



Oregon

Kate Brown, Governor

Department of Transportation

ODOT District 14

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John.W.EDEN@odot.state.or.us

November 08, 2018

File Code: PMT 4-01

Jimmy Simpson
2491 Hwy 201 S
NYSSA, OR 97913

**SUBJECT: Access Rights for Property in Malheur County
Hwy 450 / Succor Creek, OR201 South
MP 8.035 West Side of Highway
20S 46E35A TL 100**

Dear Mr. Simpson:

As per your request for information regarding the legal access to the property described above, research was completed by ODOT which showed that there are no restrictions to the highway frontage in that area and there are no existing permits on file for the driveways abutting your property.

Although no permits were found on file for the existing driveways to your property, digital imagery shows the driveway that is near the northerly property line of tax lot 100 was in existence prior to April 1, 2000. Thus, the driveway has a presumption of written permission as per ORS 374.308.

Presumption of written permission is deemed to be an approach permit issued by the department under ORS 374.310. In other words, that particular driveway is legal and is permitted. The driveway is subject to change of use rules which can require a new permit application if development occurs on the property that would add a significant number of vehicle trips to and from the site.

If you have any questions about this letter or highway approach permits do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "John Eden".

John Eden, Permit Specialist
ODOT District 14, Maintenance Office