



SUPPLEMENTAL INFORMATION SUBMITTED

Submitted on: 6-6-07

Taken By: _____

SUPPLEMENTAL INFORMATION HAS BEEN RECEIVED BY THIS OFFICE IN REGARDS TO THE FOLLOWING:

BP# _____

PA# 08-7267

Handwood

SP# _____

SI# _____

OTHER: June 20 kn



223 A Street, Suite D
Springfield, Oregon 97477-4500

(541) 746-9621
FAX (541) 746-4109

Joseph J. Leahy
Matthew J. Cox
Bonnie R. Williams
Meg E. Kieran, Of Counsel

June 5, 2007

Stephen L. Vorhes
Office of Legal Counsel
Lane County Courthouse
125 E. 8th Avenue
Eugene, OR 97401

**Sent via mail and fax to
541.682.3803**

Re: Harwood Property; PA No. 06-7267

Dear Stephen:

I represent Michael and Shirley Harwood. They are the son and daughter-in-law of Leslie and Geneva Harwood. Rhonda Harwood Schafer, the daughter of Leslie and Geneva Harwood, is using her Power of Attorney to petition for Measure 37 relief from County and State regulation. They are proposing to divide the property.

Michael and Shirley Harwood have retained me because of their concerns that Rhonda Schafer intends to sell the property after division. According to Ms. Schafer's petition documents, the divided property would be worth in excess of \$2 million. My clients believe that a Conservatorship should be established to receive the monies and manage them for the benefit of Leslie and Geneva Harwood.

The main concern of Michael and Shirley Harwood is that the properties involved in the petition for relief include the mobile home park that is the primary source of income for Leslie and Geneva Harwood. My clients recognize that this is an issue separate from the present proceedings. My clients intend to be present at the June 20th Hearing and would be happy to present any further information at that time. If you have any questions, please don't hesitate to contact me.

Sincerely,

LEAHY & KIERAN

Bonnie R. Williams
Bonnie R. Williams

BRW/lgl
cc: clients

JUN 05 2007 10:41 LEAHY & KIERAN 541 746 4105 P.01

**LEAHY & KIERAN
Attorneys at Law
223 A Street, Suite D
Springfield, Oregon 97477**

CONFIDENTIAL ATTORNEY/CLIENT PRIVILEGED COMMUNICATION

FAX COVER SHEET

DATE: June 5, 2007

FAX NO.

TO: Stephen Vorhes
Lane County

(541) 682-3803

FROM: Leahy & Kieran
Bonnie R. Williams

(541) 746-4109

REFERENCE: Harwood; PA No. 06-7267

MESSAGE

Please see following letter of today's date.

NO./PAGES: 2 (including this page)

**ORIGINAL TO FOLLOW
VIA REGULAR MAIL:** X YES NO

**If you have any problems receiving this fax, please call Lisa
(541) 746-9621**

CONFIDENTIALITY NOTE: The documents accompanying this facsimile transmission contain information belonging to LEAHY & KIERAN which is confidential and/or legally privileged. The information is intended only for use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us.

◆ PLEASE DELIVER THIS PAGE WITH DOCUMENTS RECEIVED ◆



SUPPLEMENTAL INFORMATION SUBMITTED

Submitted on: June 4

Taken By: Keir

SUPPLEMENTAL INFORMATION HAS BEEN RECEIVED BY THIS OFFICE IN REGARDS TO THE FOLLOWING:

BP# _____

PA# 06-7267 Harwood

SP# _____

SI# _____

OTHER: ~~A~~ June 20

Km

MILLER Keir C

From: Kim O'Dea [kimodea@landuseoregon.com]**Sent:** Monday, June 04, 2007 1:36 PM**To:** MILLER Keir C**Subject:** RE: Harwood Measure 37 claim (PA06-726) 7267

Keir:

Attached are the documents that Bill references below.

