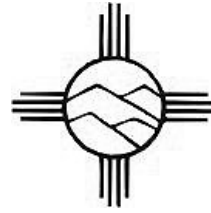


Tierra Grande Tales 'n' Trails

FEBRUARY 2023



Tierra
Grande
Improvement
Association

P.O. Box 1388 • Rio Communities, New Mexico 87002 • 505 864-2345

Amendment to the Protective Covenants – Marking the 10th Anniversary Renewal

The original Indenture – the funding mechanism – which provides TGIA with the authority to collect / charge the Annual Dues/Assessments was renewed by the owners of Tierra Grande land back in 2012. The original Indenture would expire in 2012/13. This meant that, without funding, the Tierra Grande Board would begin to dissolve the Corporation. So in 2009 TGIA owners were asked the following:

Would you be willing to sign an amended Covenant that would include an assessment that would be tied to the life of the land as the current Covenants do? - 72% of the responders checked YES.

Would you be willing to agree to an annual assessment? - 79% checked YES.

Should owners who choose NOT to pay assessments be disqualified as members? No voting rights / no privileges? - 82% checked YES.

Would you recommend that owners who do NOT pay their assessments be charged a fee for any request they may have - 87% checked YES.

With your encouragement, TGIA began the process of obtaining

Working With and For TGIA Members in 2022

Dear Members,

Can't believe it has been over 16 years that I have worked for you. It has been a pleasure. You have been a consistent source of support. The dues you pay have been put to good use to support the Tierra Grande community in 2022.

- Keeping in mind that TGIA is not a developer we thought it best to aid owners in good standing who are building/developing in Tierra Grande especially since the cost of construction has increased by a third and drilling a well has doubled. Development of lots in our community will, in the long run, support the value of vacant land, particularly power line extensions. One power line extension grant and one road improvement grant were awarded in 2022 along with five energy and water conservation grants. These grants can be found on the TGIA web page: www.tierragrande.org –

Your dues has also helped to:

- Protect ownership/titles with the Valencia County and Socorro County Assessor's office. Over forty, yes 40 ownership / title errors were found and corrected. TGIA has an excellent working relationship with the counties

- Review approximately 5,000 Socorro & Valencia County property ownership records of TGIA landowners which resulted in updates of approximately 90 changes of address.

- Create an ongoing relationship with the Valencia County and Socorro County Assessors, TGIA forwarded over 160 updated owner addresses to prevent future tax liability problems.

- Mail out more than 150 New Owner Packets and record over 300 ownership changes during the year. In 2022 we collected over \$3,000 in HOA Disclosure fees.

- Organize two community cleanups with dumpsters provided

Amendments to the Protective Covenants which had to be signed and notarized by the owner and then recorded with the applicable County Clerk. Each Unit (22 Units in all) in Tierra Grande is its own independent Unit – which meant that 51% of the owners in each Unit had to agree to the amendment to roll the Indenture into the Protective Covenants in order for the amendment to apply to all of the lots in a Unit. It took almost three years to achieve the simple majority in 21 of the 22 Units. All thanks to the owners who believed in the value of the Association.

TGIA hopes that we have fulfilled our promise to you since that time. Owners who choose not to pay their assessments ARE disqualified as members. They do not have voting rights, they are not provided with the code to the Open Space, if they want service from the TGIA staff, they have to catch up on their past due assessments. Please review the article below which highlights just some of the support provided to our owners on a day-to-day basis.

We look forward to continuing our relationship for the years ahead. Happy New Year to All!

at no cost from Valencia County.

- Partner with the Valencia County Road Department to repair roads, cattle guards, and implement an erosion prevention plan for TGIA roads along the foothills.

- Work with the State Department of Transportation to improve broken fencing and signs along HWY 47.

- Pay for and install road signs within our community

- Work with Valencia County Code Enforcement to enforce County codes

- Support efforts to protect the Open Space by installing additional signs, locks, and gates as well as work with New Mexico Department of Game & Fish and the U.S. Forest Service to protect the wildlife in the Open Space and to enforce the “no hunting no trapping” restrictions. Work with universities to allow student access to study Open Space.

- Enforce the Protective Covenants by investigating, reporting, and following-up on issues, and implementing a fee/fine policy for Covenant violations. During 2022 approximately \$4,500 in ACC fees and fines were collected.

- Market the For Sale By Owner catalog to help owners sell their lots – to date 260 properties have sold.

