

Spring 2005

May 1, 2005

# AAFPO President's Update

AAFPO Update

Curtis Jones, President

This is the third and last newsletter of the current AAFPO board. We have been pleased with the response to having the newsletter published online and are looking forward to the election of the new AAFPO board members being held online.

We are again indebted to Jay Cox, chair of the elections committee, and his members for preparing to conduct the election this year. Jay has worked with the board, the Resort, and Concord to make it possible for us to hold this election online. We hope this will improve the membership participation. Regardless of the number of candidates running, we need a quorum of 700 plus voters. If you desire a hard copy of the ballot let Jay, or the Resort membership office know. A listing of the candidates, and background information on each, is included elsewhere in this issue.

The Resort had a great ski season. On December 9th, when the ski season began, 75% of the slopes were open, when it closed on March 27th 100% of the mountain was open with over an 80-inch base. Everyone thought the snow may have been the best they have seen in Angel Fire. Also the significant snowfall has reduced the fire danger.

Elsewhere in the newsletter is a listing of the monies to be spent on the amenities from our discretionary budget. Bonnie Brashear and the committee have done a great job this year in improving the amenities. The board and membership is indebted to them.

Frank Young is doing an outstanding job in coordinating the development of some new trails in the Moreno Valley. Thank him if you see him.

Pete Carlson is the board representative working with the Resort and the village in establishing a Public Improvement District (PID) for the purpose of developing the infrastructure for the HUD lots. The PID and the resort will be responsible for the project, but we will help to keep those members who have these lots informed. Updates will be available on our website.

We appreciate the job Jon Mahanna is doing as executive director of the Resort. He has been very open with the board and our communication with the Resort has improved. We are still working on resolving a number of financial and other reports, to which we are entitled from them. This also includes discussions with Concord on our billing procedures. There is progress being made in each of these areas.

We hope your new year is off to a good start and that you will be in Angel Fire this summer. The golf course is scheduled to open the beginning of May, but the large amount of snow we still have may delay it.

I would like to thank the current board for its efforts. It has been a pleasure working with them. Remember to vote we need you. Don't forget.

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ANGEL FIRE RESORT MEMBERSHIP

ANGEL FIRE NEWS

# HUD Properties Report—April 2005

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With the recent resolution of litigation, Angel Fire Resort (AFR) is, once again, ready to complete the HUD infrastructure improvements required by the Amended Joint Bankruptcy Plan. Toward this end, they are going to petition for the formation of a Public Improvement District (PID).

A PID is proposed to municipality, i.e. Angel Fire village (AFV), by a petition of 25% of the owners of real property inside the boundary of the proposed district. The petition would include a Feasibility Study, Financial Plan and General Plan. AFV would study the petition, hold a public hearing, and schedule a formation election if deemed appropriate. AFR currently owns more than 25% of the real property within the HUD properties delineated in the bankruptcy plan.

The formation election would require 75% approval of the total votes cast within the district. Votes are based on the acreage owned by individual property owners. AFR does not currently own 75% of the total acreage with the HUD properties. Once formed, the PID is a separate political entity from AFV and Colfax County. It will have the authority to enter into contracts, develop agreements, sell property, and issue tax levy's or general obligation bonds secured by a property tax assessment. These bonds can then be used to finance the construction of the infrastructure needed for the district. The PID is governed by a board (probably 5 members) initially appointed by AFV. Within 6 years, appointed members of the board must be retained or replaced by election (constitutional requirement). Dissolution of the PID is automatic upon final maturity of all outstanding bonds.

There are several unique features of a PID that differ from previous methods to accomplish these type of projects, e.g. Special Assessment Districts. First the 75% approval requirement allows the owners with the district to determine if they want the infrastructure project to proceed. Second the finance method would result in a Colfax County tax on the affected properties. This tax assessment would be spread out over 20-30 years and would remain with the property if sold.

