

# Tales 'n' Trails

## FEBRUARY 2024



# TIERRA GRANDE

IMPROVEMENT

ASSOCIATION INC.

SUPPORTING OUR MEMBER

COMMUNITY

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

## Another Year Gone By - Working With and For Members in 2023

Dear Members,

During these past 17 years a lot of changes have taken place. Yet one thing remains constant, it continues to be a pleasure working for and with you. 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 2023.

It was disappointing TGIA was not approved by the NM State Fire Marshall to bring a fire station to Tierra Grande. Our community just did not meet the updated state requirements for a fire station.

Thank you to everyone who responded to the 2023 Member Survey. The TG Board is reviewing responses and will make every effort to bring suggestions to fruition.

The SunZia and El Rio Transmission Line easements through Tierra Grande will be under construction through 2027. The majority of the project will be constructed through Tierra Grande's Abo Arroyo which was dedicated via the recorded deed to utility projects such as this.

Another area that will be impacted by these transmission lines is a small corridor of our Open Space located in the southeast area of Socorro County adjacent to the existing Western Spirit and PNM power line routes which reduces the impact on the environment.

We have implemented some cost-effective measures to help keep costs down such as publishing and printing the Tierra Grande Tales N Trails in-house. With the first edition under our belts, it has been calculated that the savings will be significant. In-house publication also allows us to be a little more creative in the design of the newsletter.

Another project in the works is the update and redesign of the Tierra Grande website. We will consolidate the website to make it easier to find materials related to the Association. Your ideas to improve the website are always welcome. Many changes being made came directly from your suggestions.

**Grants** - Keeping in mind that TGIA is not a developer the Board thought it best to aid owners in good standing who are building/developing their properties in Tierra Grande especially since the cost of construction has increased so significantly 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.

No power line extension grants were approved in 2023, however, two road improvement grants, eight solar and three water conservation grants were awarded in 2023 for a total of approximately \$13,500. Grant policies and applications can be found on the TGIA web page: [www.tierra-grande.org](http://www.tierra-grande.org).

**TGIA Logo/Brand** - began the process of updating the TGIA Logo/Brand which can be found on this newsletter header, our website, and new billboards.

Brochures - Updated Open Space & Member Information - which can be found on our website.

Your dues have also helped to:

- Protect ownership / titles with the Valencia County and Socorro County Assessor's office. Our relationship with the County Assessors has helped reduce the number of ownership / title errors. This year approximately ten errors were found and corrected.

- Review approximately 5,000 Socorro & Valencia County property ownership records of TGIA landowners which resulted in updates of approximately 50 changes of address. This is about a 50% improvement from prior years. Again, the TGIA staff worked diligently to find property owners and inform the appropriate County of updated mailing addresses.

- Mail out more than 163 New Owner Packets and record over 278 ownership changes during the year. In 2023 we collected over \$2,800 in HOA disclosure fees.

- Organize two community cleanups with dumpsters provided at no cost through the Keep NM Beautiful.

- 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 signs when applicable 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 the Open Space.

- Enforce the Protective Covenants by investigating, reporting, following up on issues, and implementing a fee/fine policy for Covenant violations. During 2023 approximately \$3,950 in fees and fines were collected.

- Market the For Sale By Owner catalog to help owners sell their lots.

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

- Enforce a Lien Policy for lots in arrears.

- Board policies/practices/leases/easements, etc., for alternative revenue sources came to about \$3,000 in 2023.

- Fiscal Responsibility - The Board of Directors, as your representatives, acts in your best interest. Stayed within the 2023 budget.

- Update the Five-Year Plan in 2023 which can be found on the TGIA web page.

- Complete a successful Audit/Review for 2022 which can be found on the TGIA web site.

- Celebrate the 9th anniversary of Little Free Library.

- Work with and attend meetings with area governments and County representatives, public works, planning & zon-

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## What You Need to Know About Your Board of Directors

- The Board is part of the leadership team of a corporation. TGIA is a corporation, and the Board is responsible for running this business. Investors are the association members, and the Board is responsible for putting to use your assessment dollar.

- The Board is made up of elected officials. That makes your board similar to a town council, who is responsible for ensuring that rules are appropriate and fairly applied. TGIA landowners are the “citizens” and the Board is responsible for maintaining and enhancing the quality of living.

