



RECENT LEGAL RULING IN COVENANT CASE

The Board wants to make you aware of a recent local District Court ruling about covenant enforcement in Sandia Heights. Last year, a resident, as stipulated in the Restrictive Covenants for their unit, applied to the Architectural Control Committee (ACC) to build an addition to their existing home. The ACC denied the application based on the finding that, as designed, it would unduly interfere with the views of other neighbors. A suit was filed contesting, among other things, the authority of the Homeowners Association and the ACC to deny the application.

After trial, the judge's rulings in the case were that:

- The Sandia Heights Restrictive Covenants are valid and binding.
- The ACC is validly constituted and has the legal authority to review and approve or disapprove plans, as long as it acts reasonably.
- The Architectural Control Committee acted reasonably in its review process and reached a reasonable conclusion.

This ruling validates one of the basic reasons why many residents have chosen to make Sandia Heights their home. One of the intentions of the original developers of Sandia Heights was to legally protect the architectural uniqueness and integrity of our neighborhood. We are all reminded that it is in our collective best interests to be aware of, and to act consistently with, the covenants and restrictions in our individual unit.

Bylaws Changes Up for Ratification at Annual Meeting

Changes to the Bylaws of the Association will be on the agenda of this year's annual meeting for ratification by the members. The Board of Directors approved the changes, and the ratification at a meeting of the general membership is required to complete the changes. Any member interested in obtaining a copy of the current bylaws with the proposed changes may contact the Association office for a copy.

At the 2000 Annual Meeting, the members approved action to review and propose changes to the bylaws. The board established a bylaws revision committee with the following members: LA Bannowsky, John Coffey, Martin Inkelas, Rick Nelson, and Charlie Pechewlys (chair).

The proposed changes include updates to the following areas:

- a. The membership rights of the owners of vacant property are established.
 - b. What constitutes a quorum for a membership meeting is set (which has been by implication, only, in the past), and for Board meetings revised upward.
 - c. Robert's Rules of Order will govern all meetings of the Association, including removal of directors and officers.
 - d. The authority for the board to establish committees is clarified.
 - e. The administrative burden for proposing revisions to the Bylaws is lessened.
 - f. The number of days of notice for certain meetings is increased and the types of voting that are permitted are revised.
 - g. Clarifications are made to provisions on selection of officers and directors.
- Anyone with particular questions may contact Charlie Pechewlys, committee chair.

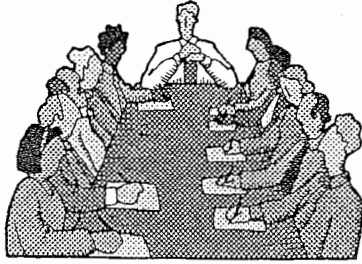


SHHA BOARD ACCOMPLISHMENTS IN 2000/2001 YEAR

Following are the highlights of significant accomplishments by the SHHA Board of Directors during the staff year 2000-2001, which began in July 2000 and ends in June 2001. Because of space limitations, only a summary of each of the actions is provided in this article. SHHA members desiring additional information on any of these actions are encouraged to attend the annual membership meeting on June 2, 2001 and present specific questions to the Board.

SIGNIFICANT ACCOMPLISHMENTS:

- **Opened the SHHA Office.** This is by far the most significant accomplishment of the SHHA Board of Directors this year. The establishment of the SHHA office enabled the following related actions to be accomplished:
 - a) Discontinued the decades long practice of having a contract for an Administrative Assistant who worked out of their home and who maintained all SHHA files/records and office equipment in their home. The SHHA's evolution and increasing support needs over recent years began to stretch the capabilities of this type of support and at the same time kept driving up the costs of the support. The establishment of the office enabled the movement of all SHHA files and equipment into a facility where the BOD and membership could have access to such when and as required.
 - b) Replaced the Administrative Assistance contract with a contract with a personal placement firm for two part-time administrative personnel to work in the SHHA office 4 hours per day, five days per week. These two people provide support to the Architectural Control and Covenants Support committees and are responsive to BOD and SHHA membership needs such as distributing and receiving building and remodeling applications and responding to telephonic requests for information and assistance relative to the SHHA. This staff now also assists in the publication of the Grit (see Grit paragraph below).
 - c) Terminated the lease on a storage shed where past year SHHA records as well as requests and plans submitted to the ACC were maintained. The lease of the new office space enabled these stored records to be consolidated with the other SHHA records in a central location. Work continues in the review and integration of all the records.
 - d) Improved interface between the SHHA Board and the SHHA membership to the extent that SHHA members now have a place where they can go to meet face-to-face with Board members and staff to obtain information and address questions, obtain copies of forms and Declarations of Restrictions, and review SHHA operating and historical records.
 - **Established a Formal Annual Budget** of \$121,000 based on projected operating expenses and also allocated funds to separate reserve accounts for both Open Space acquisition as well as for legal costs that may be incurred in the enforcement of the Declarations of Restrictions/Restrictive Covenants within Sandia Heights.
 - **Redesigned and Expanded the SHHA Website** to make it more informative for SHHA members. Also obtained the support of a professional webmaster.
 - **Instituted a New Procedure and Process for Publication of the SHHA's Grit** that included a revised format, increased frequency of publication from quarterly to bi-monthly, and increased distribution from just SHHA members to all Sandia Heights residents. The increased distribution was aimed at encouraging more residents to become members of and involved with the SHHA. It is important to note these changes resulted in an annual cost savings in Grit publication and distribution of \$4,000.00.
 - **Won a Legal Case** where a resident disputed and legally challenged an ACC decision that was rendered based on an existing Declaration of Restriction. The court upheld the ACC's decision and also the right of the ACC to enforce the Declaration of Restrictions/Restrictive Covenants.
 - **Opposed Commercial Development** - Spearheaded an effort in opposition to the proposed commercial development of the vacant property within Sandia Heights on the East side of the intersection of Tramway and Paseo del Norte. This effort resulted in the developer withdrawing his development application and postponing the resubmission of such for one year.
 - **Park in Sandia Heights** - Assisted a Sandia Heights' neighborhood group in their successful efforts to have Bernalillo County acquire the parcel of land at the intersection of Cedar Hill Rd and Tramway Blvd for the establishment of Cedar Hill Park.
-



NEW BOARD DIRECTORS NEEDED

By: Jack Wolfe, SHHA Vice President

The Sandia Heights Homeowners' Association (SHHA) is in search of candidates to fill nine forthcoming vacancies on its Board of Directors

What qualifications are required to be a Director? Probably the most valuable qualifications are the interests, ability (skills and time) and dedication to support the mission of the SHHA. This mission is to coordinate planning and implementation of selected services and activities to promote the common interests and welfare of the homeowners, property owners and residents within Sandia Heights and to assist in maintaining the quality of life for which the development was established. Each Director functions as a Board member and also as a member of at least one of the Board's major committees that include the Architectural Control Committee, the Covenants Support Committee, and etc. A complete list of major committees is contained in the yellow pages of the SHHA's 2001 Directory of Residents.

Normally, the Board consists of approximately 24 Directors. This is an approximate figure as the actual number may vary from 19 to 25 at any one time depending on the needs of the Association as well as the periodic departure/resignation of Directors for various reasons. The Directors are voted into office for a 3-year term at the annual membership meeting. And, the term of office of the overall board is staggered with approximately one-third of the Directors' term of office expiring each year. This results in approximately eight Director vacancies to be filled each year.

The Board currently consists of 22 Directors with nine of these Directors now serving in the last few months of their 3-year term of office. Therefore, the Board is in need of candidates to fill these nine positions. It is desirable to have at least 12 to 15 good candidates to put forth on a ballot to be presented to and voted upon by the SHHA members at the Annual Membership meeting to be held on June 2, 2001. The top nine vote getters will be announced at the conclusion of this meeting and will fill the nine forthcoming vacancies. The names of the other selected candidates will be retained on a list as potential candidates to fill vacancies that may occur during the year.

Over the last several years, the Board has sought to have representation from each of the 12 "Districts" within Sandia Heights. It is felt that through such representation, there is a better chance that the interests, concerns and etc. within each District will be represented on the Board. A map of the "Districts" and the Units encompassed within each District is located on pages 6 and 7 of this Grit.