- Enforce a permit policy for owners who wish access to Tierra Grande Open Space.

- Enforce a Lien Policy for lots in arrears

- The Board approved policies/practices/leases/easements, etc., for alternative revenue sources which came to about \$4,000 in 2022.

- Fiscal Responsibility – The Board of Directors, as your repre-

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Board Member To Be Elected

If you are NOT a resident of Tierra Grande and would like to serve on the TGIA Board, please send your resume, with a cover letter, to TGIA Board, P.O. Box 1388, Belen, NM 87002. Your letter of interest must be received no later than April 1, 2023. If you want to nominate someone, be sure they are willing to serve a five-year term before sending a cover letter and resume for that person. The election of a Board member is held at the annual TGIA meeting in July.

What Is a Director?

Webster's Dictionary defines director as ". . . a member of a Board chosen to direct the affairs of a corporation or institution." This is a rather bland, general, somewhat all-encompassing statement which does not reflect or require a commitment to integrity, effort or responsive decision-making. The experience working with your TGIA Board of Directors over the past years requires an addition to this description to accurately reflect the efforts and dedication expended in the past. Mainly, TGIA Directors have preserved the integrity of the Tierra Grande property so that when you are ready to enjoy its benefits, the land will have retained the original purpose that first motivated your purchase.

For 50 years the board has been composed of (a) two (2) owner / members living within the Tierra Grande Subdivision; (b) a TGIA member / non-occupant; (c) a banking executive; and (d) a member of the local business community. Board members have been unselfish in their efforts to retain the residential design of Tierra Grande. Accomplishments have been numerous, as you can see from the annual report of accomplishments in this newsletter. The current and past Directors have invested a tremendous amount of energy and time securing the future of the Tierra Grande community and they receive a stipend, plus an annual dinner. The Association and its members have benefitted from their dedication

Tierra Grande Board of Directors / Officers

July 2022 – June 2023

President – Jim Lardner Business Owner / NM Travertine & Tierra Grande Landowner - Term expires 2023

Executive V.P. - Michael Sumner Retired / Valencia County Banker - Term expires 2027

Treasurer – Judi Magnussen / Tierra Grande Resident - Term expires 2024

Secretary – Rhonda Davis VP Sales / New Mexico Bank & Trust Term expires 2025

Director – Trenten Moore / CNM Instructor & Tierra Grande Resident - Term expires 2026

Committees of and Appointed by the Board July 2022 – June 2023

Architectural Control

Chair – Judi Magnusson (Resident) Carol Claus (Resident)
– Sue Moran (Administrator & Resident)

– Michael Hunt (Resident) – Kimberly Pravda (Resident)

Open Space

Steward – Kimberly Pravda

TGIA Fire Station / Community Center

Chair – Trenten Moore (Resident & Director)

– Carol Claus (Resident) Sue Moran (Administrator & Resident)
– Noman Khushafa (Resident)

– Andrew Tabet (RGEFD Assistant Fire Chief)

There are numerous advisors & interested parties as well.

TGIA Staff

Administrator — Sue Moran

Assistant Administrator – Leighann Self

IT/Office/Maintenance — Ron Robbins

Newsletter Editor — Sandy Schauer Accountant - George Hobbes

Death Certificates—Information & Changes

If you have filed a death certificate for a loved one and their name still appears on the property tax records, contact the Valencia County OR Socorro County Tax Assessor, (the County in which your Tierra Grande lot is located) and let them know the death certificate was filed with the County Clerk. There may be additional paperwork required. Don't assume that since the death certificate was filed that the property ownership records have been updated.

Pay Attention to Property Value Notice

Each early spring a Notice of Property Value is mailed to property owners from either the Valencia County Assessor or the Socorro County Assessor, depending on which County your Tierra Grande property is located. A window of opportunity exists to protest the property value, which is the basis for the property tax. The protest period generally ends at the close of April. If you choose to protest your property value, the protest forms can be found on the County sites or by contacting the applicable Assessor's Office:

Socorro County: 575 835-0714: www.SocorroCounty.net

Valencia County: 505 866-2417: www.Co.Valencia.nm

Unpaid Assessments Accrue Interest

Unpaid Tierra Grande Assessments for 2022 have begun to accrue interest at the rate of eight percent per annum. Accounts delinquent in the third year of nonpayment are sent to legal counsel to begin foreclosure proceedings. Payment in full for past due assessments plus fees and other charges must be recovered from owners who want to remove their lot from further legal proceedings.