KO

Kimberly Joy-Ritterbush O'Dea
Attorney At Law
A.I.C.P., M.C.R.P.
Law Office of Bill Kloos, PC
375 West 4th Street, Suite 204
Eugene, OR 97440
(541)954-0095 (office)
(541)343-8702 (fax)
(541)954-0095 (cell)
e-mail: KimODea@landuseoregon.com
Web: www.landuseoregon.com

Please do not read, copy or disseminate this communication unless you are the intended addressee. This e-mail communication may contain confidential and/or privileged information intended only for the addressee. If you have received this e-mail in error, please call immediately at 541-954-0095. Also, please notify me by e-mail. Thank you.

From: Bill Kloos [mailto:billkloos@landuseoregon.com]**Sent:** Monday, June 04, 2007 1:31 PM**To:** 'MILLER Keir C'; Bill Kloos**Cc:** KimODea@landuseoregon.com**Subject:** RE: Harwood Measure 37 claim (PA06-726)

Keir:

I have a letter from the attorney who did the Powers of Attorney, plus fresh recorded copies of the documents from him, all of which I will submit. I am not really sure they add much to what is obvious from what is already in the record. The instruments are fine.

Bill Kloos
Law Office of Bill Kloos, PC
375 W. 4th Street, Suite 204
Eugene, OR 97401
Phone: (541) 343-8596
Fax: (541) 343-8702
e-mail: billkloos@landuseoregon.com
Web www.LandUseOregon.com

Please do not read, copy or disseminate this communication unless you are the intended addressee. This e-mail communication may contain confidential and/or privileged information intended only for the

06/04/2007

addressee. If you have received this e-mail in error, please call immediately at 541-343-8596. Also, please notify me by e-mail. Thank you.

From: MILLER Keir C [mailto:Keir.MILLER@co.lane.or.us]
Sent: Monday, June 04, 2007 11:02 AM
To: billkloos@landuseoregon.com
Cc: KimODea@landuseoregon.com
Subject: Harwood Measure 37 claim (PA06-726)

Good morning Mr. Kloos,

I'm the staff planner assigned to the Harwood Measure 37 claim (PA06-726). In reviewing the original Hearing footage from May 22, it appears that you requested the application be postponed until June 20th so that you could review the Power of Attorney document which was called into question by opposition. Have you had an opportunity to look at the document? If so will you be submitting any additional comments or information?

When I originally processed the claim I reviewed the P.O.A. and it appeared fine to me. Unless you have discovered an issue with it I'm prepared to draft a supplemental memo recommending approval for tax lots 2300 and 2401.

Thanks.

Keir Miller
Associate Planner
Lane County Land Management Division
125 E. 8th Avenue
Eugene, OR 97401
541/682-4631
541/682-3947 (fax)
Keir.Miller@co.lane.or.us
<http://www.lanecounty.org/planning>

**GARDNER
HONSOWETZ
POTTER
BUDGE
& FORD
L.L.P.**

Attorneys at Law

*725 Country Club Road
Eugene, Oregon 97401*

*(541) 687-9001
Fax: (541) 484-7404*

*From the desk of
Allen E. Gardner
e-mail: gardnera@ghpbf.com*

Hamilton W. Budge, Jr., P.C.
Bradley A. Cascagnette, P.C.
Allen E. Gardner, P.C.
Jack A. Gardner, P.C.
F. William Honsowetz, P.C.
Jeffrey E. Potter, P.C.
Devon M. Spickard, P.C.

Michael E. Ford (1951-2003)*

**Also admitted in the
State of California*

May 24, 2007

Bill Kloos
Attorney at Law
375 West 4th Avenue, Suite 204
Eugene, Oregon 97401

RE: Harwood Measure 37 Claim

Dear Bill:

As you are aware, this office represents Leslie Harwood and Geneva Harwood. On their behalf, I wish to comment regarding their Measure 37 claim that is presently pending before the Lane County Board of Commissioners. It is my understanding that certain shirttail relatives appeared at the time of hearing on that matter and asserted that our clients' daughter, Rhonda Harwood-Schafer, was not properly authorized to proceed with the claim.

