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August 21, 2019

Via Email: andrew.rice@austintexas.gov

Commission Members
c/o Andrew Rice
Historic Landmark Commission
One Texas Center, 505 Barton Springs Rd.
Austin, Texas 78704

Via Email: steve.sadowsky@austintexas.gov

Steve Sadowsky
Historic Preservation Officer
One Texas Center, 505 Barton Springs Rd.
Austin, Texas 78704

Re: 1705 Haskell Street – Rendon House

Dear Commissioners and Mr. Sadowsky:

I represent Rose Rubio with respect to her ownership interest in the property located at 1705 Haskell Street, Austin, Texas 78702 (the “Property”). Mrs. Rubio’s parents were Edward (also known as Eulalio) and Concepcion Rendon, and she is an owner of the Property and heir of their estates. On or about July 11, 2019, Gravity 14 Enterprise (“Gravity”) filed a Demolition Permit Application (“Demolition Application”) for the Property. The Property is currently under contract to be sold, and Gravity filed its Demolition Application as part of the sale. I understand that Gravity’s Demolition Application will be considered by the Commission at its meeting on August 26, 2019. As an owner of the Property, Mrs. Rubio supports Gravity’s Demolition Application and requests that the Historic Landmark Commission approve Gravity’s Demolition Application. Mrs. Rubio is opposed to any effort to initiate a historic zoning case related to the Property.

I. BACKGROUND INFORMATION:

During the Commission’s meeting on July 22, 2019, Bertha Delgado and Elisa Montoya spoke in opposition of Gravity’s Demolition Application, and the Commission placed the Property on its August Agenda so that a public hearing could be held. The following is intended to provide the Commission and Mr. Sadowsky with insight into Ms. Delgado’s and Ms. Montoya’s motivation in opposing Gravity’s Demolition Application.

Mrs. Rubio owns the majority interest in the Property, and the heirs of Edward and Concepcion Rendon own small fractional interests in the Property. All of Edward and Concepcion Rendon heirs, except Ms. Montoya, support Gravity’s Demolition Application because they want the current sale of the Property to proceed and close. Although Ms. Montoya and her daughter, Ms. Delgado, would lead the Commission to believe that their opposition to Gravity’s Demolition Application is based on their desire to preserve the Property and Mr. Rendon’s legacy, that is simply false. Ms. Montoya’s sole motivation is to delay and/or attempt to stop the sale of the Property because she has been entirely unsuccessful in obtaining a larger ownership interest in the Property through the litigation that she filed against Mrs. Rubio in the Travis County Probate Court.

Since 2018, Mrs. Rubio has been involved in litigation with Ms. Montoya over the Property in Cause No. C-1-PB-18-001609; *Elisa R. Montoya, Individually and as Independent Executor of the Estate of Eulalio Eduardo Rendon*, in the Probate Court No. 1 of Travis County, Texas. Ms. Montoya refuses to accept the fact that Mrs. Rubio agreed to purchase their father's interest in the Property so that he could remain living in the home throughout his life. Ms. Montoya alleged a variety of frivolous and baseless claims against Mrs. Rubio, but the Travis County Probate Court has dismissed all of Ms. Montoya's claims against Mrs. Rubio. In fact, the Travis County Probate Court determined that Ms. Montoya is required to pay a portion of Ms. Rubio's attorneys' fees because Ms. Montoya's claims had no merit. A copy of the Court's Order dismissing Ms. Montoya's claims is enclosed herein for your review. Therefore, the only remaining issue in the litigation is the sale of the Property.

On April 15, 2019, the Travis County Probate Court ordered that the Property should be sold and appointed Brian Potter to serve as Receiver to take immediate action to sell the Property. Mr. Potter entered an agreement with Rehabbing Austin, LLC to sell the Property. Once the Property is sold the Court will determine what funds each of the eighteen (18) heirs of Eulalio and Concepcion Rendon are entitled to receive. However, Ms. Montoya is advocating against Gravity's Demolition Application because she is simply trying once again to delay and/or prevent the sale of the Property.

II. THE PROPERTY DOES NOT MEET THE CRITERIA FOR HISTORIC LANDMARK ZONING:

Section 25-2-352 of the Land Development Code provides that the "counsel may designate a structure or site as a historic landmark (H) combining district if it meets the criteria in Section 25-2-352 (a)(1)-(3). In this case, the Property fails to meet the criteria set out in (a)(1) and (a)(2). Therefore, the Property does not qualify for such a designation.

