

WOODLAND PARK SPECIAL ROAD DISTRICT
PO BOX 897
CHILOQUIN, OREGON 97624
541-678-3777
woodlandparkrd@gmail.com

Kivel & Howard LLP
1530 S.W. Taylor St
Portland, Oregon 97205
Attention: Dirk W. Schouten

RE: Floyd Esqueda
Your File No.: OR 79H-J33

Greetings:

In response to your letter dated September 11, 2020 on behalf of Floyd Esqueda, Woodland Park Special Road District (WPSRD) Board of Commissioners during our regular business meeting dated June 15, 2020, passed **Resolution 2020-02**, stating our position on Mr. Esqueda's claims. We have included a copy of this resolution for your records. In short, Resolution 2020-02 specifically states that WPSRD is assigned by Klamath County Board of County Commissioners to maintain roads within the Woodland Park Road District Boundaries. All matters concerning survey boundaries and road boundaries should be addressed to Klamath County Public Works, Road Department or Klamath County Surveyor.

Considering Mr. Esqueda continues to address WPSRD in this matter, to assist County entities and for our records we will require additional details, such as:

- **Certified** copy of the Adkins Engineering and Surveying survey report including the date of survey.
- **Proof** the property pin is missing,
- **A simple** but reasonably accurate sketch,
 - roughly to scale, with north arrow,
 - showing specific location of property pin
 - shows property right of way,
 - travelled way,
 - area of removed earth in correlation with the street sign, and
 - Specific area of damage and date of occurrence
- **For clarity**, we insist that the sketch be drawn on a copy of County survey 8500, which is available at the Klamath County Surveyors office. This drawing to include a specific address or plot location.
- **Photos** before and after the damage occurred
- **Undisputable** proof that it was the Road Districts agents or services that removed the property pin, dirt or caused alleged damage such as photo or video of the damage happening

Before continuing this matter, we remind Mr. Esqueda of the following facts:

Woodland Park was platted around 1969. The road district was established in 1980. It is very probable that the property corner pin is buried only to be found with detector or disappeared due to a myriad of different causes before the road even existed such as logging activities that may have even built some of the roads originally. Or at any time in the 40 years since then, it is entirely possible that general traffic at the corner slowly over the many years cut the new line and the pin is still present.

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Our agents carefully photographed the area upon receiving the original complaint, and we consulted with Klamath County to assist with this matter. No evidence has been found either by WPSRD or Klamath County that dirt, or any materials have been removed from the vicinity. There were signs that the area was disturbed upon completion of Mr. Esquedas survey of the property, possibly some foliage in the course of their duties.

This matter will be discussed at a regular public business meeting as an agenda item. All communications will be shared with Klamath County Board of Commissioners. The community will be advised of the situation and the WPSRD Board of Commissioners will address and approve potential future actions and communications. As stated in **Resolution #2020-20** dated June 15, 2020, WPSRD is not liable or responsible and has referred all interests and concerns of this matter to Klamath County entities for resolution. **We again respectfully request that Mr. Esqueda address his concerns with Klamath County.**

WPSRD is a public entity, we are funded by and the official payee of funds of the district's property tax levy for road maintenance. Woodland Park Special Road District (WPSRD) is completely volunteer and is not a litigious organization. We hope this matter can be resolved amicably, however WPSRD will aggressively pursue this matter **in defense of our public funds.**

In the event WPSRD is forced to gain legal counsel, or **ongoing harassment continues**, WPSRD will pursue this matter to its full legal conclusion, which will include a countersuit/suit for all fees, and expenses incurred due to this issue including reimbursement to Klamath County.


In closing, once we have received certified copies provided by Mr. Esqueda that show where the property line is located, and we have a specific address/location, we will be mindful and stay on the "public" side of the line when performing activities.

If you need to contact WPSRD, please do so in writing to avoid any miscommunication. You may email us at:

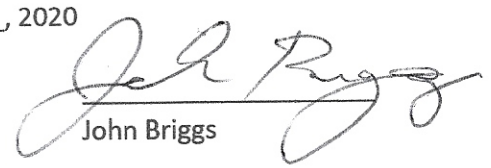
woodlandparkrd@gmail.com Please reference Floyd Esqueda in the subject line.



Tena Crum

Signed and dated October _____, 2020


Faye Foster



John Briggs

Woodland Park Special Road District
Board of Commissioners

WPSRD
Cc: Klamath County Public Works
Klamath County Surveyor