

WOODLAND PARK SPECIAL ROAD DISTRICT
PO BOX 897
CHILOQUIN, OREGON 97624
woodlandparkrd@gmail.com
woodlandparkrd.specialdistrict.org

June 15, 2020
WPSRD Business Meeting
Chiloquin Fire Station
6pm

RESOLUTION No. 2020-03

PROPERTY DISPUTE RESOLUTION
S.E. CORNER SUNNYBROOK/BURR INTERSECTION

In the matter of:

Owner of the property Floyd Esqueda, of the above named corner claims that Woodland Park Special Road District (WPSRD), in the course of their maintenance duties, has encroached onto his property line removing the SURVEY pin and taking away a triangle piece of land approximately 10ft long x 3ft at the widest end and coming to a point at the other. The area is approximately 15sq ft. Owner is requesting that part of the 20ft of additional dirt embankment on the N.E. side of Sunny Brook/Burr intersection be moved to his side of the road to repair the corner.

Whereas: The sole responsibility of the WPSRD is the maintenance and repair of the roads within the District Boundaries.

Whereas: The moving, disturbing or relocating of public property, which includes easements and road material, dirt, aggregate or vegetation without the specific permission of WPSRD, Public Works or other governing entity is unlawful.

Whereas: WPSRD is not responsible for the maintenance of private property boundaries, survey stakes or any other private property matters.

Whereas: In the matter of Property Dispute as outlined above, We THE WOODLAND PARK SPECIAL ROAD DISTRICT (WPSRD) BOARD OF COMMISSIONERS, AT A SCHEDULED PUBLIC MEETING MAKE THE FOLLOWING DECISION:

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. As the WPSRD is not responsible for the maintenance of private property boundaries, survey stakes or any other private property matters, we declare that the owner of said property should address this matter with the proper Klamath County authorities for resolution.
2. As it is considered theft of public property to move dirt, aggregate, easement material, road material or roadside vegetation without the specific permission of WPSRD or Klamath County

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governing entities and is unlawful in Klamath County, The WPSRD will not support this activity within the District Boundaries.

As is required by law, WPSRD will forward this matter and any foreseen unlawful activities to the proper authorities including but not limited to Klamath County Sheriff Department and Klamath County Public Works.

3. WPSRD refers all interests, communications, concerns and matters pertaining to this dispute to Klamath County entities whose purpose of business is property boundaries, land sales, road boundaries, Survey, permits and tax lots to include any departments within Klamath County including Klamath County Public Works.
4. WPSRD, will only accept further communication on this matter through legal entities such as property owner's attorney, the governing entity within Klamath County including Public Works or other recognized authority. **WPSRD will disregard any direct communication regarding this matter from Owner of property and will consider continued attempts as harassment.**
5. WPSRD, agrees that if necessary, legal counsel will be obtained regarding this matter or any other matter as deemed necessary. WPSRD will further counter file to recover public moneys for expenses, fees or any costs associated with this matter.
6. If legal council is required by WPSRD, prevailing party shall be entitled to all fees, costs and expenses incurred.

Read and accepted at the public meeting June 15, 2020, the Woodland Park Special Road District Board of Commissioners accept this decision.

Motion to accept **Resolution 2020-02** made by John Briggs, Second to Motion made by:
Faye Foster,

Vote Unanimous to accept this decision and resolution.

Done and dated on this 15th, day of June 2020.

Woodland Park Special Road District, Board of Commissioners