

# Timber Cove Trail Supporters



June, 2018

## TCHA Board Attempts Trail Closure

As most of you know, on March 28, the TCHA board distributed a long email and attached memo to property owners claiming that Timber Cove pedestrian easements do not exist and attempted to prohibit property owners from using them. The email and memo were credited to two board members, John Gray and Robert Leichtner, neither of whom have expertise in land use or real estate law. There is no indication that any of the content of the email or attached memo was advised by the law firm representing the TCHA, Perry, Johnson, Anderson, Miller, and Moskowitz.

Although this was clearly an attempt to use positions on the board to further personal interests, it may actually result in something positive for our community. It has prompted us to take legal redress to end this damaging nonsense once and for all.

We have been interviewing attorneys to make certain that we have the most efficient strategy in both cost and action to do just that.

We are encouraged with unanimous expert opinions that our trail easements are valid, by reference to the official subdivision plat maps, specific references in every property title report in the Timber Cove subdivision, and individual clauses in all title reports of those who have pedestrian easements on their property. In addition there is a state supreme court precedent that specifically addresses our situation and

the difference between private rights and public dedication. All of these factors weigh irrefutably in our favor.

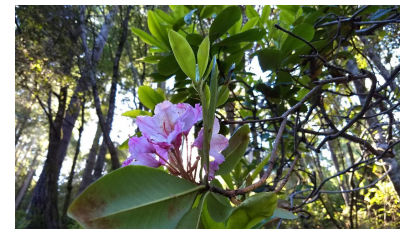
We regret the travail we have endured and the money expended to prove what we already knew, and what has been accepted since the inception of the subdivision. And yet this process will forestall any future challenge to our rights to these trails when similar development pressures and interests arise, as they are bound to do. As to the "opinions" given by other attorneys cited by our current TCHA board members, it is a lesson that a little knowledge can be a dangerous thing.

It is important for all to note that every attorney interviewed agrees that **the HOA board does not have the authority to alter or prohibit property owners from using these easements. Property owners who may harass or prevent other property owners from using these trails by posting signs, etc., are acting unlawfully, and we will take steps to put a stop to this.**

Thank you for your past and continued support as we move into this necessary legal action, so that we can continue the successful restoration of our Timber Cove Trails. **Donations to support the resolution of this matter can be made with the important notation: "Trail Preservation Fund" to:**  
Timber Cove Foundation  
Lorrie Uribe, Treasurer  
22142 Amanita Circle  
Jenner, CA 95450  
E.I.N. 82-0660515



**Walk Our Two New Restored Trails**  
Many of us walk the new John Sperry and the Umland-Smith Court trails regularly, and we encourage you to do so. If you walk the John Sperry Trail soon you may still see the giant native rhododendron in bloom. See maps on the homepage of our website below.



website: [timbercovetrails.org](http://timbercovetrails.org)

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