While there have been increased attempts to gain representation from each District, these attempts have not yet been completely successful as evident by the fact that three Districts are not currently represented on the Board. These Districts are: Sandia, Quail, and Pinon. This situation could become worse with the departure of the nine Directors whose terms expire this year as this could add three more Districts without representation. These Districts are: Cedar, Deer and Eagle. Thus, and without some concerted effort by home and property owners – and specifically persons interested in becoming Board members/Directors – from within these six Districts, there is the potential that half of the Sandia Heights' Districts (and populace) will have no representation on the Board for the 2001/2002 year.

Based on the noted situation, the Board is now seeking at least one person from each of the above noted six districts who is interested in maintaining and enhancing the quality of life and uniqueness of their Sandia Heights community and who is willing and able to volunteer some of their skills and personal time to be a Board Director. The Board is also seeking at least six individuals from the other six Districts who share these interests and desires, and who are willing to become Board Directors.

All interested individuals are requested to submit a short resume of their pertinent skills and experience to the SHHA. Resumes may be submitted via regular mail, e-mail or hand delivery to the SHHA Office and should be marked: Attention: Nominating Committee. E-mail submissions should be sent to: shhaadm@aol.com.

If there are any questions concerning becoming a candidate for the SHHA's Board of Directors or submission of resumes, please call the SHHA office at 797-7793

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Some members of our community have expressed alarm over loose dogs, sometimes running in packs. Normally docile and friendly pets may undergo a temporary personality change in the company of other dogs, becoming a danger to children or to other animals and birds. If you have concerns about potentially dangerous dogs, and you have difficulty solving the problem through local discussion, you can call the county animal control (873-6706) between the hours of 7:00am and 4:00pm seven days a week. The county will work in stages, first trying to contact the owner, and finally using a humane capture trap. You can locate details at the county net site www.bermco.gov. Of course, the best solution is for pet owners to heed this note and to properly confine their pets; dream on, Glenn!

ARE HABITUAL SPEEDERS TERRIFYING YOU?



The Roads and Safety Committee welcomes opinions from more residents concerning ways to control speeding, particularly installing more speed humps, and deploying a new device that will automatically spray paint and eggs on cars going faster than 40mph. (Just kidding!) We have been collecting opinions on long term solutions, but we have an immediate partial solution to control those few drivers who grossly abuse the 15 and 25 mph postings on our twisting narrow streets.

WE HOPE THAT YOU WILL DO YOUR PART TO CONTROL THE WORST SPEEDERS. DO NOT THROW ROCKS OR WAVE WILDLY, BUT DO USE THE GUIDANCE HERE TO CALL THE SHERIFF. The County Sheriff will welcome complaints from residents who are aware of flagrant speeders. It is particularly effective if the offenses follow a predictable time pattern. Simply note the plate numbers and the vehicle description and describe the location and time pattern to Sgt. Bruce Smith or to Deputy Sam Santialles at 341-9024. While most of us are reluctant to cause our neighbors the cost of a speeding ticket and the often even more expensive matter of increased insurance premiums, the safety committee believes that speeding is epidemic.

By the way, we committee members are strongly motivated to take actions. A very serious two-car accident in Sandia Heights occurred just a few weeks ago. Fortunately, there were no fatalities. Excessive speed was the cause, as has been the case in numerous accidents or near-misses that long-time residents can recall. (Particular thanks to Denny Thompson for researching the Sheriff's services.)



Sandia Heights Security

Mobile number 263-4654



Sandia Heights Security provides security patrolling to all of Sandia Heights. They respond to all sorts of problems, but we must remember they are **NOT POLICE** and they do not have the authority to make arrests. When needed, they have radio contact with the Sheriff, Fire and other emergency units.






Sandia Heights Security is not a part of nor is it affiliated with Sandia Heights Homeowners Association in any way. They are a subsidiary of Sandia Heights Services, the utility company in Sandia Heights. They are supported by the \$10.25 monthly fee paid by residents who subscribe to their service. To sign up with Sandia Heights Security call Sandia Heights Services at 857-8924.