- Ultimately, the role of the Board is to protect property value. This is accomplished by operating the association, maintaining the common property, and enforcing the governing documents.

- Governing documents will provide the structure within which the board can work effectively, they will guide board decision making, and support association operations. Their greatest value, however, may lie in the protections they provide to association members.

## Why are Tierra Grande’s governing documents important?

- They give the board the authority to govern by providing for the operation and regulation of the community.

- They provide guidance and protection.

- They protect association members by spelling out their rights.

- They are supported by local ordinances, state statutes, and federal laws.

## Breaking Down the Governing Documents of Tierra Grande

**NOTICE OF ASSOCIATION & TGIA PROTECTIVE COVENANTS** - This recorded Notice of Association Declaration contains reference to the Protective Covenants that regulate landowner responsibilities within the properties described in the Notice of Association. The protective covenants bind all the owners to the association, establish association responsibilities, and define owners’ rights and obligations.

**ARTICLES OF INCORPORATION** – Articles of Incorporation initially create the corporation under state law and define the association’s basic purposes and powers. They may specify such things and the number of directors, terms of office, and other specifics about how the board functions.

**BYLAWS** – Bylaws contain provisions concerning actual association operations, such as meetings, procedures for electing the board members and officers, and general duties of the board. Sometimes the bylaws cover the same topics as the declaration / protective covenants.

**RULES REGULATIONS & RESOLUTIONS** – Boards adopt rules and regulations. They must be consistent with the declaration of proprietary lease, the bylaws and state law. Rules are usually recorded at a board meeting in the form of a motion called a policy resolution. Making and enforcing rules are important responsibilities for boards that must be undertaken with care. In addition to policy resolutions boards will also adopt administrative, special, and general resolutions. These resolutions specify how the association should operate. Board members should familiarize themselves with all association resolutions.

*A board member is a community builder.*

## Passing of TGIA Resident & Board Member

– Judi Magnussen on December 8, 2023,

For more than 19 years Judi Magnussen, served TGIA as Director, President, Treasurer, Chair of the Architectural Control Committee and friend.

She was such an inspiration to us all. Her love of life and for all those around her will never be forgotten. Her passion for helping others, especially the elderly, was remarkable. Her life will live on through the hundreds of beautiful photographs she shared with the world. We have nothing but admiration for the life she led. It is difficult to recall any board member doing more for the betterment of TGIA than Judi. We are grateful for her service to the Tierra Grande Community.

## 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, 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](http://www.SocorroCounty.net)

Valencia County: 505 866-2417: [www.Co.Valencia.nm](http://www.Co.Valencia.nm)

## Unpaid Assessments Accrue Interest

Unpaid Tierra Grande Assessments for 2023 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 April 2023 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.

## How Long Have You Been a TGIA Landowner?

### – Celebrating Owners Who Purchased in 1974 or Earlier

The Tierra Grande Board would like to continue to recognize those of you who have been owners for 50 years by awarding you with a \$50 credit to your account if you are in good standing (current on the payment of your TGIA assessments). We look forward to hearing from our faithful owners who purchased their TGIA lot in 1974 (or earlier if you haven't already received a \$50 credit). Many 1974 owners have sent in their story and we are holding those announcements for the June newsletter.

If you have not previously 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 look forward to hearing from you. Please include the Unit/Block/Lot that you own along with the approximate date you purchased the property. You can send us the information via email: [info@tierragrande.org](mailto:info@tierragrande.org) or call us at 505 864-2345.

## Board Director to be Elected

If you are a resident of Tierra Grande and would like to serve on the TGIA board, please send your resume with a cover letter to TGIA, P.O. Box 1388, Belen NM 87002. Your letter of interest must be received no later than April, 2024.

If you want to nominate someone, be sure they are willing to serve before sending a cover letter and resume for that person. The election of the Director is held at the July annual meeting.

## Budget Information on TGIA Web Site

The Tierra Grande annual budget will be on the website ([www.tierragrande.org](http://www.tierragrande.org)) once the 2024 budget is approved by the Board of Directors. If you have questions about the budget, contact the TGIA office at [info@tierragrande.org](mailto: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 outlined 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 "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, (et al.) 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, (et al.) 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 2024

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 2024.

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](mailto: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](mailto:info@tierragrande.org).

