

DRAFT 4 – FINAL

1/27/2009

MVRIA
Saddle Trail Committee Report

Introduction

The Saddle Trail Committee was formed on July 14, 2008 by the MVRIA Board to review the Saddle Trail Maintenance policy. The committee was asked to submit a report recommending a policy and action plan (enclosure #1: Saddle Trail Committee, Terms of Reference).

The Committee members are: Jackie Vizzi (Board member and Committee Head), Lynn Reid (Secretary), Mary Hutchinson, Alice Strike (Board member), Cynthia Pepper (Board member), Mary Lynn Dejarlais and Vivian Zabik.

History

Myakka Valley Ranches is a deeded community that was designed as an equestrian community. The developer, Frank G. Berlin, envisioned the community to be “developed primarily for the benefit of people who are interested in horses” (enclosure #2: letter from Berlin, Feb 1, 1972). All Units except Unit 1 in the plats show a network of deeded saddle trails. All plats except Unit 1 state: “Road and drainage easements as noted are reserved for use as saddle trails, with that usage being secondary consideration” (enclosure #3: copy of Unit 2 MVR, page 1, and copy #4: detail of first page, unit 2 MVR).

The main focus of this report will be on the deeded saddle trails not the road and drainage easements (enclosure #5: unofficial trail map). The members of the Association have the benefit of the use of deeded saddle trails for their quiet enjoyment, whether on horse-back or on foot. Many of these trails are currently inaccessible.

Over the years the use of some saddle trails was lost. Some of the reasons for this include: owners putting up a fence and unlawfully impeding passage along the saddle trails and saddle trails becoming unusable because terrain conditions such as wetland or drainage ditches made it difficult for individuals to maintain.

Thus at the present, there are some platted saddle trails that are closed and unusable.

Board Policy and reasons for this committee report

Early Boards of Directors did not address the issue saddle trails deteriorating or becoming closed. In recent years, the Boards have taken a more active participation to remedy this situation. Dissatisfaction with the trail conditions is apparent to the members and they have asked the Board to address this issue. In an effort to restore trails, the Board established a saddle trail operational budget to pay for periodic maintenance. In 2005, the Association requested the treasurer to ensure that new owners were made aware of the existence of any deeded saddle trail on their property when writing the Estoppel letter. Since 2005, the Board has been very active in maintaining the saddle trails (enclosure #6, John Corcoran letter to the Board members).

In 2006, the members at the annual meeting approved a \$5000 budget to open a series of closed saddle trails. These trails, Percheron Path, Cattle drive Trail and Crackerhorse Trail, were opened in 2008.

The current Board included, in its list of objectives for 2008-2009, to “Maintain existing saddle trails, currently open, and review whether any closed trails might be re-opened.” (Enclosure #7, List of Business Plan

Objectives for 2008/09). The Board requested this Committee to develop a policy regarding the maintenance of these saddle trails.

Bylaws and Deed Restrictions

In 2008, new Bylaws and Deed Restrictions were voted on by the members of MVRIA. A summary of current relevant MVRIA rules that pertain to the saddle trails is attached (enclosure #8: Relevant extracts from the current Bylaws and Deed restrictions).

Much argument has gone back and forth regarding the interpretation of these documents as they apply to the deeded saddle trails. There seems to be a certain inconsistency between the By Laws and the Deed Restrictions.

The confusion lies in the Bylaws and Deed Restrictions. In the Bylaws: 6, under Powers and Duties it reads: "Such powers and duties of the Board of Directors shall include the following: (a) Operating and maintaining common areas, roads, and saddle trails."

The Deed Restrictions states in IV: Maintenance Covenants and Assessments: "The Association may also maintain such portion of the saddle trails and drainage easements as from time to time determined to be desirable by the Board of Directors, provided routine mowing of these areas shall be the responsibility of the owner of each lot, where accessible by tractor mower".

The wording of these two documents leaves a grey area of who really should maintain the saddle trails. The Bylaws clearly states that the Board is responsible for the maintenance of the saddle trails. In the Deed Restrictions the Board is also to maintain the saddle trails and the owners are to routinely **MOW** their portion of the saddle trail **IF** these saddle trails are **accessible by tractor mower**. The committee confirms that it is important to consider this further. The documents have an allocated order of preference. The Deed Restrictions take precedence over the Bylaws. So where conflict or doubt between these two documents arises, the Deed Restrictions should be observed. Should the Board or Members agree any additional Rules, the Deed Restrictions and Bylaws would take precedence over these. So there is a case to review the wording of our documents with respect to the maintenance of Saddle trails so as to be clear who is responsible for maintenance and consequent liability.

The saddle trails are varied in nature. Many saddle trails cannot be mowed. Some are in wet areas, some in wooded areas, and some of the saddle trails are not accessible to their particular lot owner because the terrain is too rough. Some of the saddle trails have been effectively closed at their entrance to motorized vehicles with posts put in place by the Association, thus not allowing tractor type mowers access. Some trails can not be mowed by a tractor type mower, particularly after the beginning of the wet season.