As referenced in Commissioner Koch's email to Mr. Sadowsky from July 1, 2019, the Property has undergone "extensive alterations" over the years. A copy of Commissioner Koch's email is attached hereto for your review. That opinion was also shared by the consultants retained by the City of Austin in 2016 to evaluate the Property, along with many others located in the same neighborhood, to determine the eligibility for historic designation. Specifically, Hardy Heck Moore, Inc. ("HHM") made the following findings in its Final Report to the City dated October 24, 2016:

- a. The Property had no stylistic influences;
- b. The alterations to the Property included replacement of exterior wall materials, windows were replaced and the door was replaced;
- c. HHM recommended that the Property was not eligible for a local designation; and
- d. HHM recommended that the Property was not eligible for NRHP designation.

A copy of the relevant portions of HHM's Final Report is also enclosed herein for your review.

Additionally, the following photographs demonstrate the extent of the alterations and changes made to the Property since Mr. and Mrs. Rendon purchased it. The Property did not retain a high degree of integrity and the additions/alterations significantly compromised its integrity. Therefore, it does not comply with the requirements under Section 25-2-352(a)(2). Moreover, the additions/alterations are less than fifty (50) years old so they do not comply with the requirements of Section 25-2-352(a)(1).

Below is a photograph of the Property when Mr. and Mrs. Rendon purchased it in the 1960s.



The next photograph is a photograph of the Property in 1973 after Mr. Rendon removed the small roof structure on the front of the house, the small porch, and created a porch that extended across the front of the home. Additionally, the photograph shows the stone that Mr. Rendon put on the exterior of the house.



The next photograph is a picture of the Property in the 1980s when Mr. Rendon built a stone/iron wall around the front yard of the house.

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The final photograph shows the current state of the house. It also reflects the large addition to the left side of house that was done in 1989, which included closing in one window on the front porch, removing and replacing the front door, adding another window, creating an additional bedroom on the left side of the house, and changing the slope of the front roof structure over the porch. Additionally, the photograph reflects the carport on the right side of the house.



III. CONCLUSION

The Property has been the central issue in the litigation between the parties for almost two (2) years and it needs to be sold immediately. Given the number of heirs and the conflict among the heirs, it is impossible to come to any agreement to maintain the Property or keep it from sitting vacant and deteriorating further. That is one of the many reasons the Travis County Probate Court recognized there was an immediate need to sell the home and that is why Mr. Potter was appointed to act as Receiver. Ms. Montoya's latest attempts to use this Commission to delay and/or prevent the sale should not be permitted. Rather, Mrs. Rubio and the other sixteen (16) heirs should be allowed to sell the Property and obtain closure.

Additionally, the Property does not meet the Historic Designation Criteria in Section 25-2-352 of the Land Development Code. That issue was alluded to by Commissioner Koch in his email of July 1, 2019, and it was acknowledged by Hardy Heck Moore, Inc. in its Final Report on October 24, 2016. Therefore, Ms. Rubio would respectfully request that the Commission grant Gravity's Demolition Application and deny any request to initiate a historic zoning case related to the Property.

I will be present at the meeting on August 26, 2019 and be available to answer any questions the Commission may have regarding this matter. If you have any questions or need any additional information before the meeting, please do not hesitate to contact me.

Sincerely,



Noel L. Stout

NLS:xob

Enclosures (as stated)

Cause No. C-1-PB-18-001609

ELISA R. MONTOYA, AS INDEPENDENT	§	IN THE PROBATE COURT
EXECUTOR OF THE ESTATE OF	§	
EULALIO EDUARDO RENDON	§	
Plaintiff	§	
v.	§	NO. ONE
	§	
ROSE RUBIO	§	
Defendant	§	TRAVIS COUNTY, TEXAS

**ORDER GRANTING ROSE RUBIO'S TRADITIONAL
MOTION FOR PARTIAL SUMMARY JUDGMENT**

On November 19, 2018, the Court considered Rose Rubio's Traditional Motion for Partial Summary Judgment (the "Motion"), Elisa R. Montoya's response, which was filed pro se despite her obligation to be represented by an attorney due to her being an Independent Executor, and the arguments of counsel. The Court finds that Elisa R. Montoya's response should be stricken for failure to have an attorney. Notwithstanding, the Court, even in considering her response, is of the opinion that the Motion should be granted in its entirety.

