

Hidden Ranch
Homeowner's Association
PO Box 2282
Jackson, WY 83001
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Date: December 16, 2021

Hello Hidden Ranch Owners and Residents,

On behalf of the Homeowners Association Board, we would like to remind everyone of the current terms of use for access to the bike path on the north side of the community, via Hidden Ranch Spur, by owners and residents of the Hidden Ranch neighborhood.

Per the recent settlement agreement (more details below), we urge everyone to abide by the following:

A. The access across Hidden Spur Lane and the Pedestrian Gate are for Lot Owners, Owners' renters or tenants, and the invitees of Owners, renters, and/or tenants. "Invitees" shall be limited to persons coming and going from Lot Owners' homes, not members of the general public who may wish to park in Hidden Ranch and utilize the access.

B. There shall be no loitering in the access area.

C. Users shall shut the gate after each use.

D. Dogs MUST be on a leash when using the access.

While Hidden Ranch Loop and Hidden Ranch Lane are public roads, the short Hidden Ranch Spur ("the Spur") is a private lane. Passage across Hidden Ranch Spur to access the bike path is granted by two easements, one for the Town of Jackson and one for the owners and residents of the HOA.

About two years ago, the owner of Hidden Ranch Spur ("Owner") entered into litigation with the Town of Jackson to clarify the terms of the Town's easement. After negotiation, a settlement agreement was entered into between the two parties. As part of that settlement, the Owner agreed that the Town's easement grants a right of access to the Town, and the Town agreed to have that access controlled by a wide swinging gate with a lock. A couple of times per year the Town uses that gate to send heavy equipment down to the creek to clear ice blockages. As part of the settlement, the Town also acknowledged and agreed that the Town's easement grants no public right of access to the bike path.

The HOA, through the Board, hired an attorney to represent the HOA's interests during that litigation between the Town and the Owner. The HOA did not want that action or any settlement between the parties to block or compromise the HOA's right to access under the HOA's separate easement. Following the settlement, the HOA directed their attorney to conduct direct negotiations with the Owner to clarify and confirm the terms of the HOA's easement and access to the bike path through the separate pedestrian gate just south of the Town's wide swinging gate. The goal was to retain and

secure access to the bike path by HOA owners and residents on reasonable terms while, at the same time, avoiding a lengthy and expensive court case that would require supplementary financial contributions from HOA members.

The negotiation was successful and a settlement agreement between the Owner and the HOA was signed and filed in April 2021.

Here is a summary of the terms of the settlement agreement between the Owner and the HOA.

- **HOA Access to the Bike Path Confirmed.** The Owner has agreed that HOA owners, residents, and their visitors have access to the bike path across the Spur from the street (Hidden Ranch Lane) to the pedestrian gate. Please do not wander further down the Spur past the gate or let children play down the Spur. If you bring your dog down the Spur to the gate, have the dog on a leash. If there are visitors at your home, they can use the gate, but don't invite folks you know around town to use the gate.
- **The Gate Will Soon Be Locked.** The HOA has agreed to install a locked gate at the pedestrian gate access. We may shortly install a temporary chain lock until arrangements can be made to install a more permanent locked gate. The combination will of course be distributed to all HOA owners and residents. The purpose of the lock is to deter public access to the bike path across the Spur while, at the same time, allowing access to HOA owners, residents, and their guests. While it was convenient to have an open access port (no lock or gate), the Town's settlement of their separate negotiation with the Owner, specifically the Town's position that its easement was not for public access, and advice from our attorney convinced a majority of the Board that a full court case or a court-directed mediation would, in any case, very likely result in a locked gate.
- **No Public Right of Access.** Our settlement agreement provides for no public right of access across the Spur.
- **Please Abide by These Terms.** We strongly encourage all HOA owners and residents to abide by these terms. Limiting access to HOA owners and residents doesn't just reduce vehicle, bike, and foot traffic across the Spur, it also reduces vehicle, bike, and foot traffic along Hidden Ranch Lane and Hidden Ranch Loop. We hope that this advantage compensates for the minor inconvenience of utilizing a gate lock when accessing the bike path.

Apart from these specific requests, we remind all HOA owners and residents accessing the bike path across the Spur to exercise caution and keep a hand on any children that are with you. There is limited visibility for cars and trucks using the Spur.

Please email Charley at Grand Teton Property Management with any questions, cboyton@gtpmjh.com.

Sincerely,

Hidden Ranch Homeowners Association
C/O Grand Teton Property Management