



Property Owners for Sensible Roads Policy

June 13, 2007

Re: **Support Representative Mark Udall's amendment to the Interior Appropriations bill that will stop the Administration's anti-private property policy on R.S. 2477**

Dear Congress:

Private property owners in the West are deeply frustrated with the Administration's careless policies that allow counties to claim roads across our property. We bought our property to raise our families, retire, ranch, and enjoy. But our lives have been disrupted by counties and off-road vehicle groups that trespass over our properties claiming they can do so under an old law called R.S. 2477. Our rights are being disrespected, and the Administration's policies, particularly one crafted by Interior Secretary Gale Norton in March 2006 just before she left office – have only fanned the flames of controversy by making it possible for these trespassing counties to control roads while undercutting our ability to dispute the claims. While the Norton policy may only apply to federal lands, approving claims on such lands will encourage trespass and damage to neighboring private property where alleged claims cross both types of land. We need to stop these policies before they cause private property rights to be trampled. Please support Rep. Mark Udall's amendment to stop these anti-private property policies.

To us, this is not just some battle over a 140-year-old law. We are confronted with vandalism, having our driveway gates torn down, and bulldozing across our land. Private property owners like Utah residents Ron and Jana Smith have been dealing with a road claim that runs through their property. An account of that ordeal is discussed below:

"...After Kane County ran a road grader through our property in 1999, it was painfully clear that further efforts to avoid litigation were useless. We were forced to hire an attorney and file a lawsuit. One year later the courts permanently stopped the RS 2477 proponents, awarding us the rights and title to our property that we knew we had in the first place. RS 2477 is potentially a serious threat to other western land owners.

When the Administration prepared this policy, we urged them to stop. We couldn't believe former Interior Secretary Norton, who claimed to be a private property rights advocate, would ever approve a policy that would effectively encourage trespassing across privately-owned property. To add insult to injury, the policy also legitimizes bulldozing of claimed routes under the guise of allowing "increased travel." We believe this policy was hastily-prepared by Secretary Norton since she approved it ten days before her tenure ended. This careless act could cause so much harm and needs to be stopped. Please contact me for more information at (303) 588-8999.

Sincerely,



A.J. Chamberlin
President