

Dear ALA Member:

ALA is required by California law to provide ALA members with a way to communicate with the ALA membership on matters “reasonably related to the member’s interest as a member of ALA” by California Corporations Codes Section 8330, et seq.

ALA’s Bylaws at Article VII, Section I., Disclosure of Members’ Contact Information states: “Pursuant to California Corporations Code sections 8330 et seq., if a written request from an ALA member (“Requesting Member”), for a purpose ALA believes is reasonably related to the Requesting Member’s interest as a member of ALA, to inspect and copy the record of all the members’ names, addresses and voting rights is personally served on, or sent by email to the Secretary of ALA’s Board of Directors at the Secretary’s ALA email address, or sent by email to members@ala-ca.org, ALA shall, within ten (10) business days, respond to the Requesting Member and either allow the inspection or propose a reasonable alternative to actually allowing the inspection and copying of the records to maintain the privacy of the membership.”

To protect the confidentiality of member contact information, ALA has established a procedure whereby ALA will email member correspondence to the membership as opposed to providing the Requesting Member with the list of all ALA members’ names, addresses and email addresses.

The correspondence attached to this cover sheet is sent to you to comply with ALA’s legal obligation to allow the Requesting Member to contact the membership. The information attached to this cover sheet is drafted by the requesting member and is a statement of his/her opinion only.

The statements and opinions by the member in the distribution are the member’s statement and/or opinion and do not reflect or constitute the opinion , view or statement of ALA, its Board of Directors and its employees and agents. The ALA is sending this pursuant to Corporations Code Section 8330 as a reasonable alternative to releasing the email addresses of ALA members.

Theodore Daly Heyck
Attorney at Law
2106 East Live Oak Drive
Los Angeles, California 90068
323-630-4180
Theyck@yahoo.com
Licensed to practice:
States of New York and California
Supreme Court of the United States

April 28, 2025

Arrowhead Woods Property Owners
Arrowhead Woods
Lake Arrowhead, California 92352

RE: ***You Can Keep Your CCRs And Not Be Stuck With AWAC, Inc.***

Dear Property Owner,

My name is Ted Heyck.

THIS EMAIL IS NOT A SOLICITATION TO PROVIDE LEGAL SERVICES.

Nor is this email legal advice. Many profiteers have been looking for any excuse to shut me up because of my observations and suggestions. I do not want to be sued by any lot owner, attorney or other entity claiming that I have misled them with legal advice.

With a few exceptions, the CCRs and AWAC, Inc. will expire on December 31, 2025 for all tracts created after 1959. If nothing is done by the lot owners within those tracts, AWAC, Inc. will die a dusky death, evaporating like the Wicked Witch of the West; however, their CCRs will also terminate. AWAC, Inc. knowing that many want to extend their CCRs, often out of fear, and hoping to ride that desire and fear back into power, has offered a document to lot owners to sign which links any CCR extension with AWAC, Inc.'s extension. While fanning the flames of fear it has craftily included "forever" to the extensions thereby hoping to immortalize its corporate management and income. That is a very profitable deal.

If a tract wants to keep its CCRs and remove AWAC, Inc. it is a relatively simple matter. However, that tract must secure legal representation to responsibly draft and safely record the necessary documents with the County Recorder before December 31, 2025. Since the average attorney is not conversant in the idiosyncrasies of Lake Law and is unwilling to jump in without some suggestion as to where he or she might begin, I am suggesting the investigation of a process wherein a licensed attorney might consider creating documents designed specifically for a specific tract; documents which provide that 1) a tract lot owner Petitioner "gets the ball rolling" by writing a letter to their tract lot owners containing a proposed "ballot" and after obtaining the agreement of at least 55% of the other lot owners 2) record a certification of that vote with the San Bernardino County Recorder.

The following formats are not legal advice to anyone. These formats are offered only as suggested possible methods for separate consideration and legal analysis by a licensed attorney to consider in forming and assuming responsibility for his or her legal opinion in creating a tract's requisite documents. There is no copyright claim to any of these documents.

A Letter Format

NAME

ADDRESS

Lake Arrowhead, California 92352

Email:

Telephone:

XXXXXXXXXX, 2025

Lake Arrowhead Property Owner

Tract _____

Lake Arrowhead, California 92352

Dear Neighbor,

My name is (fill in name of the Circulating Petitioner) _____

and, like you, I own property in Tract _____. My address is

_____. I have

had this property for many years and have grown, like many, increasingly frustrated with the independently and unresponsively run AWAC, Inc. This independent corporation appoints its own management, listens to no one and controls all aspects of construction and tree ownership in our Tract. It exerts this control through the Covenants, Conditions and Restrictions in our deeds, duplicating the efforts of the San Bernardino Department of Building and Safety (SBDBS) which also controls all building. However, the authority of the SBDBS supersedes the authority of AWAC, Inc. The SBDBS has on staff licensed architects, engineers and inspectors who review permits and do inspections. AWAC, Inc. has none. The qualitative difference between the two is that the SBDBS does not restrict the cutting of trees to the extent mandated by the CCRs nor does it require that the properties in the Woods be “in harmony” with each other.

