



*A Deed Restricted Community*  
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Timberlake Ranch  
Landowners' Association  
Annual Meeting  
May 23, 2009  
2008 – 2009  
Fiscal Year Report



**Board Members:**

**Duane Barbano**  
**Eileen Domer**  
**Gary Blum**  
**Jerry Toellner**  
**Linda Pedersen**

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## DEMOGRAPHICS OF TIMBERLAKE RANCH AND LANDOWNERS

Timberlake Ranch covers approximately 7000 acres in both Cibola and McKinley County. It is nestled in a valley surrounded by the Cibola National Forest (342,000 acres). There are five subdivisions: Cloh Chin Toh, Timberlake (Cibola) Unit 1, Timberlake (Cibola) Unit 2, McKinley Units 1-10, and Timberlake South for a total of 743 lots varying in size from 5–14 acres.

Number of Lots according to Subdivision:

Cloh Chin Toh: 93 (CCT 74 Common Land)

Cibola Unit 1: 65

Cibola Unit 2: 73

Timberlake South: 31

McKinley Unit 1: 52

Unit 2: 42

Unit 3: 46

Unit 4: 54

Unit 5: 45

Unit 6: 48

Unit 7: 51 (Includes Lot given to McKinley Co. for the Volunteer Fire Dept.)

Unit 8: 61

Unit 9: 54

Unit 10: 27



TRLA Common Land: There are five parcels of land in Cibola Country for a total of 333 acres. This includes the Horse Pasture, 100' narrow strip running north of it, Field of Stream, and Lot 74 in Cloh Chin Toh Subdivision along with the Timberlake Community Center Ranch House and surrounding acreage. In McKinley County there are nine (9) parcels totaling 894 acres. This includes land on north and south of the lake, a strip of land going north and south on which the bathhouse sits, and the area along the cliffs to the west.

In Fiscal Year 08-09 there were 577 landowners; 542 (94%) are Members in Good Standing. Of the 577 landowners 42% are in Arizona, 35% New Mexico, 9% California and the rest spread across the country in 24 other states including 4 in Alaska and 2 in Hawaii. Two landowners live in Canada and Switzerland.

There are currently 139 residences –11 of which are in various stages of construction; 59 are full-time Five (5) of which are rented, 21 part-time and 41 recreational. There are eight (8) residences for sale. #

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**TRLA BUDGET REPORT FOR ANNUAL MEETING MAY 23, 2009**  
**Year-end Summary**

See the Monthly Treasurer's report for April 2009:

**SUMMARY YEAR-TO-DATE:**

**\$156,868.09** from collection of assessment fees, sale of keys, donations and finance charges. With **\$7,846.06** from past dues collected)

**Year to date income: \$156,868.09**

**Year to date operating expenses: \$82,436.84** (see spread-sheet).

Estimated expenses for the remaining two months of the fiscal year (May and June expenses plus paint for Ranch house roof and extra gravel for side roads) will be **\$38,300.**

**Estimated total expenses for FY JULY 2008-JUNE 2009: \$120,737**

**Projected difference: (+) \$36,131**

**As of May 15, 2009**

Accounts receivable estimated total: \$11,141.

June 2008 they were:	\$10,525
June 2007:	\$17,525
June 2006:	\$25,049

**BUDGET GOALS FOR FISCAL YEAR 2009-20010**

1. To provide capital to adequately fund all the line item expenses based on history and national economic realities, e.g. rising cost
2. Provide financial flexibility - e.g. the \$10,000.00 contingency fund provides capital for the extra expenses and gravel needed in the winter.
3. Create a reasonable reserve for capital expenses and replacement.
4. To continue to improve collection of assessment fees.

***FY '09-'10 dues will be raised \$5.00/lot from \$225.00 to \$230.00. #***

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## ASSOCIATION FEES Will Be Raised Five Dollars

The TRLA Board has approved an increase in Association fees of \$5 per lot for Fiscal Year (FY) 2009 -2010 to \$230 per lot. This increase is less then the 2009 Consumer Price Index increase calculated at 3.85% but necessary to cover the 3% increase over the 2008-2009 budget.

The five dollar increase will provide an additional \$3,705 providing the Association with operating revenue of \$156,795.56.