The AAFPO Board of Directors fully support the PID formation effort and believes that without streets and utilities, the HUD lots will remain virtually worthless. Our concern is that the HUD lot owners should fully understand the current situation. What the previous owners promised is no the issued. The issue is how to fund and construct the streets and utilities in accordance with the bankruptcy court's stipulations. As the AAFPO Board views it, lot owners have two options: do nothing and the lots remain virtually worthless; or improvements (streets and utilities) in place, the HUD lots would become buildable or marketable at the lot owner's choice.

AAFPO's role in the PID formation process is to inform our members to the best of our abilities. Toward this objective, we have developed a Development committee web site since the PID formulation process will proceed at a faster pace than the normal AAFPO newsletter publishing cycle. This site will be accessible from the AAFPO website ([aafpo.org](http://aafpo.org)), and contains historical information on prior attempts to get the HUD infrastructure improvements completed including the 2001 survey of lot owners. From this survey, a list of Frequently Asked Question (FAQ's) with answers was developed. The progress of the current PID formation effort may be found in the "Current Status" link. Most of this information will come from the PID petition being developed by Angel Fire Resort (AFR). The "Financial Information" will contain the most recent estimates of the costs of the infrastructure improvements, rationale for the allocation of these costs to individual lot owners, and implications of the recovery of these cost. Our intent is to provide each lot owner with the information to make an informed decision as to the merits of forming the PID. Finally a link to e-mail AAFPO is provided to ask questions, identify issues important to individual property owners, and to provide feed back as the usefulness of the information content provide. Please included Subdivision, Lot # and Membership # in your e-mail

We hope to have this web site posted as soon as the material for the PID petition is available.

## EACC Report

The new year has started off with nine (9) new permits for home construction. According to reports from contractors we will have another record year. The construction trend is for larger homes.

The E/ACC still urges future home builders to check into the past history of your contractor an architects. Also spend time with other home owners before starting construction.

Builders are required to have two (2) approved permits to build in Angel Fire. One(1) from the E/ACC; another from the Village of Angel fire Planning and zoning Commission.

Should you have any questions, please call the E/ACC office. Monday thru Friday from 8-12 noon. (505) 377-1135

Committee chairman,

B.U. Terry

## Summer 2005 Calendar

### APRIL

30 Mud N Guts Mud Bog -

### MAY

21 Quest For Fire Adventure Race

### JUNE

4-5 17th Annual Chile Challenge Mountain Bike Races

25 2nd Annual ICS NM State Championship Chili Cookoff

### JULY

9-10 UCI Mountain Bike World Cup

### AUGUST

5 Movies Under the Stars FREE Summer Series #1

12 Movies Under the Stars FREE Summer Series #2

14 WeBeRacing Motorcycle Hare Scramble

19 Movies Under the Stars FREE Summer Series #3

26 Movies Under the Stars FREE Summer Series #4

### SEPTEMBER

17 2nd Annual Cerro Vista Challenge - Mtn Bike Race from Angel Fire to Sipapu

24-25 Final Descent Downhill Mountain Bike Race & Gravity Festival

### OCTOBER

21-23 Team Angel Fire Ski Swap

\*All dates and events subject to change.

For more information contact:

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Board Members/Directors

President

Director

Director

Director

Director

Secretary

Vice President

Treasurer

or 1-800-931-7001

377-4349

377-4260

377-4367

Golf Course 377-3055

Country Club 377-6401

Monte Verde Lake 377-9971

Day Care Center 377-4213

Branding Iron 377-4201

Chile Pepper 377-6681

Jasper's 377-4203

INTERNET ACCESS TO AAFPO:

[www.aafpo.org](http://www.aafpo.org)

INTERNET ACCESS TO AFR:

[www.angelfireresort.com](http://www.angelfireresort.com)

