



P.O.A.T.R.I.
BOARD OF DIRECTORS QUARTERLY MEETING MINUTES
SATURDAY, APRIL 29, 2017

10:00 AM Board of Directors' Meeting

Call to Order by President Marilyn Anthenat at 10:03 am

Roll Call and Certification of Board Members by Secretary Kathy Pothier (P = Present; A = Absent)

M. Anthenat - P Y. Diaz - P C. King - P L. Leaming - P
K. Pothier - P L. Shank - P B. Vogl - P

Invitation for Public Service Announcements – Linda Shank shared that there is a cactus on the bench outside the meeting room that is free for the taking.

Acceptance of Minutes - Kathy Pothier, Secretary – The minutes of the January quarterly meeting were emailed to all directors. M. Anthenat moved the minutes be accepted as emailed. C. King second. The motion was unanimously approved.

President's Report by Marilyn Anthenat is attached at the end of these minutes

Treasurer's Report by Linda Shank is attached at the end of these minutes

Manager's Report by Anita Goss is attached at the end of these minutes

Committee/Task Force Reports

Budget and Finance Committee - Linda Shank, Chair – no report

Audit Committee – Linda Shank – the committee had planned to audit the deer locker containing archived financial documents but has delayed this project to the second quarter of this year.

Communications Committee – Chris King, Yvonne Diaz – A survey was conducted in the first quarter of 2017 to determine the interest property owners may have in listening in on quarterly board meetings. 1,789 surveys were sent by email and 1,154 sent by mail. There were 14 responses. As a result of the survey response, the recommendations are as follows:
1. Work at putting the recordings of the meetings on the website as soon as possible after the meeting; 2. Promote the recordings so that property owners are aware that this option is available; 3. Not to pursue other options that would cost money. The cost benefit is not there. The full report is attached at the end of these minutes.

Legal Task Force Coordinators – Kathy Pothier, Chris King – Marilyn Anthenat shared that the task force continues to make progress on ingress/egress clarification as it relates to buying and selling property and the ability to get mortgages. We hope to have this resolved by the October board meeting.

Hunt Committee – no report

3-Mile Task Force – Linda Shank, Nancy Reyes – this report is attached at the end of these minutes.

Water Conservation Task Force – Steve Elliott, Nester Reyes, Jim Miller, Jr. – Marilyn Anthenat reported that this task force was developed for three reasons: 1) to educate property owners and guests about the importance of conserving water; 2) monitor what county and state agencies are doing about water regulations; and 3) monitor what other entities selling water in the area are charging and if they are doing any rationing as they did in years past. Steve Elliott is chair and attended a water symposium meeting on April 22nd. Unfortunately, he was unable to be with us today. The Brewster County Groundwater Conservation District (BCGCD) is looking at having folks voluntarily report their wells; they are also implementing fees to entities selling water commercially. This is something we will continue to monitor. The BCGCD is having their meeting on June 15th. Anita Goss shared that there is a report on poatri.org on the blog page on the news tab.

Airport Committee – no report

OLD BUSINESS:

Update on Delinquent Accounts, Collections and Foreclosures by Anita Goss, Manager – see attached report at the end of these minutes.

At this point, there was general discussion regarding the 38% rate of collection for 2017 assessments. What are the primary reasons that we are under 50%? Anita Goss responded that she can't speak to old history but she could talk about current history. She has been talking with owners who are responding to the demand letters being sent out. Many folks were upset about the Lodge being closed. Many rumors went around that a drunk lady was answering the phone. The ranch was in transition and they decided not to pay. When folks call in they are very upset and by the time the call has ended they are not angry anymore and they are going to start paying. It's a lack of communication. Two more letters are going out - one to owners who owe \$1,000 or less and the other is the interim bill that was not sent out in 2016. Anita was encouraged to keep focusing on collection. Thanks to Anita for all her efforts and focus on collections.

