary to incorporate the Indentures into the Covenants, and a variety of other projects said then TGIA Board President Judi Magnussen at the 2012 annual meeting.

Magnussen pointed out that residents now have access to high speed internet and wireless phone service through Trans World Network because TGIA's full time staff knew where to send the Trans World people to get permits and other necessary items.

The BNSF railroad finished double tracking through Abo Canyon and Tierra Grande members can enjoy Sand Canyon again.

A Mountain States Constructors representative has requested permission to use an area of Abo Arroyo to excavate material for a project on Highway 60. At least 50,000 tons of material would be excavated at \$1 per ton.

Several years ago, a similar project successfully used that area, and the crusher fines it generated provided Tierra Grande residents with material for driveways and landscaping, pointed out Magnussen. When the TGIA Board insisted this convenience be provided again, the board was told that arrangements could be made for this service.

This project will generate much needed income for TGIA, as the present economy is reflected in more foreclosures and rising expenses. Magnussen said having a viable office and administrative staff will help make this excavation project happen.

During the last nine months, three cleanups have been conducted by TGIA in Tierra Grande. This is in addition to several cleanups held before that. Magnussen reminded people to appreciate a cleaner community thanks to TGIA.

The Tierra Grande Architectural Control Committee (ACC) continues to oversee building. A new member was welcomed this year: Michael Mulvey. He renovated and now lives in what used to be Al Newton's house on Tara Court.

Because of the extensive renovation, Mulvey is current with county and state codes. Magnussen said Mulvey brings his willingness to work at overseeing Tierra Grande's building standards to the committee.

"I want to remind you the ACC works without any compensation, and we're grateful when we find people who believe in the continuation of Tierra Grande and wish to serve in this way," said Magnussen.

Funds in "Good Shape"

TGIA's funds continue to be in "good shape," reported then executive vice president and treasurer Carol Gasperetti during the 2012 annual meeting.

The organization's land holdings have increased because people are not bidding on foreclosures while office and legal expenses are down.

Gasperetti complimented accountant George Hobbes on his efficient work with TGIA's finances.

Sumner Re-elected to Board

Mike Sumner was re-elected to the TGIA Board with 346 votes for Sumner and 120 for John Hoffman, as announced at the 2012 annual meeting.

Tibbets TGIA Board President

At the July TGIA board meeting, the following officers were elected for the 2012-2013 year: David Tibbets, president; Judi Magnussen, executive vice president and treasurer; and Carol Gasperetti, secretary. The remaining board members are Howard Snell and Michael Sumner.

2011 TGIA TREASURER'S REPORT

	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budgeted
LIQUID ASSETS					
MyBank Checking	44,878	65,534	57,903	50,135	50,135
Money Market	45,270	22,555	22,679	0	0
Money Market	8,718	8,775	8,787	8,795	8,795
Money Market - Special Projects	0	7,295	7,338	7,360	7,360
CD's	99,928	101,836	103,572	105,433	105,433
Impress Account			1,500	1,500	1,500
Foreclosure Funds Held in Trust			10,896	16,765	16,765
TOTAL CASH	\$ 198,794	\$ 205,995	\$212,675	\$189,988	\$189,988
FIXED ASSETS	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budget
Land Held for Investment	16,797	39,796	48,796	69,552	69,552
Land	281,893	281,893	281,893	281,893	281,893
Property, equipment, leasehold improvements less depreciation	423,712	230,256	255,098	255,098	255,098
TOTAL PROPERTY & EQUIPMENT	\$ 722,402	\$ 551,945	\$ 585,787	\$ 606,544	\$ 606,544

MEMBERS

Total Assessed MEMBERS

Actual
2,585

Total Assessed LOTS

3,495

Total Unassessed Lots

1,971

"Developer - FCBT owns 1945 unassessed lots

TGIA - owns 25 unassessed lots

Socorro County - owns 1 unassessed lot

Units 6, 8, 25 are excluded from TGIA as no indentures were ever filed on these lots

Fire Can Happen in YOUR Community

The Valencia County Fire Department in collaboration with the county's local fire districts, as well as state and federal land management agencies, are currently developing a Community Wildfire Protection Plan (CWPP) for Valencia County.

Rod Barr, Valencia County wild land coordinator, spoke at the annual meeting about the plans to coordinate wildland fire training and interface with home owners about mitigating property fires.

