

March 2, 2010

To: Yachats City Council

Subject: Formal Objection East Hillside Local Improvement District (LID) Assessment for Lincoln County Assessor's maps as 14-12-26-BC-02600

This letter is in response to your proposed assessment of \$8,597.73 that will pay for completion of water, sewer and electrical work to provide services to our lot. We formally object to this assessment for the following reasons:

1. In 2005 we paid \$4,680.00 for a Lincoln County approved and Yachats permitted septic system on this property in preparation for building before a serious family illness delayed our plans. At that time there was no public sewer and our preliminary title search (when the property was purchased) showed our lot is allowed "no charge" connection to future sewer lines (see #3 below).
2. We have photographic and Lincoln County Planning Department documentation, documenting water, underground electrical, T. V. and phone are already available to our property at the street.
3. Agreement for Easements recorded November 30, 1992 in Book 253, page 2360 "C" states: Staples hereby agrees to allow the hook-up of the Hanley development and tax lot 904 to the Staples development sewer lines at no charge to Hanley or T. L. 904. Book 253, page 2361 "D" states: The easement shall be perpetual. Book 253, page 2361 "3" states: This agreement shall be binding upon heirs, successors and assigns of each property.
4. We also question why our assessment is so much higher than other single family residence lots in the area, over double the cost.
5. This LID provides "No" added benefits that don't already exist at the property and the sewer hook up costs shall be binding upon heirs, successors and assigns of each property (as shown above in Agreement for Easements recorded November 30, 1992 in Book 253).

In closing, we are requesting that you allow us to use our existing approved and permitted septic system and that we are also allowed to use the water, electrical and other utilities already located at our property.

Thank you for your time and consideration.

Respectfully,
A. I. D.

Gary & Jennie Hofer
cc: Jan Rowan

RECEIVED

MAR 05 2010

CITY OF YACHATS

P.O. BOX 333
ROY, UT. 84067