NEW BUSINESS:

Property Owner Participation – No participation

Survey Question Results by Chris King, Yvonne Diaz - A survey was conducted in the first quarter of 2017 to determine the interest property owners may have in listening in on quarterly board meetings. 1,789 surveys were sent by email and 1,154 sent by mail. There were 14 responses. As a result of the survey response, the recommendations are as follows: 1. Work at putting the recordings of the meetings on the website as soon as possible after the meeting; 2. Promote the recordings so that property owners are aware that this option is available; 3. Not to pursue other options that would cost money. The cost benefit is not there. This report is attached at the end of these minutes.

Room/RV/Tent Rate Comparison/Recommendations by Anita Goss – The statistics of area rate comparisons are included in the manager's report attached at the end of these minutes. Anita Goss recommended the following increase in rates: 1. Upper RV sites increased to \$28.00 per night; 2. Lower RV sites increased to \$24.00 per night; 3. Tent Camping increased to \$8.00 per person/per night. The resulting resolution is attached at the end of these minutes.

There was discussion regarding the dates in the Lodge Discount Policy in the P&P manual for reporting and making these rates changes. The dates in the current policy are not in line with the budgeting process. The resulting resolution is attached at the end of these minutes.

Other New Business

Board Officer terms – The current Bylaws limit the term of an officer to 1 year in each officer position. There was general consensus that there were enough safeguards in place in the Bylaws and that this was redundant. The resulting resolution is attached at the end of these minutes.

Linda Shank moved and Chris King seconded and approved unanimously to adjourn. The meeting was adjourned at 11:10am.

Respectfully submitted,

Kathy Pothier,
Secretary

Resolutions and Voting

RESOLUTION BY THE BOARD OF DIRECTORS

Discussion: WHEREAS,

The Ranch Manager has completed a comparison of local RV Site and Tent Camping Site rates.

Therefore;

BE IT HEREBY RESOLVED:

To increase RV Upper Site rates to \$28.00 per night, RV Lower Site rates to \$24.00 per night, and Tent Camping Site rates to \$8.00 per person. Rate increases will be effective May 1, 2017.

This resolution ☐ amends ☐ replaces ☐ revokes ☐ adds

☐ Article _____ ☐ Section _____ of the

☐ By-laws ☐ Policy and Procedures Manual ☐ _____

☐ Article _____ ☐ Section _____

Effective Date: April 29, 2017

Motion By: Marilynn Anthenat Second: Chris King

Ayes: 6 Nays: 1 Abstain: 0 Absent: 0

Record of Voting:

A M. Anthenat A Y. Diaz; A C. King N L. Leaming A K. Pothier

A L. Shank A B. Vogl

RESOLUTION BY THE BOARD OF DIRECTORS

Discussion: WHEREAS,

The current Policy and Procedure 9.F (Lodge Discount Policy) prohibits the Board of Directors in establishing a new annual budget taking into consideration any changes in cabin, RV, Tent, Pool rates and/or Discounts.

Therefore;

BE IT HEREBY RESOLVED:

To remove the sentence: "These recommendations will be reviewed annually in March for a May 1 effective date and rooms rates and/or discounts amended as necessary to maintain the overall ability of the lodge including the facilities, amenities and services offered to be self-supporting."

To add the sentence: "These recommendations will be reviewed annually at the July Board of Directors meeting, in order to be included in the budgeting process, for a January 1 effective date and room rates, RV and Tent site rates, Pool rates, and/or Discounts amended as necessary to maintain the overall ability of the lodge including the facilities, amenities and services offered to be self-supporting."

This resolution ☒ amends ☐ replaces ☐ revokes ☐ adds

☒ Article 9F ☐ Section _____ of the

☐ By-laws ☒ Policy and Procedures Manual ☐ _____

☐ Article _____ ☐ Section _____

Effective Date: April 29, 2017

Motion By: Chris King Second: Marilynn Anthenat

Ayes: 7 Nays: 0 Abstain: 0 Absent: 0

Record of Voting:

A M. Anthenat A Y. Diaz; A C. King A L. Leaming A K. Pothier
A L. Shank A B. Vogl

RESOLUTION BY THE BOARD OF DIRECTORS

Discussion: WHEREAS,

Article 5.01 of the By-laws conflicts with the ability of each year's Board of Directors to elect officers; it takes time to become familiar with ranch history, operations, and issues; there has historically been limited interest in participating on the Board of Directors; and there are already checks and balances by limiting a person's ability to be a Director to two consecutive terms (six consecutive years)

Therefore;

BE IT HEREBY RESOLVED:

To remove the sentence: "No officer shall serve more than three (3) consecutive terms in a given office."

