

## **Esperanza Land Pledge Drive**

### **Frequently Asked Questions**

\* Recent updates are marked with an asterisk

#### **What's the Background?**

In February, GVR pulled out of its plan to purchase the 12-acre parcel of vacant land along Esperanza Boulevard (running from Desert Bell west to EE Park). Their plan to construct 24 lighted pickleball courts met with widespread public opposition and the threat of legal action by Esperanza Estates and the other HOAs bordering the property.

#### **Who owns the land now?**

After GVR pulled out, an anonymous benefactor from a neighboring subdivision stepped up and bought the property. Their purchase removed the land from the reach of commercial developers. They wanted to give the community time to come up with an alternative plan to protect the property long-term as an enduring natural asset.

#### **Why are we having a Pledge Drive?**

The new owners do not intend to keep the Esperanza Land indefinitely. Their purchase was, in essence, an act of immense generosity and community support.

Based on the community interest expressed in owning the land as open space, we, along with other HOAs, are conducting a pledge drive to raise funds to buy the property. Our aim is to donate it to an appropriate grantee who will maintain the land in its natural state in perpetuity.

#### **Is the pledge drive sanctioned by the EE HOA Board of Directors?**

The EE HOA Board has approved the formation of a committee to work with the other HOAs on the acquisition of the land. They have also approved this committee's proposal to conduct a pledge drive among EE homeowners.

#### **Who is on the EE committee?**

The committee consists of three Board members: Dave Sielken, Howland Swift, and Dean Hess, and three homeowners: Jim Sourant, Donna Dailey, and Doug Syme. Their combined legal, financial and communications background is an asset to this endeavor. Jim, in particular, has experience in conducting similar transactions involving community land donations.

#### **Who are we working with from other HOAs ?**

We are currently liaising with working groups from Ventura West and Portillo Place HOAs in order to conduct the most effective and successful community-wide pledge drive. Because we border the Esperanza land, our three HOAs have the most to gain from keeping it off the market, and the most to lose if it reverts to commercial development. We are also working with the wider Las Campanas HOA to enable their involvement.

### **Who will become the ultimate owner of the land?**

We are currently exploring the best options. One possibility is to donate the parcel to a land conservation trust, and we have contacted several organizations.

A second potential owner is the Las Campanas HOA. They own other pieces of common land zoned as natural within their subdivision, and they already have in place what may be the most efficient means of managing the land long-term.

They are currently looking into whether they can legally acquire the land. Even if they can, it is unlikely that they will be able to place an assessment on their homeowners to cover the cost of the land purchase. Thus, we would still need to proceed with fundraising.

### **Could EE buy the land?**

We don't wish to pursue this option because the HOA would then become responsible for liability insurance, taxes and maintenance on the land. We would also need to undertake a rezoning process in order to have it designated as natural and reduce the commercial property taxes.

### **What safeguards do we have that the land will remain undeveloped and that EE residents will have access to it?**

In exchange for our monetary donations, we will negotiate to ensure that deed restrictions are placed on the land to keep it in a natural state and to prevent a future sale for commercial development. We will also negotiate the right of EE residents and those in surrounding subdivisions to have access for walking and the enjoyment of nature and wildlife.

### **What's the rush? Why not determine the ultimate owner before mounting the pledge drive?**

We need to determine as soon as possible how much money we can raise to purchase the land.

The key reason for conducting the pledge drive now is to reach as many people as possible before our snowbirds leave in the spring. Once people leave, the momentum is lost and the threat of those pickleball courts or worse becomes a distant memory.

That is what happened a few years ago when the White Elephant almost bought this land to build on. Residents talked about buying the land for a few weeks but did nothing, and it was soon forgotten. Then we ended up facing a worse scenario from GVR.

The new owners will not keep the land indefinitely. We have a short window of time in which to get the land transferred to a safe, permanent owner. Otherwise, the land will go back on the market, and it will again be open to purchase by a commercial developer.

### **When will the actual money be collected?**

The money will not be collected until a designated grantee is agreed upon by all parties concerned. Then, all monetary donations will be placed in a dedicated bank account, similar to a trust account, for escrow. It will be completely separate from HOA funds.

## **Is my donation tax deductible?**

That will depend on the charitable status of the ultimate grantee, and on each individual's personal tax circumstances. We cannot give tax advice for legal reasons. Please consult your tax specialist.

## **Why should I donate money for land that will ultimately be owned by someone else?**

We came very close to having our peaceful life in EE changed forever. Had GVR's pickleball plan succeeded, we would have been subjected to excessive traffic, noise and night lighting from 8am til 10pm seven days a week. Your donation will help to ensure that we permanently remove this land from the threat of commercial development.

By preserving the land in its natural state, we will preserve our own environment and maintain the peace and beauty of our desert home.

Every local realtor we spoke to told us that our property values would have dropped significantly if the pickleball complex had gone ahead. It would have affected not only the homes bordering the land, but, because of real estate comparables, all homes in the surrounding area as well. Commercial development would have the same effect. According to one estimate, by stopping the pickleball complex, we preserved the value of the homes surrounding this land by about \$8 million.

Undoubtedly, a significant factor in GVR's decision to withdraw its proposal was the letter from our Board advising them that we were prepared to take legal action to prevent the pickleball complex. Had we needed to pursue such litigation, our attorney fees would have been enormous.

Some folks in our neighborhood simply want to contribute to help our anonymous good Samaritans who went way out on a limb to buy the land and prevent another big fight the next time somebody wanted to build a commercial development on the parcel. It is just the right thing to do, based on the values that we all were brought up with.

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### **\* What is the total number of households that are being asked to pledge?**

Approximately 550 households are currently being contacted between the three HOAs: Esperanza Estates (350), Ventura West (180), Portillo Place (28). However, some of these houses are vacant, others are rentals, and some owners have more than one property.

### **\* How much should I pledge?**

Rather than suggest a specific donation from each household, we are counting on people to pledge as much as they can. Not everyone is financially able or willing to donate. Therefore, everybody who believes it is important to keep out commercial development for the future needs to pledge according to their ability. We hope people will consider that by preserving the land, we are preserving our property values by up to 15 percent.

We hope you will appreciate the value of the Esperanza land and our community effort to preserve it. Please give generously. Your pledge will be kept confidential. By sending your maximum pledge now, you will help ensure our efforts are successful.