Angel Fire News is published by the association of Angel Fire Property Owners (AAFPO) & Angel Fire Resort. Editor: Mona Huston. **Please note that the Newsletter will appear sometime in early January 2005 on our Web site. It will be emailed to those emails we have listed. It will no longer be mailed directly to members.**

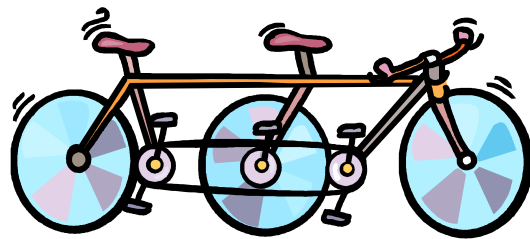
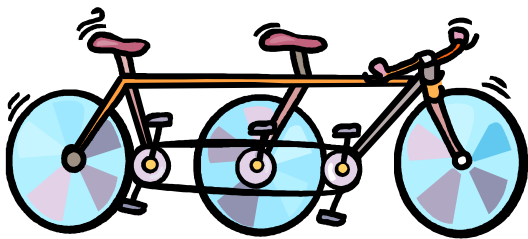
Welcome AAFPO Members

The Environmental Architectural Control Committee (EACC) and the Amenities Committee (AC) are both arms of the Association of Angel Fire Property Owners (AAFPO). You, as AAFPO Members, are encouraged to attend all the above meetings.

# Notice of Suspension Letters

A NOTICE OF MEMBERSHIP SUSPENSION was mailed last week to all members still owing dues at the end of March. While the vast majority of members who received this letter have dues to pay, some members incorrectly received the suspension notice. For those of you who received the notice who previously overpaid we are particularly sorry (an unintended error in the query for members with balances instead of members with positive balances). Another unfortunate and unintended mistake resulted from a sometimes unsuccessful attempt to exclude those of you who pay on a monthly basis from the mailing. However, a majority of the mailing reflects a combination of members who really owe dues and members with genuine problems in their accounts that need to be addressed immediately. If you received a suspension notice please take a moment to help us review the accuracy of your file. Errors corrected now will increase our efficiency and reduce the errors and frustrations you experience in the future. And for those of you who owe dues—let's get that fixed as well!

Kendall Hanson—Angel Fire Resort CFO



## Angel Fire Resort Hosts the UCI Mountain Bike World Cup

Over 300 world-class riders from more than 30 countries will converge on the mountains in Angel Fire, New Mexico in July 2005 to take part in the UCI (International Cycling Union) Mountain Bike World Cup, one of the most prestigious and extreme competitions on the world's mountain biking calendar. Angel Fire Resort will be the only U. S. location for the World Cup competition, which has not been held in the United States in the last two years. Based on numbers from past World cup events, as many as 10,000 per day spectators are expected to attend!

On July 9th and 10th the picturesque slopes of the region's Sangre de Cristo Mountain range will host three of the most grueling mountain biking events in extreme sports:

**Downhill:** Extreme, high speed action will lead racers through tight technical drops in the trees, across a malpais (lava rock) field, and down a wide-open, high-speed ski slope before screaming into the ski base area.

**Cross Country:** Ultra-fit racers will compete along a single-track 6-mile loop that climbs over 1,500 vertical feet to the mountain's summit.

**4-Cross:** head-to-head racing with four riders competing on a course with huge jumps and berms, on a state-of-the-art mountain cross course.

This event is an incredible opportunity to show off the beauty of the Moreno Valley as well as the world class mountain biking trails in the area. In order to accomplish this, Angel Fire Resort will need hundreds of volunteers over the course of the week leading up to, and during the races. We are asking for both volunteers and for local homeowners who are willing to host volunteers. If you are interested in either option, please email [worldcupvolunteers@angelfireresort.com](mailto:worldcupvolunteers@angelfireresort.com) or call 505-377-4256.

