



Four Hills Village HOMEOWNERS' ASSOCIATION

P.O. Box 50505, ALBUQUERQUE, NEW MEXICO 87181-0505

Subject: The "Pocket Park" or greenway at the entrance to The Reserve

To: All FHVHA 2013/2014 members in The Reserve Installment and those immediately adjacent to it

Background (follow up to email to the FHVHA email list December 5)

- When The Reserve was developed by Sivage-Thomas (ST), the greenway at the entrance was paid for by ST. There was never an agreement between ST and the City regarding long-term maintenance of the area, nor was there any agreement that ST would maintain the area in perpetuity.
- Pulte acquired the property under development and has been paying to take care of the area for many years at an annual cost of around \$7000 (water, maintenance, pruning, etc.).
- Repeated efforts to get the City to accept responsibility for the area, including another attempt in the past month, have been unsuccessful.
- The area is City right-of-way, kind of like a median in nature.
- Pulte cannot afford to continue to cover this expense. They asked the FHVHA if we'd take responsibility for it. We cannot do that for multiple reasons: the FHVHA has never owned anything, cannot accept the legal liabilities that might accrue to ownership or official sponsorship, and the cost of it, all the other considerations notwithstanding, is roughly equal to if not more than our annual revenues.
- As soon as we understood Pulte's predicament, I sent the referenced email to the FHVHA (all who'd agreed to be on our email list) asking if any residents would like to form a group that would agree to assume responsibility for the area as it is today in perpetuity. No such offer has surfaced.

Pulte has made a very generous offer to remove the grass, perhaps remove the non-xeric trees, and attractively xeriscape the area at Pulte's expense. If an arborist (Pulte's expense, again very generous) believes that all or some of the non-xeric trees would survive on only rain water, they would offer to leave those in place and hope for the best, but future removal would be another issue.

The FHVHA believes that taking Pulte up on its very generous offer is the best option available. Minor maintenance of the area (e.g., picking up trash, plucking weeds) would become a voluntary thing for local residents. It might become a question of City responsibility, like cleaning the median sections at the Y-intersection. That is not certain at this point.

Pulte understandably desires to bring this to conclusion before a February 2014 water bill would accrue, so work must begin by mid January. If any group wishes to propose a fully-scoped out alternative with a business plan that supports it, and presents that to the Board by January 10, 2014, we will certainly consider it.

If desired by enough people and arranged by one or more of them, I will host a meeting at a location to be determined to discuss options and to hear your thoughts. This, too, must be completed by January 10. I know this is short notice. We became aware of this only weeks ago. We sent the referenced email immediately. This is a follow-up we can send with the details of the offer coordinated with Pulte. Feel free to call me: 296-7924.

Regards,

Roger Hartman, President

December 30, 2013