Many of the saddle trails seem to be closed because the trail becomes too wet and the owner cannot mow it and then it becomes impassable. In some instances the owner doesn't want the saddle trail open and will effectively close it by ceasing to maintain it. This causes the Board an enforcement problem. Another example is where a bordering drainage ditch has eroded to such a degree as to compromise the saddle trail. Enclosed is a preliminary list of the saddle trails with notations regarding their condition (enclosure #9, Saddle Trail Inventory, notes). A more specific survey will also be needed in the future to detail current width, headroom, condition, etc, together with the relevant lot number.

Maintenance policy implementation

The Committee discussed the more recent procedures to maintain the saddle trails. This policy involved "fixing the saddle trail as needed". There was money (about \$1000) in the approved annual budget allocated

to pay for this work. In the past few years, a designated person has taken the responsibility to keep a close eye on the conditions of the trails making the necessary arrangements to have required work done and then submitting the contractor's invoices to the Board. The practice worked well enough but there were some complaints by owners and queries by the Board because of the decisions made on where and when to mow. In addition, there were some complaints that this policy encouraged some owners not to maintain their saddle trails.

There was no formal procedure and more accountability was requested through work orders which were introduced in early 2008.

The Committee concluded that the Bylaws and Deed Restrictions make the Association ultimately responsible for overseeing the maintenance of the saddle trails. Each saddle trail is unique in its typography and vegetation growth. Each trail needs to be addressed with regards to its particular nature. To create an absolute "standard" is not possible. However, the Committee did agree that, whenever possible, a trail should comply with the standard dimensions of 10 ft wide and 12 ft high headroom. Grass should not be allowed to grow higher than two feet. The committee also agreed that some of the trails can be improved either through the use of a geo-textile mesh for the wet areas or small bridges if conditions are very bad. Panther Ridge has solved this problem with bridges.

The Committee recommends three maintenances per year for all open saddle trails specified and paid by the Board. These maintenances would include any necessary mowing, brush/ branch cutting, and removal of the debris adhering to the recommended standards and dimensions where possible. The details of the work to be undertaken would be determined by prior survey and would be listed on the Work Order to the contractor. These three maintenances would occur in spring, summer and fall. Lot owners would still be responsible for the care of their saddle trails where accessible by tractor type mower in between the "general maintenances", and would be encouraged to achieve a higher standard of up-keep should they so wish. The Association's saddle trail operational budget would have to be increased to accomplish these three planned maintenances. Based on prior invoices and work contracted for, the Committee recommends \$2500 annually. However, the actual financial requirement will not be known until condition surveys and estimates are completed. The Board would determine in the future the most realistic figure based on the work needed to be done. A standard maintenance contract should be let, which allows the bidder to quote rates for the various possible types of maintenance activities. The actual work to be done on any one occasion would then be listed on a Works Order.

A list of lot owners with saddle trails will be compiled and they would be asked if they want to be notified individually every time the Saddle Trail maintenance is about to happen. Otherwise, the owners would be notified through Trails 'N' Tales, the bulletin board and the Website. Owners who can access the saddle trail on their property with a tractor type mower will be asked to keep grass growth under control and to maintain their section of trail. The Board will notify through whatever means necessary any owner who is non compliant.

Conclusions

Myakka Valley Ranches is a unique equestrian community. As Florida's population grows, these types of communities will become more valuable. A system of trails is a major asset in a community (enclosure# 10, Herald Tribune, July 13, 2008). It is in the interest of Lot Owners to maximize the potential value of their assets. A system of well maintained Saddle Trails offers a positive incentive to potential purchasers. Indeed, as new owners move in they will expect proper saddle trails not a mismatch of half closed trails. If the Association is to fully benefit the community, the on-going maintenance of saddle trails needs to be addressed. They have been neglected far too long. Several strategies can be implemented. In his letter to the Board, Lot Owner Larry Magill suggested three very plausible ideas (enclosure #11, letter Larry Magill to MVRIA).

- “1. We can adopt a pay-as-you-go strategy by planning to reopen 4 or 5 miles a year and finance it through the current operating budget Assessment. But this strategy requires a long-term plan that would survive the current board.
2. We can plan to reopen all of the closed trails in 3 or 4 phases in future years and finance it with an annual reserve assessment (pay-now, build-later).
3. We can hire a contractor to reopen all of the closed trails in one large-scale project and finance it with bank financing to be repaid through a debt service item in the current operating budget (build-now, pay-later). There are other long-term financing possibilities in addition to banks.”

The Board will need to determine the best approach. Either by considering the above suggestions, or looking for another feasible strategy.

The Committee also agreed that it would be best to change the Deed Restrictions so as to clarify the overall responsibility of the Board to maintain all the saddle trails as is done with common areas, etc. In both Saddle Creek and Panther Ridge, two nearby equestrian communities, the saddle trails are maintained by their Boards. This would take the ultimate responsibility off the shoulders of the owners and would eliminate ambiguity of responsibility.

This Committee agreed that the Board should establish a permanent Saddle Trail Committee with the Terms of Reference supplied to this Committee to implement any recommendations approved by the Board. In particular, this Committee would be responsible for the regular condition surveys. In addition, this new Committee should be asked to review closed saddle trails and advise the Board on the appropriate procedures to reclaim them.

