

## Matt Martin

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**From:** Zenia Kuzma <zenkuzma@gmail.com>  
**Sent:** Thursday, November 3, 2022 9:55 AM  
**To:** Matt Martin  
**Subject:** Fwd: Saddlestone drainage history easements relevant to Sunset Meadows mp22-01  
**Attachments:** 09190378 Statement.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

This is the history on file we experienced with Woodhill . Also see a file regarding a historic tree submitted by the Zuniga family in 2021 they subsequently attempted to ignore but we made certain they did not.

----- Forwarded message -----

**From:** Borys Tkacz <[botkacz@gmail.com](mailto:botkacz@gmail.com)>  
**Date:** Thu, Nov 3, 2022, 8:44 AM  
**Subject:** Fwd: Saddlestone drainage easements  
**To:** Zenia Kuzma <[zenkuzma@gmail.com](mailto:zenkuzma@gmail.com)>

----- Forwarded message -----

**From:** Borys Tkacz <[botkacz@gmail.com](mailto:botkacz@gmail.com)>  
**Date:** Fri, Feb 7, 2020 at 11:55 AM  
**Subject:** Re: Saddlestone drainage easements  
**To:** Ruth Germer <[rgermer@aperionmgmt.com](mailto:rgermer@aperionmgmt.com)>, <[tom.ries007@gmail.com](mailto:tom.ries007@gmail.com)>  
**Cc:** Eric Olsen <[eric@olsencommunities.com](mailto:eric@olsencommunities.com)>

I contacted John Rahm, certified home inspector with Amerispec, to inspect the drainage issue between our home at 914 E Horse Back Trail and the adjacent new home being constructed by Woodhill Homes at 904 E Horse Back Trail. Attached please find his report spelling out what needs to be done to address the issue in compliance with standard construction practices. Please keep me informed.

Best,  
Borys

On Fri, Feb 7, 2020 at 10:31 AM Borys Tkacz <[botkacz@gmail.com](mailto:botkacz@gmail.com)> wrote:  
Thank you. I will forward a certified home inspector report on this issue later today

Best,  
Borys

On Fri, Feb 7, 2020, 9:04 AM Ruth Germer <[rgermer@aperionmgmt.com](mailto:rgermer@aperionmgmt.com)> wrote:

Hello Borys,

I will be in contact with Woodhill today and make sure they are aware of the drainage easement and that it is in like with the plat and CC&R's. I will get back to you when I have further information.

Regards,

Ruth Germer, CMCA

Aperion Management Group, LLC, AAMC®

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Bend, OR 97703

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**From:** Borys Tkacz <[botkacz@gmail.com](mailto:botkacz@gmail.com)>

**Sent:** Friday, February 07, 2020 7:06 AM

**To:** Eric Olsen <[eric@olsencommunities.com](mailto:eric@olsencommunities.com)>

**Cc:** Ruth Germer <[rgermer@aperionmgmt.com](mailto:rgermer@aperionmgmt.com)>; Tom Ries <[tom.ries007@gmail.com](mailto:tom.ries007@gmail.com)>

**Subject:** Re: Saddlestone drainage easements

Hi Eric. Thank you for your prompt response. The drainage easement makes perfect sense. Would you please communicate the restrictions to Woodhill.

Best,

Borys

On Fri, Feb 7, 2020, 6:08 AM Eric Olsen <[eric@olsencommunities.com](mailto:eric@olsencommunities.com)> wrote:

Hi Borys. There is a requirement that the drainage must not be impeded within a such an easement--that is, each property owner can drain to that easement. I will copy Ruth with Aperion so she can weigh in. If this is not an issue which the HOA has jurisdiction, then it becomes an issue between property owners. But I would say that Woodhill is a very responsible builder and they will do what is appropriate. It sounds as though you are in contact with Don of Woodhill. Eric

On Thu, Feb 6, 2020 at 3:22 PM Borys Tkacz <[botkacz@gmail.com](mailto:botkacz@gmail.com)> wrote:

Dear Mr. Olsen: My wife and I recently purchased one of the older homes in Saddlestone on Lot 62. We love the home and the attractive neighborhood. A new home is currently being constructed on Lot 61 by Woodhill Homes. The foundation of the new home is at a 5 foot setback. We raised concerns with Woodhill about inadequate drainage between the homes during construction leading to pooling onto our property (see attached photo). Woodhill did drain off the water after our repeated requests. They told me today that they are getting ready to pour a 4.5 foot wide concrete walkway the entire length of the house. We are very concerned that this will lead to water damage to our property. As you know, there is a 2.5 foot drainage easement between the two lots. I walked the site with Tom Ries and he agreed with me that a concrete walkway would impede drainage between the two homes. Please let me know as soon as possible what the restrictions are for the drainage easements. I believe Woodhill plans to put in the walkway very soon. Thank you for your time.

Best regards

Borys Tkacz

To whom it may concern,

I spent 40 minutes this morning, February 7, 2020 observing and discussing the drainage situation at 914 East Horseback Trail, Sisters, OR, with the owner Borys Tkacz. The way the drainage easement has been configured between this house and the adjacent house, under construction by Woodhill Homes, is cause for concern.

Standard construction practices have it that all the runoff that lands on any given house and lot must be managed on that lot, with no runoff impinging on neighboring properties. Further work appears to be required in order to keep the runoff from the property under construction from migrating onto Borys' lot.

A drain has been installed between the two properties for eventual connection to a gutter system on the new home. However, a large expanse of roof drains to this future gutter, and there are but two downspouts to manage all of this runoff. Heavy rains will surely overwhelm the gutter system, and the roof runoff will then spill out of the gutters and land on the ground between the two homes. And of course there is also rain falling on the ground between the two houses, or melting snow.

At this point, there is no proper drainage swale between the two homes to carry the surface water away. Furthermore, the slope adjacent to the new home is quite shallow, and the "V" that should exist on the ground between the two homes is nearly flat. Proper drainage here remains to be established.

One very common solution is to excavate a swale or trench of sorts between the two homes, done by standard procedure, sloped to front and rear, and ultimately filled with large diameter gravel that allows for the flow of collected run-off away from both of these homes. Some such effort needs to be made here in order to avoid pools of standing water from collecting in this drainage easement, standing water that has been documented in photos by Borys, owner of 914 E. Horseback Trail.

Sincerely,



John Rahm  
OCHI #108