

**Timeline for Atrisco/Westland**  
**by Richard J. Griego**  
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1598 – Juan de Oñate expedition settles in New Mexico (at San Gabriel, one of two pueblos belonging to Tewa Indians – the other pueblo was Ohkay Owingeh, later known as San Juan Pueblo)

≈1640 – First settlement of Atrisco by Náhuatl-speaking Mexican Indians who accompanied Oñate

1680 – Pueblo Revolt: Pueblo Indians rise against Spanish presence and chase the newcomers out, who go to present-day El Paso/Juarez area

1692 – Resettlement of New Mexico by Spanish under Diego de Vargas and he awards the Atrisco land grant to Fernando Durán y Chaves

1768 – Governor Pedro Fermín de Mendinueta approves expansion of land for Atrisco all the way to the Rio Puerco; Atrisco now extends from the Rio Grande to the Rio Puerco

1804 – Census counts 224 Atrisqueños

1821 – México gains independence from Spain and Atrisco becomes part of México

1848 – U.S. gains New Mexico as result of the war with México and Atrisco becomes part of United States territory

1892 – 225 Atrisqueños file petition with the Court of Private Land Claims to establish the Town of Atrisco

1905 – President Theodore Roosevelt signs the patent for the Town of Atrisco comprising 82,728.72 acres, most of which were common lands

1935 – Call to determine legal heirs of Atrisco by the U.S. District Court; the process continued until 1952

1940 – State District Court takes control of land grant affairs after a lawsuit alleging mismanagement; sales of land more for than \$500 had to be approved by a judge; this order continues until the formation of Westland in 1967

1941 - Magdaleno Candelaria, grant trustee, is convicted of embezzlement of grant funds; he pardoned by the governor five months later

1950 – Suit is filed by heirs alleging the certain heirs for grant land for free and they, in turn, sold the land to developers of the Lavaland and Palisades developments; suit sought dissolution of the board of trustees

1952 – Suit is filed after the board of trustees attempts to sell 4500 acres in the Ladera area without court approval; lawyer Lorenzo Chávez is appointed overseer of grant affairs; this land is eventually sold

1959 – 4000 acres sold to Hoffman Homes for \$1.25 million in order to establish the Westgate community

1967 - Atrisco becomes a for-profit corporation and Westland Development Company becomes the corporate arm of Atrisco pursuant to NMSA (1978) 49-3-2; heirs vote 583 to 528 to approve the creation of Westland

1973 – State District Court determines there were 225 original incorporators of the Town of Atrisco and shares are distributed among incorporators' descendants

1984 – Atrisco Land Rights Council is formed as a watchdog organization on behalf of heirs

1985 – A reform board runs on the principles of the Land Rights Council; the reform candidates lose and sue as a result

1988 - Two reform board members, including Barbara Page, are ordered by a court to be seated on the Board of Directors; Page later becomes CEO of Westland and even later engineers the sale of Atrisco lands to SunCal, going counter to the principles upon which she ran for the Board

1989 – Westland president Gil Cordova resigns as a result of a conviction for securities law violations relative to shares he bought from three shareholders; these convictions were later overturned on appeal

1990, April - New Mexico Business Journal article describes Atrisco as “a billion dollar plum ripe for the picking”

1990 – Almost 2000 acres are sold to the Federal Government for \$33 million and made part of the Petroglyph National Monument

1990 – Barbara Page is sued for allegedly buying shares at a price lower than their worth; the case is settled out of court

1998 – Articles of incorporation changed to allow sale of Westland (and Atrisco common lands)

2005, August 5 – ANM Holdings of Arizona offers purchase at \$200/share for a total of \$167 million

2005, September 30 – Westland announces agreement to sell to ANM, subject to approval by vote of 2/3 of shares; Westland is subject to \$5 million termination fee if the sale is not completed; in the days following the announcement the Concerned Heirs of Atrisco, a group of heirs and shareholders is formed to oppose the sale

2005, October 11 – Representative Miguel Garcia files complaint with New Mexico Securities Division alleging insider trading connected to efforts to sell Westland; the complaint is later dismissed

2005, December 5 – a vigil is held by shareholders against the ANM sale is held in front of Westland corporate headquarters in Albuquerque; about 70 marchers participate; the Concerned Heirs of Atrisco sponsor the vigil/picket

2006, February 9 – Sedora Holdings of Las Vegas, Nevada offers purchase at \$266/share for a total of \$211 million, plus \$1 million over a 100-year period; ANM Holdings drops out of bidding on February 24; Sedora agrees to pay the ANM termination fee; Westland is now subject to a \$10 million termination fee for Sedora

2006, February 12 – The Concerned Heirs of Atrisco holds community meeting at Rio Grande High School to explain and oppose the proposed sale; 300 attend

