

September 18, 2001

## A Response to Proposed Communications Tower on Cook's Butte Park

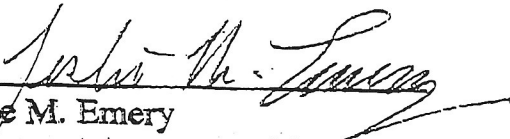
This letter is meant to emphasize what are appropriate uses for this park property in respect to the intentions of Marjorie and John Emery in conveying it to the residents of the City of Lake Oswego. During the twenty some years that the Emery's held title to this property it was never utilized for commercial or agricultural purposes. It was open to public access and appreciated for its natural beauty by many neighbors and visitors. With the encroachment of urban development this considerable acreage, with its mature forest and hilltop vistas became an increasingly rare refuge from the dominance of human constructions and technology. Both personal affinity for this particular landscape and a sense of the importance of such natural environments to the well being of the human spirit led the Emery's to choose to create a public park of these forty-five majestic acres. In return for the transfer of ownership of this property to the people of Lake Oswego, they accepted a small fraction of the land's monetary worth. John Emery was well aware of the vast potential increases in the valuation of this land as real estate in years to come. Nonetheless, he and Marjorie elected to dedicate the property to public use as a natural preserve rather than risk its becoming a commercial development.

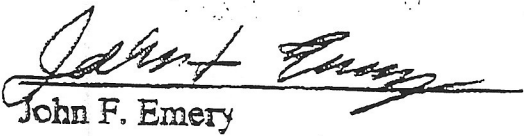
As clarified in her 1994 addendum to the original deed, Marjorie Emery confirmed that any development of the property which denigrated its natural state or promoted commercial or technological uses, such as the erection of cellular telephone towers, was incompatible with the spirit of the transfer of ownership to the citizens of Lake Oswego. This property was not intended to be developed in whatever manner that city planners might choose. It was intended to be and remain a natural preserve, a refuge for the remnant of wild creatures and plants that once were the primary inhabitants of this land. It was intended to remain the refuge for humans from the stresses of economic and social life that it had been for the Emery's. It was intended to remain a prominent contrast to habitual human contexts. It was thus explicitly intended to be the very antithesis of the commercial and technological environments which dominate human sensibilities outside its boundaries. The installation of water tanks on the butte was considered the only compromise of this natural status to be allowed. To install communications towers on this hilltop would 'trump' all these concerns and values in the most obvious manner. If the citizens of the City of Lake Oswego sincerely prefer to value this property for commercial and technological purposes then they should consider what purchasing it now would cost them.

Cook's Butte, p. 1

As surviving heirs of Marjorie and John Emery, we regard commercial and technological installations on the site a breach of the original deed granting ownership of the property to the City of Lake Oswego. We do not approve and intend to oppose such use of the property now and in the future.

Most Sincerely,

  
Leslie M. Emery


  
John F. Emery

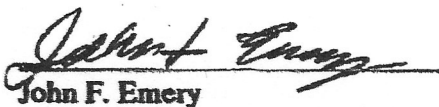


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