It is THEREFORE ORDERED, ADJUDGED AND DECREED that Rose Rubio's Traditional Motion for Partial Summary Judgment is GRANTED in its entirety.

It is THEREFORE, ORDERED, ADJUDGED AND DECREED that Elisa R. Montoya, Independent Executor of the Estate of Eulalio Eduardo Rendon, breached the settlement agreement that Eulalio Eduardo Rendon ("Decedent") entered with Rose Rubio prior to his death by failing to enter the formal settlement agreement and by refusing to dismiss the lawsuit against Rose Rubio. Therefore, the Court finds that all claims or causes of action asserts by either Decedent or Elisa R. Montoya, Independent Executor of Decedent's Estate, against Rose Rubio in the above-referenced cause are dismissed with prejudice, including the declaratory judgment action and trespass to try title action asserted by Elisa R. Montoya, Independent Executor of Decedent's Estate.

The Court further finds that Decedent and Rose Rubio settled and mutually released each other from any and all claims, both known and unknown, between them related to the property 1705 Haskell Street, Austin, Texas 78702 (the "Property").

It is FURTHER, ORDERED, ADJUDGED AND DECREED each cause of action, including the declaratory judgment action and trespass to try title action, asserted by Elisa R. Montoya against Rose Rubio is barred by the statute of limitations.

It is FURTHER, ORDERED, ADJUDGED AND DECREED that Rose Rubio purchased Decedent's one-half community property interest in the Property based on the purchase contract that Rose Rubio entered with Decedent on or about November 1, 2004 and that Rose Rubio acquired Decedent's one-half community property interest in the Property based on the Special Warranty Deed (Document Number 2013180460) executed by Decedent and filed in the Travis County Real Property Records on or about October 1, 2013.

It is FURTHER, ORDERED, ADJUDGED AND DECREED that judgment is awarded in favor of Rose Rubio against Elisa R. Montoya and Edward Rendon, Jr. for Rose Rubio's reasonable and necessary attorneys' fees pursuant to §37.009 of the Texas Civil Practice and Remedies Code, which were incurred to obtain: (a) a judicial determination of Rose Rubio's rights under the contract that she entered with Decedent to purchase the Property; and (b) a judicial determination that Rose Rubio acquired Decedent's one-half interest in the Property as a result of the contract that she entered with Decedent and the Special Warranty Deed (Document Number 2013180460) executed by Decedent and filed in the Travis County Real Property Records on or about October 1, 2013. Such attorneys' fees will be determined by this Court at a later time.


Judge Presiding

11/20/2018

HONORABLE PROBATE JUDGE
TRAVIS COUNTY PROBATE COURT

UNOFFICIAL

Yes, I agree with Commissioner Koch and would like to request this item be placed on our agenda for discussion.