The amended section 5.01 shall read: "POATRI officers shall include a President, a Vice-president, a Secretary, and a Treasurer, each of whom shall be elected from the Board of Directors annually at its first quarterly meeting."

This resolution ☒ amends ☐ replaces ☐ revokes ☐ adds

☒ Article 5.01 ☐ Section _____ of the

☒ By-laws ☐ Policy and Procedures Manual ☐ _____

☐ Article _____ ☐ Section _____

Effective Date: April 29, 2017

Motion By: Chris King Second: Bill Vogl

Ayes: 5 Nays: 2 Abstain: 0 Absent: 0

Record of Voting:

A M. Anthenat N Y. Diaz; A C. King N L. Leaming A K. Pothier
A L. Shank A B. Vogl

BOARD OF DIRECTORS' MEETING – PRESIDENT'S REPORT

APRIL 29, 2017

Spring Break was a success at the ranch. Many thanks to Anita and her staff for completing projects and improvements prior to this busy season. And a huge thank you to everyone at the café – I heard many comments from guests about the great food and quick and friendly service. The new wiring and lighting in the bunkhouse has been completed and thank you to Anita for donating the new double doors.

We received a letter from a property owner thanking Dennis and Michael for quickly responding to their road problem and another letter thanking Calvin for his courtesy and helpfulness.

As reported at the last meeting, our antiquated wiring had reached the end of its safe and useful life and was creating potential fire hazards. Anita promptly pushed the repairs through and the work was completed in March.

The Commissioner's Court in Alpine has held several meetings to discuss property valuations and tax rates. Appraisers have been making site visits to properties in south Brewster County; the outcome will likely result in higher valuations and higher tax rates.

Thank you to Linda Shank for her many hours of work sprucing up the patio and café areas by painting the handrails and weeding and planting new plants in the landscape area.

Attended Brewster County property tax auction on March 7th with 69 tracts up for auction. Six tracts were removed prior to the auction and approximately six tracts did not receive any bids. The remaining tracts were sold either at their minimum bid amounts or higher. In some cases, significantly higher with approximately four tracts being sold for \$10,000 or more. Net proceeds to POATRI from this auction was \$11,058.32 for back assessments.

A survey was included in the last newsletter and we received positive feedback from property owners regarding listening live to board meetings. Thanks to all who participated.

Anita and I plan to attend the Brewster County Groundwater Conservation District's rules meeting scheduled for June 15.

Respectfully submitted

Marilynn Anthenat
President

Property Owners Association, Terlingua Ranch, Inc.
Treasurer's Report
For the Quarter Period ended 3/31/17

Unaudited, preliminary financial statements for the three-month period ending 3-31-17, are available and include a Balance Sheet, a P&L Budget Performance Report, a Comparative P&L for the same three-months in 2016, and a P&L by Class (Cost Center).

At the end of March 2017, POATRI had cash on hand in various banks totaling approximately \$734,395, including approximately \$309,576 in bank accounts reserved for contingency situations and for capital reserve funds.

In December 2016, the Board approved the withdrawal of \$45,000 from the Capital Reserve Fund for the Manager to have available to bid on additional road equipment. The Board approved the repayment of the \$45,000 back into the Capital Reserve Fund over a 3-year period starting January 2017, at a rate of \$1,250 per month. As of 3/31/17, there have been 3 repayments for a total of \$3,750.00.

For the first quarter period, POATRI received gross income (before expenses) as follows:

Assessment Revenue	\$ 342,064
Supplemental Revenue	\$ 125,684
Miscellaneous Income	\$ 486
Total Income	<u>\$ 468,234</u>

The Budget Performance P&L reports that POATRI had net income before depreciation for the three-month period of approximately \$223,479 versus the budget projection of \$251,338.

The Supplemental Cost Center (Lodge-related) reports net income of approximately \$6,314. The Non-Supplemental Cost Center reported a net gain of \$217,168. The combined net was approximately \$223,480.

