



Dear San Juan River Resort Property Owner;

Please read this important information regarding your Property Owners Association.

It has come to my attention that there are property owners who have not attended a property owners association meeting or read the minutes of a meeting in the past year and are unaware of the challenge facing our neighborhood.

Some time ago the board members of your Property Owners Association (POA) became aware of a situation regarding ownership of our primary common area, the common asset after which the subdivision is named. The San Juan River.

This all began in the early 1970's. The Plat of San Juan River Resort created lots, roads, easements, and other common elements, including an area labelled "San Juan River". At that time a few separate entities and groups of individuals owned the land that became San Juan River Resort. Platting was accomplished in a rather haphazard manner, during a period in which there were several transfers of property between the developers and development entities. Once the subdivision was created the platted lots were sold and transferred by deed to new owners. The roads, easements and other common elements were transferred by deed to the Property Owners Association once it was duly created. However, there was no recorded transfer of the San Juan River area. The POA has exercised authority over this area since its formation, the Archuleta County assessor recognizes this as a common element of our neighborhood, and the POA carries insurance covering it

Once the board members of the POA became aware that title to the San Juan River area was unclear, and after much discussion and input at open meetings, the board chose the quiet title action as the most efficient and cost-effective way to clarify title to and protect the river corridor.

As a first step the board obtained a title commitment from High Country Title that listed as a requirement of clear title that a Quiet Title Action be performed. The Commitment specified the persons and entities to be named as defendants. This legal action petitions the court to review all documents relating to the river corridor and make a determination regarding what entity should hold title to the property.

On May 30th 2019 a complaint was filed in district court, Archuleta County by the attorney representing San Juan River Resort POA. This legal action only lists as defendants: Lawyers Title of Pueblo, its successors, and the corporation that created the subdivision, San Juan River Resort Inc. and the owners of this entity.

This complaint petitions the court to name San Juan River Resort Property Owners Association as the legal owner of the property contained in the river corridor. If granted, the POA would hold title to the San Juan River area for the use and benefit of all owners in the POA. This outcome will preserve your right to use the river as a common element of our neighborhood. This right will be guaranteed in perpetuity. This is the entire scope of the quiet title complaint filed by the POA.

In summary, the POA's goal in its Complaint is to quiet title against the developers and development entities for the benefit of the POA and its members.

The complaint filed by your POA did not list any San Juan River Resort property owners as defendants. Any property owner receiving service of process has been named as a defendant and is being served by persons or entities other than the POA.

For more information please contact a POA board member.

Respectfully;
Steve Wilkins
President
San Juan River Resort Property Owners Association