-----Original Message-----

From: Koch, Kevin - BC

Sent: Monday, July 01, 2019 5:36 PM

To: Sadowsky, Steve <Steve.Sadowsky@austintexas.gov>

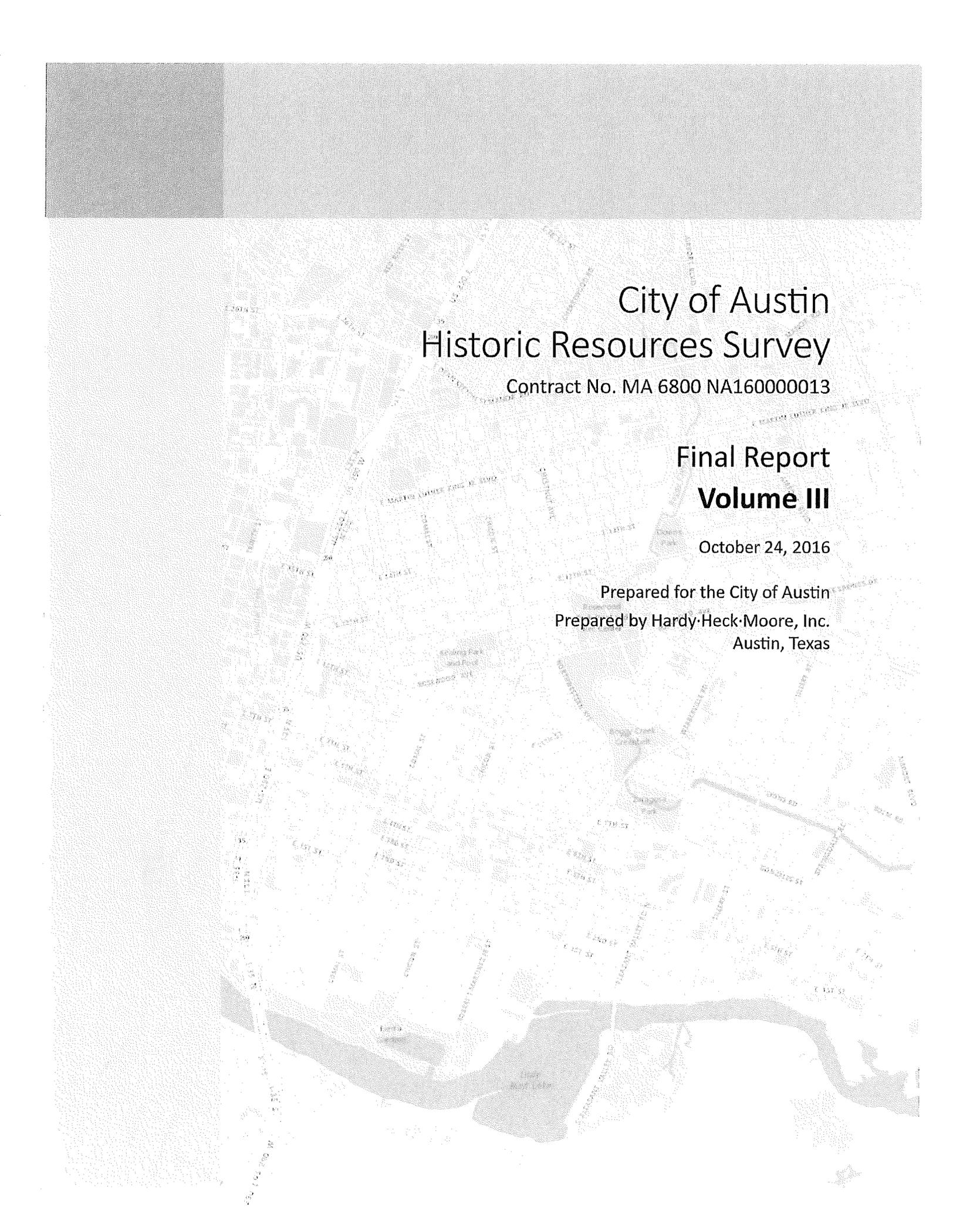
Cc: Koch, Kevin - BC <BC-Kevin.Koch@austintexas.gov>

Subject: 1705 Haskell

Hi Steve, I understand 1705 Haskell is being marketed as a tear-down, and while the historic resources survey notes the extensive alterations that seems to justify its not being listed as a potential landmark, there are historical associations to consider.

Given the publicized assertion of the tear-down status of this historic age structure—which would be due a hearing upon an application for demolition—I would like to see this placed on next month's agenda so we can discuss the merits of the case and provide some clarity for both the seller and owner.