Our CCRs provide in substance that the owners of record of lots or building sites in our Tract having an aggregate area equivalent to not less than 55% of the total area of all said property may, at any time, modify, amend, cancel or annul, with respect to all of said Tract, all or any of the covenants, conditions and restriction contained in this Declaration and any supplement or amendment thereto, by instrument in writing signed by said owners and acknowledged by them so as to entitle it to be recorded in the Office of the County Recorder of San Bernardino County, California. That means that if we obtain the signatures of enough property owners who together hold at least 55% of the land in our Tract, we rule ourselves, we can renew our CCRs until 2035 and at the same time we can get rid of AWAC, Inc control over us create in its place of AWAC, Inc our own new Tract Architectural Committee *run by a majority of our lot owners.*

However, there is a price: we must assume responsibility for our own management, and not leave ourselves open to the intrusion of other interloping “architectural committee” profiteers. We cannot go back to sleep or we will be subject to yet another wolf in sheep’s clothing.

Please be aware that I am not offering legal advice however, I have retained the law offices of _____ who has reviewed this letter, the attached Ballot Form and proposed Certification has assured me of their legality. I also recommend that you also seek legal counsel if you believe it necessary.

However, if you find these documents satisfactory, I am asking our Tract _____ owners such as you to join me in signing the attached Ballot which authorizes me to extend our CCRs to 2035 and replace AWAC, Inc. with an Architectural Committee for our Tract which is will thereafter be run and thereafter elected annually by a majority of the lot owners in our Tract. I am including a self-addressed envelope for you to mail the signed ballot back to me. Please, if you have any questions email and/or call me at: _____ and Telephone:

_____.

Yours,

(Name of Circulating Petitioner)

A Ballot Format

Renewal of CC&Rs and Replacement of AWAC, Inc. Ballot

The owner(s) of lot _____, a lot in Tract _____ appoint(s)

(Name of Circulating Petitioner)

and their successors to exercise their power(s) as set forth in said Declaration of Restrictions to extend the term of said Declaration of Restrictions to December 31, 2035 and to terminate the powers of AWAC, Inc and to establish in its place a new 7-member Architectural Committee bearing the name of said Tract whose management shall be vested solely in the majority of the committee members.

Said Appointee, in accordance with paragraph one above, shall have the power to execute and record any document on my/our behalf to extend the term of said Declaration of Restrictions to December 31, 2035 and to terminate AWAC, Inc. and establish in its place, a new Architectural Committee of at least 7 members bearing the name of said Tract and which shall thereafter shall hold duly noticed annual elections electing committee members through a majority vote of the then voting lot owners.

The signature(s) of lot owners:

Lot Owner: _____

Executed on the. _____ day of _____, 2025

Lot Owner: _____

Executed on the. _____ day of _____, 2025

Lot Owner: _____

Executed on the. _____ day of _____, 2025

Add additional owners, if necessary.

A Certification Format

**CERTIFICATION OF THE TERMINATION OF AWAC, INC. AND
THE ESTABLISHMENT OF A NEW TRACT ARCHITECTURAL COMMITTEE AND THE
EXTENSION OF RESTRICTIONS UNTIL DECEMBER 31, 2035**

The undersigned being appointed in writing by the record owners of Lots 1 - _____, inclusive, in Tract No. _____, in the County of San Bernardino, having an aggregate area equivalent to not less than 55% of the total area of said Tract, do hereby certify that said record owners have executed a written instrument appointing the undersigned to execute and record this document extending the term of said Tract's Declaration of Restrictions as recorded and in effect on the date of January 1, 2011 until the date of December 31 2035 and to terminate the powers of AWAC, Inc and to establish in its place a new Architectural Committee bearing the name of said Tract, to be managed by a majority of the Tract lot owners through at least seven committee members who are elected annually in a duly noticed election by votes of a majority of the then voting record lot owners.

Date: _____, 2025

Name(s). (Circulating Petitioner)

Date: _____, 2025

Notary:

Again: these formats are not my legal advice. These formats are merely suggested starting points, time saving potential aids, for legal counsels who are assuming full responsibility for: 1) drafting legal documents to help any renewing tract that wants to extend its CCRs until 2035 and 2) removing AWAC, Inc, and 3) establishing, in its place, a replacement Architectural Committee, elected and controlled by that tract.

Yours,



Theodore Daly Heyck
Attorney at Law