Recommendations

The following are recommendations made by this Committee to the Board of Directors of MVRIA:

- 1. To establish a standard contract to maintain the open saddle trails on the basis of three times per year.**
- 2. To undertake an annual survey of the condition and dimensions of all saddle trails currently open.**
- 3. To order three Association financed general maintenances for all open saddle trails**
- 4. To increase the operational budget to \$2500 for next year.**
- 5. Work out a viable strategy on how to open the closed saddle trails on the basis of prior suggestions or by discovering a more feasible plan.**
- 6. To bring up to standard any saddle trail that is either below standard or practically impassable at certain times. Explore different methods of improvement such as ground repair or bridges. The necessary work should be funded from the Reserve Budget.**
- 7. To institute a standing Saddle Trail Committee with the terms of reference to implement any of these recommendations approved by the Board.**
- 8. To look into ways to solve the apparent inconsistency between the Bylaws and Deed Restrictions including any necessary changes to the current Deed Restrictions so as to make the Board overall responsible for the maintenance of all saddle trails.**
- 9. To publish this report in its entirety including enclosures on the website/Wiki before any Board decision so owners are able to read it and make comments. An appropriate notice to owners of**

this action should be in Trails 'N' Tales.

Enclosure #1**Myakka Valley Ranches Improvement Association****Saddle Trail Committee****Terms of reference**

Generally the committee is established to advise the Board on an appropriate saddle trail maintenance policy, especially with respect to those Trails that traverse the easements to the rear and/or sides of Lots within our sub-division. The decisions to adopt a policy and the actions that result will be taken by the Board on the advice of the Committee.

The Committee is to:

1. Advise and report to the Board
2. Confirm the locations of saddle trails that traverse the easements to the rear and/or sides of Lots within the sub-Division.
3. Consider the past decisions of the Board with respect to the funding of maintenance of saddle trails.
4. Advise on appropriate standards of width and of up-keep, having regard to the variable nature of the Trails.
5. Consider what steps may be taken if a Lot owner fails to maintain his/her easement to the required standard.
6. Have regard for the Associations By-laws and Deed Restrictions.
7. Seek and consider any opinion expressed by members of the Association about the up-keep of saddle trails and the financial liability for the Lot owner and/or the Board.
8. Draft an appropriate maintenance policy for the Board's consideration.
9. Estimate the cost to the Board of any actions that the Committee suggests should be undertaken by the Board.
10. Keep records of Committee meetings.

Enclosure #2

MYAKKA VALLEY

Custom Size Ranches

MYAKKA VALLEY, INC.
1264 NORTH PALM AVENUE
P.O. BOX 970
SARASOTA, FLORIDA 33578
PHONE (813) 958-6519

February 1, 1972

Dear Myakka Valley Rancher:

We have heard from and talked to several of you regarding motor bikes in Myakka Valley Ranches. There is always a bit of confusion and misunderstanding involved in something like this, and we would like to make our position clear.

First, M. V. R. is being developed primarily for the benefit of people who are interested in horses. Being located next to the largest state park insures us that we will always enjoy a park-like atmosphere with birds, wildlife and all the things wanted by people who enjoy nature at its best. Our five acre minimum home site assures us of elbow room -- and our dedicated saddle trails, our deed restrictions and general plans make it obvious that our main consideration is to be able to enjoy our horses. A private saddle trail is dedicated and included in our deed restriction for horseback riding only.

It is the intention of M. V. R. to do everything in its power to see that all of the advantages of the Valley are always available to the residents. It has been suggested by some that M. V. R. set aside a parcel of land for cycle riding. If the residents should ever agree that this would be a good idea, it would be considered but there is no evidence that such a plan is practical or advisable at this time.

Although the bridle trails are prominently referred to in your deed and deed restrictions, it may be that some of the present confusion is due to the fact that the trails are not properly marked. We should have done this before, but we are now in the process of erecting signs along the roads and trails spelling out their use.

Our sincere hope is that M. V. R. will become the finest ranch community in Florida, and we intend to do all we can to make it just that.

Sincerely yours,


Frank G. Berlin

FGB:edr

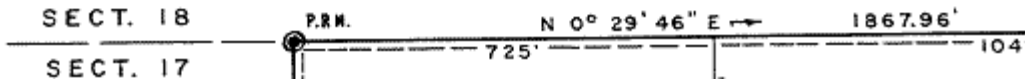
Enclosure #4

EASEMENT NOTE:

There are expressly reserved for the County of Sarasota easements of 8' along the rear of all lot lines for underground and overhead utilities, surface drainage and underground drainage and easements of 5' on each side of lot lines for the same purposes. Where more than one lot is intended as a building site, the outside boundaries of said building site shall carry said easement. Road and drainage easements are also reserved for use as saddle trails, with that usage being secondary consideration.

LANDS OF MARYLAND
LAND AND TRANS. CO.