2006, February 21 – Rachel Stubbs files suit in state district court to block the proposed sale; Nicholas Koluncich is the lawyer; objection to “no-shop provision” that keeps Westland from seeking higher bids; concerns are aired about the Class B shares owned largely by Board members, who received them for free; 85,100 Class B shares have been distributed; also, objection to the plan of issuing 35,000 Class B change in control shares to Board Members upon approval of the sale; a week later, the plan for the 35,000 change in control shares is dropped by Westland; furthermore, a judge later rules that the shareholders themselves should decide on whether to sell or not and throws the case out of court

2006, March 8 – Maria Elena Rael file suits in a manner similar to Stubbs; lack of disclosure by the Board of Westland’s assets is also alleged; a judge later rules that the sale process should continue and that shareholders should decide on whether to sell or not; Nicholas Koluncich is the lawyer

2006, April 1 – The Concerned Heirs of Atrisco receives books and records from Westland after a seven month wait; the furnished list of shareholders is badly out of date and requires the Concerned Heirs to reconstruct much of the list; Freedman, Boyd and Daniels are the lawyers; the fee for this and other legal work eventually comes to \$71,000, but only about \$26,000 is to be paid and the rest is forgiven

2006, May 30 – SunCal Companies of California bids \$280/share for Westland; on June 5 Sedora follows with a \$305/share offer

2006, June 8 – Special Meeting of Westland Shareholders is held to consider Sedora’s original offer and to vote on the reelection of three board members; the call for the meeting is moot on the Sedora offer since new offers had come in; about 1000 shareholders attend the meeting, which is chaotic, with Page referring to the “Unconcerned Heirs” as liars and questioning where they were getting their funding; Westland staff were dismissive of dissent and some dissenters were thrown out of the meeting; a future meeting will consider the final offer to be accepted by the Board

2006, July 7 – SunCal offers \$315/share, plus \$1 million per year for 100 years, as well as establishing Atrisco Oil & Gas LLC that will handle oil and gas exploration on Westland property

2006, July 15 – Westland accepts SunCal’s latest offer of \$315/share, plus the other items in the offer

2006, August – September - The Concerned Heirs of Atrisco engage in phone banking and mailings to try to convince shareholders to oppose the proposed sale; meanwhile, proxies are mailed out by SunCal to shareholders; SunCal is engaged in solicitation of voters at their homes, by phones and by mailing; SunCal mails duplicate ballots to shareholders, presumably to change votes in favor of the sale or to solidify their vote in favor; some shareholders who had voted ‘No’ (against the sale) received phone calls from SunCal urging them to change to ‘Yes’ (in favor of the sale)

2006, October – Ricardo Chaves, Westland shareholder (but not an heir), holds a series of breakfasts on Saturdays to inform shareholders of the sale to SunCal; he offers to buy shares at \$325/share (as opposed to SunCal offer of \$315/share); Chaves would then vote the acquired shares against the sale; Chaves puts up a 5% non-refundable deposit for the shares, which will be kept by shareholder in case the sale is approved;

2006, November 3 – federal judge denies request by shareholder Lawrence Lane to halt the vote scheduled for November 6, 2006 to approve or deny the SunCal offer

2006, November 6 – Meeting of Westland shareholders to approve or deny the SunCal offer is held in Albuquerque; opponents of the sale are denied adequate chance to speak from the floor; the meeting was videotaped and copies of the DVD are available

2006, November 21 – Westland announces approval of merger with SunCal; 72.4% of the 709,827 shares of common stock were voted in favor of the merger; only 66.67% was required. Shareholders who are not heirs were included in the voters.

2007, January 9 – Ricardo Chaves files suit against Westland challenging the validity of the election on the SunCal merger; much of the analysis of voting data is done using an obsolete shareholder list furnished by Westland – this led Chaves’ side to overestimate the number of non-voters in the election (a non-vote was counted as being against the sale); once the up-to-date shareholder list is furnished by Westland, it becomes clear that the vote as reported by Moss Adams, the accounting company counting the election

votes, is essentially correct. Westland's actions caused a great deal of wasted time and frustration on the part of the Chaves team. Richard Griego, a member of the Concerned Heirs of Atrisco, is the expert statistician analyzing the vote count. Kelly-Streubel is the law firm representing Chaves.

2007, February 1 – At trial Judge Clay Campbell rules against Ricardo Chaves.

2007, May 30 – A meeting of Atrisco heirs is held and a five-member Board of Trustees is elected. Legal notices of the meeting were published beforehand in accordance with State statutes.

2011, February - Legislative efforts are successful to obtain political subdivision status for the Town of Atrisco Grant-Merced

2011, July 19 – A new election for the Board of Trustees is held. A five-member Board is elected. All legal procedures are followed in conducting the election.