Nonsense.

Rhonda Harwood-Schafer has been properly and duly authorized to appear and execute documents on behalf of Leslie Harwood and Geneva Harwood. Enclosed are copies of the duly executed and recorded powers of attorney granting her that right. I prepared these power of attorney forms, supervised their execution and recorded them with the county. The form broadly authorizes Ms. Harwood-Schafer to handle all real and personal property of her parents, even to the extent of affecting title to those properties, followed by the following general authority:

"General Authority. I authorize my Agent for me in my name generally to do and perform all and every act and thing necessary or desirable to conduct, manage, and control all my business and my property, wheresoever situate, and whether now owned or hereafter acquired, as my Agent may deem for my best interests and to execute and acknowledge any and all instruments necessary or proper to carry out the foregoing powers, hereby releasing all third persons from responsibility for my Agent's acts and omissions and I empower my Agent to indemnify all such

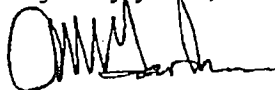
Bill Kloos
RE: Harwood Measure 37 Claim
May 24, 2007
Page 2

persons against loss, expense and liability.”

At the time of execution, we carefully inquired of Mr. and Mrs. Harwood regarding their desire and intentions in executing these documents. I am confident that the powers of attorney were duly, knowingly, and validly executed by Mr. and Mrs. Harwood. Their daughter, Rhonda Harwood-Schafer, is authorized to proceed with the pending Measure 37 claim.

If you should wish to inquire further, please feel free to contact me. I would also be happy to appear and testify at any continued hearing if you deem that necessary.

Very truly yours,

A handwritten signature in black ink, appearing to read "Allen E. Gardner", written over a horizontal line.

Allen E. Gardner

AEG/amm

cc: Clients

cc: Rhonda Harwood-Schafer

Division of Chief Deputy Clerk
Lane County Deeds and Records

2005-036090



\$41.00

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05/18/2005 10:43:41 AM

RPR-PA Cnt=1 Stn=6 CASHIER 07
\$20.00 \$10.00 \$11.00

DURABLE POWER OF ATTORNEY

I, **GENEVA M. HARWOOD** do hereby make, constitute and appoint my daughter, **RHONDA HARWOOD-SCHAFER**, my Agent and attorney-in-fact (hereinafter called Agent), with power and authority:

1. Support: To make expenditures for my care, maintenance, support, and general welfare, and to distribute such as are necessary for the care, maintenance, education, and support of members of my immediate family who are or become dependent upon me for support.

2. Management: To take possession of, manage, administer, operate, maintain, improve, and control all my property, real and personal; to insure and keep the same insured; and to pay any and all taxes, charges, and assessments that may be levied or imposed upon any thereof.

3. Collections: To collect and receive any money, property, debts, or claims whatsoever, now or hereinafter due, owing and payable or belonging to me; and to forgive debts; and to give receipts, acquittance, or other sufficient discharges for any of the same.

4. Checks and Notes: To sign, endorse, sell, discount, deliver and/or deposit checks, drafts, notes, and negotiable or nonnegotiable instruments, including any payments to me drawn on the Treasury of the United States or the State of Oregon or any other state or governmental entity, and to accept drafts.

5. Investments: To retain any property in the hands of the Agent in the form in which it was received; and to make investments and changes of investments in such securities, including common and preferred stocks of corporations or other property, real or personal, as my Agent may deem prudent.

6. Debts: To pay my debts and other obligations.

7. Litigation: To sue upon, defend, compromise, submit to arbitration, or adjust any controversies in which I may be interested; and to act in my name in any complaints, proceedings or suits with all the powers I would possess if personally present and under no legal disability.

8. Acquisition: To bargain for, buy, and deal in property and goods of every description.

9. Disposition: To sell, convey, grant, exchange, transfer, option, convert, mortgage, pledge, consign, lease, and otherwise dispose of any of my property, whether real or personal.

