

# FOR IMMEDIATE RELEASE

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## **EUGENE SUED IN CIVIL RIGHTS LAWSUIT OVER BEVERLY PROPERTY**

EUGENE, OR, MARCH 11, 2010: The ten year old saga on whether the City of Eugene should use eminent domain, or allow development on the Amazon Headwaters property escalated today when Canby attorneys from Tyler Smith & Associates P.C. filed a civil rights lawsuit against the City of Eugene. The property is owned by Martin and Leslie Beverly of Eugene who have spent the last ten years attempting to develop the property. The lawsuit demands almost \$4.5 million dollars as reasonable compensation for the taking of private property for public use. The Beverlys were forced to take this action when the City of Eugene ceased efforts to negotiate on the property and took the position that they would wait until a development was approved - if ever- before taking the final step to condemn the property. For nearly six years now residents of Eugene have been using the property as a public park in conjunction with the Ridgeline Trail System and other nearby parks but against the wishes of the owners. The lawsuit points out that Eugene has erected signs, and created maps that direct trail users onto and across the more than 20 acres resulting in a web-like pattern of trails - most of which are trespasses. The City, as well as the McKay and Tall Pines subdivisions were also sued for directing their storm water onto and across the Beverly property.