

Hills of Neskowin Owners' Association



March 8, 2016

The Board of Directors
Neskowin Regional Sanitary Authority
PO Box 383
Neskowin, Oregon 97149

Ladies and Gentlemen,

Our request of December 8, 2015 that the terms of Hills of Neskowin's (HON) inclusion within the Neskowin Regional Sanitary Authority (NRSA) be modified was rejected by your response dated January 22, 2016.

Your response indicated that among the long range goals of the NRSA is a "Highway 101 Trunk Sewer Extension". Given the more pressing needs on that list of goals it is not apparent when, if ever, an extension will be constructed.

Our letter explained that each existing and future home in the HON has and will operate individually approved septic systems. Neither since the HON was platted in the mid 1990s nor in the ten years since the NRSA began assessing our property, has the HON received service from the NRSA. We do not seek such service.

Your response asserts a generalized indirect 'blue sky' benefit enjoyed by the HON in that the common areas of Neskowin Village, Hawk and Neskowin Creeks are free from sewage. While we acknowledge these desirable circumstances they fail to meet the plain language of the relevant Oregon Statutes:

ORS

450.840 Costs for construction and operation of systems and general expenses of sanitary authority - how borne.

- (1) The cost of construction of a sewage disposal system, including treatment plants and trunk or lateral sewers, or a drainage system shall be borne by the area **directly** benefited by the system....
- (2) The cost of operation and maintenance of sewage disposal and drainage systems shall be the area **directly** benefited by such systems....

In the absence of any desire or need for service and in the absence of any direct benefit we hereby request that the NRSA formally advise the Tillamook County Assessor to exclude the HON from further NRSA assessments. We request that such exclusion be accomplished either before or in conjunction with the NRSA's next budget submission.

Our local contact on this matter is Treasurer John Metschan who may be reached at 503 392 4798 (jmetschan@embarqmail.com). Please feel free to contact any member of our board (www.hillsofneskowin.com)

Sincerely,

James R. Blasius, President
Hills of Neskowin Owners Association
PO Box 382
Neskowin, Oregon 97149

cc: Tillamook County Board of Commissioners
Sen. Arnie Roblan
Rep. David Gromberg
Cable Huston LLP - Clark Balfour

Attachment: Legal boundaries of the HON Phases I and II.