

*THE ULMSTEAD*

# *Weathervane*



Editor: Stephanie Collier  
Asst. Editor: Joss Blumberg  
410-757-2456

weathervane@ulmstead.org  
*Special Edition*

December 16, 2016  
www.ulmstead.org

## ***From the President***

Hold the date: Please make plans to join us for the UCI Annual Meeting on Saturday, February 11, 2017, at 9:00 a.m. We will hear from the various department managers and committee chairpersons regarding their 2016 activities and plans for 2017. UCI members will have an opportunity to raise issues and ask questions. We will also elect two new Board members to three-year terms. I hope to see you there. However, if you are unable to make it, proxy forms will be in the February *Weathervane*.

Stephen Blumberg, UCI President  
president@ulmstead.org

## ***Joint Statement on the Lawsuit***

Don Ray and Johanna Maria Thompson and Ashley R. Thompson filed suit against UCI in the Circuit Court for Anne Arundel County. The case concerned, among other things, the legal status of the lot that Ashley Thompson owns at 918 Lynch Drive, the ongoing construction on that lot, and the enforceability of UCI's covenants. After three days of testimony, the case ended when all parties agreed to a settlement. This joint statement by the parties to this case is part of that settlement.

A settlement is never a victory for either side, but in this case, we believe that this settlement is generally in the best interests of all of us. With this settlement, both sides achieve important ends that they had sought. Ashley Thompson is permitted to finish the construction of his house, and he has certainty that UCI will no longer challenge the legality of the subdivision that occurred in 2000. UCI ensures that the covenants and deed restrictions associated with the Ulmstead Estates development remain valid and enforceable, and UCI has the court's approval of the same through a mutual consent decree. The Thompsons have agreed that the covenants and deed restrictions apply to their lot, including the requirement that UCI review and approve any fence, storage shed, other separate structure, or exterior structural modifications they may wish to make after their new home is constructed.

Both parties believed that the facts and the law were on their side, and they aggressively pursued their interests in the courts. There were significant costs in time, effort, and money on both sides. We are grateful to the members of the Ulmstead Estates community who were called as witnesses, and we recognize that they experienced costs themselves as they made time in their busy schedules to participate in this case. Then, there is also little doubt that any adverse ruling would have been appealed. This settlement relieves everyone of the potentially high cost of such ongoing litigation and uncertainty. To help make this agreement happen, UCI's insurance company will pay \$25,000 to Ashley Thompson, and Ashley Thompson will pay UCI \$25,000. These payments are neither admissions of liability nor payments with expectations in return, but rather gestures in good faith. UCI intends to use the funds to relieve some of the legal expenses that have already been incurred.

Ashley Thompson and his family have indicated that their intent is to move into their new home when it is completed. We hope that this settlement will help put this lengthy legal matter behind us, so that the Thompson family may be welcomed to the neighborhood. Ashley Thompson has said that he does not intend to apply for UCI membership at the present time. Nothing in this settlement either prohibits membership or guarantees that his family or any successor owner of the property would be eligible for membership. If membership is desired some day, future negotiations would be necessary for that to happen.

By entering into this settlement, UCI does not waive its long-standing position against increased density in Ulmstead Estates, and UCI still believes that subdivision of lots that have already been built upon is inconsistent with the existing scheme of development. UCI will continue to enforce and defend the Ulmstead Estates covenants and deed restrictions when necessary.

But the present litigation has concluded. UCI remains strong, and Ulmstead Estates will soon see the return of the second generation of an Ulmstead family that has long been a part of our community. This is a good outcome.