Take a few minutes to consider these options so that your loved ones are not left having to navigate a cumbersome and perhaps costly process to transfer title of your TGIA property.

- Did you know that a death certificate should be filed within three years of the passing of the owner?

- Once filed with the County Clerk, the County Assessor must be made aware of the filing or the deceased's name remains on the deed,

- There is a \$25 filing fee charged by the County Clerk to record a death certificate.

## 2024 TGIA Board Meeting Dates

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

January 24 / February 28 / March 27 /

April 24 / May 22 / June 26

Saturday, July 20 -Annual Meeting / Election of Officers -July 24

August 28 / September 25 / October 23 /

November 20 / December 18

If you are interested in participating in any of these meetings either in person or via Zoom video conferencing

please email TGIA at:

[info@tierragrande.org](mailto:info@tierragrande.org) prior to the meeting date.

We will have a chair ready for you or send you a Zoom link.

## 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 review all recommendations. We have implemented some – such as celebrating years of ownership. Thank you for taking the time to write and respond to TGIA's 2023 member survey.

# TGIA Covenant Items Worth Mentioning

Annual Assessments / Dues are an automatic Lien on any Tierra Grande (TG) residential lot you may own.

If your TG property has been approved for a variance by TGIA, please remember the variance is not transferable to new owners.

All TG lots shall be used for:

- ONLY single family residential purposes
- No building shall be erected, altered, placed or permitted to remain on any lot other than one (1) single family dwelling, except as hereinafter provided, as well as a private garage, carport, servants' quarters or other related outbuildings all of which conform to the exterior design of the main residence
- No dwelling shall be used except as a single family dwelling.
- Lots that are in excess of five acres in size may be re-subdivided into lots but not more than one for each five gross acres of the original lot. Such subdividing shall comply with the laws of the State of New Mexico or its political subdivision
- The lots so created shall be subject to the covenants and restrictions set forth herein
- ALL plans must be reviewed and approved by the TG Architectural Control Committee prior to the commencement of construction.

## Other Items of Interest

- Dumpsters: TGIA hopes to be awarded dumpsters from the Keep New Mexico Beautiful Program in April 2024.
- Valencia County GIS Maps: If your Tierra Grande property lies in Valencia County you can find the GPS coordinates by clicking on the following link and filling in your owner info <https://arcgisce2.co.valencia.nm.us/parcelmap/>
- Valencia County Tax Bills / Importance of Keeping TGIA Informed of A Change of Address – Per the Valencia County Treasurer – tax bills are mailed out once a year and delinquent tax bills once a year. As for returned mail due to “No one at this address”, “deceased”, “undeliverable as addressed”, the Treasurer’s staff documents the reason, date and initials of the person entering the data into the system. In these cases the Treasurer does not mail further tax bills.

## TGIA Open Space Access

The combination to gates to certain areas in Tierra Grande will be changed around April 1, 2024. Contact the TGIA office to obtain the new combination (505-864-2345 or [info@tierragrande.org](mailto:info@tierragrande.org)). 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. Don't forget to pick-up a new Open Space pass if you have lost one by stopping into the Tierra Grande office.

## Another Year Gone By Continued from page 1

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

Tierra Grande has almost 2,600 landowners. During 2023 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*

## 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](mailto:info@tierragrande.org).

## Tierra Grande Board of Directors / Officers

July 2023 – June 2024

**President – Rhonda Davis** VP Sales /

New Mexico Bank & Trust - Term expires 2025

**Executive V.P. -Michael Sumner** Retired /

Valencia County Banker -Term expires 2027

**Treasurer – Vacant /**

Tierra Grande Resident - Term expires 2024

**Secretary – Jim Lardner** Owner / NM Travertine &

TG Landowner – Term expires 2028

**Director – Trenten Moore** / CNM Instructor &

Tierra Grande Resident -Term expires 2026

## Committees of and Appointed by the Board

July 2023 – June 2024

**Architectural Control**

Chair – Vacant (Resident) Carol Claus (Resident)

– Sue Moran (Administrator & Resident)

– Michael Hunt (Resident)

– Kimberly Pravda (Resident)

**Open Space Steward – Kimberly Pravda**

**TGIA Staff**

*Administrator – Sue Moran*

*IT/Operations – Ron Robbins*

*Newsletter Editor – Sandy Schauer*

*Accountant - George Hobbes*