

THE ALPHA SUBDIVISION COMMITTEE INC
d.b.a. ALPHA COMMITTEE OF ARCHITECTURE (ACA)
P.O. Box 471
Pagosa Springs, CO 81147
aca.of.alpha@gmail.com

Archuleta County, Colorado
Building and Planning Department
Attn: Tim Hatch/Diane Sedlacek
1122 Hwy 84
PO Box 1507

Pagosa Springs, CO 81147

Delivered electronically to : thatch@archuletacounty.org; dsedlacek@archuletacounty.org

Re: Attempted Revocation of Authority for the Alpha Subdivision Committee, Inc., by the Alpha Property Owners Association (APOA)

To Whom It May Concern:

The County recently received a letter from Mr. J. Reynolds (Attachment C), a lawyer retained by the Alpha Property Owners Association (APOA), claiming that the APOA, having appointed itself as the Alpha Architectural Committee, was now the Architectural Authority for the Alpha Subdivision.

This effort by the APOA was based on a misinterpretation of a 30-year-old document that was debunked by its original author during a recent full-day hearing in Archuleta County.

For further explanation, we have included a copy of the court's order (Attachment A) and recent correspondence (Attachment B) explaining this development to Alpha Landowners.

As such, we would like to share the following important points with you:

- The ACA continues as the Architectural Review Authority for the Alpha Subdivision, as designated back in 1995, is actively conducting architectural reviews, and continues to address any substantive noncompliance issues. Any information to the contrary on the alphapropertyowners.org website or other means of communication is inaccurate.

If you have any questions about the foregoing, feel free to contact me directly.

Sincerely,

PW

Pat West
aca.of.alpha@gmail.com
President, ACA

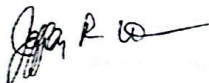
On Behalf of the ACA Board of Directors (Dave Minkel, Marsha Miller, Tom Hanchett, Pat West)

ATT: A

DISTRICT COURT, ARCHULETA COUNTY, COLORADO	
Court Address: 109 HARMAN PARK DRIVE, PAGOSA SPRINGS, CO, 81147	
Plaintiff(s) ALPHA PROPERTY OWNERS ASSOCIATION OF et al. v. Defendant(s) VALERIE DEL PRINCIPE SIMPSON et al.	DATE FILED May 23, 2025 3:47 PM CASE NUMBER: 2024CV30053
⚠ COURT USE ONLY ⚠	
Case Number: 2024CV30053 Division: 3 Courtroom:	
Order Upon the Motion for a Preliminary Injunction	

A hearing on the preliminary injunction was held on May 23, 2025. For the reasons stated on the record, the preliminary injunction is denied.

Issue Date: 5/23/2025



JEFFREY RAYMOND WILSON
District Court Judge

ACA Member Communication

Dear Alpha Owners:

As you may be aware, for the last several months, litigation has been ongoing in Archuleta County District Court pertaining to architectural review authority in the Alpha Subdivision (Case No. 24CV30053). On August 28, 2024, the Alpha Property Owners Association of Archuleta County, Colorado ("APOA") sued the Alpha Subdivision Committee, Inc. ("ACA") and all individual members of the board of the ACA. The lawsuit claimed that the APOA had revoked the architectural review authority of the ACA. Soon after filing this lawsuit, the APOA established its own architectural review committee and removed all ACA information from the Alpha website. On February 27, 2025, the APOA filed a motion for preliminary injunction seeking an order prohibiting the ACA from conducting architectural review, so that its committee could conduct all architectural review for the Alpha Subdivision. On May 23, 2025, the Court held a full-day hearing, and denied the APOA's motion, ruling that the APOA had not demonstrated a reasonable probability of success on the merits.

As such, we would like to share the following important points with our membership:

- The ACA continues as the sole Architectural Review Authority for the Alpha Subdivision, as designated back in 1995, is actively conducting architectural reviews, and continues to address any substantive noncompliance issues. Any information to the contrary on the alphapropertyowners.org website is inaccurate.
- While we are highly sensitive to any inconvenience this may have caused landowners because of APOA's litigation, any approval granted by the APOA is considered null and void, and members will need to reapply to the ACA to ensure compliance. This action has become necessary due to the unfortunate fact that certain approvals granted by the APOA were not in compliance with Alpha's CCRs. If you have been affected, we recommend requesting reimbursement from the APOA to prevent incurring duplicate fees when reapplying to the ACA.

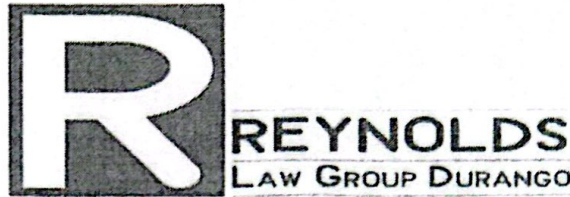
While we work to either update the existing website with accurate information or go live with a new website, any new applications or pre-application inquiries can be directed to our email address at aca.of.alpha@gmail.com.

Sincerely,

The ACA Board (Dave Minkel, Marsha Miller, Tom Hanchett, Pat West)

ATT: C

EXHIBIT 37



Via U.S. Mail and email to dsedlacek@archuletacounty.org

September 18, 2024

Archuleta County, Colorado
Building Department,
Attn: Diane Sedlacek
1122 Hwy 84
P.O. Box 1507
Pagosa Springs, CO 81147


Re: Revocation of Authority for The Alpha Subdivision Committee, Inc. to Act as the Committee of Architecture for the Alpha Subdivision

Ms. Sedlacek:

This office has been engaged by the Alpha Property Owners Association of Archuleta County, Colorado ("APOA") Board. This letter is being provided to give formal notice to the Archuleta County Building Department that the Alpha Subdivision Committee, Inc.'s ("ACA") authority to approve building applications for the Pagosa Alpha Section subdivision under that subdivision's Declaration of Restrictions has been revoked by the APOA. Going forward, property owners seeking to build or construct in the subdivision must obtain the approval of the APOA's newly formed Architecture Committee. That committee may be reached at APOA.architecture.committee@gmail.com.

If you have any questions about the foregoing, feel free to contact me directly.

Sincerely,


Douglas J. Reynolds

DOUGLAS J. REYNOLDS, ATTORNEY AT LAW

1099 MAIN Avenue, Suite 318, Durango, Colorado 81301
970.828.4605 www.reynoldslawdurango.com doug@dreyllaw.com

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