The Comparative Profit & Loss Statement compares revenue and expenses for the three-month period ended 3/31/17 with that of 3/31/16. Assessment revenue was \$342,064 in 2017 versus \$362,591 in 2016. Supplemental Revenue before expenses was \$125,684 versus \$120,591 in 2016.

Net Income for the first quarter of 2017 was \$223,480 compared to \$257,192 for the same period in 2016.

Other statistics:

Since the flat fee was adopted in 2005, there has been a concern that Assessment

Revenue could significantly decline if TR tracts started being consolidated resulting in fewer separate accounts. However, that trend does not yet seem to be an issue. In 2011 there were 4,343 accounts billed for assessments. The number of accounts billed for 2017 Assessments was 4,405, an increase of 62 accounts since 2011.

The rate of payment at 3/31/17 was 38% of accounts billed, compared to a high of 41% in 2014 and 2015. The rate of payment at 3/31/16 was 39%.

Submitted April 29, 2017

Linda Shank,
Treasurer

So far, this year has been a whirl wind of repairs and property owner activity. We have a few new land companies that have acquired several pieces of land...you may be familiar; Land Mule and Land Pearl are a couple of new companies. This has kept the property services office very busy. We also assessed this year's late fees on accounts and have been processing a lot of last minute payments for assessment dues.

The week before spring break we completed the electrical upgrades that connects us to Rio Grande electric, and had a full house over spring break without ANY interruptions. Also, we were able to clean up and re wire the bunkhouse, and add new energy efficient led lighting.

Also in January, February and April of this year the maintenance team was able to renovate 3 more cabins, averaging one every 30 days. Each cabin has new paint, furniture, flooring, and plumbing. We will continue to finish the quad as soon as the TSUS May Symposium is over at the end of May. The Maintenance team plans to have the last room and the exterior siding done by July.

Another goal of the maintenance team is to replace plumbing in the laundry room to help protect our investments in washers and water heaters, which we will also be replacing. Some of these water heaters are 22yrs old plus.

Right now, I am writing out a procedure plan for the office for taking online payments on our website using the PayPal feature. We have been working on the websites since Feb 15th to bring the up-to date and make them secure for credit card use. Please go to the sites when you have a chance, you may notice quicker response, all links have been re-established, newsletter are in chronological order, our website works well on mobile devices now and the Terlingua Ranch.com website is also updated.

On the website, I Have listed the next auction properties to go up for sale at the POATRI auction. July 5th thru July 23rd, 2017. Speaking of auctions, we received over a net of 11,000. In monies collected from the Brewster County tax auction back in March for delinquent property dues.

Since the January meeting I have been working a collections project for 2017. We will be sending out payment requests for certain accounts, and interim billing June 1st for all accounts not paid as of that date. During this collection project, I have collected some data that I would like to share...

Donation Letters went out last week of March, we have already started to see an influx of donations, thanks to all those devoted property owners.

I also would like to roll out "RANCH MARKET DAYS" for the months of July and August. where property owners can come and sell their wares on the patio, having free space to sell. The Lodge will also be having a hotel fire sell to get rid of un wanted items in storage. I will provide advertising for Market Days thru Marfa Public Radio, Alpine Avalanche and the Terlingua Moon, Lunch Specials at the Café, and live Music on those days as well. We will announce this to our property owners in the next newsletter to come out in May, along with a separate email to property owners with a Flyer. I would like to offer 30% discounts to any property owners or guests that would like to be a part of Market Days, dates would include July 8th thru Aug 26th. Property Owners participating may also advertise on Facebook where they like.

As of now thanks to Lee Pendleton and Wes Abbott, we now have a Big Bend Valley Volunteer Water truck stationed on property at the ready for emergencies. Thanks to BBVVFD!

We have plans to close the pool Sept 30th, for repairs. We will announce closure in newsletters and on the news tab of www.poatri.org

Last but not least, we are still working on getting propane exchange here at the ranch office. . We now have our railroad commission certificate to sell propane. There is some question whether the company will travel the last three miles. We have not given up on getting the deliveries though, and are looking at other options to make this work.