If you have any suggestions or complaints about Sandia Heights Security they request that you call the Security Manager, Larry Buynak at 856-2726

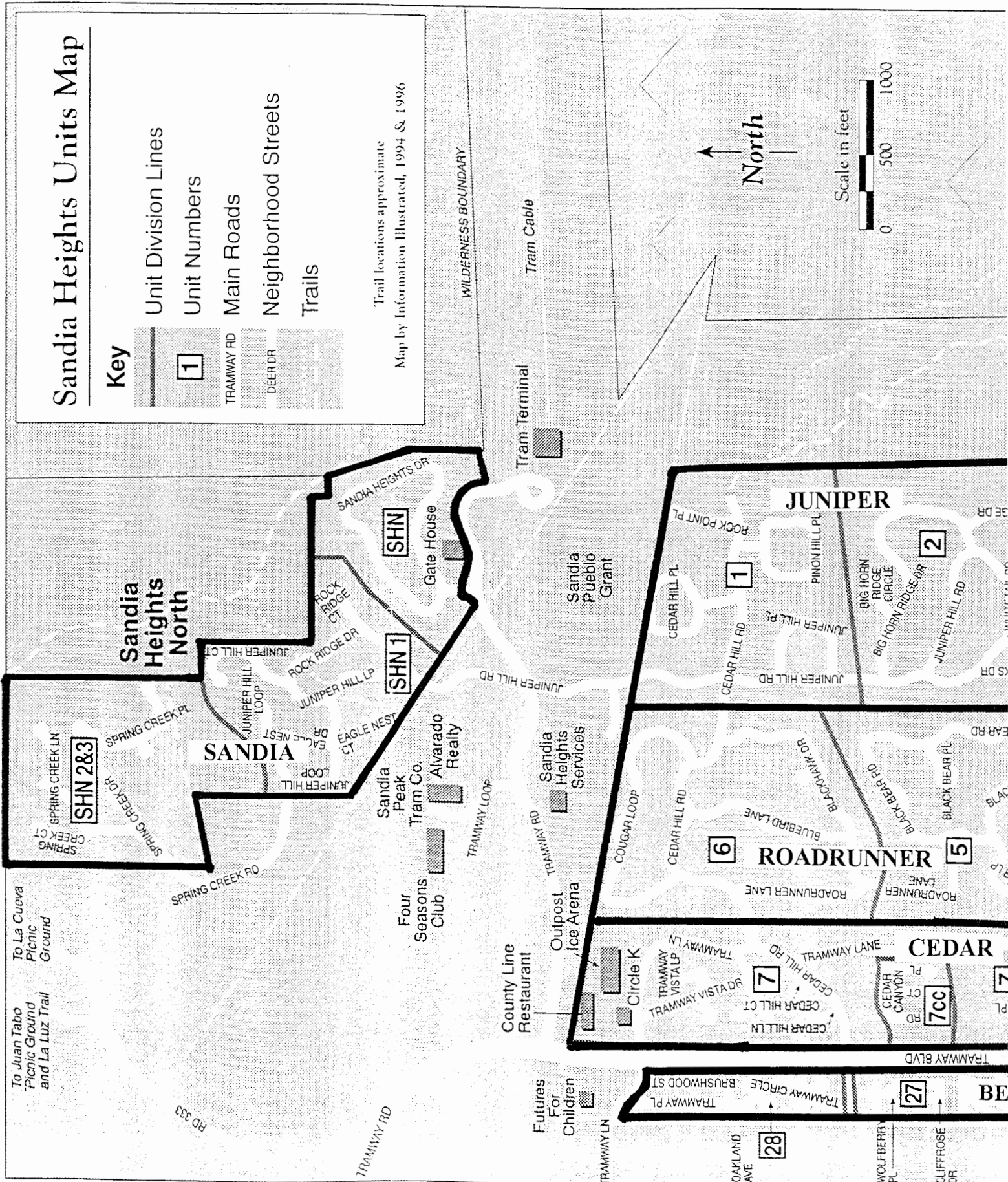
Sandia Heights Districts

Sandia Heights Units Map

Key

-  Unit Division Lines
-  Unit Numbers
-  Main Roads
-  Neighborhood Streets
-  Trails

