



THE "RIDGE RAMBLER"

Volume 17

June 2009

Annual Meeting: July 18, 2009

The Annual Meeting of the Saddle Ridge Property Owner's Association will be held at the Methodist Church in Walland on Saturday, July 18, 2009. Breakfast will begin at 9:30AM with the meeting following at 10AM. The Methodist Church is directly next to the Walland School; this is the same place that we had the meeting last year.

There will be more details coming on the breakfast pot luck. I can say this – If you miss the breakfast, you will be sorry.

As you know, three of the Board positions will be open and voted on. Nominations are currently open – please contact Jim Tedford or any of the Board members if you have a nomination or if you would like to vote via proxy.—Jim Harmon



Editor's Musings - by Melba Harmon

Mea Culpa! Once again I am late with getting the Rambler out. I just cannot believe how my time has been taking up with traveling back and forth to Oregon to see my granddaughter, doing my volunteer work for Tremont and hiking once a week. Hopefully we will get back on schedule and will get the Rambler out in a timely manner.

Our neighbor Janie Shaffer has been undergoing medical treatment for a serious illness. Janie is Kathy Wilbanks' sister in case you did not know that. Please keep Janie and her family in your thoughts and prayers during this difficult time.

Also I heard that Steve Tipps has been ill. I hope Steve feels better soon.

I will be sending out an Internet on-line invitation (E-Vite) for the annual meeting. I will be asking everyone to bring a breakfast-style covered dish to share.

Speeding has been much less of a problem lately. Residents and wildlife are better off for it. There are currently many construction trucks on the roads and we will all have to be more careful.

I hope to see everyone at the annual meeting.

President's Message

To echo the Editor's (my wife) remarks, we had planned to publish a Rambler in the Spring. Technically as I write this it is still Spring, although there are only two more days until the first day of Summer. Not exactly what we had in mind.

As we described in last year's summer edition of the Rambler, SRPOA has purchased two adjacent lots on Oakwood Road and we are beginning to follow up on the reasons why SRPOA became a Saddle Ridge property owner. For openers we have begun a more aggressive approach to the collection of delinquent HOA fees. Most delinquencies are minor and can usually be satisfied with a brief reminder. A few of the delinquencies are more blatant and we are taking the appropriate steps to resolve those situations.

The next item to be addressed is the condition of the CC&R's. As many of you know, the CC&R's were written in the mid/late 1970's. They were poorly written, have significant omissions because they did not follow the standard by which most CC&R's are written, and have become in some cases irrelevant in the 21st century. (Nancy Cain's 'History of Saddle Ridge' will give some insight to author of those CC&R's.) Nevertheless, they are ours and do supply the rules for Saddle Ridge until and unless we change or amend them.

Although the need to make some changes to the CC&R's may seem obvious, the process can be quite difficult. Our challenge is to develop a set of changes that will be agreeable to a "super majority" of the property owners, which would be well beyond a simple majority and perhaps as much as two thirds to seventy percent of the property owners. This is vitally important to us all—the CC&R are our protection, our guarantee that our investment of our money and our quality of life will always remain consistent with what we envisioned when we decided that Saddle Ridge was the place to spend a portion of our lifetime.

We will plan to discuss this more at the annual meeting to understand your thoughts and wishes. For those that will not be attending the Annual meeting, fear not, there will be no voting nor action taken. Any attempt at resolving this issue will be the principal task for the 2009/2010 Board.

Late Breaking News: I have gotten another complaint of gunfire in Saddle Ridge. The first complaints from a few months ago were tracked back to one of the sub-contractors working on a new home. He agreed to "shoot varmints" elsewhere. We are not sure where these recent shots originated, but would ask everyone to let one of the Board members know whenever you hear shots. Although our CC&R's do not address gunfire and Blount County will only pursue if there is a danger to individuals, it is disconcerting to know that a gun is being shot close by and not know who is doing the shooting, what is being targeted, and whether the shooter has any awareness of close neighbors.

Financial Report

We have recently sent out HOA delinquency notices and are currently printing and mailing next year's HOA fee invoices. Consequently we are not able to prepare meaningful trial balance at this time. Current assets are approximately \$27,000 (checking account and one CD). Current expenses/liabilities are approximately \$1,000. A complete trial balance and income/expense statement will be presented at the Annual meeting, along with a review of the financial details regarding the purchase/mortgage by SRPOA of the property lot on Oakwood Road.