Thanks,

Anita Goss,
Ranch Manager

2017 COLLECTIONS PROJECT AND DELINQUENT STATISTICS

Project targets accounts who have paid taxes & members who owe \$1050.00 or more	Each Demand Letter: \$6.69 Each Lien: \$26.00	TOTAL OWED \$523,850.74	TOTAL COLLECTED BEFORE LIENS WERE PLACED	RETURNED TO SENDER	Resulted In Payment Plans
SENT DEMAND LETTERS TO DATE : 219 COST : \$1465.11	TURNED INTO LIENS TO DATE: 107 COST: \$2782.00	\$285,922.49	\$29,849.50	40	15
STILL to Send out : 185 Demand Letters Cost \$1237.65	TURNED INTO LIENS TO DATE:	\$237,928.25	tbd	tbd	tbd
				Dollars	Accounts
Land Deeded Back to Poatri (with no taxes owed)			40 acres	\$4,716.64	4
Bankruptcy Cases				\$6,521.45	4
Death Certificates sent in for deceased owners				tbd	4
**Sending out Request for Dues Owed, and INTERIM BILLING IN JUNE				Dollars	Accounts
MEMBERS WHO OWE UP TO 500.00				\$88,538.00	373
MEMBERS WHO OWE FROM 501.00 to 1050.00				\$201,221.18	271
TRUE BAD ADDRESSSES			TOTAL =	\$847,660.88	378
**Project to update addresses thru CAD & Internet Searches			LIENS =	\$721,617.58	258

QUARTERLY STATISTICS			TOTAL
CURRENT PAYMENT PLANS	(15 are from Sent Letter Collections)		66
Interest Late	(Assessed for 2017)	\$25,230.00	2523
ALL LIENS			1045
Expired Liens (2007 and older)			686
2008 Liens			91
2009 Liens			123
2010 Liens			1
2016 Liens			30
2017 Liens TO Date as of 4.27.17			114
TOTAL MEMBERS			5034
TOTAL MIGS			2544
EXEMPT MEMBERS			636
TOTAL PAYING MEMBERS			1908
TOTAL MEMBERS NOT IN GOOD STANDING			2490

Exempt Tracts	1369
Non Exempt Tracts	8125



TERLINGUA RANCH

AREA RATE COMPARISONS

HOTEL RATES : NOT SPRING BREAK RATES

	Starts At for 2 ppl	Our Rates Now
Value Lodge Alpine Texas	\$52.00	91.00 For 2 ppl
Oak Tree Lodge Alpine Texas	\$87.00	96.00 for 4 ppl
Quality Inn Lodge Alpine Texas	\$128.00	
Maverick Inn Alpine Texas	\$103.00	
Sunday House Alpine Texas	\$119.00	
Holland Hotel	\$145.00	
Hampton Inn Alpine Texas	\$154.00	
Quarter Circle Alpine Texas	\$136.00	
Chisos Mining Co Easter Egg Valley	\$62.00 Economy	
Chisos Mining Co Easter Egg Valley	\$106.00 Cabin / Condo	
El Dorado Hotel	\$109.00	
Lajitas Resort	\$223.00	
Wild Horse Station	\$100.00	
Mission Hotel Study Butte	\$89.00	
Big Ben Resort	\$98.00	
Chisos Basin Lodge	\$158.00 No A/C	
Chisos Basin Lodge	\$162.59 w/ AC	
Terlingua Ranch Lodge	\$91.00	

RV SITE RATES: NOT SPRING BREAK RATES

	Starting at:	
BJ's RV PARK	\$28.00 +electric	
Retro Rentals	\$30.00	
Big Bend Resort	\$28.00	SUGGESTED INCREASE:
Study Butte RV Park	\$28.00	RV UPPER SITES \$28.00
Maverick Ranch (Lajitas) RV Park	\$39.00	Lower RV Sites \$24.00
Longhorn Hotel	\$22.00	
Cottonwood BBNP (no hook ups)	\$14.00	
Terlingua Ranch Lodge Upper RV Sites	\$24.00	
Terlingua Ranch Lodge Lower RV Sites	\$20.00	