Significant changes from the FY 2008-2009 Budget include:

1. **Legal:** This line item has been reduced from last year. Our expenses this past year were much lower than expected due to recovered legal expenses. The cost for the adoption of the Amended and Restated CC&Rs is nearing an end. There still remains an outstanding lawsuit against TRLA and one potential foreclosure.
2. **Road Maintenance & Repairs:** An increase of \$9,000 to cover gravel for the planned maintenance of side roads.
3. **Income Taxes:** Decreased.
4. **Budgeted \$8,000** for a full financial audit for Fiscal year 2008-2009.
5. **Employee Wages & Taxes:** Remained the same. We plan to continue our dependence on volunteer hours in completing projects on the TCC Ranch House and side road maintenance.
6. **Newsletter printing** will be contracted out this next year and discontinuing of the copier lease will occur in September because it will no longer be cost effective.
7. **Fuel:** Decreased.

We collected \$8,712 from delinquent accounts and as of March 2009 have \$3,543 remaining.

The Budget & Finance Committee's focus was to minimize line item expenditures as much as possible while saving for future equipment replacement, increasing gravel allotment for the side roads and refurbishing the TCC Ranch House.

Eileen Domer, TRLA Treasurer  
505-783-4045 #

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## REVISION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CC&Rs)

- July, 2007 Committee begins rough draft incorporating 5 subdivisions (Cloh Chin Toh, (CCT) Cibola Units 1 & 2, McKinley 1-10, and Timberlake South).
- December, 2007 Draft 1 sent to all landowners by E-mail and postal mail with feedback forms.
- April, 2008 Draft 2 sent to all landowners with changes made using feedback from Draft 1. Feedback from Draft 2 due by May 24, 2008.
- July, 2008 Draft 3 mailed to all landowners with incorporated feedback from Draft 2. Deadline for feedback was August 30<sup>th</sup>. Feedback will have to significantly change the intent or content to justify Draft 4.
- September 27, 2008 CC&R Draft 3 with incorporated minor feedback was presented to the Board. It was reviewed and a few recommendations were made.
- September 29, 2008 Draft 3 was sent to the law firm of Cassutt, Hays and Friedman along with several pertinent documents and legal opinions since 1978.
- January 14, 2009 Draft 3 returned with legal changes and suggestions. Document was returned to law firm on February 6<sup>th</sup> for finalizing and answers to legal questions for adoption.
- April 1, 2009 Amended and Restated CC&Rs were mailed to all landowners with cover letter, voting ballot and procedures and rules for adoption.
- May 1, 2009 Returned ballots counted by 4 volunteers representing CCT, Timberlake South, Cibola 2 and McKinley 1-10 and 2 Board members present. 326 lots yes – 14 lots no.
- May 4, 2009 Cover letter and voting ballot sent to landowners not responding to May 1<sup>st</sup> mailing. Votes to be counted on June 1. #



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## LEGAL SYNOPSIS

### FORECLOSURES:

Cloh Chin Toh 49 was redeemed in January 2009. TRLA was paid for all back assessment dues, lawyer fees, court costs, and interest.



Foreclosure process started on two (2) lots in McKinley 1-10. TRLA reimbursed for all back assessment dues plus interest, legal fees, and court costs on one lot. On the second lot, TRLA was subordinate to the mortgage holder. Mortgage holder foreclosed on lot and TRLA reimbursed for all back dues and interest with legal fees.

Landowner notified in Cibola Unit 2 of pending foreclosure by attorney and is making payments to TRLA. Legal fees were included in payment.



### LAW SUITS PENDING:

A lawsuit was filed against TRLA on January 11, 2008. Cassutt, Hays & Friedman representing TRLA filed an "Answer and Counterclaim" on February 11, 2008. Cassutt, Hays & Friedman on April 9, 2009, filed a "Response in Opposition to Motion for Reinstatement".

Zuni River Adjudication Subfile ZRB-4-0386

Cassutt, Hays & Friedman obtained a deferment for TRLA until October of 2009. Billed 2.0 hours

### LEGAL REVIEW AND OPINION

Ranch House Well Issues: 1.8 hours billed.

CC&Rs and assorted issues 11.7 hours billed. #



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## REGULAR EMERGENCY NUMBERS

- |                                   |                  |
|-----------------------------------|------------------|
| • For ALL Emergencies             | 911              |
| • Timberlake Vol. Fire Department | 783-4221         |
| • Fish and Game Warden            | 783-4882         |
| • McKinley County Sheriff         | 505-722-7205     |
| • Cibola County Sheriff           | 505-287-9476     |
| • Poison Control                  | 1-800-222-1222 ■ |



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## COMMONS REPORT

### BATHHOUSE

New vent and screens installed.

Exterior completely refinished (scraped, power washed and re-caulked) on August 26, 2008. Labor and materials were completely donated by retired commercial painter, Herb Gray.

Replaced showerheads.

Lines drained and winterized on the 1<sup>st</sup> of November.