Kevin Koch
Boards and Commissions



City of Austin Historic Resources Survey

Contract No. MA 6800 NA160000013

Final Report Volume III

October 24, 2016

Prepared for the City of Austin
Prepared by Hardy·Heck·Moore, Inc.
Austin, Texas

	1701 HASKELL ST Type Residential - Single-Family House - Bungalow	Stylistic influences Minimal Traditional	Year built 1947	History notes None	Alterations None Visible	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0475 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1702 HASKELL ST Type Residential - Single-Family House - Bungalow	Stylistic influences Mission Revival	Year built 1935	History notes None	Alterations Windows replaced	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0476 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1703 HASKELL ST Type Residential - Single-Family House - Bungalow	Stylistic influences Craftsman	Year built 1928	History notes None	Alterations Porch enclosed, Windows replaced	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0481 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1704 HASKELL ST Type Residential - Single-Family House	Stylistic influences Contemporary	Year built 2006	History notes None	Alterations None visible	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0482 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1705 HASKELL ST Type Residential - Single-Family House - Bungalow	Stylistic influences No style	Year built 1928	History notes None	Alterations Exterior-wall materials replaced, Windows replaced, Doors replaced	Additions Side additions	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0483 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1706 HASKELL ST Type Residential - Outbuilding - Back House	Stylistic influences No style	Year built 1978	History notes None	Alterations None visible	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0679 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1706 HASKELL ST Type Residential - Duplex House	Stylistic influences No style	Year built 1978	History notes None	Alterations None visible	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0489 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1707 HASKELL ST Type Residential - Single-Family House - Bungalow	Stylistic influences No style	Year built ca. 1990	History notes None	Alterations Windows replaced, Doors replaced	Additions Side addition	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0493 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1708 HASKELL ST Type Residential - Single-Family House - Modified Hipped-Roof Square-Plan	Stylistic influences Craftsman	Year built 1925	History notes None	Alterations Windows replaced, Porch post material replaced	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0498 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1709 HASKELL ST Type Residential - Single-Family House - Bungalow	Stylistic influences Craftsman	Year built 1928	History notes None	Alterations Windows replaced, Doors replaced	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0499 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation

Greetings

Commissioners,

My name is Roberto Rubio Jr ,I am a grandson of Mr. Edward Rendon Sr..... My parents are the owners of the property at 1705 Haskel St. that is currently on your list for designation. I have written this letter to this board on behalf of my immediate family, for a number of reasons today....The most important of these being, to clarify and explain some of the stories that you may have heard up until this point, through letters, emails, and the hearings being held on this issue. After careful consideration and thoughtwe decided along With our parents and uncle, who is my moms brother and who, as my mother, was raised in this house. To bring forward and show to the Historical Commissioners that so many of the stories and events that have been brought forward,In an attempt to prove the historical significance of this house, are not just harmless white lies or embellishments of the truth, but honestly, flat out completely false..literally made up events that we know never took place or were made to be something they are not.... So that being said , before I get into the specifics of the historic events that have been brought forward by so many people who are in opposition of the demolition of this property... they not only have continued to make false claims against my grandfather, but have also done so on numerous occasions, to my parents.... but because they do not pertain to the subject matter at hand, ie...the property and house ... I will not go to in depth on how this debacle has brought us here in front of your board...but if i do not at least give you some information off subject about the personal trials and tribulations, then i will be wasting my time with the other topics..... So please if i may, i will first give you a brief history of how we have ended up here in front of this historical committee.

Close to 20 years ago my Grandpa Edward Rendon was living his life like he wanted , he Fished when he felt like it, he traveled to visit family in the Rio Grande Valley and stayed for sometimes months at a time....visiting Mexico , amongst other things...he was happy in all aspects of his life for the most part , happy, except for one thing ...money ...the 1000 dollars he was getting through his SS was not cutting it....So he decided that he wanted to sell his home....his only stipulation to the would be buyer was that he live out his remaining years and eventually come to pass in his home..so the only way this could happen is if his children bought it ...Long story short he called a meeting between all 9 of his Sons and daughters and explained what he wanted and asked if they would all be willing to each put up 100 dollars a month to buy the house from him and then after he was gone they could split it evenly amongst each other....Well they went around and 1 by 1 they all said No....for personal reasons or whatever reasons the answer from each of them was NO.....so my parents talked amongst each other and decided they would do this for my grandpa so that his last remaining years here were happy ones for him ...keep in mind this was a very long time before the market in this area was rising as it has continued to do so now...this had nothing to do with flipping and investing or any type of financial gain...last time i checked my parents had no physic abilities, so there intention was and always had been, to eventually get the money back to them they had put into it during the purchase, or fix it and live in itand most important for my mother to see that her dad was happy in the latter years of his life....so there it went my parents struggling to make ends meet to pay 2 mortgages and taxes on 2 properties for 15 plus years BY themselves....not once did anyone offer to help...not once did anyone offer any assistance in this transaction...My dad who was in his early 50's was working 65-70 hours a week as a truck driver in construction all the while barely making ends meet.... I don't tell you this for sympathy or compassion ...I am telling you this because its the truth....Not once did anyone offer my parents any help doing this.... so after this is said and done ...house was paid off in full, many years went by and out of nowhere comes this vendetta against my mother to take away what they had so tirelessly worked hard for!!! the market started slowly making a jump in east austin and all of a sudden her sister Elisa and younger Brother Edward decided they were gonna go against my parents and try to take their house away.. this