For businesses, there are multiple ways to participate in the 2005 UCI Mountain Bike World Cup in Angel Fire. Vendor space is available in the World Cup Village during the event. Interested businesses can contact [worldcupvillage@angelfireresort.com](mailto:worldcupvillage@angelfireresort.com) or visit the website at [www.angelfireresort.com/UCI](http://www.angelfireresort.com/UCI) for pricing and details. In addition to space in the World Cup Village, sponsorship opportunities on several levels are open to businesses. Sponsorship of The UCI Mountain Bike World cup is an excellent marketing opportunity for businesses and with the multiple levels available, a suitable package can be found for anyone interested. Sponsorship pricing is listed below. For information on the benefits of each sponsorship package, please email [tbrown@angelfireresort.com](mailto:tbrown@angelfireresort.com) or call 505-377-4433.

Local	\$1,000
Bronze	\$5,000
Silver	\$10,000
Gold	\$20,000
Presenting	\$40,000

For general World Cup information, the Angel Fire Resort Website is an excellent resource. Specific questions can be answered by Brandon Peterson ([bpetereson@angelfireresort.com](mailto:bpetereson@angelfireresort.com) or 50-377-4333) or Mistica Walker ([mwalker@angelfireresort.com](mailto:mwalker@angelfireresort.com)).

# AAFPO Board Seeks Candidates for 2005-2006 Board of Directors

The Association of Angel Fire Property Owners (AAFPO) Board and Angel Fire Resort (AFR) announced in their April 13th meeting that four openings for the AAFPO Board exists and petitions are being accepted for these positions. Members in good standing are encouraged to run. Information concerning participation and service to the membership can be answered by any board member. Petitions may be obtained from any Board Member, the AFR membership Office (505-377-4360), online at [www.aafpo.org](http://www.aafpo.org) or Jay Cox Election Committee (EC) Chairman (505-377-2238). Cox will provide assistance in completing petitions or biographies.

Candidates should submit their petitions (signatures of ten AAFPO Members in Good Standing ) and a 200 word biography to P O Box 21, Angel Fire, NM 87710 before May 17, 2005. At the May 17th Board Meeting, nominations from the EC and the floor will be presented and placed on the ballot. Members are asked to vote on line after May 18th via the Concord Servicing, Inc. website [www.myaccountinfo.com](http://www.myaccountinfo.com), or via links to be available at [www.aafpo.org](http://www.aafpo.org) and [www.angelfireresort.com](http://www.angelfireresort.com) web sites. A final voting will be accepted and reported at the Annual Meeting, June 4, 2005, 1:30 pm at the AFR Country Club. Curtis Jones, AAFPO President, asks that all members **VOTE EARLY** and **ATTEND** the annual meeting to hear reports on the past season from the AF Resort and AAFPO.

## Sample Ballot

### ASSOCIATION OF ANGEL FIRE PROPERTY OWNERS

June 4, 2005 Annual Election Proxy Ballot

(PLEASE VOTE ONLINE OR EXECUTE PROXY AND RETURN TO AAFPO)

Directors remaining on the Board of Directors next year are Bonnie Brashear, Pete Carlson, Martha Lassetter, Mick MacDonald and Jan McKay. There are four(4) Director vacancies due to expiring terms and an resignations. These positions will be filled by the four candidates who receive the most votes.

Property owners who choose not to vote, may give their proxy to the AAFPO Board of Directors, or to any member in good standing, by completing one of the following:

"I am returning my proxy to AAFPO for voting this ballot and other business as may be properly brought before the annual meeting by the Board of Directors \_\_\_\_\_, or

I am giving my proxy to \_\_\_\_\_, another AAFPO member in good standing, who will submit my ballot to the Election Committee chairman, on or before the June 4, 2005 Annual Meeting.

AAFPO Members who are in good standing (i.e., current in the payment of dues on all home sites they own) may submit one ballot (with no more than four votes) or a proxy for each property owned.

