



Yamhill County
Public Works Department
2060 Lafayette Avenue, McMinnville, OR 97128
Ph. 503.434.7515 Fax 503.472.4068 E-mail pubwork@co.yamhill.or.us
TTY 1-800-235-2900

John F. Phelan
Director

Bill Gille
County Engineer

Catherine Lindberg
Office Manager

October 18, 2016

Esteban Patricio Diaz
7301 N.E. Krono Road
Yamhill, OR 97148

**Re: ORDER TO ABATE ROAD HAZARD, ORS 368.251 et seq.
7301 N.E. Krono Rd., Yamhill OR 97148**

Dear Mr. Diaz,

It has come to our attention that you are creating a road hazard for the travelling public in violation of Oregon Revised Statutes (ORS) 368.251 et. seq. by parking or storing personal property, including but not limited to several large trailers and vehicles either directly on the public roadway or within the public right of way of Krono Road, a public road located in, and under the jurisdiction of, Yamhill County. This road hazard encroaches on the public roadway and public right of way primarily adjacent to your property, at 7301 N.E. Krono Rd, and presents a danger to the traveling public's use of Krono Road (see attached photos taken October 14, 2016).

Pursuant to ORS 368.251, et. seq, **you are hereby ordered to abate the above described road hazard by removing all of your personal property from the roadway and the public right of way immediately, but in no event later than midnight, October 26, 2016.** If, at any time it is determined by Yamhill County that this road hazard has worsened or become an emergency creating substantial risk of damage or injury to the traveling public, Yamhill County reserves the right to take immediate action to abate this road hazard, pursuant to ORS 368.271.

If you have not abated the above described road hazard by midnight, October 26, 2016, further enforcement action will follow, including but not limited to the scheduling of a hearing before the Yamhill County Board of Commissioners, pursuant to ORS 368.266. If it becomes necessary to schedule this hearing, you will receive prior written notice informing you of the place, date and time set for the hearing.

Continued failure on your part to abate this road hazard could lead to the imposition of costs against you for the eventual abatement of the road hazard by Yamhill County, up to and including the placement of liens upon your property pursuant to ORS 368.276 and ORS 368.281.

Sincerely,

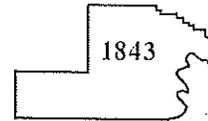
John F. Phelan
Public Works Director
Yamhill County

Bill Gille
County Engineer
Yamhill County

B.O. 16-481

Yamhill County

OFFICE OF COUNTY COUNSEL



535 NE Fifth Street, McMinnville, OR 97128 • 503/434-7502 • Fax 503/434-7553 • TTY 800/735-2900

October 28, 2016

Esteban Patricio Diaz
7301 N.E. Krono Road
Yamhill, OR 97148

CHRISTIAN BOENISCH
COUNTY COUNSEL

TODD SADLO
SENIOR ASSISTANT COUNTY COUNSEL

MIKALIE J. FREI
PARALEGAL

Re: NOTICE OF HEARING RE: ORDER TO ABATE ROAD HAZARD
(ORS 368.251 et. seq.) 7301 N.E. Krono Road., Yamhill, OR 97148
HEARING DATE AND TIME: December 1, 2016 at 10:00 AM
HEARING LOCATION: Room 32, Yamhill County Courthouse
McMinnville OR 97128

Dear Mr. Diaz:

In an order dated October 18, 2016, you were notified that you are in violation of ORS 368.251 et. seq. for creating a road hazard for the traveling public by your continued parking and storing of personal property either directly on the public roadway or within the public right-of-way of Krono Road, a public road located in, and under the jurisdiction of, Yamhill County (see attached order). You were ordered to abate the road hazard by removing all of your personal property from the roadway and the public right of way immediately, but in no event later than midnight, October 26, 2016. As of the date of this letter the road hazard adjacent to your property at 7301 N.E. Krono Rd has not been abated.

At the request of county road officials and pursuant to ORS 368.266, a hearing has been scheduled at the above date, time and location before the Yamhill County Board of Commissioners (the "Board"). The purpose of the hearing is for the Board to determine the person responsible for creating the road hazard on Krono Road, as described in the October 18, 2016 Order. At the hearing, you will be provided an opportunity to explain why you believe that your continued parking and storing of your personal property on the public roadway and within the public right-of-way does not create a road hazard and/or to explain why the road hazard has not been abated. At the conclusion of the hearing, the Board will consider your testimony and determine whether further enforcement action is warranted. If the road hazard has been fully abated before the above hearing date and time, then the hearing will not be held.

Your attendance is not required at the scheduled hearing, but is recommended. It has been scheduled to provide you an opportunity to make your case why further action should not be taken against you, or directly by the county, to remove your possessions from the road and right-of-way. You are encouraged to consult with an attorney and you may be represented by an attorney at the hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Sadlo", written over a horizontal line.

Todd Sadlo
Senior Assistant County Counsel

cc: Yamhill County Board of Commissioners
Yamhill County Public Works Department



Yamhill Fire Protection District
PO Box 249 - 275 South Olive St.
Yamhill, Oregon 97148-0249
Phone: (503) 662-4653
Fax: (503) 662-3740
<http://www.yamhillfpd.org>

Serving the people of the Yamhill Fire Protection District since 1896

Brian Jensen
275 S Olive Street / PO Box 249
Yamhill, Oregon 97148
October 20, 2016

Mike Kemper
Code Enforcement Officer
Yamhill County
525 NE 4th Street
McMinnville, Oregon 97128

Dear Mike Kemper:

On Wednesday October 19, 2016 in the afternoon you met with me at the Yamhill Fire Station and provided some photos of current issues happening on Krono Road, just north of the City of Yamhill. Your question was if what I was seeing in the photos would create a problem for Fire or EMS response to the residents in that area. Based upon what I saw in the photos, the conditions would greatly limit or restrict Fire or EMS access to those residents in this area. With this limited access or restriction, it could cause, major property damage if there was a fire or loss of life, due to the access issue.

Sincerely,

Brian Jensen
Fire Chief
Yamhill Fire Protection District

**YAMHILL COUNTY
TAX LOT INFORMATION
&
CONTEXTUAL MAP**



Property Information

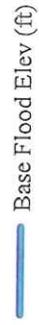
Docket: N/A
NE Krono Rd
Tax Lot: R2434 01200
Lot Acreage: 18.64

County Zoning Districts



Subject Parcels

FEMA Flood Zone

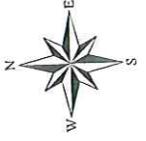


Base Flood Elev (ft)



100 Year Zone

1 inch = 500 feet



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community