Another Successful Community Cleanup

In November 2022, thanks to the support of the Valencia County Public Works Department and the Keep New Mexico Beautiful campaign, Tierra Grande was awarded four dumpsters to help with the semi-annual community clean-up efforts. When the weekend was over, the dumpsters were packed to the brim. Thank you to everyone who participated and those who work so hard to keep Tierra Grande beautiful.

2023 TGIA Board Meeting Dates

Usually, the 4th Wednesday of the Month at 4 p.m.

January 25 / February 22 / March 22 / April 26 / May 24 / June 28

Saturday, July 15 - Annual Meeting / Election of Officers - July 26

August 23 / September 27 / October 25 / November 15 / December 13

If you are interested in participating in any of these meetings either person or via Zoom video conferencing, please email TGIA at:

info@tierragrande.org prior to the meeting date. We will have a chair ready for you or send you a Zoom link.

For Sale By Owner Catalog

The For Sale By Owner Catalog has been updated. Properties that have been in the catalog for over four years with no activity have been removed. If you are the owner of one of those properties and would like to renew your lot in the Catalog, email us at info@tierragrande.org.

TGIA Website Update

We are working hard to update the TGIA website to be more user friendly. We are almost there. Waiting for a search option to be added. Take a few minutes to look over what has been accomplished so far. Ron Robbins, our IT Tech has put in a lot of hours making improvements. Visit us at www.TierraGrande.org. Feel free to make recommendations. There are some things we can implement and some we can't. We will let you know. Watch for further details in the June *Tales N Trails*.

How Long Have You Been a TGIA Landowner?

– Celebrating Owners Who Purchased in 1973 or Earlier

TGIA's 50th anniversary was January 2023. The Board would like to continue recognizing those of you who have been owners for 50 years as well.

Thank you to those who wrote to TGIA about their purchase of TGIA property in 1972 or earlier. In 2022, sixteen owners who purchased a TG lot in 1972 or earlier (and were in good standing) received a \$50 credit to their account. Now we are looking to hear from our faithful owners who purchased in 1973 (or earlier if you didn't already receive a \$50 credit). Many 1973 owners have already sent in their story and we are holding those announcements for the June newsletter.

If you have not submitted your name along with a brief intro as to why you purchased in TG and why you continue to hold on to the property after all these years, we would appreciate hearing from you. Please include the Unit/Block/Lot that you own along with the approximate date you purchased the property from Horizon, the original developer. You can send us the information via email: info@tierragrande.org or call us at 505 864-2345.

Comments / Suggestions / Concerns

We appreciate hearing from you. How do you think TGIA is doing? Are we representing you fairly? Do you have questions? Please feel free to be positive or constructively critical. We do review all recommendations. We have implemented some – such as celebrating years of ownership. Other recommendations were incorporated into our Five Year Plan which is posted on our web site. Thank you all who have taken the time to write.

Budget Information on TGIA Web Site

The Tierra Grande annual budget will be on the website (www.tierragrande.org) once the 2023 budget is approved by the Board of Directors at the end of February. If you have questions about the budget, contact the TGIA office at info@tierragrande.org or 505 864-2345

Suspension of Membership Rights

The TGIA Board of Directors recorded a Resolution regarding the Association's right to suspend a member's right to enjoy certain Association benefits in accordance with the Amended Articles of Incorporation. Per Section 3 – Suspension of Membership Rights as out-lined in Article Five of the Amended Articles of Incorporation:

A. A member's rights, including, but not limited to, the right to vote, (see Article II of the Amended Bylaws for addition- a) "membership" privileges) may be suspended by resolution of the Board of Directors under the following circumstances: 1. The member fails to pay any assessment or charge when first due according to the provisions of any recorded instrument relating to such assessment or charge; 2. The member, family, guests, tenants, (etal.) violate any rule or regulation adopted by the corporation regarding the use of any property within Tierra Grande 3. The member or the members' family, guests, tenants, (etal.) use any property within Tierra Grande contrary to any protective covenant regarding the property

B. The suspension of membership rights based upon the failure of the member to pay any assessment or charge when first due shall continue until five business days after the past due assessment, together with interest or other charge collectible with such assessment or charge is paid in full. The suspension of membership rights based upon the violation of a rule, regulation, or protective covenant shall continue for period of thirty days after the date the Board of Directors adopts a resolution suspending membership rights, or so long as the violation continues.