Property Owner submitting this proxy must sign and print name and member number, and include the property address for the property for which they are voting. **THANKS FOR EXERCISING YOUR VOTING OPTION EARLY!!! WE MUST HAVE A QUORUM TO CONDUCT BUSINESS.**

\_\_\_\_\_  
AAFPO Member Signature

\_\_\_\_\_  
Member's Printed Name and Date

\_\_\_\_\_  
Member Number

\_\_\_\_\_  
Property Address

Please return this proxy to:

AAFPO—Election Committee

Vote online at:

P O Box 21

[www.myaccountinfo.com](http://www.myaccountinfo.com)

Angel Fire, NM 87710

Links from [www.aafpo.org](http://www.aafpo.org)

or [www.angelfireresort.com](http://www.angelfireresort.com)



#### **ANGEL FIRE RESORT MEMBERSHIP**

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**Visit us at our Websites**

**[www.angelfireresort.com](http://www.angelfireresort.com)**

**[www.valleyoftheutes.com](http://www.valleyoftheutes.com)**

### **New Greenbelt Trail Approved**

The AAFPO Board has approved the building of a new Greenbelt trail. This trail will enhance the recreational opportunities in Angel Fire provided by the 3 trail built over the last 5 years (Coyote, Oeste Vista, and Monte Verde Lake & Lady Slipper tails).

The new trail will be 5.5 miles long and is located where the National Forest borders the north, west, and south boundary of Angel Fire. The trail will be accessible from a variety of points to allow easy access.

The trail will be rustic and preserve the natural beauty of the area. Trail markers and signs will be installed to aid the users. The trail will be open to hikers, birders, bicyclist, snow shoers and X-country skiers.

Construction should begin in early summer of 2005.

### **Angel Fire Resort Wins Long-Standing Legal Battle**

***Court of Appeals of the State of New Mexico Rules in Favor of the Resort in***

***Angel Fire Resort vs. Corda et al.***

**Angel Fire, NM (April 21, 2005)**--Angel Fire Resort received a ruling by the Court of Appeals of the State of New Mexico in favor of the Resort in the case of Angel Fire Resort vs. Corda, et al. The decision by the New Mexico Court of Appeals, affirms the Resort's ability to take legal action to enforce the collection of outstanding membership association dues from delinquent property owners. The favorable ruling reverses a District Court Decision that ruled against the Resort almost two years ago.

In its appeal, the Resort asked the Court of Appeals to reverse the District Court ruling that the membership dues of several property owners were not enforceable in Court. Upon review of the Bankruptcy Plan, supporting documents and relevant legal authority, the court agreed with the Resort's position that a judicial remedy existed. They therefore remanded the case to the District Court with instructions to grant the Resort's request. It is unknown whether any further appeals will be taken in the case.

### **Message from Angel Fire Resort, General Manager**

What a great season of skiing and snowboarding this past winter! We had fabulous conditions throughout the year and closed with 100% of the mountain still open.

We exceeded our budgeted skier days by 8% and we were 18% ahead of last season. It's amazing what a little snow can do to enlighten the spirits of everyone in the community. We are now putting our "wish list" of capital projects together for the summer season. Once we have these projects approved, I will explain what those improvements will be for the 05/06 season. The golf course is eagerly awaiting the arrival of anxious golfers. Unfortunately, with the above average snowfall and runoff we are looking at an opening date sometime in early May.

I want to remind everyone that Member passes are for their use ONLY and not to be used by friends or other family members, who are not entitled to the benefit. We had several instances this past winter where passes were being used by friends, other members of family, etc. I have over 100 passes in my office that were taken and privileges suspended. AAFPO Board of Directors were also notified about this situation and we are all working together to educate everyone on the proper use of Member passes and privileges. With the golf season approaching, I want to make sure that this pattern of misuse of Member passes does not continue.

In closing, I look forward to this summer season and continuing to support our members and our community.

Thank you,

Jon Mahanna

General Manager, Angel Fire Resort