

# 2021 SJVLOA ANNUAL MEETING

2021 Annual meeting of the San Juan Vista Landowners Association was called to order at 9:43am by Brian Rogers, President. 2020 SJVLOA Meeting Minutes were presented by Brian Rogers, Acting Secretary, and approved. Brian Rogers thanked Carol and Dick Ames for hosting the meeting.

President, Secretary, and Treasurer Reports and Weed Control update were all presented by Brian Rogers. The treasurers report gave an update on the 2020 expenses which included Plowing \$7000, Grading \$14,817 and Attorney's Fees.

Brian urged everyone to control their speeds as this has been an increasing problem in San Juan Vista. In addition, there have been some property trespass cutting trees without permission by those who were not aware of the private property lines.

Brian urged everyone to need to own a chainsaw to remove fallen trees from Roads and driveways. Brian also discussed the fire, response time for emergency services, and Automatic Electronic Defibrillator (AED) location. Easement issues and associated parking were then discussed.

Brian then asked if there were any new issues.

Mr. Brady stood and spoke to the parking problems on Overlook Way, property trespass, and non-owner access to the Wilderness. He stated he had received an e-mail from the San Juan vista Board that he felt accused him of trespassing and that he had hired an attorney to try and understand whether or not he had trespassed. He learned that there is no recorded easement for the owner access that is presently being used by SJV to access the wilderness from the plated Overlook Way easement or the plated Forest Lane easement. The Overlook Way easement access being used by SJV is on property owned by the Brady's and the Pryor's. Mr. Brady stated that he and the Pryor's had no intention of closing the existing Overlook Way easement access but felt that access on the east side is identical and has been used by owners for years adding that he felt the only difference is that the east side access has not been maintained but could easily be improved. Mr. Brady also pointed out that he thought there is an existing trail from the Dallas trail that has been in place for years that comes to within 1000ft of the SJV plat. He also had sent a letter to the SJVLOA Board from the Telluride fire district that parking at the Cul De Sac at overlook way violates fire codes and should not be allowed.

Mr. Jager disagreed with Mr. Brady on the easement issue noting that there is an official recorded easement (Recorded Book 341, page 659) for the Forest Lane easement that both Mr. Hockersmith (the HOAs lawyer) and the US Forest Service have stated is for the sole use of the US government and not the general public. Mr. Jager also noted that the felt the easements in the subdivision were not identical because the Forest Lane easement is officially documented and recorded and clearly states who can use it. The access issue was left to the Board to follow up on.

Mr. Brady also brought up that many people who were not owners were using the Overlook access and that owners were sending friends up to use the access even though they were not staying in San Juan Vista. Mr. Brady equated this to someone in a Condominium community offering access HOA to pool, fitness, and other amenities to others who were not staying on property and felt the wilderness access is something that is very special, limited, and provides value to all of the SJV properties. He suggested that the Board should consider limiting access to Owners, Family of Owners, and Renters only. Mr. Brady felt that Owners should not be giving access to friends, contractors, etc. Some of those present felt the Board should address this issue.

On the parking issue, an agreement was reached and approved by vote of the landowners to limit parking to four marked spaces on the Overlook Way road below the Cul de Sac. A sign informing of 'Limited Parking' will be created and installed on Overlook Way and SJV Loop Rd intersection and up at the Cul De Sac on Overlook Way. In addition, parking spot signs for the four spots will be constructed and installed. Jeff Wetteland volunteered to make the signs and install them with Park Brady and John Pryor.

Two vacant Board member positions existed due to Bill Young and Holly Smith selling in April. Three owners volunteered to be considered for the vacancies and were seconded. A written, secret ballot (one per Lot) was conducted. Results were tallied by Brian and Janice Rogers, Jeff Wetteland and Park Brady were elected. Meeting was concluded at 11:41am.

**Not part of the minutes but FYI for Board members as they review minutes**

**From:** Holly Smith <[mtnhigh9600@gmail.com](mailto:mtnhigh9600@gmail.com)>

**Date:** Wednesday, October 14, 2020 at 3:26 PM

**To:** Park Brady <[park@parkbrady.com](mailto:park@parkbrady.com)>, [board@sjvloa.com](mailto:board@sjvloa.com)<[board@sjvloa.com](mailto:board@sjvloa.com)>

**Subject:** San Juan Vista Obsolete Easement & Trespass Concerns

Park,

It has come to the San Juan Vista Board's attention that you believe there is a general easement for San Juan Vista lot owners from the Forest Lane cul-de-sac, through Smith/Young, Carpenter, and Jager properties, to the Wilderness boundary. We have also been notified that you, and others, hiked through these lot owners' properties, with chainsaws, and cut trees on lots 16 (Jager) and 17 (Carpenter). The improved game trail leading from the Dallas Trail to Lot 16 with a red yurt is not associated in any way with the obsolete USFS Easement.

The Board disagrees with your interpretation of the USFS easement. However, the Board has determined that a legal opinion from our counsel should be sought.

The Board asks that you not walk this route until it has been determined whether or not a general easement for San Juan Vista lot owners exists between the Forest Lane cul-de-sac and the National Forest.

Hopefully we can get an opinion from counsel in the next month or so. When we receive legal opinion we will forward it to you and we can discuss the implications of this opinion.