TENT CAMPING : YEAR ROUND RATES

Rancho Topango	Per Person	\$15.00	SUGGESTED INCREASE:
Big Bend Resort	per two PPL	\$25.00	8.00 Per Person
Tin Valley	Per Person	\$10.00	
Lajitas Maverick Ranch	Per Tent	\$35.00	More than 2 ppl, 5.00 extra each person
Terlingua Los Ruinas Tent Camping	Per 2 People	\$30.00	
Terlingua Ranch Camp Sites	Per Person	\$5.00	

Terlingua Ranch Survey

Listening in on Quarterly Board Meetings

A survey was conducted in the first quarter of 2017 to determine the interest property owners may have in listening in on the quarterly board meetings. Following is the data collected.

In March of 2017, a survey was sent to property owners via the newsletter, both electronically and by mail. There were 1,789 sent by email and 1,154 sent by mail for a total of 2,943 surveys. The survey questions can be found in **Attachment A**.

Returned surveys were gathered and responses recorded as shown on **Attachment B**. Those who responded, (14), represented .0047% of surveys sent (14/2943).

Along with the survey, inquiries into various ways persons could participate listening in on board meetings were also conducted. This has live streams for unlimited viewers, unlimited events, and unlimited storage. Following is the cost analysis of some.

1 - <https://livestream.com/platform/pricing>

\$42.00 per month

\$99.00 for month to month

\$396.00 per year

2 - shoutcast - <http://www.listen2myradio.com/> No pricing as of this report.

3 - facebook live - No additional costs, although a computer or phone with camera and microphone would be needed. There would be “real time” feedback.

Observations

1. One respondents' tract number could not be verified.
2. Most (12 out of 14) of the respondents were interested in listening in on the board meetings.
3. Three were not interested because they are not computer savvy (2) or feel that the written reports are adequate (1).
4. All of the respondents live outside of the Terlingua area.
5. Only two (2) of the fourteen (14) respondents have ever attended board meetings.
6. The question of whether they would listen at every board meeting was not asked.
7. The question of why they wanted to listen in was not asked.
8. The question of being able to give “live” feedback was not asked. The survey presumed that respondents would only listen with no active feedback.
9. The question of whether they have listened to the recordings on the website was not asked.

Recommendations

Based on the very low feedback collected, the following is recommended:

1. Work at putting recorded meetings on the website as soon as possible after the meeting.
2. Promote the recordings so that property owners are aware that option is available.
3. To not pursue other options that would cost money. The cost benefit is not there.

Attachment A

Survey Instrument included in Newsletter

In order to better serve our property owners, we are looking at various options for you to be engaged with ranch business during our quarterly meetings. Please fill out the following survey and return it to the POATRI Office by mail or scan and send by email to the ranch manager. Thank you in advance for your interest and time. All surveys are confidential. Please send back your survey no later than March 31, 2017. Only one survey per owner.

General Questions

1. Are you a Terlingua Ranch property owner? _____ Yes _____ No
2. What is your tract number? _____
3. Do you currently or have you in the past attended board meetings? _____ Yes _____ No
4. Would you listen in on meetings “live” if we used technology available for you to be able to?
_____ A. No, I am not interested.
_____ B. No, I am not computer savvy to be able to do it.
_____ C. No, for another reason. Please explain. _____
_____ D. Yes, I am very interested in listening. For example, on Facebook live or something similar.
_____ E. Yes, for some other reason. Please explain. _____
_____ F. Not sure.
5. Do you have any additional comments on the above questions?

