

My name is Antonio Guerra, my wife and I are the owners of the property located at 15202 Spruce Grove Road, in Lower Lake, adjacent to the property owned by Laura Miller, and to which Will Dawson is applying for a Major Use Permit. I am here this morning at this hearing to enlighten the Commission members on facts that they may not be aware of, as regards to the creation, construction and development of this project.

This project began taking shape in the Spring of 2017. After a return from an extended vacation, we noticed that, what we thought was a vegetable garden, had sprung up almost overnight, bordered by a six-foot high wooden fence measuring approximately 200 by 100 feet. It was not until several months later that people more "savvy" than ourselves brought to our realization that what we were looking at was a "pot farm." My wife, in order to confirm this, went online for a satellite view, and discovered that there were 48 separate marijuana plants within this enclosure. In late 2017, we noticed that the wooden fence was being taken down, bit by bit. 2018 saw the beginnings of a continuous caravan, spanning several months, of large industrial trucks, bringing in cisterns, PVC plumbing piping, backhoes and agricultural equipment, and large round, concrete planters. This was now followed by 2 weeks of continuous, 10-ton truckloads of topsoil that unloaded daily from 8 am to 4 pm. Finally, truckloads of cyclone wire arrived, which quickly became an eight-foot enclosure, which now had **tripled** the area in size. The distance from the principal roadway to Ms. Miller's property line is approximately 400 yards. This roadway is dirt, and the soft earth of Spring has left our roadway permanently rutted and full of potholes. Exhibit 1, are photos recently taken of the current damage. Concurrent with the aforementioned, was the noise that had effectively negated the "peace and quiet" that was original reason for buying this, our retirement property. Added to this, was the constant dust created by these large, commercial vehicles, which forced us to keep our doors and windows closed because I suffer breathing problems due to dust and pollen, which I believe the Lake County Air Quality Management District lists as a possible **Roadway** air quality hazard under its **PROHIBITIONS AND STANDARDS**, under Section 251.1. I am a VietNam veteran and am being treated by the VA for this breathing condition. With all of the current lying and false misrepresentation by non-veterans, which is currently a criminal offense under federal law, exhibit 2 is a photo copy of proof of my veterans' status.

With this said, I would now like to offer the first objection to the granting of a permit for the commercial cultivation of marijuana as it now stands.

**BOS Exhibit C2** RECEIVED

APR 11 2018



California voters have had their voices heard, and as a result, marijuana, and its cultivation is now legal, and is projected to rake in a whopping \$5.1 billion in revenues. What has not been considered, is the part where part of that payoff is Murder. In Sonoma County, some officials are complaining that all of this legal weed business has spawned an increase in "home invasions, violent crimes and robberies," as was reported in a recent issue of the *Cloverdale Reveille* (See exhibit 3). According to the article, criminals from the East Coast are traveling around the country with the sole purpose of robbing legal marijuana growing concerns. These types of crimes have become a common occurrence in the areas of Cloverdale, Santa Rosa, Sebastopol and Petaluma. How long will it be before this wave of violent, criminal behavior moves in to our county, which is just next door? In **our** specific case, the petitioning Dawson Cannabis Project lies right next door to our property, and it requires anyone contemplating robbing **that** entity, to traverse our home, and property in order to get to their intended victim. Crime and violence will always exist where there's big money involved. The Planning Commission's approval of the Dawson Cannabis Project puts us smack in the middle of any form of future criminal activity, which we are totally opposed to having some county agency unwittingly put us in harm's way.

Right-of-way easements have existed since the 1800's, most commonly being, what is referred to as the "Dominant and subservient estate" type. Laura Miller, the absentee owner of 15232 Spruce Grove Road, holds such an easement (see exhibit 4). This type of easement was granted to allow the owner of parcel A to use a driveway through parcel B to gain access to A's house. This particular easement was granted, according to existing records, in 1992. It is fair to assume that these two parcels were residential dwellings, and that the vehicles used were cars for personal usage. The current resident at 15232 Spruce Grove Road, is Mr. Jack Cowan, the father of Laura Miller, who has lived there alone at this address since our moving in next door in 2010. Mr. Cowan owns one vehicle, a late model Toyota 4Runner SUV. This type of vehicle, in and of its own, has made very little impact on our driveway which Mr. Cowan has used for personal passage through our property.