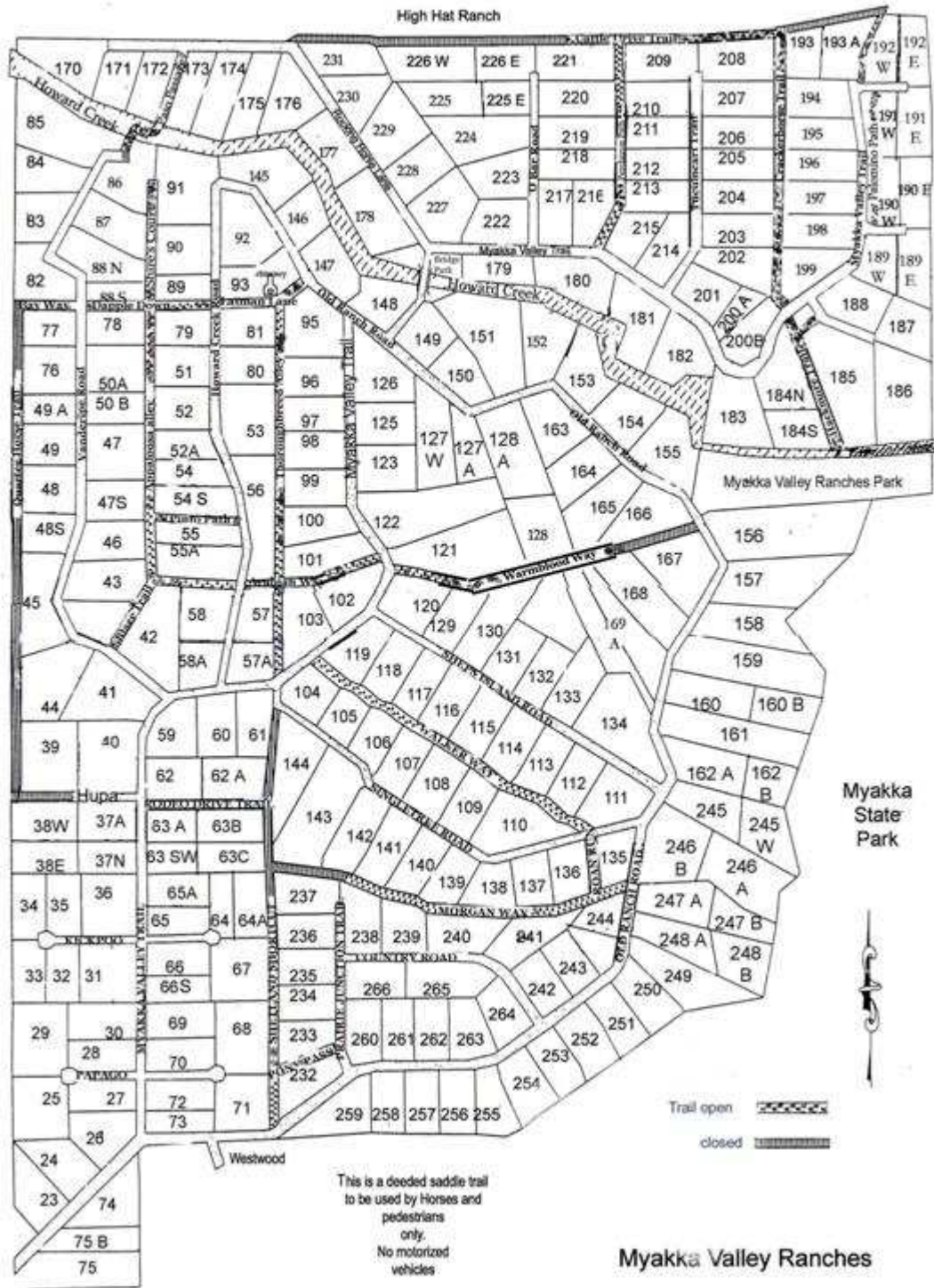
SECTION LINE IS WEST PROPERTY LINE



Detail of Unit 2 plat
MVRIA

Enclosure # 5

Unofficial Progress Print 2007 Trail Map



Enclosure #6: John Corcoran (Lot 181) letter to the Board, p.1

Page 1 of 2

John Corcoran

From: "John Corcoran" <Corcoran646@msn.com>
To: "David Hodgkinson" <davidhodgkinson@verizon.net>
Sent: Wednesday, June 18, 2008 5:38 PM
Subject: Trail Maintenance

June 18, 2008

Dear David,

I understand there have been recent Board discussions regarding the maintenance of our saddle trails. I would like to take this opportunity to provide a point of view which I hope you can share with your other Board members as I do not have everyone's email address and I am not sure I will be able to attend your next board meeting.

At the outset I would like to make it clear that I do not have a property that borders a saddle trail and have no "personal economic" interest in their maintenance other than the positive impact a well maintained trail system has on the value of every property in our Association.

As you are aware I was a recent Board member and President. During "my time" there was a substantial effort on the part of the Board, our Trail Club and many property owners to improve the state of our trail network. All are to be thanked for their work and I am pleased that the effort appears to continue. It is certainly in our collective economic interest to ensure our trails are opened and maintained.

Who then is responsible for their maintenance? Our Deed Restrictions call for a property owner, provided there is safe and reasonable trail accessibility and having the appropriate equipment, to mow them routinely. Overriding this, our Bylaws (Paragraph 6a) lists the operating and maintaining of saddle trails as a duty of the Board. Issues of access, appropriate equipment, safety and the difficulties of scheduling or timing of a myriad of maintenance possibilities found it was more efficient, safer and more satisfactory results could be obtained by providing a modest budget for a contractor such as Tom Bannerman to help keep the trails clear.

