



November 25, 2024

Hello Residents,

This brief letter is an explanation to some of the questions regarding the litigation and how the board came to its decision to proceed.

WVPOA has unimproved roads that are deeded and supposed to be accessible to all members, even those that traverse through properties. One of these roads, Powhattan Pass, runs through a property off of Tittabawassess Trl to the connecting corners of Chinook and Shoppenagon Trails. The property that Powhattan Pass runs through is owned by member Cathy Postlewait. Up until this spring/summer, Powhattan Pass was available for members to use unimpeded.

In November of 2023, the Board began discussions on how to better mark our deeded and unimproved roads/trails. In January the board unanimously approved to have signs made to help direct road/trail users and prevent trespassing. At the May Board of Directors meeting, Cathy expressed her displeasure about the new signage and claimed placing a sign on Powhattan Pass would bring too much traffic. It was shortly after this meeting that no trespassing signs, blockages, and then gates - which were eventually closed and chained - were placed at both ends of Powhattan Pass. In a letter dated May 30th, Ms Postlewaite's attorney said she was closing Powhattan Pass and that any further use would be considered trespassing. After receiving the letter, the board contacted our long-term attorney, who already had intimate knowledge of our bi-laws, deeds, restrictions, etc. The Board's attorney advised there was no solid legal standing for the gates to remain. Our attorney also informed the board that allowing the gates to stay up would set a precedent that could enable members to erect gates almost anywhere a property crosses a deeded valley road/trail.

The board contacted Ms Postlewait multiple times, asking for the gates to, at a minimum, stay open, but she declined. On July 18, 2024, the board paid the retainer to Kirkpatrick, Slough, Duitsman-Coy & Mott to file a lawsuit to have the gates removed. This decision did not come lightly and the board had discussed this matter at length. Ultimately, the board felt this was what is best for the valley as a whole. As residents we all enjoy the beauty and recreation that our valley entitles us to.

We the Board are very conscientious stewards of the valley funds and feel the expenditure for legal fees will ensure the original nature and intentions of Wilderness Valley remain intact for years to come. The Board thanks you for your continued support and trust as we proceed through this matter.

Respectfully,

Joy, Yvette, Rebecca & Matt

Attach: Official survey showing ingress and egress of Powhattan Pass, first letter from attorney Blumberg, WVPOA complaint with exhibits, Ms. Postlewaite's countercomplaint