



Three Rivers

Landowners' Association

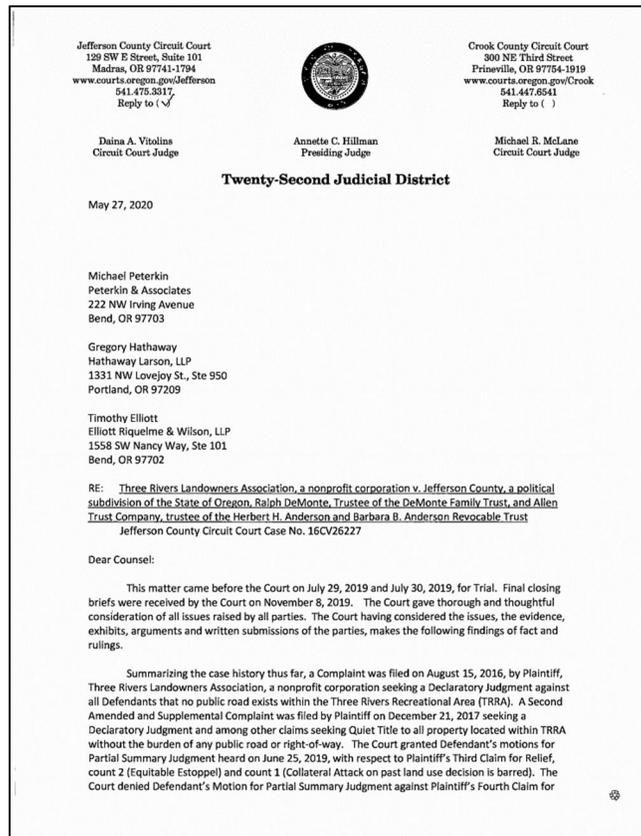
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MESSAGE FROM THE PRESIDENT

June 1st, 2020

SPECIAL REPORT TO THE MEMBERSHIP - EH SPARKS TRIAL DECISION

In early March Judge Hillman sent a letter to counsel stating that a decision would be provided by March 23rd. That date came and went. On May 1st, Association counsel sent another letter to Judge Hillman requesting an update on the EH Sparks Trial decision. The Judge responded on May 4th. In her response she stated her opinion letter would be submitted to all parties, “on May 18th, if not sooner.” May 18th passed and still no response. On May 27th, 2020, Judge Hillman submitted a 7-page trial judge opinion letter to the parties, nearly 10-months to the date following the EH Sparks Trial.



The decision by the court at best was disappointing, not just for its conclusion, but for its methodology, for its failure to address key legal issues, for its failure to find uncontested facts, and for its misunderstanding of the law. The court did not address “abandonment by nonuser”, the bedrock legal principle the Oregon Supreme Court announced for the State of Oregon in *Hislop*. It is also disappointing that the court did not locate the road she said was established.

On Friday, May 29th the Board of Directors held an emergency meeting and immediately moved to executive session to discuss the trial judge's opinion. Upon return to the emergency meeting the Board of Directors took the following actions.

TRLA BOD EMERGENCY MEETING
FRIDAY, MAY 29th, 2020
ACTION TAKE FROM EXECUTIVE SESSION
MOTION: Jeff Thompson SECOND: Ed Bietschek
Affirmative: 6 Oppose: 0 Abstain: 0

The Board of Directors has authorized Association counsel, Michael Peterkin to.

- 1. Direct counsel to send a memorandum requesting Judge Hillman correct and complete the trial court opinion.**
- 2. Take appropriate steps to appeal the trial courts Judgment, if necessary.**
- 3. Take the appropriate steps to file a Petition of Vacation of the EH Sparks Road within TRRA, if necessary.**

Detailed information will be provided soon including FAQ's. Updates will be provided when available at www.3rrec.com.

Respectfully,



Randy Panek, President

Cc: TR's Board of Directors