

06-13-06A11:24  
W. 14.e.  
SUPPLEMENTAL MATERIAL

Pleasant Hill Ranch LLC  
Billy & Christa Gruner  
83094 Rodgers Road  
Creswell, OR 97426

Lane County Board of Commissioners  
And Steve Hopkins  
Land Management Division  
125 East 8<sup>th</sup> Avenue  
Eugene, OR 97401

June 12, 2006

Re: Margaret and Bernhard Bernheim Measure 37  
Dept File No: PA 05-6581

As property owners of Pleasant Hill Ranch we consider the Bernheims claim not to be valid for the following reasons:

1. We were told by Greg Demur, President of Frontier Resources, in June 2005 that he had purchased Bernheim's property together with the McDougal Brothers. June 1, 2006 this was again confirmed by Mr. Demur who called me while on a business trip and told me that he will be the Production Manager on the Bernheim project. On June 5, 2006 I called up Laurie Holsinger, a real estate Agent for the McDougals and it was confirmed that within the next 2 years construction will begin and 2 acre lots will be available.
2. A NOTICE OF OPTION was recorded by McDougal Investments on May 26, 2005. The underlying documentation of a sale is not available at this time. It is very possible that McDougal and Frontier Development as well as the Bernheim's are keeping a quiet title of the property until Bernheim has the Measure 37 passed. The evidence that the documentation is incorrect and inconsistent will be demonstrated by Douglas DuPriest, attorney, for several home owners surrounding the Bernheim property.

It is not likely that Mr. Bernheim has suffered any monetary losses.

- A) Bernheim had the timber removed from a portion of property and quitclaimed the deeded property to International Paper and then back to him. He did the same to Willamette Valley Lumber Co, McDougal Brothers, and then again back to him on the 3<sup>rd</sup> May, 1994 and another quitclaim Deed was recorded on 1-20-2006.
- B) .If this property is eventually zoned for 2 acre lots, it will create Traffic Problems, Septic failures, and Ground Water will DIMINISH. Some of us property owners will loose frontage to widen the streets of this project.
- C) If any portion of this Claim is accepted, we ask that you apply FF20 restrictions.

D) No PRESIDENCE has been set in this AREA for such a LARGE SUB DIVISION.

Application for this Measure 37 Claim, Bernheim Property should therefore be DENIED.

Sincerely,

A handwritten signature in cursive script, appearing to read "Christa G. Gruner". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Billy Gruner Christa G Gruner

June 12, 2006

From: Phillip Dills and Catherine Rowan

To: Lane Co. Board of Commissioners  
Land Management Division  
125 East 8<sup>th</sup> Avenue  
Eugene, Oregon 97401

Steve Hopkins  
Lane County Board of Commissioners  
Land Management Division  
125 East 8<sup>th</sup> Avenue  
Eugene, Oregon 97401

Regarding: Margaret and Bernard Bernheim Measure 37 Claim  
Dept. File No: PA 05-6581

We are property owners at 82309 Bear Creek Road. We are opposed to the Bernheim proposal to develop 515 acres of pasture and forest land into 150+ home sites.

The reasons we are opposed this this proposed development is as follows:

1. The sale of the Bernheim property is "Swirling in controversy."
2. That the sale of the property was a "done deal", some months ago. This is evidenced by the new owners "Frontier Resources" posting signs approx. 500' apart on Bear Cr. Road, Rodgers Road, Enterprise Road and Spring Hill Road. Theses signs were placed on or about 9-15-2005.
3. Follow up testimony at this hearing, and in writing as to the "cloudy" ownership at the time measure 37 was put into effect.
4. Development of this drainage at the density applied for would be unprecedented . And is not in the spirit or intensions of measure 37.
5. Numerous additional water wells in this area would deplete the aquifer(s). If we lose water our property values and way of life would be greatly impacted.
6. Soils in the proposed development area will not support the septic installations for the number of dwellings proposed.
7. Fire and Fire Protection/ suppression will become an increased burden on the City of Creswell, Pleasant Hill, Weyco, and the Oregon Dept. of Forestry. This ultimately will mean increased taxes to support the fire organizations.

8. East Bear Creek is a fish bearing stream. The proposed 150 dwelling development would bring about the decline of the riparian zone and the fish.
9. This area supports numerous species of migrant neotropical birds. In addition, there are growing populations of turkeys that frequent the area ,as well as upland birds such as quail and ruffed grouse. The area is forage and cover for Roosevelt Elk and Oregon Blacktail. Black Bear has also been seen in the area recently.
10. Portions of the proposed development is considered wetlands. Wetlands are important To the overall health and functioning of the ecosystem that is found in this area. Clearcutting and developing this land will only exacerbate stream sedimentation, Runoff and flooding down stream.
11. County roads in the proposed development area are inadequate for this type of proposed development. Upgrading roads will increase taxes and cause more transportation issues such as density and frequency.

#### Recommendation

1. Because of the "cloudy issue of ownership" do not approve this claim.
2. If this claim is approved, require a minimum of 20ac. development lots.

Thank you in advance for considering these elements of this measure 37 claim.

*Philip J Dills*  
*Catherine Lowman Duan*