

CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DESCHUTES

FILED
CIRCUIT COURT
2022 JAN 24 PM 3:48
DESCHUTES COUNTY
OREGON

IN THE MATTER OF THE PETITION
of the Panoramic Access Special Road District
Petitioner,
For a Judicial Examination and Judgement of the Court as
to the Regularity and Legality of Resolution 2021-1

Case No : 21CV41823

MOTION TO OBJECT TO THE PETITION FOR
JUDICIAL VALIDATION

OBJECTION

We, Jay Monroe and Risa Monroe, of Panoramic View Estates in Sisters, in Deschutes County, Oregon object to the Panoramic Access Special Road District's Petition for Judicial Validation of Resolutions 2021-1 and 2021-2

Our concerns are brief but important and we ask that you consider them. We object to paragraph 9 on page 4 (lines 14 through 16) of the Panoramic Access Special Road District's petition for Judicial Examination stating the following:

"Petitioner determined a per-lot assessment would be used to pay for the Improvements, and, because all lots were equally benefitted by the Improvements, each lot would be assessed an equal amount. The estimated per lot assessment to complete the Improvements was \$5,656.73".

Our objection is to the method of assessment that the Board/Petitioner has chosen to pursue. The Board/Petitioner states that a per-lot assessment should be used because the lots will benefit equally. We dispute that statement and its assumption. Properties within the district vary widely in their purpose, value, and prospective gained benefit from this paving project. For example, some properties are used solely as vacation rentals, wherein transient vacationers bring higher and more frequent traffic use of the roads in the district. Other properties are maintained as home-based commercial businesses – both wholesale and commercial – wherein multi-use vehicles ingress/egress those properties multiple times daily. Contrary to the Board/Petitioner's statement, all lots will not benefit equally. While no method of assessment can account for all variances in benefit received, we strongly


MOTION TO OBJECT TO THE PETITION FOR JUDICIAL VALIDATION - 1

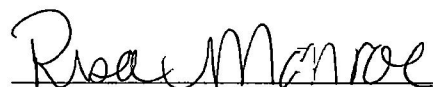
1 believe that an ad valorem tax would be the fairest form of tax assessment for our community Ad valorem taxes are
2 the most common form of taxes levied on real estate for good reason and they are assessed on the fair value of the
3 property Other bond and tax measures that are voted on and passed by residents in Deschutes County are assessed
4 in an ad valorem manner as it is the most equal and fair assessment

5 Our community is comprised of a mix of families of all ages including seniors and retirees, most
6 of whom are on fixed incomes. A per-lot assessment ignores both their lesser property values and their smaller
7 fixed incomes. Again, ad valorem will factor their concerns more fairly.

8 We ask the Court to examine the legality and authority of the Board/Petitioner to assess each lot in
9 a per-lot assessment and ask for a judgement declaring the Board/Petitioner is not authorized to make such
10 assessment

11 DATED: January 24, 2022

12 
Jay Monroe

13 
Risa Monroe

14
15
16 Jay and Risa Monroe of Panoramic View Estates
17 69538 Hinkle Butte Drive
18 Sisters, OR 97759
19 541-520-8013

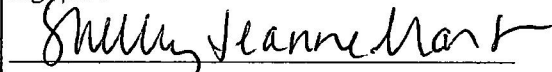
20 STATE OF OREGON

21 COUNTY OF DESCHUTES

22 SUBSCRIBED AND SWORN TO BEFORE

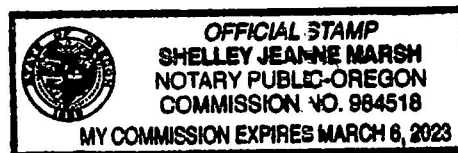
23 ME, on this 24 day of January 2022

24 Signature

25 

26 NOTARY PUBLIC

27 My Commission expires: 03-06-23



MOTION TO OBJECT TO THE PETITION FOR JUDICIAL VALIDATION - 2

Verified Correct Copy of Original 1/25/2022.

We swear that we have hand delivered a true and correct copy of this document to

Karnopp Petersoen LLP Attorneys for the Petitioner

360 SW Bond Street Suite 400

Bend, OR 97702

541-382-3011



Jay Monroe



Risa Monroe

In the Circuit Court of Deschutes County, State of Oregon

Case no. 21CV4-823

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DESCHUTES COUNTY
OREGON

Between

Jay and Risa Monroe

And

Karnopp Petersen LLP Attorneys for the Petitioner

Receipt
Acceptance of Service

~~Karnopp Petersen LLP Attorneys for the Petitioner, 360 SW Bond Street STE 400 Bend Oregon, hereby acknowledge receipt of a copy of the Motion to Object filed in this case. Waiving requirement for other service in this case.~~

I will now affix my signature to these affirmations this 24 date of January 2022

Signature:

J. H. Moore