

EMAIL LETTER FROM STEVE SELIGMAN TO PRORA NEIGHBORS
20 FEBRUARY 2010

We're pleased to report that PRORA has reached a final payment and settlement agreement with its lawyer regarding the New Life matter. The Board has made final payment with the additional legal fund contributions that were raised between September and January. The matter is now closed.

In order to enforce our covenants against the attempted commercialization of our neighborhood, we spent \$88,864 over the last three years. \$87,722 went to legal fees, \$631 went to the mediator, and \$511 went to fundraising expenses for printing, mailing, and photocopying. None of the many neighborhood volunteers, who spent hundreds of hours working on this project, were paid for their services. A little over 100 families donated between several hundred and several thousand dollars each to the legal fund.

As reported in September, we reached a settlement agreement that no more than five persons will reside at the Property located at 12008 Persimmon Avenue NE. This agreement is consistent with the consensus that was reached by the neighborhood, during the first and second town hall meetings, in March and April of 2007, when there was unanimous desire to seek to enforce the residential use provision of the protective covenants.

It was three years ago today that the Architectural Control Committee rejected New Life's plan to convert the house at 12008 Persimmon Avenue into an 11 bedroom assisted living facility, in which a maximum of 12 people would reside, with no garage. On that same day, February 20, 2007, PRORA's Board voted to support the ACC's decision, and take action to enforce the protective covenants. It's been a long and challenging process, and we have many people to thank:

1. Thank you to all of you who have respected and observed our protective covenants for the past 27 years. Throughout this process, we were consistently told by lawyers, elected officials, and City and State staff, that we would not have had a leg to stand on if we didn't have our demonstrated, documented history of consistent, non-discriminatory, covenants enforcement.

This will not be the last challenge to our covenants. If we want to continue to live in the best, most beautiful neighborhood in Albuquerque, we must continue to work together to preserve it. If you are making any changes to the exterior of your house, please contact the Architectural Control Committee before finalizing your plans. If you don't know how to reach them, please go to www.prora.us.

2. Thanks to all of you who so generously contributed to the legal fund, especially in this most difficult of economic times. For so many people to put their money

where their mouth is, and to stay engaged for three full years, is a testament to the spirit and commitment of our neighborhood.

3. One of the lawyers in our neighborhood, Mike Morgan of the Rodey Law Firm, went above and beyond the call of duty to help us. When we had a slowdown in fundraising last spring, we faced some serious issues with PRORA's lawyer. Mike stepped in to fill the gap, and led PRORA's parties through the preparation for, and successful conclusion of, a grueling mediation process. In addition, Mike took on the task of negotiating and concluding the payment and settlement agreement we ultimately reached with PRORA's lawyer. Mike did all of this work on a pro-bono basis. Without his help, we probably would have faced a legal crisis.
4. Four brave and committed neighbors and their families: Ron Akau, Bill Bower, Ken Lies, and Paul Joseph; signed onto the covenants enforcement lawsuit as individual, named plaintiffs. Our lawyers told us that PRORA did not have "standing" to directly bring a lawsuit, because it is not a property owner. They told us that individual property owners would have to bring the action. The named plaintiffs showed their commitment to the neighborhood by agreeing to be named plaintiffs. They faced substantial commitments of time, and potential counterclaims which turned into reality. Without their help, PRORA could not have commenced the enforcement lawsuit, and could not have achieved its successful outcome.
5. Last year, in the middle of the stock market collapse, fundraising drastically slowed down. Four committed neighbors: Jennifer Bradley, Betty Halle, Debbie Reynolds, and Cathy Rubin, stepped up to the plate and formed a fundraising committee. They initiated the PRORA Neighborhood Nights Out, which were very well attended, and came up with other successful fundraising ideas.
6. Past and present PRORA Board and Committee members have spent numerous hours on this effort, and the overall betterment of our neighborhood.

Our current Board consists of Kaye Myers, Nichol Brown, Cheri Schlagel, Teresa Connolly, Zane Motteler, Bert Dales, Vit Babuska, Alice Mehlberg, and Keith Almquist.

Our current Committee members include Keith Almquist, Debbie Reynolds, Gena Lou Woywood, Zane Motteler, and Steve Seligman.

7. Past and present Architectural Control Committee members have also contributed numerous hours to this effort and to the neighborhood. Our current ACC members are Bill Bower, Ron Mansoldo, Rod Schlagel, Steve Seligman. In addition, recently retired ACC member Jack Ryan has been very involved for many years.

We were saddened to learn of the recent passing of longtime ACC chair Dave Engle. Dave worked tirelessly for the benefit of our neighborhood, and it is a better place because of him. He was always kind, diplomatic, and cheerful, with a dry sense of humor that will be missed.

8. There were numerous other neighborhood volunteers, throughout this process, who did research, met with City and State officials, distributed flyers, did paperwork, and whatever else needed to be done.
9. If there's anyone else I forgot to specifically mention, I apologize.

Whether or not you specifically agree with the neighborhood's efforts regarding New Life, or with any single specific activity undertaken by PRORA or any of its committees, we should all be thankful that we have so many neighbors willing to donate their time, money, and energy for the betterment of all who live within our association's boundaries.

Thank you to all of you!

Sincerely yours,

Peppertree / Royal Oak Residents Association
www.prora.us