

Timber Cove

December 2018

R
A
I
L
S
U
P
P
O
T
E
R
S

Looking Back

This has been a momentous and dramatic year for trail supporters. **We began 2018 with over \$5,000 raised through generous donations from our members in 2017, all dedicated to future trail restoration and construction.**

Thanks again members!

In February 2018 the current TCHA board of directors removed the trails web page and contact information from the TCHA website, and ran a article with defamatory misinformation aimed at trail leadership in its February TCHA newsletter.

On March 8 we became aware that TCHA board members defaced and damaged our trail signs, some of which were hand carved by Dale Corbin in the 1990s, and others purchased for the John Sperry trail with members' donations. These notices indicated that the act was mandated by the TCHA insurer, which was not true..

Rather than retaliate or react to these aggressive actions by the board, we decided to forge ahead, affirming our legal rights and the common good.

We began by building a new trails website and scheduled our amazingly successful work days on St. Patrick's Day weekend. With both paid and volunteer labor we restored about one-third of the long Umland Circle-Smith Court

Trail. A beautiful new walking path has now opened between those two streets at a cost of only \$1,696.

Unfortunately during that work weekend we were harassed and threatened by two people who claimed to be property owners, although neither owns property in Timber Cove. One was accompanied by the HOA president. Despite these interruptions we finished our work as planned.

On March 28, the TCHA board sent out an email with an attachment to all members stating that the trails do not legally exist and forbidding members to enter on or use them. This communication, signed by board members John Gray and Robert Leichtner, was not from the attorneys representing the TCHA, who had previously submitted a contrary written opinion.

Denial of the right to use our trails, as well as continuing harassment, defamation, and defacement, left trail supporters little choice but to seek what is known as "Declaratory Relief," calling on a judge to rule on the validity of our pedestrian easements once and for all. Toward that end we hired attorney, Neil Moran, and filed for the Declaratory Relief and other actions on October 2.

Moving Forward

Although we regret the necessity of taking legal action, we are confident in our body of evidence and legal precedent, and **look forward to getting back to the job of trail restoration with the approximately \$3,200 in private donations collected and reserved for the completion of the remaining portion of the Umland Circle-Smith Court Trail.**

Because our previous donations are reserved for trail construction, the legal costs to preserve and protect our trails for the future was raised independently by just a few of us. **So we are asking all of you who value the concept of community walking trails and want to see the six miles of private trails in Timber Cove fully restored for our enjoyment, to please consider making your holiday tax deductible donation to:**

Timber Cove Foundation

Lorrie Uribe, Treasurer

22142 Amanita Circle

Jenner, CA 95450

E.I.N. 82-0660515

(note on check memo: Timber Cove Trails Preservation Fund (for legal costs) or Timber Cove Trails Restoration Fund (for trail construction)).

Note on privacy: to guard against retaliation, we are keeping all donation and membership records confidential for now. Those of us who have taken on the public responsibility of the defense of our community rights greatly appreciate your support.. And very special thanks to those who have stepped forward to publicly represent our community of trail supporters.



Have a joyous holiday season. We look forward to good works and great trails for Timber Cove in the coming year!

Temporary trailhead marker used during St. Patrick's Day Work Weekend, a symbol of our civil rights to our pedestrian easements under U.S. law.