is when all this legal stuff started that has now lead us here in front of this committee... My mother had plans on renovating this home and retiring there before all this....those where my mothers dreams and wishes after my grandpa was laid to rest...that would never come to be because of this matter that her two younger siblings created.... how obvious is the fact that 2 out of 8 (one passed away before) siblings are against my mother n father....only 2 out of the 8 brothers and sisters have gone against my mom for whatever reason they claim....the other 6 all agreed in the court of law that my mother was the owner of this house and that they are were all given the opportunity to have a percentage at one time but they had all refused for their own personal reasons.....only 2 who now claim that meeting never took place and that somehow my mother conned her own Father...who she loved Dearly...out of his house.. that alone should prove that their motives go beyond the historic designation or even the ownership now.... which is another thing....this matter has gone to court and the judge presiding ruled in favor of my parents and ordered that this property be sold and the opposing parties be given the small percentage for which by law is owed through my grandmothers side who left no will.....so thats what was gonna happen...this house that my parents struggled to pay for was no longer theirs to do with what they planned.....it was now ordered to be sold and this matter laid to rest....so we thought....Elisa and her daughter apparently were given advice on this avenue and they decided to go ahead and give it a shot.....and here we are.....that is a short rundown of what has happened up until now in a nut shell.... i will spare u the horrible details and malicious acts against my mother in particular.... trying to destroy the relationship between her and her loving father.....You see we are not here to debate on wether or not my grandfather was or was not a great man and prominent figure in his neighborhood....We know he waswe lived the same life they claim that they have lived with him...we were there during these times they claim these events took place....they seem to forget that part....we spent our entire summers there and every holiday and birthdays and morning coffeewe actually existed during these timesand this is why i am going to close this letter with all the embellished stories and flat out lies that have been given to you guys in effort to win this designation and more importantly the vendetta that they have against my mother....All we ask is that either you do your own investigation or you ask the parties who claim these events took place , to show physical proof proving these statements are 100% facts..again we are in no way trying to discredit our beloved grandfather...he made his mark on this city and his community through his hard work and dedication for his Family.. and in our eyes, the false statements all these people have made... claiming my grandfather was something that he wasn't have done a great injustice to our Abuelo, his name and the legacy he truly left behind and even worst than that ,this has not allowed him to Rest in Paradise as he so much deserves!!!!.Thank you for your time and hope you have a clearer understanding of what is really occurring with this issue and just a small insight of the motive behind this application for historic designation....

This is a list of the False/embellished statements made to the commission as seen and explained by the other Rendon siblings, all who are older and were also involved in my grandparents life on an everyday basis. The only thing we ask is that there is evidence proving that these events did indeed take place as claimed.

1) In a letter written by Kristen Hotopp states that "Many of Judge Bob Perkins family members were married at this house"....

This statement is absolutely 100% false, for one our grandfathers house was not a venue that u could rent for cash and do as you pleased. There were never any neighborhood meetings held there or political rallies as they claim... And for 2 there were only 2 couples married in this house and both were children of Edward Rendon SR. we ask they Please show provide evidence that these weddings from the Perkins family that took place as

stated. And also proof of the political "rallies" that were supposedly held there....Again they fail to realize and admit that we were alive and well during these times they claim all these things happened....we were apart of that home just as much as they were....

2) The blueprints and design to what is now Edward Rendon Park were laid out on our grandfathers Kitchen table with Mayor Carol Keeton Strayhorn
.....

This statement is False as well....the True story is that the park was designed in 1960 by Williams C. Holmans and my grandfather had no hand in the creation or design of the actual park and it definitely didn't take place in his kitchen.....He did however sit down with Mr. Holmans and decide where to place the concrete pads that would be used to place BBQ pits throughout the park that were not initially part of the original design of the park....the reason my Grandfather was involved in this discussion was because he won the Bid/contract from the city to do the cement foundations for the bbq pits....and the designer wanted to make sure they were on the same page to where exactly these cement pads would be placed....Now after the 2 of them finalized the plans for these pads...the mayor did in fact visit our grandfathers house to view those plans and give her approval as well. That is the true story behind that statement! We ask that proof is shown that shows their statements on this event is provided in some form or fashion proving otherwise.

3) It has been stated by numerous people that Cesar Chavez not only visited my Grandparents home but that my Grandfather worked side by side with him during his visit to Austin and the State Capitol Building.