Attachment B

Tabulation of Respondents to Survey

1	2 Q1 owner yes	3 Q1 owner no	4 Q2 tract #	5 mailing address location	6 Q3 yes have attended board mtngs	7 Q3 no have not attended board mtngs	8 Q4a not interested	9 Q4b no, not computer savvy	10 Q4c no for other reason
2	1		Xxxx	Oregon	1				
3	1		Xxxx	Spring, TX		1			1
4	1		Xxxx	Colorado	1				
5	1		Xxxx	Crowley, TX		1			
6	1		Xxxx	Illinois		1			
7	1		Xxxx	Kyle, TX		1			
8	1		Xxxx	Saginaw, TX		1			
9	1		Xxxx	New Braunfels, TX		1		1	
10	1		Xxxx	North Carolina		1			
11	1		Xxxx	San Antonio, TX		1		1	
12	1		Xxxx			1			
13	1		Xxxx	Spring, TX		1			
14	1		Xxxx	Brazoria, TX		1			
15	1		Xxxx	Colleyville, TX		1			
1	11 Q4c comment		12 Q4d yes interested in listening	13 Q4e yes interested other reason	14 Q4e comment		15 Q4f not sure	16 Q5 additional comments	
2			1						
3	These reports are excellent and adequate for me.								
4			1		We do not have fb so it would be by some other electronic format to benefit us.			We think it is a great idea. Hope you can make it work out.	
5			1						
6				1	Skype would be better.				
7			1						
8			1						
9									
10			1						
11									
12			1					tract could not be verified	
13			1						
14			1						
15			1						

3-MILE TASK FORCE
STATUS REPORT TO POATRI BOARD OF DIRECTORS
APRIL 28, 2017

The 3-Mile Task Force was appointed by the Board at the meeting 1/30/17. The Task Force consists of Marilynn Anthenat, Linda Shank, and Nancy Reyes. The initial scope of work has been to document the history of Terlingua Ranch Road from Hwy 118 to the end of paving at the intersection of Marathon Road, and the last 3 unpaved miles leading to the lodge/office area.

In 1981, Terramar deeded a strip of land 40'feet wide and 12.47 miles long to Brewster County. The Deed is titled, "Deed to County in Fee for Highway Purposes". The deed contains a metes and bounds survey certified on January 5th 1981, by then Brewster County Surveyor, Kenneth Barnes. The Terramar Deed to the County was executed January 20, 1981, notarized January 22 1981, and recorded in Vol 228, Page 802-820. The last entry in the traverse survey metes and bounds describes "to a point in the centerline of this road and the intersection of the centerline of another road leading to the Northeast for the end of this description". We have yet to document exactly why this deed stopped at 12.47 miles, which is the intersection of what is now known as Marathon Road. There had been discussions between the state highway department and the national park service to provide a state highway access or farm to market road from 118 using the then private Terlingua Ranch Road, then going out what is now Marathon Road to State Hwy 385.

We will continue to research the history of the first 12.47 miles, looking thru the County Commissioner meeting minutes, and other sources to see if we can determine the reason that Terramar only deeded 12.47 miles to the County.

Nancy Reyes and Steve at Property Owner Services researched the current ownership of the tracts along the last 3 miles and prepared a chart with the owner name, tract #, etc. They also looked at the County Clerk files to verify that no easements had been filed for record relating to the last 3 miles.

We communicated with the former Ranch General Manager, Alida Lorio, who acted as the agent of the Board of Directors in initiating projects in 2006 and in 2008 to obtain road right-of-way easements to Brewster County from individual property owners along the last 3 miles. A file in the Manager's office contains letters of inquiry from POATRI to owners along the last 3 miles, and their mostly favorable responses. The 2006 effort was tabled because of requests by two owners that would have required POATRI to make substantial financial investment by relocating part of the road further away from one owner's house and compensation to another owner for deeding their part of the private road to the County. The 2008 effort was tabled when the Board voted to close the lodge operation and funds were unavailable to proceed with possible legal options.

There are several reasons to renew the effort to have the last 3 miles conveyed to the County, such as:

- 1) would facilitate owners of property along the last 3 miles using their improved or unimproved property as collateral or buyers of their property being able to obtain mortgages to purchase;
- 2) would eliminate the current requirement by title companies to insert a qualification phrase in the title policy that there is no guaranteed ingress/egress to their property;
- 3) would subject the last 3 miles to county law enforcement, such as enforcing speed limits;
- 4) when the County is able to budget paving for the last 3 miles, that stretch would no longer be bumpy nor a dust/dirt nuisance for passing vehicles and property along the road.

We had casual conversations with the County Commissioners and there is interest on their part in completing the Terlingua Ranch county road to the entrance to the Lodge/office area.

If the Board decides to attempt once again to coordinate obtaining easements from owners to the County, then the Task Force is available to help with follow-up projects in that regard.

Submitted:

Linda Shank