A volunteer fire fighter in Valencia County for many years, Barr said the a CWPP will —

- identify areas at risk for wildland fire;
- recommend treatment for hazardous fuels;
- prioritize areas for wildfire mitigation funding;
- make recommendations for actions homeowners can take to reduce fire risk; and
- ask the public to share ideas about wildfire prevention and identify community values at risk.

TGIA Board Member Carol Gasperetti is working with the group developing the CWPP and representing Tierra Grande's interests.

Dumpster Will Help With Tierra Grande Fall Cleaning

Tierra Grande has arranged with Valencia County to bring a dumpster into the community sometime this Fall to help with cleaning needs.

Remember that the Architectural Control Committee will send letters to Tierra Grande residents whose lots are not in compliance with the Covenants or may pose a potential fire danger.

The protective Covenants protect the value of the land. The attraction of Tierra Grande is the owners' compliance with those Covenants.

Foreclosure Sales Scheduled

Foreclosure sales were scheduled for August, September and October 2012 on several properties. For more information, please watch the Update page of the Tierra Grande web site (www.tierragrande.org) or call the office at 505 864-2345.

Sales Calls On Your Cell Phone

Sales calls and pitches may come via your cell phone. You may be charged for these calls or they may count toward your cell phone minutes.

You can call the National Do Not Call Registry at 888 382-1222 from the phone you want to register. You cannot call from a different phone number.

Your registration will not expire. Telephone numbers placed on the National Do Not Call Registry remain on it permanently due to the Do-Not-Call Improvement Act of 2007, which became law in February 2008.

Information is available at www.donotcall.gov.

You might pass this information along to those who are interested in avoiding the sales calls.

Assessments / Tax Bills Sent in Fall

TGIA assessments are sent to land owners in October each year. Assessments are billed in arrears, meaning assessments are applied to 2012. Assessment payments are due by December 31, 2012. Assessments paid after December 31 start accumulating interest at eight percent per annum.

Owners of lots in the third year of non-payment are notified on the assessment bills that in January the account will be sent to legal counsel to begin foreclosure. Once proceedings begin, an additional \$200 fee is incurred on each lot in foreclosure plus legal fees.

Assessment payments are sent to TGIA at PO Box 1388, Belen, NM 87002.

Property tax notices are sent by County Treasurers the beginning of November with payment due in December of the same year. Property tax payments should be sent to the treasurer of the county where the property is located. Do not send to TGIA.

Electronic Voting Explored

TGIA is looking into the viability of on-line voting for the election of Board members in hopes this would make it easier to cast your votes.

Members would enter their account number (found above the name on the address label) into a web site. At that point, Members would have an opportunity to review the biographies of those running for the open Board position before casting a vote or writing in a candidate of choice. Member votes would be compiled in a secure location by a third party administrator. These votes would not be released until just prior to the July Annual Meeting of the Membership. Paper ballots would continue to be available.

TGIA staff would like to hear from Members about using electronic voting. If you have questions or concerns about this proposed change please send your comments to info@tierragrande.org or call the TGIA office at 505 864-2345. We'd like to hear from you.

This 'n' That Around the Tierra Grande Community

Neighborhood Watch Meeting Scheduled

The Tierra Grande Neighborhood Watch meeting is scheduled Saturday, October 20, at 11 a.m. at the Tierra Grande Fire Station. The meeting will be dedicated to Neighborhood Watch information. A TGIA representative will stay after the meeting to discuss issues with members.

Lunch will be served so bring food to share.

New Neighborhood Watch Coordinator

Ernie Nagy has volunteered to be the new Neighborhood Watch Coordinator. He and his wife Ellen live in Unit 23. He is recruiting Block Captains to help communicate information to neighbors.

If you are interested in serving as a Block Captain please contact Ernie at 505 440-6803 or email him at ErnestNagy784@gmail.com Thanks to Ernie for helping the community stay safe.

TGIA Office Now Closed Wednesdays

The TGIA office will be closed Wednesdays until further notice. New office hours are Monday, Tuesday, Thursday, and Friday from 9 a.m. to 4 p.m. Mountain Time. Board of Director meetings will continue to be held on the 4th Wednesday of every month at 4 p.m.

Crusher Rock Available to Members

An agreement has been reached with Mountain States Constructors which makes crusher fine rock available to Tierra Grande Members. The rock will be available at a location on the east side of Highway 47 near the intersection of Manzanita Drive and Recato Loop (where the dumpster was placed during the Spring clean-up). Please contact Tierra Grande at 505 864-2345 or info@tierragrande.org for further details.

