

**From:** Sharon Thorkildson  
**To:** [SENR Exhibits](#)  
**Subject:** House Bill 2027  
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Attached is my opinion article sent to the Bend Bulletin in response to an Mr Luken's article which was opposed to HB 2027. I am in favor of HB 2027 because of Private Property concerns and the current environmental laws that exist to protect this area. I don't think that bicycle paths should be put in everywhere just because the bicycle riders want them. This attempt, just like other attempts, has been a secret. Perhaps Rep Whisnant's process was not perfect, but he was reacting to a secret attempt to take over an area that has been protected by law. I believe that the laws should prevail.

Thanks for your time,

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## **Public Property versus Private Property**

I would like to respond to Erik Lukens opinion, "Giveaway to Riverfront Property Owners Harms Bend Trail Users" (April 30, 2017).

First, let me say that I applaud Gene Whisnant's HB 2027 that prohibits a Deschutes River footbridge that would enter private property, continue through private property and then enter a private property development, and I hope that he will continue to fight for private property rights.

Mr. Luken's arrogance in this article is stunning to say the least. In this day and age of growing Socialism, some people think that they can use all of the land without any regard as to its ownership. There is a large and distinct difference between public lands (Federal, State, County, or City owned property) and privately owned property. We are blessed to live in an area of the country that has millions of acres of public land. Mainly, the US Forest surrounds most of the area in Deschutes County. In addition, there are many State and County parks. This is an outdoor person's dream come true.

Private property, on the other hand, is quite different. It is land that is purchased by a person and that person has the sole use of the land. There are Private Property Rights that ensure, among other things, that the private property owner can tell the public that they are not allowed on that land. They can put up "No Trespassing" signs and a trespasser may be arrested and fined if they enter that property. The private property owner pays property taxes on that property. If anyone is injured while on his property, the owner may be liable for the damages.

I believe in private property. I believe that public access should be on public lands only. Mr. Luken's name-calling assault on private property owners ("Special Interest Groups, Regulatory Giveaways, small but savvy private property owners") is amazing to say the least. He has deemed Private Property Rights to be worthless, because he wants to ride his bicycle on private property that actually belongs to someone else. Somehow, his bicycle ride is of more value than someone else's private property rights. His disdain for private property owners is quite offensive. Unfortunately for him, there are laws that protect people who have purchased private property, pay property taxes, and want to keep it for their own use. Mr. Luken's arrogance assumes that any private property owners concerns are not as important as his access of their private property – WOW! He assumes that "private property rights" are a numbers game. If there are a 1,000 bicyclists and only 12 private property owners, then the larger number should win. Perhaps Rep Knute Buehler would like to donate his back yard for a bicycle path.

We are having this very same debate in Sisters which is where I live. I live in a private property development, which means that all of the common area is owned by the owners/members of the Homeowners Association. The local bicycle club has been trying to gain access, secretly, through our emergency fire exit gates. They are telling private property owners that the value of the property will skyrocket when our private property development becomes a city park. This is not the truth and they have no research that will back up their statements. These claims will appeal to any property owner that is upside down on their property values due to the 2008 market crash. They have not given any thought to trespass abuse or liability exposure. Just like a young child, they "want what they want". Private property owners are now being called selfish," NIMBY", and afraid of change.

My parents taught me when I was a child that when someone starts calling you names, it just means that they don't have an argument that can stand on its own merits.

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