Trail locations approximate
Map by Information Illustrated, 1994 & 1996



To Juan Tabo Picnic Ground and La Luz Trail

To La Cueva Picnic Ground

Four Seasons Club

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Sandia Heights Services

Circle K

Sandia Pueblo Grant

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North

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TRAMWAY RD

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COUGAR LOOP

CEGAR HILL RD

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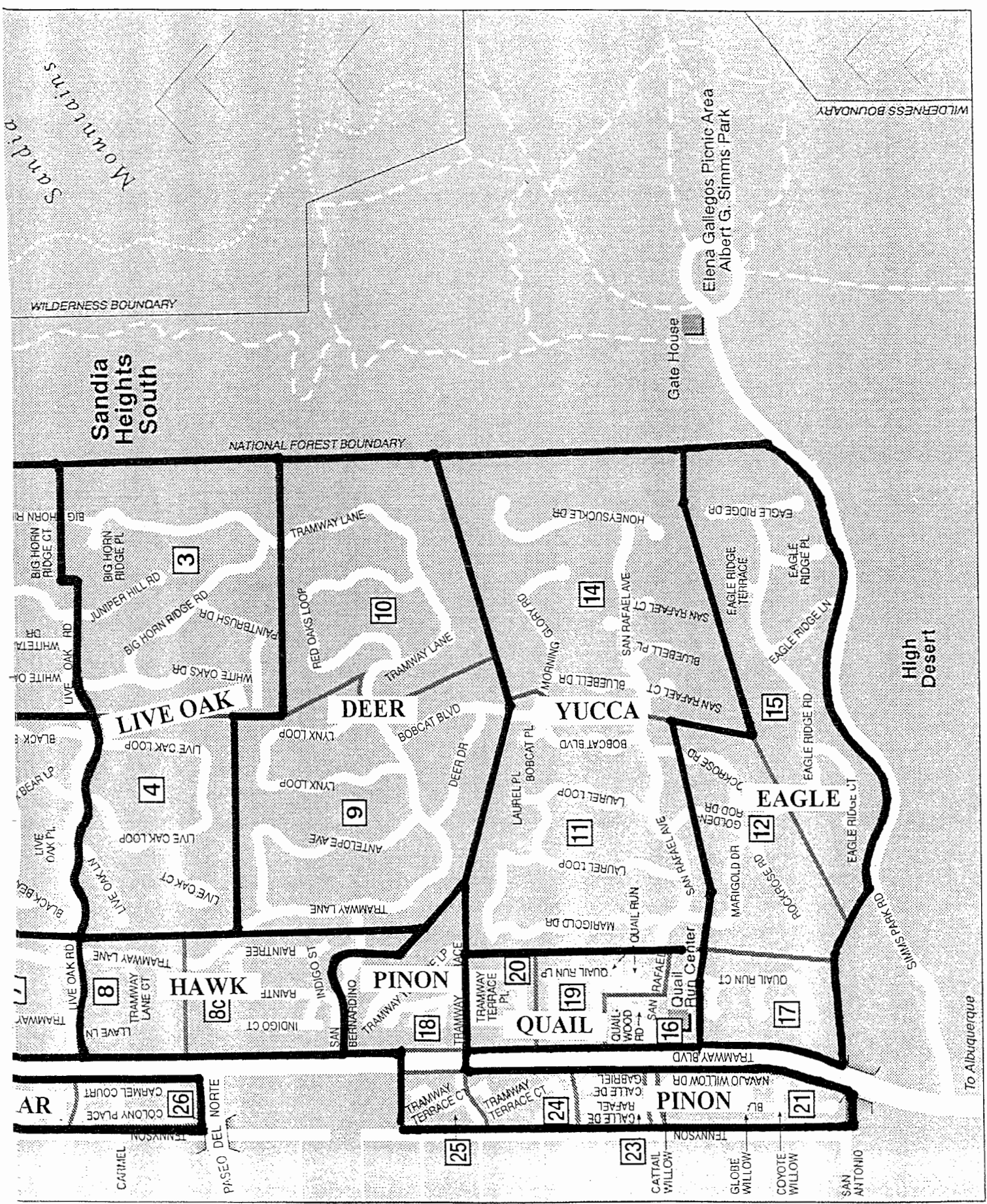
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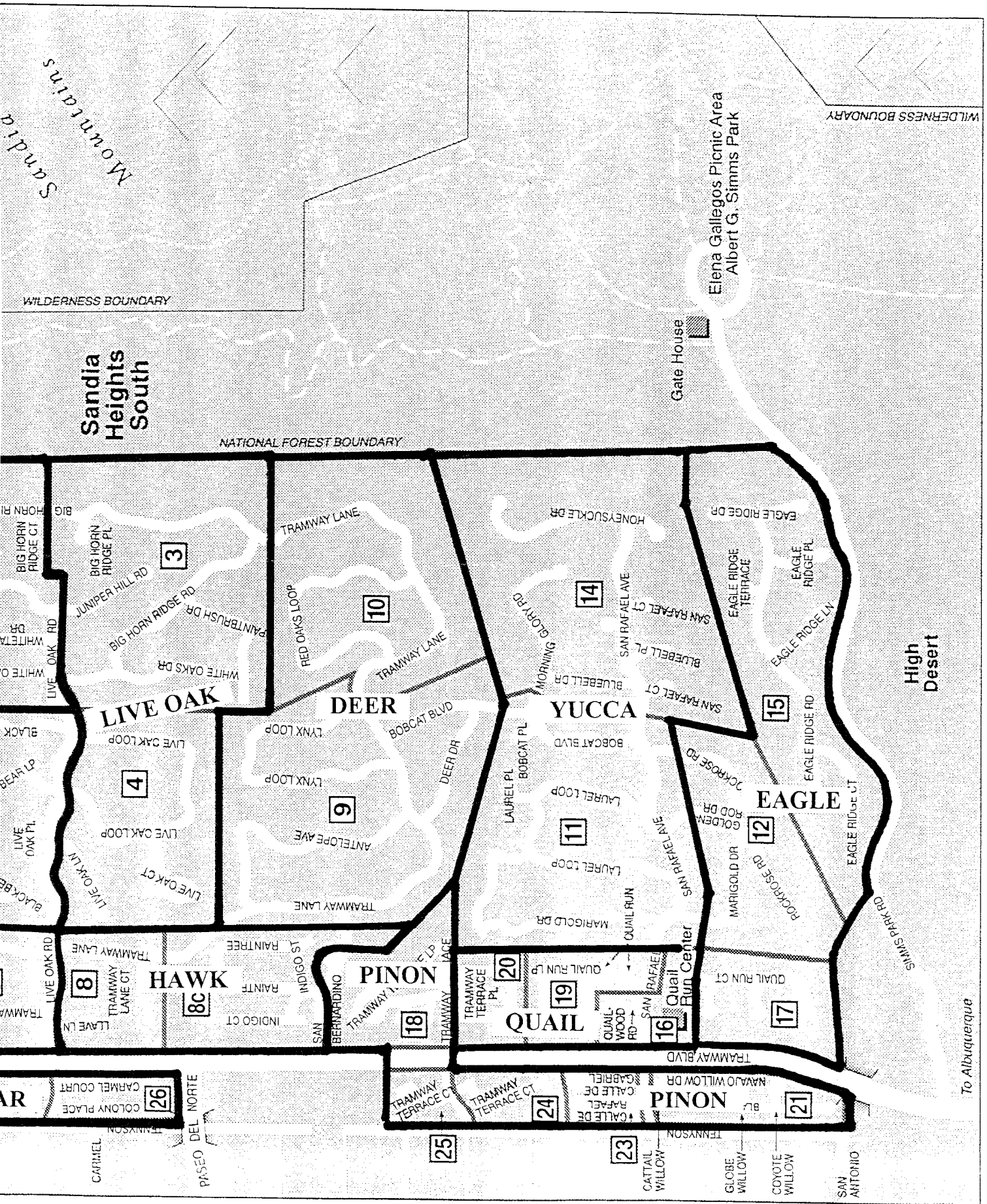
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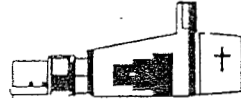
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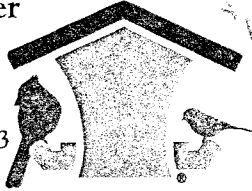
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TREASURERS REPORT

