

We are writing to you in opposition to HB 3536 that has been introduced into the legislature at very short notice. Essentially, the bill appears to be specifically written for the benefit of the Cyrus family of Sisters. As a homeowner and former president of The Rim at Aspen Lakes Association I have observed firsthand the persistent efforts of this family to obtain self-serving exceptions to the state and county land use laws.

To briefly recap events at Aspen Lakes development over the past 24 years: The property of 1100 acres was bought by members of the Cyrus family in 1989 as a speculative purchase just outside the urban growth boundary of Sisters. It is physically separated from the Cyrus ranch that we assume is the "Heritage" property.

The Aspen Lakes property received county approval for development as a *clustered subdivision* in which rural RR-10 land can, by clustering homesites and providing large tracts of open space, allow a developer to increase the density of homesites by about 35%. The developer took full advantage of this concession. Aspen Lakes was subsequently split into two subdivisions: The Rim and Golf Course Estates. Homesites were sold at The Rim beginning in 1990. We bought our lot in 1991. The Rim lots were sold at premium prices because of their rural isolation and excellent views of the Cascades to the west. The county ordinance for clustered developments and the public hearing for this development both emphasized that clustered subdivisions are intended to preserve the rural environment and no future development can occur on the designated open space **in perpetuity**. Therefore, we and other lot purchasers believed that the open space around us was protected against future development forever. To emphasize this restriction, the county required the developer to sign a Land Use Deed Restriction in 1992. Therefore, there can be no doubt that the developer understood the restrictions on further development.

The state rules for destination resorts were published in 1992. Various properties of the Cyrus family were included on the Deschutes County map of land that potentially could be converted to a destination resort. However, Golf Course Estates at Aspen Lakes was developed after 1992 as a clustered subdivision that does not comply with destination resort requirements. Later, the Cyruses attempted to get a Text Amendment through the county land use system that was tailored to make their property an exception to the destination resort rules. That attempt failed.

The point of this brief summary is that this developer has been continually trying to amend the state and county land use laws to wipe out the restrictions on future development that they agreed to in 1989 and 1992. These restrictions are meant to preserve the rural nature of the area around Sisters for which we, and others, relied upon in making our decision to purchase premium property sites that were supposed to be protected against future development. Furthermore, we have been prevented from enjoying the environment we have purchased by the constant need

to make the developer (Cyrus) uphold the land use conditions that he legally agreed to prior to development.

HB 3536 is simply a flagrant attempt to circumvent the state and county land use laws on behalf of one developer. Please reject it.

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