10. Borrowing: To advance or loan the Agent's own funds on my behalf; and to borrow any sums of money on such terms and at such rate of interest as my Agent may deem proper and to give security for the repayment of the same.

11. Agreements: To make and deliver any deeds, conveyances, contracts, covenants, and other instruments, undertakings, or agreements, either orally or in writing, which my Agent may deem proper.

12. Voting: To appear and vote for me in person or by proxy at any corporate or other meeting.

13. Safety Deposit Box: To have access to any safety deposit box which has been rented in my name or in the name of myself and any other person or persons.

AFTER RECORDING RETURN TO:
Allen Gardner, 725 Country Club Dr., Eugene, OR 97401
6879001

14. Withdrawal of Funds: To withdraw any monies deposited with any bank, mutual savings bank, credit union, savings and loan association, mutual fund, money market account, investment advisor, or broker in my name or in the name of myself and any other person or persons and generally to do any business with any such financial institution or agency on my behalf.

15. Tax Returns: To sign and file on my behalf all city, county, state, federal, and other governmental or quasi-governmental tax returns or reports, including income, gift, sales, business, and property tax returns or reports of every kind whatsoever; to execute waivers, extension agreements, settlement agreements, and closing agreements with respect to those returns and to appear for me, in person or by attorney, and represent me before the United States Treasury Department or the Oregon Department of Revenue or the taxing authority of any other state or governmental entity.

16. Government Benefits: To do and perform every act necessary or desirable and to serve as representative payee with respect to rights and entitlements for my benefit and the benefit of my spouse from Social Security, Medicare and military service.

17. Treasury Bonds: To purchase U.S. Treasury bonds or other instruments redeemable at par in payment of federal estate taxes.

18. Additions to Trust: To add any or all of my assets to a trust created by me alone or in conjunction with one or more other persons and already in existence at the time of the creation of this power if the trust provides that the income and principal shall be paid to me or applied for my benefit during my lifetime.

19. Business Interests: To continue as a going concern any business interest owned by me, either individually or as a co-partner.

20. Retirement Accounts: To act on my behalf in dealing with my pension and retirement plans, including the power to make IRA contributions, IRA roll overs, voluntary contributions, borrow from any retirement plan, elect or select pay out options, and take any other steps which I might take on my own behalf with regard to my retirement and/or IRA/pension plans.

21. Mail: To redirect my mail.

22. Custody of Papers: To take custody of my Will, deeds, life insurance policies, contract, securities, or other important papers.

23. Gifts: I further authorize the holder of this power to make gifts to others on my behalf to continue any gifting program that I have established in my estate planning or that is consistent with my estate planning and expressed goal of reducing federal estate taxes.

24. Disclaimer: To renounce and disclaim any property or interest in property or powers to which I may become entitled, and to file any such disclaimer with appropriate courts or persons, and to consider my estate planning and the reduction of estate taxes in exercising such powers.

25. Substitution and Delegation: To appoint and substitute for my said Agent any agents, nominees or attorneys to exercise any or all of the powers herein and to revoke their authority at pleasure.

General Authority. I authorize my Agent for me in my name generally to do and perform all and every act and thing necessary or desirable to conduct, manage, and control all my business and my property, wheresoever situate, and whether now owned or hereafter acquired,

as my Agent may deem for my best interests and to execute and acknowledge any and all instruments necessary or proper to carry out the foregoing powers, hereby releasing all third persons from responsibility for my Agent's acts and omissions and I empower my Agent to indemnify all such persons against loss, expense and liability.

Third Party Reliance. Third persons may conclusively rely upon the continued validity of this Power of Attorney until receiving actual knowledge of its revocation. Third party persons may conclusively rely on a copy of this instrument in its entirety or any portion thereof certified as such by my Agent.