The Board looks forward to coming to a resolution of this issue, for you and all SJV lot owners.

Respectfully,

Board Members: Brian Rogers, Justin Jager, Bill Young, Holly Smith and Ted Moews

**Letter from the Telluride Fire district**



# TELLURIDE FIRE PROTECTION DISTRICT

Scott Heidergott, Fire Marshal

---

San Juan Vista HOA,

I recently drove through the subdivision after being contacted about parking in possible fire apparatus turnarounds.

Overlook Way, Forest Lane and any other dead-end public/subdivision use street that is over 150' shall have a fire apparatus turn around and be clear of vehicle parking.

Code reference,

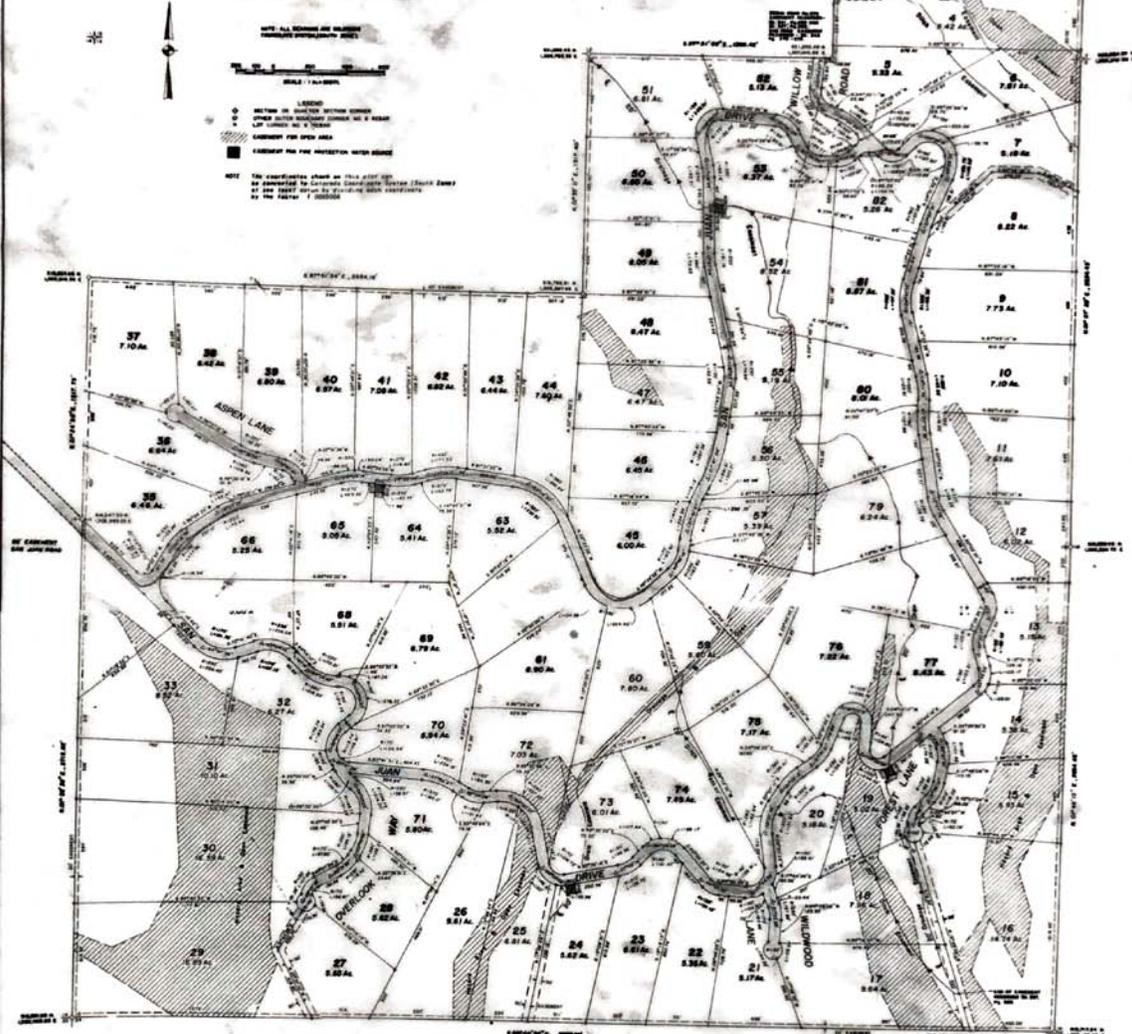
2018 IFC

503.2.5 Dead ends. Dead end fire apparatus access roads in excess of 150 feet (45 720mm) in length shall be provided with an approved area for turning around fire apparatus.



# SAN JUAN VISTA SUBDIVISION FILING NUMBER I

PART OF SEC. 12 & 13, T. 44 N., R. 10 E., N.M.P.M.  
SAN MIGUEL COUNTY, COLORADO



NOTE: The coordinates shown on this plat are as computed by Colorado Coordinate System (State Zone) at the 1983 datum. All bearings and distances are by the Factor 1.000000.



# SAN JUAN VISTA SUBDIVISION FILING NUMBER I

PART OF SEC. 12 & 13, T. 44 N., R. 10 E., N.M.P.M.  
SAN MIGUEL COUNTY, COLORADO

*21000 H Rd in Subdivision*

*12537H Man 60P 32  
Culd 7*

*39*