After repair of broken copper pipe fitting, bathhouse opened on April 8<sup>th</sup>, 2009

Septic system inspected by Williams Plumbing & GPS Plumbing March 24<sup>th</sup>, 2009.

### TCC RANCH HOUSE

Interior locked room of the Ranch house refurbished and repainted to be used as TRLA office. Five (5) filing cabinets now hold all the TRLA records back to 1978.

Timberlake Neighborhood Volunteer Library now fills two rooms with donated books and is open to the community on Tues. afternoons 1–4 pm during the summer.

Paint has been purchased to refinish exterior in June '09.

Bids acquired to repair or replace the rusting metal roof. Completion date: June '09, weather permitting.

### RANCHHOUSE WELL

Frost free faucet replaced.

Repaired buried water line to bathhouse.

Replaced rusted non-functioning pressure tank.

Replaced water delivery lines leaving pressure tank.

Installed water meter (October 7, 2008).

Installed shutoff ball valves.

TRLA removed from the Zuni River Basin Default Judgment and given one year extension through the Bridgewater Law Firm.

Water sample taken to Assaigai Analytical Laboratories, Inc. in Albuquerque, NM on 4.16.09.



### SIGNAGE

Direction sign for Timberlake Road/Forest Service Road 157 intersection purchased and installed.

“NO HUNTING or SHOOTING” signs installed along Timberlake Road and east end of Deer Run. (Timberlake Neighborhood Volunteers)

CCT 74 sign ordered.

Lake gate signs reattached to fence by locks.

Ten (10) street signs made to replace absent or broken ones. (Timberlake Neighborhood Volunteers)

### LAKE AREA

Removed fence posts/barbed wired on November 14 & 17, 2008. Twenty-two (22) volunteer hours.

Junk pile cleanup completed on November 1, 2008. Sixteen (16) volunteer hours.

Lake Area, continued next page



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## COMMUNICATIONS

### Web Site

- At the September 27<sup>th</sup> meeting the Board reviewed four (4) submitted bids for hosting and maintenance of the tlrloa.com website. In order to save our landowners a considerable amount of money, TRLA's Web site is now being hosted by WWW.TRNEWS.INFO.
- The owners of this very popular site, Roger Irwin and Tim Amsden have volunteered to do this for the TRLA Association. Our thanks to Roger and Tim.

### Timberlake Times Newsletter ... and Related Printed Items

- The News Letter was published in: July 2008 – November 2008 – March 2009 – and Annual Meeting Booklet May 2009.
- We print (in house) all notices that go out to the membership including the notice of the annual meeting along with the ballots. This year we printed the drafts and the final version of the CC&R's.
- The lease on the copy machine is up in August of this year and the Board has decided not to renew the lease in order to save money. The copy machine was very useful during the time of printing all of the drafts and final versions of the Bylaws and CC&R's, but hopefully we will only be printing the newsletters in the future and we have found it to be cost-effective to go out of house for these needs.
- This fiscal year we have run 46,320 copies. #

### Commons Report: continued from last page,

#### Lake Area (cont'd)

Support cables placed on lake gates.  
Lock boxes for Volunteer Fire Dept. installed and lake gates painted.

#### BRUSHPILE

Limbs/logs/etc. were separated into piles and burned twice by the Ramah Lake Volunteer Fire Department in 2008.

#### KEYS FOR THE COMMONS

All locks to the bathhouse, lake gates, brush pile and ranch house well faucet were changed in June, 2008.  
411 keys have been purchased by Members in Good Standing. #



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## ROADS REPORT

### MAINTENANCE AND REPAIR

Dump Truck: spark plugs replaced, tune up and oil changed.  
Grader service/repair performed 2 times.  
Pickup maintenance performed one time.  
Tractor maintenance performed once and repair once.  
Spreader/grader attachment to tractor: blades replaced

### CULVERTS CLEANED, ADDED, REPLACED OR LOCATED

Fox and Sagebrush  
Sunrise.

### ROADS REBUILT OR WIDENED

Bobcat  
Oak Drive  
Portion of Quail

### BAR DITCHES REDONE

Portion of Roadrunner  
Portion of Culebra  
Portion of Quail

### ROADS GRADED WITH JD GRADER

Cloh Chin Toh Subdivision  
Timberlake South Subdivision  
Cibola 1 and Cibola 2  
Most roads in McKinley 1-10

### ROADS GRADED WITH TRACTOR & GRADER & SPREADER ATTACHMENT

Cloh Chin Toh Subdivision  
McKinley 1-10  
Timberlake South  
Cibola 1 & 2  
48A to Hwy 53

### GRAVEL ADDED TO ROADS

600 tons on Sagebrush  
Elk from Timberlake west towards the cliffs  
Pinetree  
Portion of Quail  
Total amount of gravel: 1,152.36 tons (51.7 tons stored at Ranch House)

### SNOW REMOVAL

Performed seven (7) times over the winter with the grader, tractor and landowner truck. Major dates of removal were on December 22 and 23, 2008.