Limitation of Liability. My Agent shall not be liable to me or my heirs, successors, assigns, or personal representative for any action taken or not taken by my Agent in good faith in the absence of willful misconduct or gross negligence.

Durability. These powers of attorney shall be exercisable by my Agent on my behalf notwithstanding that I may become legally disabled or incompetent.

Governing Law. All questions pertaining to validity, interpretation and administration of this power shall be determined in accordance with the laws of Oregon.

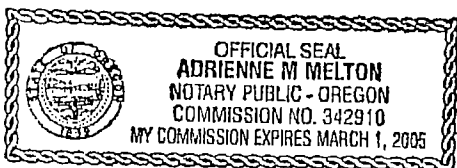
IN WITNESS WHEREOF, I have hereunto set my hand this 6 day of February, 2004.

Geneva Harwood
GENEVA M. HARWOOD

State of Oregon)
County of Lane) ss.

On this 6 day of February, 2004, personally appeared the above named **GENEVA M. HARWOOD** and acknowledged the foregoing instrument to be his/her voluntary act and deed. Before me.

Adrienne M. Melton
Notary Public for Oregon



Division of Chief Deputy Clerk
Lane County Deeds and Records

2005-036091



\$41.00

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05/18/2005 10:43:41 AM

RPR-PA Cnt=1 Stn=6 CASHIER 07

\$20.00 \$10.00 \$11.00

DURABLE POWER OF ATTORNEY

I, **LESLIE L. HARWOOD** do hereby make, constitute and appoint my daughter, **RHONDA HARWOOD-SCHAFER**, my Agent and attorney-in-fact (hereinafter called Agent), with power and authority:

1. Support: To make expenditures for my care, maintenance, support, and general welfare, and to distribute such as are necessary for the care, maintenance, education, and support of members of my immediate family who are or become dependent upon me for support.
2. Management: To take possession of, manage, administer, operate, maintain, improve, and control all my property, real and personal; to insure and keep the same insured; and to pay any and all taxes, charges, and assessments that may be levied or imposed upon any thereof.
3. Collections: To collect and receive any money, property, debts, or claims whatsoever, now or hereinafter due, owing and payable or belonging to me; and to forgive debts; and to give receipts, acquittance, or other sufficient discharges for any of the same.
4. Checks and Notes: To sign, endorse, sell, discount, deliver and/or deposit checks, drafts, notes, and negotiable or nonnegotiable instruments, including any payments to me drawn on the Treasury of the United States or the State of Oregon or any other state or governmental entity, and to accept drafts.
5. Investments: To retain any property in the hands of the Agent in the form in which it was received; and to make investments and changes of investments in such securities, including common and preferred stocks of corporations or other property, real or personal, as my Agent may deem prudent.
6. Debts: To pay my debts and other obligations.
7. Litigation: To sue upon, defend, compromise, submit to arbitration, or adjust any controversies in which I may be interested; and to act in my name in any complaints, proceedings or suits with all the powers I would possess if personally present and under no legal disability.
8. Acquisition: To bargain for, buy, and deal in property and goods of every description.
9. Disposition: To sell, convey, grant, exchange, transfer, option, convert, mortgage, pledge, consign, lease, and otherwise dispose of any of my property, whether real or personal.
10. Borrowing: To advance or loan the Agent's own funds on my behalf; and to borrow any sums of money on such terms and at such rate of interest as my Agent may deem proper and to give security for the repayment of the same.
11. Agreements: To make and deliver any deeds, conveyances, contracts, covenants, and other instruments, undertakings, or agreements, either orally or in writing, which my Agent may deem proper.
12. Voting: To appear and vote for me in person or by proxy at any corporate or other meeting.
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AFTER RECORDING RETURN TO: Allen Gardner, 725 Country Club Rd., Eugene, OR 97401

14. Withdrawal of Funds: To withdraw any monies deposited with any bank, mutual savings bank, credit union, savings and loan association, mutual fund, money market account, investment advisor, or broker in my name or in the name of myself and any other person or persons and generally to do any business with any such financial institution or agency on my behalf.