As you are no doubt aware, a similar concept was applied to the maintenance of our road islands. So precedents have been clearly established and approved. During this time the Trail Club and many volunteers donated their time to trail restoration well beyond mowing. There efforts have helped the Board meet the objective in our Articles of Incorporation to "provide for community, social, recreational and protective projects..." These projects surely include trail maintenance activities, activities that now appear to be in question. These activities have been a part of our past and present operating budget – budgets presented and approved by our membership.

I would urge the Board to consider the following when a question of trail maintenance is raised:

1. A well maintained trail system and its positive impact on our real-estate values are of value to the entire community.

6/23/2008

Enclosure #6, p.2

Page 2 of 2

2. Our Association documents clearly allow the Board to provide for trail maintenance – if not requiring it.
3. The precedent of providing trail maintenance including mowing has been well established. This precedent is similar to that created for the maintenance of our road islands as well as some ditch and culvert work.
4. Trail mowing has always been budgeted and in our operating budget and approved by our community.
5. The logistics involved in monitoring or enforcing maintenance which has been left to the “discretion” of an individual property owner as well as the wasted time, expense and ill will generated by potential enforcement issues or legal actions that may be required argues in favor of maintaining our past established practices.

In closing, I thank you and the Board for the opportunity to address this issue and your further consideration. I am aware and appreciative of the work, effort and all too often unrecognized service you provide.

John Corcoran
5291 Myakka Valley Trail
Lot 181

Enclosure #7**Item 2****Myakka Valley Ranches Improvement Association****Annual Members Meeting April 6, 2008****Adopted Business Plan Objectives for 2008/09****Introduction**

Following from the statements of the President at the last Annual Members' Meeting, the Board agreed a Business Plan. The purpose of a business plan is to set out aims and objectives and allocate resources accordingly. For this Annual Meeting, the Board sets out its proposed aims and objectives for the next 12 months. Among the reasons for so doing are:

- The Board is clear what Members expect
- Similarly, Committees know what they are expected to achieve.
- Members understand what we intend to do
- The budget can be set to enable sufficient resources to achieve the objectives.
- The Board can more easily check on progress and expenditures.

Aims for 2008/09

The Board will aim to:

- Improve and properly maintain the roads, common areas, trails and drainage in Myakka Valley for the benefit of residents
- Oppose any proposals to worsen Clark Road (SR 72) or any adjacent area
- Support any proposal to enhance the environment around the Valley
- Manage the Association as efficiently and effectively as possible
- Communicate plans and actions with Members
- Improve security of the Valley and the properties within the Valley
- Improve the security of the Park
- Prepare for any natural disaster and ensure the most efficient recovery systems are in place
- Ensure Members, other residents and visitors are aware of and abide by the revised Bylaws and Deed Restrictions.
- Resolve any written complaints
- Respond to any construction applications within 21 days
- Successfully end ongoing assessment litigation.

Objectives for 2008/09

The Board intends to:

- Undertake any necessary maintenance of road surfaces and edges
- Repair damaged easements regularly over-run by vehicles using "permanent" materials
- Extend culverts and improve the radii at two road intersections
- Replace missing pavement markers and renew yellow line where necessary
- Widen 2 key bends on Myakka Valley Trail, if resources permit
- Undertake further road condition surveys and record findings on the data base
- Continue to operate security "Tip Line" cell phone
- Identify and implement further security measures
- Finalize the legal agreement for the Crackerhorse Trail



- Maintain existing saddle trails, currently open, and review whether any closed trails might be re-opened
- Improve signage where necessary
- Obtain emergency communication equipment
- Organize at least two mock emergency training sessions
- Maintain common area grass
- Cut easement grass for absent Lot Owners on a re-chargeable basis
- Commence revision of Residents' Directory
- Review the effectiveness and value for money of "Trails n Tales" and the web site
- Regularly pick litter from the easement between SR 72 and the gatehouse

The proposed Budget sets out the allocation of resources to achieve these objectives.

The Board confirms that additional assessments will not be necessary.

There are no proposals to expend any of the Future Road Reserve.

Enclosure # 8 p.1

**Myakka Valley Ranches Improvement Association****Saddle Trail Committee****Relevant extracts from current Bylaws and Deed Restrictions**

For Information

From Bylaws

5.16 Committees. The Board of Directors may by resolution create committees and may invest in such committees such powers and responsibilities as the Board shall deem advisable. The Board may authorize the President to appoint committee members, and designate the chairperson of each committee. No committee shall be authorized to take any final or fiscal action on behalf of the Board without specific approval of the Board. Any committee authorized to take final action on behalf of the Board regarding (1) the approval or disapproval of architectural decisions or (2) the authorization of expenditures of Association funds, shall conduct their affairs in the same manner as provided in these Bylaws for Board of Director meetings. All other committees may meet and conduct their affairs in private without prior notice or owner participation. Notwithstanding any other law or documentary provision, the requirement that committee meetings be open to the Lot Owners is inapplicable to meetings between a committee and the Association's attorney with respect to proposed or pending litigation when the meeting is held for the purpose of seeking or rendering legal advice.

