

## PARADISE LOST (almost)

How would you like to own a home on the water overlooking a tropical sea and one of the world's iconic landmarks? Nearly 80 mostly American, Canadian, and Mexican families invested a large part of their life savings to make that dream come true. Thirty years ago, they took out a thirty-year lease with a thirty-year renewal option to make that happen. They were encouraged to do this by the Director General/President of the Agrarian Society, Dr Federico Sayde Melendez. The Agrarian Society went so far as to state, in newspaper articles, there were strong advantages in having a Ejido lease vs a Fidocomiso Trust. Now as our 30-year lease is expiring we are told to vacate, get out, vamanos, and surrender our homes to the ejido land owners for nothing. 18 months ago, posted on all 80 doors, was a notice to vacate as of 12 midnight on December 31, 2023. We would be denied access to their homes. Guards would be posted at the guarded entrance ensuring no one could enter, and if you left you could not return.

Villa Serena is approximately forty-six acres overlooking the Sea of Cortez and the iconic Lands Ends Arch. During the Mexican Revolution the Mexican government gave vast parcels of almost worthless land to farm families who formed communes called ejidos. The forty-six acres that comprise Villa Serena are controlled by the Ejido Cabo San Lucas.

In 1988 the Ejido Cabo San Lucas gave control to the Promotora Corporation. In 1995 as a result of a new government law (article 45) a new Master Lease was signed leasing the property for 30 years. Cabo San Lucas 30 years ago was a small Mexican fishing village at the end of Baja California, serviced by only a few narrow roads. In the last thirty- or forty years Cabo has become one of Mexico's premier playgrounds for tourists all over the world.

The Ejido Cabo San Lucas wants their land back now, along with 80 free houses. They want their land back now and without these gringos messing up the huge payday the misguided ejido leadership has promised them. In 2015 the Ejido Cabo San Lucas regained control of the master lease held by Promotora. In return for Promotora relinquishing their control early, the two principals of Promotora were given six homes in Villa Serena among other considerations. After promising in writing to residents that the original master lease would be honored in all respects by the Ejido Cabo San Lucas.

The ejido promptly added an addendum to the lease whereby all residents must give up their legal rights to the improvements and infrastructure they had been given permission to build (by the Ejido and Promotora Architectural Coordinator). This effectively stopped all but a few residents from developing an exit plan from Villa Serena. We could not transfer the lease holds. Those few residents that did, received only pennies on the dollar for their homes.

Seven years ago, a small group of concerned residents made efforts with the Ejido leaders and the legal representative to clarify and negotiate the 30-year option for extension of their leases. This option was written on all individual leases signed over the years with the Ejido or their legal representative company, Promotora. With changes to the Ejido leadership it became apparent the Ejido was not negotiating in good faith.

A resident coalition was organized to fund and legally protect the residents' option to exercise the 30-year renewals, or receive compensation, as provided by Mexican Law. A premier law firm was retained to protect individual residents' rights to their houses on ejido leased land. As of March first, the gates are still open, and the Mexican landlord now knows they are in a major fight to cancel the lease renewals. The coalition (THE TEAM) says "as foreign nationals we hope and expect the courts to respect our rights and our lease renewals. If the Ejido Cabo San Lucas wants residents out they must do so in the courts, not through illegal scare and intimidation tactics, and they must pay us for the improvements (Our Homes) that we paid for. Failure to do so will have a major impact on future Mexican land sales, long term leases, and timeshare sales to Americans and Canadians". Please stay tuned and visit our website <https://comunidadserena.com/> for additional updates and documents attesting to the truthfulness of our statements.