To restate, next year's statements are in the process of being printed, and for those living in Saddle Ridge, they can start to look for their invoice at the middle of next week in the intra-community mail box.

The History of Saddle Ridge – Part II by Nancy Cain

In our previous installment, we left Saddle Ridge in the 1970's. There were few homes - perhaps as few as three - the Hartups, the Martins and the Murphys. Although the houses remain, all of those early residents have moved and most are deceased. Within a few years, there were eight homes. And there were high hopes.

There was a manned-guard kiosk near the lake (close to where the gate now is located). There was a sales force of "nice-looking" young women dressed in hot pants and high white boots. There was a developer with a glib tongue and engaging personality - C.C. "Buddy" Pack. He headed Mountain States Development Corporation (familiar to each property owner even today since that's the name on the covenants and restrictions).

Then, the way some of those involved in the disaster that followed tell it: "One day there simply wasn't a guard at the kiosk". Pack was still in the area but could be reached only with great difficulty. Phone calls were unanswered; even personal visits unhelpful.

One property owner described an encounter with Pack in a letter dated June 1983: "We drove our car to Shagbark (a development in Sevier County) and I walked in on Mr. Pack. He turned white, started to stutter (sic) and said he only had a moment because of prior commitments. He offered me no assistance whatsoever, gave no reason for not answering my six calls."

In the SRPOA records, there are voluminous files detailing those years of difficulty - lawsuits, letters, bills and bill payments.

One hero seems to emerge, albeit an embattled one - Gary Neibert. Neibert had a fulltime job (with TVA) and lived in Powell. Yet, judging from the correspondence in the files and from the notations on that correspondence indicating the phone calls made, he must have spent all his remaining waking hours writing and calling Saddle Ridge property owners.

He was president of the Saddle Ridge Property Owners Association from 1982 (when the organization was formed and first elected officers on August 14, 1982) until April 1987. As president, Neibert faced complicated and numerous problems. The early efforts of SRPOA were directed toward persuading Pack to maintain the roadways.

In a letter to property owners in April 1983 Neibert said SRPOA had contacted Pack about needed improvements to the roads. Heavy rains in March of that year had caused the dam to overflow and the resulting damage to the roadway had made entry into the development almost impossible. A later newsletter in November 1983 indicates that Pack had graded the roads once, had even parked a grader at the entrance but nothing more had been done. The Association started collecting money from homeowners to make repairs to the washed-out entrance road so they could get home.

On another front, the legal ownership of Saddle Ridge developed into a major problem. In a letter he wrote to a property owner on the eve of the October 8, 1982 meeting which established SRPOA officially, Neibert provided this overview: "There are 224 tracts in the development with 157 owners. Mr. Pack still retains some form of ownership in 43 tracts. The owners reside in 16 states and one foreign country.

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The State of Tennessee is the home of 91 owners. There are presently eight homes completed with another under way. The goals of the Association will be established at the October 8th meeting. However, the poor condition of many of the roads and the lack of any promised improvements will certainly be discussed. The clubhouse, swimming pool, and tennis courts have not been started. Many tracts have not been provided with access roads even though we are legally required to continue paying maintenance fees."

Later (in March 7, 1983), Neibert wrote to another property owner: "A very preliminary title search performed by the Association indicates that there are no obvious flaws to the ownership of Saddle Ridge. The property is owned by Mountain States Development Corporation. Payments are still being made to the original owners so therefore there are still outstanding liens against the title. There are no indications of any payment problems." However, that situation was to change very soon.

One of the first indications came in 1983 from both the National Park Service and the U.S. Department of Housing and Urban Development (a government agency no longer in existence). The Park Service claimed that Pack had encroached on land which had been obtained from the Chilhowee Baptist Association for use as right-of-way for the Foothills Parkway. Pack, according to an article in The Daily Times in August 1986, had purchased the remainder of the land - about 200 acres - from the Association in 1974. This article was detailing the federal lawsuit filed by the National Park Service in U.S. District Court in Knoxville.

Within a year, according to a December 1984 newsletter, the situation had gotten much more complicated and was to continue in that vein for several years. Here is how Neibert described it: "Mr. C.C. Pack, through one or more corporations, purchased most of the Saddle Ridge property from Mr. and Mrs. Jack Davis, and the balance from the Chilhowee Baptist Association. The subsequent sale of the property by Mr. Pack (to Saddle Ridge property owners) was thus subject to first mortgages held by the original owners. Mr. Pack should have paid these mortgage holders a pre-determined price per acre to secure partial releases from the respective mortgages. In many cases this was not accomplished. To complicate things, Mr. Pack subjected the property purchased from Mr. and Mrs. Davis to a second mortgage originally held by Kaiser-Aetna. To secure a release of this second mortgage Mr. Pack should have paid Kaiser-Aetna 5 percent of the sales price. This also was not accomplished in many instances. The bottom line in this regard is the fact that many property owners DO NOT have clear title to their property."