We know this is not true because honestly if Mr. Chavez had indeed visited our Grandparents home why have we never been made aware of this before....where are the pictures and newspaper clippings showing proof that this so called historical event took place? We really would love to see those...and honestly would be happy if we were proven wrong on this....it would be an amazing thing to say that the great Cesar Chavez stood in that house with our grandfather. Please we ask that some sort of hard proof is brought forth that proves this event took place as stated.

4) Our Grandfather was a founding member of the Austin Hispanic Chamber of Commerce.

Through extensive research and conversations with members of the board and actual founding members of the Chamber...we have found this statement to be false as well....We ask that they kindly show proof/ paperwork showing that our grandfather was indeed a founding member of the AHCC.

5) "The rod iron used on the porch of this house was off a shipment that was used in the RailRoads in the 1800's on the east coast" on the same subject another statement was made pertaining to the Iron, statement was made by Dave Santos stating that the same Rod Iron was part of Joe Perez iron works were somehow part of the architectural importance of the house.

We know these statement to be false because our uncle Mr.Roy Rendon Sr. son of Edward Rendon Sr. was the one who installed that rod iron over a period of time . Uncle Roy had just become a welding apprentice and had rapidly excelled his way through learning and becoming the great welder

that he is today.....The reason he had done it over a period of time was because he would take home leftover scrap iron pieces left from jobs he was doing at work....so little by little he designed and created that beautiful Iron work that still stands today!! In my uncles own words he described how his intention was to "make my daddy proud" of his new found craft!!! As you can imagine ... His father truly was proud...and showed off his sons craftsmanship to any and all who visited his home! This is ample proof that the statements made by those speakers were a total falsification of the real TRUTH!!!

Finally we would like to end this letter with a few questions of our own.... If we may:

1) How is it that someone was allowed to put in an application to deem a property Historic that they do not own outright? And how at least, did they do so without the permission of the Person who is the Majority Owner? without even so much as a letter or email stating that this was the intention of the said party? How on earth is this Legal....I mean is it possible for me to fill out an application pay a fee and claim historical significance on any random house? Please help us understand how this happen from the start without prior acknowledgment by the Majority Owner and the owners who now have a small percentage in the property?

2) How is a Ruling made by a Judge in a court room in the United States of America overlooked by a historical application submitted by the original parties who sued to try and win the same said property that they now want to be a historical landmark?

We kindly ask that you help us understand these things for our own personal records.

Ladies and Gentleman of this Historical Commission, I could honestly go on and on trying to discredit their made up stories and misinterpreted accounts of events involving the history of not only our Grandfather but our entire family.... Or talk about the fact that the first order of business for Mrs. Montoya and Edward JR. was to try FIRST, to take the house away from my parents....the house they never paid a dime for....the house they wanted nothing to do with before the real estate went sky high and it was worth way more MONEY....We want an explanation on Why if my grandfathers wish was to have his home (which legally no longer belonged to him because he SOLD it) deemed historic...Then Why was that not the First move made by the them?? And if it were his dying wish to have the house deemed historic then why did he sell it 20 years back? Our intention has never been to fight against our family nor to try and make our Grandfather out to be something he was or was not....honestly ,This thing has dragged on for way to long.... it has been taken into Litigation and a decision made by a Federal Judge to sell the house and move on with our lives... its blatantly obvious that this is only a last ditch effort to try and make my mothers life miserable...more so than it already has been for her during this debacle ... Imagine yourselves in our situation...imagine that after paying over 80,000 dollars of your hard earned money for something... imagine someone taking it from you the day you showed up to make your last payment, their is someone their waiting for that payment to go through so they can snatch it right out of your hands and say "you stole this , and you manipulated your way into ownership of this item and now we are gonna sue because we deserve a piece of this just as much as you do....Imagine what that would feel like.... then imagine what the feeling is like when u find out its your own brother and sister doing these hurtful things to you..the younger siblings that you once treated as your own children....and cooked for and purchased clothes for as if they were your babies ...this is what we are living right now because of my Aunt Elisa Montoya and uncle Edward Rendon JR....imagine what that would feel like...and maybe just maybe you might get a sense of the pain my mother has endured throughout this whole process.....Commissioners, all we ask is that you take our story into consideration...and understand that this is the whole hearted truth in regards to this matter!! Thank

you again for your time and Service!!!! God Bless you
All....

Sincerely

,

Robert Rubio Jr

- []