15. Tax Returns: To sign and file on my behalf all city, county, state, federal, and other governmental or quasi-governmental tax returns or reports, including income, gift, sales, business, and property tax returns or reports of every kind whatsoever; to execute waivers, extension agreements, settlement agreements, and closing agreements with respect to those returns and to appear for me, in person or by attorney, and represent me before the United States Treasury Department or the Oregon Department of Revenue or the taxing authority of any other state or governmental entity.

16. Government Benefits: To do and perform every act necessary or desirable and to serve as representative payee with respect to rights and entitlements for my benefit and the benefit of my spouse from Social Security, Medicare and military service.

17. Treasury Bonds: To purchase U.S. Treasury bonds or other instruments redeemable at par in payment of federal estate taxes.

18. Additions to Trust: To add any or all of my assets to a trust created by me alone or in conjunction with one or more other persons and already in existence at the time of the creation of this power if the trust provides that the income and principal shall be paid to me or applied for my benefit during my lifetime.

19. Business Interests: To continue as a going concern any business interest owned by me, either individually or as a co-partner.

20. Retirement Accounts: To act on my behalf in dealing with my pension and retirement plans, including the power to make IRA contributions, IRA roll overs, voluntary contributions, borrow from any retirement plan, elect or select pay out options, and take any other steps which I might take on my own behalf with regard to my retirement and/or IRA/pension plans.

21. Mail: To redirect my mail.

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23. Gifts: I further authorize the holder of this power to make gifts to others on my behalf to continue any gifting program that I have established in my estate planning or that is consistent with my estate planning and expressed goal of reducing federal estate taxes.

24. Disclaimer: To renounce and disclaim any property or interest in property or powers to which I may become entitled, and to file any such disclaimer with appropriate courts or persons, and to consider my estate planning and the reduction of estate taxes in exercising such powers.

25. Substitution and Delegation: To appoint and substitute for my said Agent any agents, nominees or attorneys to exercise any or all of the powers herein and to revoke their authority at pleasure.

General Authority. I authorize my Agent for me in my name generally to do and perform all and every act and thing necessary or desirable to conduct, manage, and control all my business and my property, wheresoever situate, and whether now owned or hereafter acquired,

as my Agent may deem for my best interests and to execute and acknowledge any and all instruments necessary or proper to carry out the foregoing powers, hereby releasing all third persons from responsibility for my Agent's acts and omissions and I empower my Agent to indemnify all such persons against loss, expense and liability.

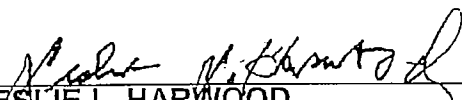
Third Party Reliance. Third persons may conclusively rely upon the continued validity of this Power of Attorney until receiving actual knowledge of its revocation. Third party persons may conclusively rely on a copy of this instrument in its entirety or any portion thereof certified as such by my Agent.

Limitation of Liability. My Agent shall not be liable to me or my heirs, successors, assigns, or personal representative for any action taken or not taken by my Agent in good faith in the absence of willful misconduct or gross negligence.

Durability. These powers of attorney shall be exercisable by my Agent on my behalf notwithstanding that I may become legally disabled or incompetent.

Governing Law. All questions pertaining to validity, interpretation and administration of this power shall be determined in accordance with the laws of Oregon.

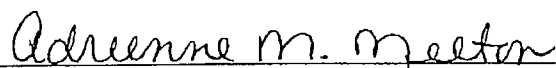
IN WITNESS WHEREOF, I have hereunto set my hand this 10 day of February, 2004.



LESLIE L. HARWOOD

State of Oregon)
County of Lane) ss.

On this 10 day of February, 2004, personally appeared the above named **LESLIE L. HARWOOD** and acknowledged the foregoing instrument to be his voluntary act and deed. Before me.



Notary Public for Oregon

