

January 6, 2023

Dear Members of the Hermiston Planning Commission,

I purchased the home located at 941 E McKenzie Avenue in Hermiston on February 4, 2022. I was third buyer in the 18-lot development. I had many homes from which to choose as there were several under construction. I went with this home because of the lot size and the fact that it was a four-bedroom home.

I did my due diligence before closing to ensure I would have clear title and that the property didn't have unsatisfactory encumbrances. I reviewed the title report and the Highland Meadows Phase I plat dated May 24, 2021. Satisfied with my findings, I proceeded with closing with the understanding that there was a 10' utility easement.

Following closing, I installed irrigation, sod, and a new white vinyl fence around the border of my property. Before starting my work, I had all utilities located including the conduits that were already installed in the 10' utility easement. After my work was finalized, I was approached by Tyler Brant and he informed me that I had built a fence over an easement for a pedestrian path to a development that hadn't been started.

I informed Tyler Brant that I had done my due diligence on the property and knew that the easement was for utility purposes. I took his contact information so I could send him the documents that I had. I emailed him the final plat that clearly shows the utility easement and says nothing about a pedestrian easement. I had a lot of confidence in this document as it was reviewed and approved by the developer, Umatilla County Surveyor, Umatilla County Tax Assessor, three Umatilla County Commissioners, Chairman of the Hermiston Planning Commission, Mayor of Hermiston, and the Hermiston Irrigation District.

I followed up with the City of Hermiston to confirm by phone that it was not a pedestrian easement. After not receiving a call back from the planning department, I continued to call and finally received oral verification that it was in fact not a pedestrian easement. Tyler stayed in contact with me at went as far as to offer to pay me for a pedestrian easement. I told him that I was not interested as it would limit my lot size and provide easy access for crime, loitering, and excessive noise. I don't want to see my property devalued. I am sure Planning Commission Members would not want a walking path placed in right next to their homes.

I do feel as if Hermiston needs more housing exactly like what is provided in Highland Meadows. These homes work well as rental units and first-time buyer entry level homes for families. I feel as if the Highland Meadows Phase 2 will be a good addition to the city and something the town needs. I urge the commission to modify the conditions of approval for Highland Meadows Phase 2 without the condition of a pedestrian path that would devalue my property. Tyler has been a pleasure to work with and in my opinion has exhausted all resources available to him to ensure that he is in compliance. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Day", written over a white background.

Matt Day

503-710-6238