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November 27, 2017

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Lane County
Office of Legal Counsel
Attn: Stephen Dingle
125 East 8th Avenue
Eugene, OR 97401

*Sent via facsimile to: 541-682-3803 and email
to: stephen.dingle@co.lane.or.us*

Re: 38534 Dexter Road, Dexter, Oregon 97431
Our File No. 11750-4

Dear County Counsel:

This firm represents Yvonne "Rosanne" Wolf and Michael Morris, the adjoining property owners to the real property located at 38534 Dexter Road, Dexter, Oregon 97431 (hereafter referred to as the "Dexter Property"). James Peterson, Jr. was the prior owner of the Dexter Property until Lane County foreclosed and took possession in September. At the November 7, 2017 Lane County Commissioner Board Meeting, Mr. Peterson's attorney, Robert Smejkal, requested a hearing under the provision of Lane Code 21.425(4)(c) regarding the Dexter Property. This letter is to address Ms. Wolf and Mr. Morris's concerns regarding the Dexter Property, including the concern that it be sold back to Mr. Peterson.

Ms. Wolf and Mr. Morris live in a single family home on approximately three acres. Their property abuts Dexter Road. Their property is burdened with a roadway easement, which provides access from Dexter Road across a small gravel roadway on their property to the Dexter Property. The gravel roadway runs approximately ten feet from Ms. Wolf and Mr. Morris's home. A map of the properties is enclosed.

Over the last several years, there has been a series of illegal, disruptive and concerning activities occurring on the Dexter Property. For instance, at one time there was an estimated 20 people living in campers or tents on the Dexter Property. As such, significant amounts of hazardous waste had accumulated on the property, which was clearly visible from adjoining properties. There was a stream of vehicular traffic coming and going at all times of the day and night, often traveling excessively fast for a small gravel road. Firearms were routinely discharged on the property, also at all times of the day and night. It is my understanding neighbors had previously reported this behavior to Lane County over the past several years, and that Lane County had actively been investigating the property when it was foreclosed.

In February of 2017, the Register Guard reported that federal, state, and local agencies joined forces to execute a drug raid on the Dexter Property. Law enforcement agencies

Michael Morris

From: Rosanne Wolf <yewolf@yahoo.com>
Sent: Monday, November 27, 2017 11:30 AM
To: Michael Morris
Subject: page 2

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requested permission to do a stakeout of the Dexter Property from Ms. Wolf and Mr. Morris's property, as well as neighboring properties. As a result of the drug raid, the agencies seized methamphetamine and evidence of drug sales and made several arrests. These activities have created a nuisance for Ms. Wolf, Mr. Morris and their neighbors, diminished the value of their property, and created a public risk by increasing the potential for crime.

Ms. Wolf, Mr. Morris, and their neighbors have attempted to speak with Mr. Peterson over the course of many years regarding the issues on the Dexter Property. Neither Ms. Wolf, nor Mr. Morris, were aware of any mental or physical incapacity or inability that Mr. Peterson may have been suffering from. In fact, during the foreclosure and redemption period, Mr. Peterson was texting with Ms. Wolf and Mr. Peterson regarding gating the roadway in an attempt to prevent unauthorized persons from entering the property.

When Lane County foreclosed and took possession of the Dexter Property, Ms. Wolf and Mr. Morris felt relieved and hopeful that the issues relating to the property would resolve. Their hopes, however, were deterred when Mr. Smejkal requested a hearing on November 7th regarding the Dexter Property.

Pursuant to LC 21.425(4)(c), real property acquired by a tax foreclosure may be sold to the record owner if the owner presents sufficient evidence that he suffered from a mental or physical incapacity or inability during the foreclosure and redemption period. This provision gives the Board of Commissioners the discretion to sell the Dexter Property back to Mr. Peterson, but does not mandate that the Board do so even if sufficient evidence is presented.

The Board of Commissioners should exercise its discretion and not sell the property back to Mr. Peterson. As described above, under Mr. Peterson's ownership, the Dexter Property has become a haven for illegal activities, of which Lane County is well aware. If the Dexter Property is sold back to Mr. Peterson, Ms. Wolf and Mr. Morris are rightfully concerned that the illegal activities will continue and threaten the safety of the surrounding community.

For the reasons stated, we respectfully request that the Board of Commissioners not sell the Dexter Property back to Mr. Peterson pursuant to LC 21.425(4)(c).

Sincerely,

THORP, PURDY, JEWETT,
URNESS & WILKINSON, P.C.



Kristin Denmark

Enclosure
Cc: Clients



“Dexter Property,” formally owned by James Peterson, Jr. and a haven for illegal activities.

Property owned by Rosanne Wolf and Michael Morris. Note roadway adjacent to home.