

EH SPARKS STATUS REPORT

Reported January 17th, 2020 to the Membership

Negotiations continue between DeMonte and the purchaser. Each party has ordered appraisals to assist with the negotiations. The Board is hopeful a final agreement can be reached before the end of January.

On December 23rd, 2020, the Jefferson County Board of Commissioners ordered that the two Petitions to vacate a portion of County Road No. 577 shall proceed pursuant to ORS 368.346 as one proceeding. By process, the County Road Official shall file with the Board a written report deeming if the road, in his opinion, is or not in the public interest. Upon receipt of the report the Board shall establish a time and place for a hearing. Because of the report and public notice procedures along with the current pandemic and its restrictions the hearing might not happen for several months.

BEFORE THE BOARD OF COMMISSIONERS FOR THE STATE OF OREGON
FOR THE COUNTY OF JEFFERSON

IN THE MATTER OF TWO VACATION)
PETITIONS RECEIVED BY JEFFERSON)
COUNTY REGARDING CERTAIN)
PORTIONS OF COUNTY ROAD NO. 577) Order No. 0-124-20
AKA E.H. SPARKS ROAD)

WHEREAS, the Board of Commissioners has received a petition, included as Exhibit A, to vacate a portion of County Road 577, also referred to as E.H. Sparks Road, within the boundaries of the Three Rivers Recreation Area submitted by the Three Rivers Landowners Association; and

WHEREAS, the Board of Commissioners has received a petition, included as Exhibit B without attachments or exhibits, which are available for review in the administrative office, to vacate a portion of County Road 577 within the boundaries of the Three Rivers Recreation Area submitted by property owner, Carol Fuchs, whose property abuts County Road 577; and

WHEREAS, both petitions appear sufficient to initiate the vacation proceedings pursuant to ORS 368.326 to 368.366; and

WHEREAS, because the petitions are substantially similar, the Board of Commissioners will consolidate both vacation petitions into one proceeding;

NOW THEREFORE the Jefferson County Board of Commissioners ORDERS that:

1. The petitions to vacate a portion of County Road No. 577 shall proceed pursuant to ORS 368.346 as one proceeding.
2. The County Road Official shall file with this Board a written report in accordance with ORS 368.346(1).
3. Upon receipt of the report from the County Road Official the Board shall establish a time and place for a hearing to consider whether the proposal is in the public interest. In setting the hearing, due consideration will be given to the COVID-19 State of Emergency, any restrictions issued by Governor Kate Brown, as well as laws, rules orders and guidance from state and federal administrative entities, and to address the health and safety of participants. Staff shall provide notice of the hearing once set in accordance with ORS 368.346.

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0-124-20

4. Fees and costs associated with these petitions, have been paid or will be paid by Petitioners prior to hearing.

DATED this 23rd day of December 2020.

JEFFERSON COUNTY BOARD OF COMMISSIONERS

Kelly Simpfendorfer
Kelly Simpfendorfer, Commission Chair

Wayne Farding
Wayne Farding, Commissioner

Mac Huston
Mac Huston, Commissioner

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The appeal process continues at least through January. Counsel will write the opening brief once the appeal is removed from the appellate mediation program by a rejection by either Demonte or the purchaser. Counsel has reviewed the trial transcript in preparation to write the appellate brief.

It is important for the membership to remember that the privacy of our community and Association continues at risk in 2021. Your continued support is needed and appreciated.

Further information will be provided when available. Updates and filings can be found on the Three Rivers Website at www.3rrec.com.