6. Powers and Duties. The Board of Directors shall have the powers and duties necessary for the administration of the affairs of the subdivision and may take all acts, through the proper officers of the Association, in executing such powers, except such acts which by law, the Declaration, the Articles, or these Bylaws, may not be delegated to the Board of Directors by the lot owners. Such powers and duties of the Board of Directors shall include the following:

- (a) Operating and maintaining the common areas, roads, and saddle trails.
- (h) Enforcing obligations of the lot owners, as stated in the Deed Restrictions and Bylaws.

From Deed Restrictions**I: DEFINITIONS**

5. "Common Areas" shall mean the private roads, entrance area, saddle trails, drainage easements, parks, and other areas established for the common use and enjoyment of all owners.

IV: MAINTENANCE COVENANTS AND ASSESSMENTS

The Association shall be responsible for enforcing this Declaration of Restrictions and shall be responsible for maintaining the private roads, entrance areas, parks and bridge, and such other portions of the Common Area, which is owned by it. The Association may also maintain such portions of the saddle trails and drainage easements as from time to time determined to be desirable by the Board of Directors, provided routine mowing of these areas shall be the responsibility of the owner of each lot, where accessible by tractor mower.

VI: USE RESTRICTIONS

6. No man-made debris, piles of dirt or waste which might constitute a health or fire hazard or be otherwise aesthetically objectionable shall be permitted to remain on the premises.

Enclosure # 8, p.2

In the event any of the owners of any of the parcels in the subdivision fail or refuse to keep the premises in good order as previously stated, the Board may, after giving reasonable notice to the owner, mailed to the address of the owner as shown on the tax rolls of Sarasota County, elect to take available legal means to correct the problem. This shall include entering upon the property, mowing, removing the debris or waste, leveling dirt or brush piles, or doing whatever is reasonably necessary to put said parcel in clean and proper order and appearance. Any such entry on the parcel shall not be deemed a trespass. Unless temporarily excused in writing by the Board, it shall be the owners' responsibility to maintain the roadway and saddle trail and drainage easements on their property, keeping them mowed, providing the saddle trails and drainage easements are accessible by a tractor-type mower. Drainage ditches and roadway easements must be kept free of trees and underbrush which interferes with the proper drainage designed, or use of the right-of-way as a saddle trail. Culverts must be installed to provide proper drainage as designed. Any expenses the Association incurs to enforce and/or correct violations of this restriction shall constitute a lien against said property. This lien may be foreclosed in accordance with the provisions of the law providing for mortgage foreclosures. In the event foreclosure proceedings are filed, the Association shall be entitled to recover as part of the judgment a reasonable attorney's fee and court costs required thereby.

7. No owner or occupant shall obstruct or impede the safe use and reasonable enjoyment of the private roads, drainage easements, saddle trails and other common areas, including but without limitation to the dumping of manure and other debris in saddle trails or easement areas.

8. Emergency vehicles and work vehicles authorized by the Board of Directors may use the saddle trails and easements. No other motorized vehicles, including but not limited to all-terrain vehicles, motorcycles, motor bikes, mopeds, and motorized scooters, shall be operated on saddle trails.

VII EASEMENTS AND SETBACKS

2. All saddle trail easements are reserved exclusively for equestrian and pedestrian purposes, specifically excluding motorized vehicles, except mowers and tractors, for the use of residents and their guests.

4. An easement eight (8) feet in width along the rear and five (5) feet along the side property lines of each parcel is reserved for the Association, its successors and assigns, and its designees for the installation and maintenance of utilities and drainage facilities; provided, however, that the owner of the parcel may fence in the easement area and the area shall be maintained by the owner except for those improvements installed and maintained for utilities and drainage facilities. Under no condition can a saddle trail or county drainage easement be fenced in or made inaccessible.

Enclosure #9**Myakka Valley Ranches**

8/5/2008

Saddle Trails: Inventory, Notes

Prepared by Jacqueline Vizzi

Legend:

D ditch
 C Closed
 U Unknown
 O Open
 G Grassy
 T Trees, branches, wooded
 NR not accessible by ridermower
 AR accessible by ridermower
 W wet
 P problem trail, further repair needed
 OW owner contacted

Condition: 1-3

1 = good

2 = some problems but usable

3 = needs major repair or improvement

Trail name	Lot number	Comment	Condition
Shetland Shortcut	232	G,O,AR	1
	233	U	
	234	U	
	235	U	
	236	U	
	237	U	
	63C	U	
	63B	U	
	62A	U	
	61	U	
	144	C, OW	
Rodeo Drive Trail	62	U	
	62A	U	
	63A	U	
	63B	U	
Morgan Way	237	U	