SRPOA had retained an attorney, David Black with Kizer and Black, to help clean up all the mess but complications continued. Kaiser-Aetna sold its interests in Saddle Ridge to Boataba, a Texas corporation. Boataba began foreclosure on some of the property in Saddle Ridge with an auction to be held May 10, 1985.

The SRPOA Board meeting on April 12, 1985 lasted three and a half hours. Buddy Pack had filed for bankruptcy by then but Mountain States Development was still solvent according to Black, who attended the meeting. The problems he outlined centered around which lots were subject to what mortgages because of the sale and resale of the mortgages by Pack.

And there were problems with lot lines. There had been many survey errors Black pointed out, and owners might have difficulty when trying to determine exactly what they owned and where it was.

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Black suggested that instead of paying annual maintenance fees to Mountain States Development, property owners should begin paying them to SRPOA. The Association was the entity working on the roads anyway.

By the end of the summer, Jack and Juanita Davis had decided to foreclose on the property since Pack had not paid them for the original purchase of the land. Neibert sent a newsletter to SRPOA members on August 19, 1985 detailing what was about to happen. On August 27, on the Blount County Courthouse steps, Saddle Ridge would be up for auction.

The Davises were the only bidders for the property, which was sold in its entirety, not by individual lots. They paid \$149,300 in the name of DCA Inc.

On Sept. 17, 1985, Boataba foreclosed on the second mortgage they had held on the majority of the Saddle Ridge property. Boataba in this instance was the only bidder on that foreclosure sale and paid \$7,000.

Before each sale, each property owner was offered \$516.69 per acre (from the Davises) and \$400 per acre from Boataba to purchase a release for their property.

Property owners were informed that they should stop making payments to Mountain States to pay off their own loans for the purchase of their property. The attorney's office was swamped with calls from property owners from throughout the U.S. Any wonder?

Legal expenses threatened the life of SRPOA. SRPOA could no longer employ an attorney because attorneys "always bill for each telephone call." In the midst of all this, C.C. "Buddy" Pack resurfaced in July 1985 in Naples, FL, at least according to a lead story in the Knoxville News-Sentinel. Staff Writer Kaye Franklin Veal's article read: "Pack is hobnobbing with the upper crust in Naples. He has established himself as a business associate of national politicians (notably George McGovern, candidate for the presidency in 1972), and enjoys lunch, dinner and golf with the city's wealthy and influential." By that time Pack had, according to the article, \$4,700,000 (in 1980 dollars) in claims filed against him in bankruptcy court.

According to the article, he had told residents of Naples that he was a developer in Miami and was one of the founders of the LaGorce Country Club in Miami. He told Veal that McGovern had been loaning him money since 1984 to help with living expenses. "Thank God, I've got some friends left", he said.

In the article Pack blamed bankers for his financial woes. The article says, "Pack was declared bankrupt here last August. At that time, he said he placed so much faith in bankers that he would sign blank notes for loans and let the officers fill in the details later." Pack says he did this with both Jake Butcher's United American Bank before its collapse and with Alcoa Banking Company, now renamed American Fidelity Bank. He had been flying back and forth from Florida to Knoxville to testify in the Housing and Urban Development legal probe - in a plane loaned to him by McGovern.

In 1986 Boataba held yet another foreclosure and auction of property in Saddle Ridge and property owners again were able to "buy back" their property.

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SRPOA's future was beginning to appear brighter by 1987. A security gate had been installed, road signs were being erected, and a tractor purchased. There were hopes that the dam could be raised, enabling the lake to be refilled, and landscaping done around the main gate.

At the annual meeting, Steve Myers was elected as President, ending Neibert's five-year tenure as SRPOA's first President. He remained as Vice President. As the newsletter (not dated but apparently written after the April 1987 annual meeting) said: "Gary cannot be thanked enough – ever – for his tremendous efforts in helping us through the many problems encountered."

Next: Saddle Ridge growing pains.