Rick Nelson, Treasurer



CONDITION AS OF 3/31/01

Banks Accounts

Checking Account	\$ 7,842.66
CD- Operations Reserve	5,033.00
CD- Legal Reserve	20,672.54
CD- Open Space Reserve	20,672.54
Office Petty Cash	100.00
Total in Bank	\$54,320.74

Other Assets

Office furniture & Equipment	\$7,503.65
Security Deposits	1,272.75
Prepaid expense	574.76
Total Other Assets	\$9,351.16

Liabilities	0.0
OVERALL TOTAL	\$ 63,671.90



7 MONTH CASH FLOW REPORT

Sept 1, 2000 through March 31, 2001

Inflow

Advertising	\$2,690.00
ACC Income	1,705.00
Wine Tasting Income	1,570.00
Interest Earned	1,808.94
Membership Dues, Net	45,434.94
Total Inflow	\$53,208.88

Outflow

Committee expense	\$ 1,639.48
Directory-net less ads last period	2,497.53
Executive Committee	702.00
Grit	4,216.99
Winetasting	1,513.19
Insurance	6,962.08
Legal - oppose commercial	6,694.88
Legal, other	2,698.14
New Office set up	1,255.45
Off site storage	225.00
Office expense	11,946.75
Office staff	17,530.92
Officers Expense	110.49
IRS and State tax	278.00
Web Site	2,063.66
Oppose Commercial Misc.	1,630.21
Support Cedar Hill Park	610.04
Total Outflow	\$60,935.33
Overall Total, from Cash	(\$ -9,365.93)



Members can obtain a more detailed report by checking with the office staff.

Secretary's Report

Deborah Griswold, Secretary



Summary of Minutes:

March Board of Directors Meeting

On March 14, 2001, the SHHA Board of Directors met. The Treasurer, the standing Committees, and the ad hoc Committees gave reports. The following resolutions and motions were passed during the meeting:

- The issue of home rule will be placed on the agenda for the June general membership meeting.
- An Annual Plan Committee will be formed to address and guide issues being faced by SHHA.
- The Communication, Membership and Community Service Committee will be split into a Community Service and Membership Committee and a Communications Committee.
- Representative Robert Burpo and Senator Kent Cravens have requested funding for development of Cedar Hill Park at the legislative session.
- The Traffic and Safety Committee will be in contact with the County to determine the process for getting speed humps installed, and the County policy on vegetation control.
- The ad hoc Commercial Development Committee is preparing for the expected reapplication for a zoning change for the property at Paseo del Norte and Tramway Blvd.



SHHA Annual Meeting Notice!

The SHHA Annual Meeting will take place on Saturday, June 2nd at The Church of the Good Shepherd 7834 Tennyson NE, from 10:00 AM to 1:00 PM.

All Sandia Heights Residents will receive a "Little Grit" of the Annual Meeting agenda in the mail.



Any Sandia Heights resident interested in gardening is invited to any meeting or event. To become a member and receive the mailings of the Club, please send a check for \$5.00 payable to the Sandia Heights Wildflower Club to Susan Cook at 1842 Tramway Terrace Loop, Albuquerque, NM 87122.

No meetings are planned for the summer while we all enjoy our gardens. On Wednesday September 19, 2001 a potluck Fall Patio Supper beginning at 6:30 pm will open the new season at a place to be announced.

On Wednesday May 16, 2001 the Sandia Heights Wildflower and Garden Club will meet at 7:30 pm at the home of Susan Cook, 1842 Tramway Terrace Loop. This will be the annual brainstorming meeting at which programs are planned for the coming year so please come with your ideas and suggestions. In addition officers for the coming year will be elected.

A field trip to Santa Fe Greenhouses/High Country Gardens in Santa Fe is planned for Saturday April 21, 2001. Meet at 9 am in the parking lot of Quail Run Center at Tramway & San Rafael to car pool to 2902 Kufina Street in Santa Fe. Neil Hunter will start the tour at 10:30 am featuring Low-Water Use Plants.



SANDIA HEIGHTS WILDFLOWER AND GARDEN CLUB



Sandia Heights Homeowners Association
PO Box 20021
Albuquerque, NM 87154-0021

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REMINDER
Spring Litter Cleanup
Saturday, April 28
9:00 AM to 12 Noon

Pick up your bags at the SHHA Office Thursday & Friday from 12 Noon to 4 PM, and from 8:30 AM on Saturday. Filled bags will be picked up from the SHHA office by Sandia Services at 12 Noon.

*****ECRWSS**C-003
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