	238	D	
	239	D	
	240	D	
	241	D	
	244	D	
	143	W,OW,P	
	142	G, O, AR	2
	141	G, O, AR	2
	140	G,O, AR	2
	139	G,O,AR	2
	138	G,O,AR	2
	137	G,O,AR	2
	136	G,O,AR, OW	2
	135	C,W, NR	
Walker Way	104	O,G,AR	1
	105	O,G,AR	1
	106	O,G,AR	1
	107	O,G,AR	1
	108	O,G,AR	1
	109	O,G,AR	1
	110	O,G,AR	1
	119	O,G,AR	1
	118	D	
	117	D	
	116	D	
	115	D	
	114	D	
	113	D	
	112	D	
	111	D	
Roan Run	136	Not deeded,OW	
Warmblood Way	120	O, G,AR	1
	129	O,G,AR	1
	130	O,G,AR	1
	131N	O,G,AR	
	169A	U	
	168	D	
	167	D	
	166	C,OW	
	165	O,G,AR	1
	128	U	
	121	D	
Arabian Way	101	D,O,G, AR	1
	102	O, T,NR	2
	103	D	2
	57	D	

	56		O, G, AR	1
	58		O, G, AR	2
	55A		C, W	
	42		O, W, G, NR	
2				
Thoroughbred Alley	57A		O, G, AR	2
	57		O, G, AR	
2		56		
O, G, AR	1			
	53		O, G, AR	1
	80		O, G, AR	1
	81		O, G, AR	1
	95		O, G, AR	1
	96		O, G, AR	
1		97		
O, G, AR	1			
	98		O, G, AR	1
	99		O, G, AR	1
	100		O, G, AR	1
	101		O, G, AR	1
	103		O, W, AR	2
Pinto Path	55		O, G, AR	1
	54S		D	
Blaze trail	42		O, T, P	3
	43		D	
Appaloosa Alley	43		D	
	46		D	
	47S		D	
	47		D	
	50B		D	
	50A		D	
	78		D	
	79		O, G, AR	1
	51		O, G, AR	1
	52		O, G, AR	1
	52A		O, G, AR	1
	54		O, G, AR	1
	54S		O, G, AR	1
Shire's Court	88S		D	
	88N		D	
	87		D	
	86		D	
	91		U, O, G, AR	1
	90		O, G, AR	1
	89		O, G, AR	1

Dapple Down	88S	D	
	89	D	
	78	O,G,AR	1
	79	O,G,AR	1
Latvian Lane	93	O,G,AR	1
	81	O,G,AR	1
	95	O,G,AR	1
Bay Way	82	U	
	77	O, OW	3
Quarter Horse Trail	77	O,OW	
	76	C,OW	
	49A	C,U	
	49	U	
	48	U	
	48S	U	
	45	U	
	44	U	
	39	U	
38W	U		
Paso Passage	85	O,T,NR	2
	86	O,T,NR	2
	172	O, T,W,NR	1
	173	O,T,W,NR	1
Cattle Drive Trail	231	U	
	226W	U	
	226E	U	
	221	U	
	209	O,G, AR	1
	208	O,W,NR	3
	193	W,U	
	193A	U	
192W	O,G,AR	1	
Percheron Path	216	O,T,NR	2
	218	O,G,AR	1
	219	O,G,AR	1
	220	O,G,AR	1
	221	O,G,AR	1
	215	D	
	213	O,G,AR	1
	212	O,G,AR	1

	211	O,G,AR		1
	210	O,G,AR		1
	209	O,G,AR		1
Crackerhorse Trail	200B	C, OW		
	202	C,OW		
	203	C,OW		
	204	O,G,NR		1
	205	O,G,NR		1
	206	O,G,NR		2
	207	O,G,NR		2
	208	O,T, NR		2
	193	O,T, W,NR		2
	194	O,G,NR		
1		195		
O,G,AR	1			
196	O,G,NR	2		
	197	O,G,AR		1
	198	O,G,AR		1
	199	O,G,AR		1
Palomino Path		U		
Hackamore trail	184N	O,W,	184S	
D,NR				
D	185	O,T,NR,OW		2

Enclosure #10

HERALD-TRIBUNE | SUNDAY, JULY 13, 2008 | 51

Good schools, trails are hot amenities

With rising gas prices and major demographic shifts, the days of far-flung sprawl are coming to an end, to be replaced by more compact, walkable developments with amenities far different than those of the past.

It's not that acreage-gobbling country-club communities with designer golf courses and luxury clubhouses have become passe. They haven't.

But developers need a lot of expensive land and at least 1,000 dwelling units to sustain a decent golf course, according to Mark Hillier in the Boca Raton office of Greenberg Traurig, a development consulting firm. Consequently, he is now advising builders to pass on golf if they can.

"We tell a lot of our clients to mooch off someone else's golf course if there's one nearby," says Hillier.

So with developers rethinking their amenity packages, here's a glimpse at some of the hottest "new" features:

■ **Schools.** If securing a quality education for your children is the ultimate anxiety, than quality schools are "the ultimate amenity," says David Ethan Greenberg, CEO of the New Schools Development Corp. in Cherry Hills Village, Colo.

All things equal, where would you rather live — in a place where the schools are great or where they are just average? Even if you had to pay somewhat more for a house within a top school district, wouldn't you? After all, it would give your child the greatest opportunity to learn.

Offering top-notch educational opportunities isn't entirely altruistic. After all, good schools enable builders to sell houses more quickly at higher prices. Moreover, the quality of the local school system has always been a chief driver of where people choose to live.