Editor's Note: This history was compiled by Nancy Cain, a resident of Saddle Ridge for 17 years and the unofficial historian for our community. Nancy has always been deeply involved with our community and has served on the Board for years. She has developed this history from letters, personal notes, memory, conversations with others that have lived here, and later, from early Board meeting minutes. Part I was published in the last issue of the Rambler.

The below photo and caption was taken from an undated post card found by a Knoxville realtor. We are guessing the date to be sometime in the 70's.

The Lost Paradise Walland, Tenn.

This modern log cabin at the entrance to The Lost Paradise, a 1,263-acre tract bordering the Great Smoky Mountains' scenic Foothills Parkway, is 12 miles from Maryville, Tenn., and four miles from Walland, Tenn., just off Tenn. 73. Clear mountain streams flow through the jungle-like wilderness of mountain laurel and rhododendron, offering a quiet restful mountain atmosphere.



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What's Up in Saddle Ridge?

Welcome new SR homeowners and property owners as follows:

- **Tony and Debra Skinner and children**— live at the top of Waters End
- **Tom and Carol Flynn**— have moved to 2020 Christa Trail
- **Martin and Kathy Barrie** are building a home on Overlook View
- **Jim and Ann Tedford** are finally building on Waters End. Jim has served on the Board for several years. Congratulations to them both.

Welcome back Alane, Alex, Rowen and Wren Wyss from your trip to Belize.

Wild Hogs



Just a quick update on the wild hogs. Although many of our residents have seen them, we have been unsuccessful in trapping and removing them. I do some volunteer work in the park, and have been told by some of the Rangers that hogs are very adept at avoiding traps. We will keep trying—the Three Sisters folks have trapped and removed 20-30 so far. Hopefully some of them came from Saddle Ridge. The Park has trapped and removed 500 hogs this year. They are very prolific.

Greetings From The Duck Inn

We have seven young Canada geese that are being cared for by their parents and our white goose, Oscar. We also have several baby wood ducks. Thanks to all of you that contributed to the Wildlife Fund this past year. A special thanks to Anne and Wayne Anderson. We were completely out of money until I received a check from them. Those of us who feed the ducks and geese appreciate whatever you can spare so that we don't have to pay for the feed out of our own pockets.

Please make checks payable to Melba Harmon designating your contribution for "Wildlife food" to 2047 Dogwood Trail, Walland, TN 37886 or drop in the Saddle Ridge black internal mailbox at the kiosk.



If you enjoy watching the ducks and geese, please consider contributing.

Board Members

| | | | |
|---------------------------------|------------|------------------|------------|
| Jim Harmon, President | (983-7459) | Barb Clinansmith | (981-3990) |
| Kerry Blackwood, Vice President | (681-7104) | Bob Hood | (681-7623) |
| Bill Harriman, Treasurer | (681-3437) | Jim Tedford | (670-1304) |
| Judy Pearson, Secretary | (982-5729) | Sarah Williams | (982-5290) |
| | | Alex Wyss | (977-1533) |

Committee Chairs

| | |
|--------------------------------|---|
| Architectural Review Committee | - Phil Spampinato (675-7997) rhd@tds.net |
| Beautification Committee | - Martha Frink (984-4873) marthafrink@peoplepc.com |
| CC&R Task Force | - Melba Harmon (983-7459) melba.harmon@gmail.com |
| Communications Committee | - Jim Tedford (670-1304) jtedford@alphadogmktg.com |
| Events Committee | - Barb Clinansmith (981-3990) bclinansmith@juno.com |
| Firewise Committee | - Tim & Sarah Williams (982-5290) timsbabe1@msn.com |
| Road Committee | - Bob Hood (681-7623) winterhawk6210@yahoo.com |

Resident Services

Starting with this issue the Rambler will list those services that are offered by Saddle Ridge homeowners. Please submit a brief description of services that you have to offer such as electrical, handyman, etc. to Melba Harmon at melba.harmon@gmail.com. Notices are subject to space limitations. There is no charge to SR property/homeowners.

- Electrical, Plumbing & Heating & A/C work. Licensed and insured. Contact Darin Suggs at 982-8466 (evenings) or 804-6449 (cell) or darin-suggs@turbousa.com.
- Mowing and light landscaping services. Contact Tim Williams at 982-5290
- General electrical work. Contact Bob Hood at 681-7623.
- The Barn Event Center of the Smokies is a full-service event center for parties, business meetings, weddings, etc. Offsite catering is offered as well. Contact Richard or Debbie Way at 448-9378 or www.barneventcenterofthesmokies.com.

