

**Letter for Directors**

CASS HICKS<cassmhicks@mac.com>

Directors:

We have been notified that our encroachment into the Locust right of way will be on the July 16<sup>th</sup> agenda and we are writing to explain our use of that right-of-way.

The portion of Locust which is referred to in our neighbors complaint is a sixty foot paper road right-of-way. To our knowledge there is no BCPUD infrastructure beneath Locust as it passes our house and continues down to Ocean Parkway. We use a driveway within Locust to access our merged properties and home. In the past BCPUD has utilized Locust to access other right-of-ways without obstruction.

Locust and Opal are both sixty feet wide. Our property comes to a point where the two roads merge becoming 120 feet. This is where our encroachment is.

Our home was built in 1925. The Bolinas subdivision map was drawn in New York in 1927 with Locust under the house. As you know the Bolinas mesa can be a very windy place. We believe the prior owners planted a row of cypress trees, upwards of sixty years ago, to protect the house from wind and create a privacy screen around the propane tank and garbage bins.

This privacy hedge became an enormous tree row that grew over the propane tank. This old tank had sunken into the soil causing the bottom to rust out over time and ultimately fail. The gas company was unwilling to place a new tank under the trees and instead placed a temporary tank on concrete blocks further into the Locust right of way.

Recently we removed the row of trees in anticipation of returning the propane tank to its preexisting location. It will be properly secured to a cement slab per code. Our intentions are to create a privacy screen fence following the driveway where the tree trunks previously existed.

We are not obstructing Opal or Locust and our encroachment is not near any BCPUD infrastructure. If there was a need for the BCPUD to locate its infrastructure in this area we would not deny its superior rights to use the right-of-way.

See attached photos:

1- before trees were removed.

2- temporary propane tank circled in red and its original location marked with X. (Tree stumps are still there in pic so it's clear where the 60 plus year encroachment was)

Please feel free to visit our property to see that there is plenty of access for the BCPUD and the fire department. If you have any questions, please feel free to call either of us.

Sincerely,

Chuck Oakander and Cass Hicks