Keeping Tierra Grande Safe

During May and June the Valencia County Sheriff, in conjunction with the New Mexico State Police, provided saturation patrols in Tierra Grande. This is one of the reasons Tierra Grande remains a safe place to live. The support of these officers is appreciated.

TG Resident Wins iPad2 for Blood Donating

Susan Dubiel, Tierra Grande resident in Unit 13, donates blood regularly along with her husband Chris. She does it because she is grateful she is healthy enough to donate and she wants to help those in need. Only five percent of the population gives blood, so Susan does make a difference. In appreciation for Susan's donations the United Blood Services announced that Susan was a winner of an iPad2. Thank you to people like Susan and Chris for helping to improve the lives of those in our community.

Socorro Electric Co-Op Trustee Election

Mark your calendars to vote in the Saturday, Oct. 13, election of the Socorro Electric Cooperative Trustee who serves the Tierra Grande Community.

The election occurs October 13 at one p.m. at the La Promesa Elementary School cafeteria. The school is located on NM 304 between the eight and nine mile marker. It is north of the Boys Ranch in Las Nutrias. Going north from US 60 it is about two miles. The school, clearly marked with signs from both directions, is just behind the Senior Center and Fire Station.

Voting can be done by mail. An official notice of the election and a mail ballot with the names of candidates will go out to each member in District One before Oct. 13. Watch your mail for this information.

You can find out more by visiting www.socorroelectric.com – clicking on “Your Coop” scrolling down to “District 1 Elections.”

What Qualifies You As A Member of TGIA?

In accordance with the Articles of Incorporation that govern Tierra Grande “every person or entity who is subject to present assessment by the corporation shall be a member.” Being a member allows you a vote and a voice. Being a member allows you free access to the Open Space, free assistance from TGIA staff, free newsletters, free Architectural Control services, free clean up should dumping occur on your vacant lot. These are just a few examples of what you can expect from the Association as a member.

We would like to take this opportunity to thank those who have signed the amended covenants in support of the continuation of TGIA. Your belief in the value the Association brings to this community is a vote of confidence in the value of continuing our services for the greater good of the membership.

Obtaining TGIA Documents

For those without Internet access - if you would like a copy of Board minutes, material distributed at the annual meeting, or the TGIA financial statements, please write to TGIA P.O. Box 1388, Belen, NM 87002. Be sure to specify the material you are requesting.

For those who do have Internet access - if you would like a copy of Board minutes, material distributed at the annual meeting, or the TGIA financial statements, please e-mail the administrative office at info@TierraGrande.org.

Is This Your Last Newsletter?

Goodbye to some of you who have not signed the amended covenants. This may be the last newsletter you will receive. Future services provided by the Tierra Grande office will be on a fee-for-service basis to non-members.

It is important to keep in mind that the current covenants are tied to the land, stand in perpetuity, and apply to your lot even if you are not a member.

Any improvements/changes you would like to make to your lot require approval from the Tierra Grande Improvement Association. It has been a pleasure working on your behalf to assure Tierra Grande remains a first class community.

**Thank You to Judy and Dave Venenga
for donating the quilt and candlestick
holders presented to TGIA Members at
the July 2012 Annual Meeting**

**www.tierragrande.org VISIT THE WEBSITE TODAY!
YOUR GO TO SITE FOR INFORMATION ON TIERRA GRANDE**

TGIA Board

President - David Tibbetts
Business Owner / Surveyor
Term expires 2013

Executive V.P. & Treasurer -
Judi Magnussen
Tierra Grande resident
Term expires 2014

Secretary - Carol Gasperetti
Tierra Grande resident
Term expires 2016

Director - Howard Snell
Professor & Curator / UNM Biology
Term expires 2015

Director - Michael Sumner
Valencia County Banker
Term expires 2017

TGIA Staff

Administrator - Sue Moran
Assistant Administrator - Janie Earthman
Newsletter Editor - Sandy Schauer

Architectural Control Committee

Chair - Judi Magnussen
Members - Sue Moran & Mike Mulvey

**READ ABOUT THE
TGIA ANNUAL MEETING
LOTS MORE INFORMATION**

**Tierra Grande
Improvement Association
PO Box 1388
Bellevue, New Mexico 87002**

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