

24 Oct. 2010

To: Yachats City Council

From: Jim Burley  
19 Mitchell Lane, Yachats  
P.O. Box 444  
541-547-4061

This is to request that the City remove approximately 12 alder trees that border the south side of Mitchell Lane. It is estimated that the trees are between 25 and 30 years old, the average life of an alder, and they are upward of 30 to 40 feet tall. We have attached a photograph of the trees so that you can see the pending problem. The distance from the nearest tree to any structure, the courtyard fence, is 19 feet. The distance to the house is 27 feet. The National Weather Service of Portland now indicates that the northwest winter storms could be more severe than in the past due to a La Nina conditions and with the prevailing storm winds being from the south in these storms it is probable that we will incur major damage.

When we built our house I had a conversation with John McClintock. He recognized the possibility at that time that they could represent a threat to our property but at the time I thought that I would be able to remove them myself. However, eight years have since past and I am no longer able to do the removal. Since Mitchell Lane is a city street and a city walking path and the trees are on city property they pose both a personal and property hazard that I believe to be a city responsibility.

There is an upside to having the city remove the trees. They have value either as timber or firewood. Since I would be concerned about the public's reaction to the sale of them for timber I would suggest that they would be a great help to people with limited income as firewood after curing. There are several locals who could safely do the removal and the sizing rather than the utilizing city's labor force. And their insurance might be better than ours. This would also reinforce the Yachats image as a caring town.

In speaking with our insurance agent the words "An act of God" arise. However this seems to me, and I am not practicing law here, to be "an act of civics".

Respectfully,

Jim Burley

Public Works Director, John McClintock said that this request is for safety and he is fine with it. His crew can take care of this. The wood could go to those who need it.

OCT 28 2010