### MISCELLANEOUS

Ditch work on 48A to prevent melting snow water from flowing over the Timberlake Road in the flats

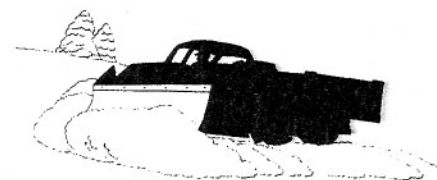
### WORK TO BE PERFORMED IN FY 09-10

Remove and replace plugged culverts with 2 large ones on Cedar.

Coordinate with Cibola County to relocate culvert on Sunflower/Timberlake, install culverts on flats and redo ditching for proper drainage.

Culverts needed on Bluebird and on Elk.

Going through the Ranch, beginning at the gates to Cloh Chin Toh and continuing all the way to the Box S, cleaning culverts, grading roads, and trimming trees along roads and driveways. #



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## ARCHITECTURAL/MAINTENANCE REPORT

### CC&R VIOLATION STATUS

All the CC&R violations that have been reported to the Board since 1991 in Timberlake Ranch were reviewed, organized, and updated.

Total Reported CCR Violations: 106

Total CCR Violations Corrected/Closed: 58

Total number of CCR Violations Closed in 2008: 25

Total CCR Violations Not Corrected: 46 Lots

Lots used for open-air storage of RVs: 11

Lots with a privy: 3

Lots with sheds: 28

Lots with undersized residence: 3

Lots with two residences/guest houses?: 2

Lots with abandoned foundations: 2

Lots with construction not diligently pursued: 2

Lots with rubbish, debris, building(s) in disrepair: 1

The RV/trailer storage and sheds are by far the most troublesome because of their numbers. Under the current CC&Rs no sheds are allowed without a primary residence. The Restated CC&Rs, if passed, in 2009 would eliminate 60% of these violations. Sheds would no longer be an issue unless there are more than one per lot. However, the Board is still mandated to enforce the restrictions, which has forced shed removals in the last year and removal of RVs being stored on lots over the allotted camping period. #

### DESIGN APPROVED BUILDINGS

Four (4) Homes

One (1) Major Home Renovation

One (1) Carport

One (1) Well House/Shed #



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## ACKNOWLEDGING VOLUNTEERS

### **Volunteers Who Have Contributed to Timberlake with Time and Deeds (2008/2009)**

A special thank you from the TRLA Board of Directors and fellow landowners. We hope that no one has been left out as we so appreciate all of you.

David Skinner  
Dick & Claire Knowles  
Duane and Fran Barbano  
Eileen and Tim Domer  
Gary and Sally Blum  
Herb Gray  
Steve Railsback  
Jerry and Judy Toellner  
Jo Garcia  
Josh States  
Ed Woody  
Linda Shoppe  
Nancy Wills  
Stu Dutcher  
Linda Pedersen and Danny Montoya  
Mary Jo Wallen  
Ron Mansfield  
Roger Irwin  
Ted Rodda  
Tim Amsden  
Tom Merritt  
Art and Rickey Ramirez  
George Dobbs  
Ted Broderick  
Frank Lambert  
Kathy and Dan Boller

...And all those who wish to remain anonymous.

### **Timberlake Neighborhood Volunteers (Sign Project/Book Room/Bulletin Board/Social Activities)**

Allen and Pat Burnam  
Barb Duncan  
Carol Rodda  
Claire Knowles  
Dan St. Charles  
Darlene Merritt  
Eileen Domer  
Harriet Lawrence  
Julie Farrell  
Karin Brunner  
Kathy Boller  
Linda Pedersen  
Danny Montoya  
Nancy Dobbs  
Lucia Amsden  
Shirl Henderson  
Ted Broderick (Donation)  
Don Parry  
Mary Jo Wallen  
Kate Wilson  
Jackie Rossignol  
Barb Kelly  
Frieda Pettigrove

### **Timberlake Volunteer Fire Department**

Aleksu Hillerstom  
Andy and Avery Wilson  
Bill Wolford  
Cherie Kalista  
Dan St. Charles  
Danny Montoya  
Justin Boeff  
Lee Ferrill  
Matt and Liz Sowa #