But for the most part, the real-estate community has taken a fairly passive attitude about education. Builders and developers would give away a few acres for schools, and maybe even put up the buildings, but that time about it

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can start a gifted and talented program. Whatever they do, Greenberg says, developers "can't ever oversaturate the market with good schools."

■ **Trails.** If schools are the ultimate amenity, natural-surface trails may just be the least expensive. Unfortunately, most developers have either missed that fact or failed to deliver the right product. But biking enthusiast Randy Martin is out to change that.

"Natural-surface trails are the highest-impact, lowest-cost amenity a community developer can provide," says Martin, president of Trailscape in Costa Mesa, Calif. He reports there's a "mass market" for them.

For the record, we're not talking here about hard-sur-

face walkways that connect neighborhoods, or even old-time physical-fitness courses that wind their way through a community. We're talking about full-blown biker and hiker trails.

According to Martin, an eight-mile trail system costs \$500,000 to build. In an 800-house community, that works out to about \$650 per unit to build and \$1 per house per month to maintain.

For that same 800-unit project, Martin says a two-acre ball field would cost \$1,100 per unit to build and \$8 a month to maintain. A more ambitious one-acre pool complex would cost just \$750 per unit to build but \$21 a month in upkeep, and an 18-hole golf course would run \$11,000 per house per hole to build and \$52 a month to sustain.

■ **Connectivity.** A computer intranet system, which allows homeowners to connect, interact and stay informed about the places where they choose to live, is cost-effective for

developers, said Hank Baker.

Systems like the private-label ones that Baker's company creates for developers "accelerate tradition" by allowing neighbors to get know each other more quickly. The systems "provide the structure for thriving, interactive communities by encouraging conversation and participation," he says.

■ **Fishing.** It can cost significantly less to build and maintain a bass lake than a golf course, especially one of the signature links designed by a big-name golfer. Better yet, according to a report in Land Development, a National Association of Home Builders publication, almost twice as many people fish as play golf.

A good bass lake can be built on 20 acres or less, and annual upkeep is about \$46,000, according to Ray Scott of the Bass Anglers Sportsman Society. Compare that to a typical golf course, and it's easy to see why developers might find it better to grow bass than grass.

HOMES FROM
Discover
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CRYSTAL LAKES

Enclosure # 11 Larry Magill (Lot 210) letter to the Board p.1

Note: forwarded message attached.

I want you to know that I appreciate very much the time and effort that David and all of our board members put into our association. I think you are doing a great job. Please continue doing what you do.

The saddle trails can be one of the most valuable features of our subdivision. County government will fight the development of any more large estate, horse communities like ours. We have something here that is unique and will be very sought after in future years by people who appreciate this life style. My property is on a trail that was reopened a couple of years ago after being closed for many, many years. It is a joy to see so many people riding this trail on a regular basis.

The biggest problem with the saddle trails is the double standard we have concerning their care and maintenance. We think the roads and bridge are to be maintained by MVRIA and budget accordingly. But the saddle trails we think are the responsibility of the property owner. Why? My property extends half-way onto the saddle trail behind my property, but it also extends half-way onto the road in front. You don't ask my permission to fix the road on my property. Why do you think you need my permission to maintain the saddle trail that is on my property? They are both platted and deeded easements. There is no difference.

Occasionally, I see or hear remarks along the line that an easement is lost because of nonuse. Do you have a legal opinion on this? I haven't ever seen FPL on my property, but they don't seem concerned about losing their easement. I would not even go there. Just do what you need to do.

I confess, mowing and cutting back the brush on the saddle trail is the last thing on my honey-do list. Like most property owners, I don't really have the right equipment to chop back the jungle on the trail. It seems like every time I take my lawn tractor out there, I end up repairing the mower deck or fixing a flat tire. I appreciate your offer of help, but I think there is a better way.

First, I think the trails that are already opened need to be maintained on a regular basis by a contractor with the right equipment and manpower to do the job properly. I believe this should be a budget item in our annual operating budget. Done properly, trail maintenance could possibly be done once or twice a year.

Magill p.2

Second, we need a plan to open all of the trails that are now closed. I am very appreciative of my neighbors who volunteered their time and tools to open the trail behind my property. But the only practical way to reopen all of our closed trails is to hire a contractor with the capability of undertaking a large scale land improvement project.

We need a strategy to reopen all of the trails. I can think of three possible strategies for performing and financing the reopening of closed trails:

1. We can adopt a pay-as-you-go strategy by planning to reopen 4 or 5 miles a year and finance it through the current operating budget assessment. But this strategy requires a long-term plan that would survive the current board.
2. We can plan to reopen all of the closed trails in 3 or 4 phases in future years and finance it with an annual reserve assessment (pay-now, build-later).
3. We can hire a contractor to reopen all of the closed trails in one large-scale project and finance it with bank financing to be repaid through a debt service item in the current operating budget (build-now, pay-later). There are other long-term financing possibilities in addition to banks.

Invite contractors to survey our closed trails and give us an estimate of the cost to reopen. Knowing what it would cost provides you with the information you need to plan.

Very truly yours,

Larry Magill

1 of 210