Foreclosure Auction in 2023

We have been reporting to you that a foreclosure auction would take place each year for the past few years. We have been promised by our attorney that we will have a foreclosure sale in 2023.

To make sure that you do not miss receiving information as to the date and the list of properties, email Tierra Grande at info@tierragrande.org to have your email added to the list of interested parties receiving information about the upcoming sale.

Ways to Transfer Real Property

There are four possible ways to transfer real property in New Mexico without a probate proceeding.

- Prior to death titling the real property in the names of two or more persons expressly as "joint tenants" or "joint tenants with rights of survivorship." The surviving joint tenant(s) automatically have title to the real property on the passing of the other joint tenant(s), usually accompanied by the recording of a death certificate.

- Prior to death recording a Transfer on Death Deed in the county where the property is located, naming one or more death beneficiaries to take title to the property upon the passing of the owner(s). The Transfer on Death Deed can be revoked any time prior to the owner's death.

- After the death of a spouse (at least six months after the death), record an Affidavit of Surviving Spouse in the county where the property is located signifying that the surviving spouse resides on the "homestead" and has a community interest in the property. This one can be technical and reference to the applicable statute is necessary before taking this step.

- After the death of the owner recording an Affidavit of Heirship signed by the heirs of the deceased. This too can be technical and reference to the applicable statute is necessary, as well as consulting with a title examiner, before taking this step. So, it is best to plan ahead. Please consider completing a Joint Tenants/Right of Survivorship deed or a Transfer Upon Death Deed then recording the document with the County Clerk. If you have questions, feel free to contact the Tierra Grande office at 505 864-2345 OR email info@tierragrande.org.

Working With Continued from page 1

sentatives, acts in your best interest. Stayed within the 2022 budget

- Update the Five Year Plan in 2022 which can be found on the TGIA web page.

- Complete a successful Audit/Review for 2021.

- Celebrate the 8th anniversary of Little Free Library.

- Work with and attend meetings with area governments and County representatives, public works, planning & zoning, county commissioner, and sheriff on issues related to Tierra Grande.

- With the support of the Tierra Grande Architectural Control Committee, the Association helped many people fulfill their construction desires within the Protective Covenants to make Tierra Grande a diverse and welcoming community.

- Work with cattle grazers, developers, and individuals with vested interests in Tierra Grande to keep the community beautiful.

- Work to create a sense of community with members/residents through email information sharing, community involvement, and being responsive to TGIA members.

- Continue to explore the possibility of building a fire station / office / community center in the center of Tierra Grande .

- On a day-to-day basis provide service to members such as maps, notary and fax services, UPS delivery, obtaining historical deeds, guiding owners/family regarding changes of ownership, transfer upon death deeds, probate contact information, etc.

Tierra Grande has almost 2,600 land owners. During 2022 we answered your calls, met with many of you directly, represented you when necessary, and, hopefully, responded to your issues and concerns professionally and as quickly as possible.

Sue Moran TGIA Administrator

TGIA Open Space Access

The combination locks to Tierra Grande's Open Space (Sand Canyon & Black Butte Park)

Information has been received that trespassers and/or TGIA owners without a permit have been accessing the Open Space. The decision has been made to change the combination to the gates on an annual basis. Please do NOT give out the combination to the gates. Your assessments pay for the insurance and property taxes for the Open Space. Please protect it. Owners can bring guests, BUT the owners must accompany the guests. No reason to give out the combination. Please re-lock the gates as appropriate. If the locks are placed too low on the gate, it can make it difficult to open should rain, snow or mud pile up around the bottom of the gate.

The combination will be changed around the first week in March. Contact the office at 505 864-2345 or info@tierragrande.org to obtain the new combination.

Architectural Control Policies & Procedures Fees / Fines

REMINDER that it takes a lot of time and expense to enforce the Protective Covenants and to provide a general scheme for creating good land planning and design, as approved by the Board of Directors, there are policies, procedures, fees and fines for oversight and enforcement of the Protective Covenants. These policies and the schedule of fees and fines can be found on the Tierra Grande web site: www.tierragrande.org. It is best to call the Tierra Grande office BEFORE you begin any development / improvements to your property. This will avoid the potential of fines being levied and / or worse yet, having to change your plans and incur additional costs.