Since 2017, these conditions, and their impact upon our roadway, have drastically changed the physical dynamic usage of this referenced roadway. What was originally intended for residential usage, has now become a throughway for commercial usage, **not what it was originally designed, and intended for**. In my opening statements I have delineated how, the current Applicant, Mr. Will Dawson, has availed himself of our

# California Officials Say Marijuana Legalization Causing More Violent Crime

**Mike Adams**

Contributor

*I cover various facets of the cannabis culture.*

While California's recreational marijuana market is projected to rake in a whopping \$5.1 billion in 2018, some parts of the state say the payoff is murder. In Sonoma County, which is around 100 miles outside San Francisco, some officials are complaining that all of this legal weed business has done nothing for their community but spawn "home invasions, violent crimes and robberies," according to a report from the *Cloverdale Reveille*.

It seems that bad mama jama's from the East Coast are traveling across the country with the sole intention of using the Golden State's legal marijuana status to run a racket of extreme thievery. These types of crimes have become a common occurrence in the areas of Cloverdale, Santa Rosa, Sebastopol and Petaluma. The goal of these criminal organizations, the report reads, is to get their hands on marijuana, by any means necessary, and then transport it back to the east coast for sale on the black market.

Sergeant Spencer Crum of the Sonoma County Sheriff's Department claims "bodies have piled up," as a result of this scheme.

This is not the first time legal marijuana has been associated with an increase in violent crime. It was just last year that U.S. Attorney General Jeff Sessions pointed the finger at legal pot sales in Colorado as the culprit behind an increase in violence in outlying areas.

"We're seeing real violence around [legal marijuana]," Sessions told reporters during a 2017 press briefing. "Experts are telling me there's more violence around marijuana than one would think and there's big money involved."

But is this claim real?

Interestingly, a study published earlier this year in the *Economic Journal* found that the legalization of marijuana is actually contributing to lower crime rates in the United States and Mexico. Crimes, including robberies, murders and aggravate assaults have all dropped by around 13 percent in areas close to medical marijuana states. The logic is that since people living in these legal jurisdictions are now allowed to cultivate and buy marijuana through legal channels, there is no need for them to engage in dangerous black market activity.



But it is not the people living in legal states that are causing the problems – it's the thugs from areas of prohibition that are coming in to take advantage of the situation, says Sonoma County Agricultural Commissioner Tony Linegar. "Marijuana is so valuable men are willing to kill for it," he said.

## YOU MAY ALSO LIKE

It is important to point out that Linegar does not appear to be anti-marijuana. He believes "marijuana ought to be treated as any other crop, provided that public safety is assured, banking issues are resolved and the smell of marijuana doesn't adversely affect neighbors."

It all comes down to the price of weed on the black market, Linegar added. As long as there is a demand for pot where prohibition remains the law of the land, there will be a vibrant black market.

The only way to bring this violent fiasco to a screeching halt is "ending the federal prohibition and resolving the banking issue," he said.

While it is true that federal marijuana legalization would make most things easier with respect to marijuana – after all, no one is killing anyone these days over a bottle of beer --there is no evidence that statewide legalization is making life more threatening for anyone.

But it could be awhile before federal legalization comes to pass. As it stands, Congress has yet to embrace the issue. Despite a handful of lawmakers willing to support temporary protections, like the Rohrabacher-Blumenauer amendment, neither chamber (or Party, for that matter) seems a bit too concerned with the legal status of marijuana. In fact, even those representatives from legal states have said that they are staying out of the federal marijuana discussion until Sessions threatens to discount states rights and enforce some kind of crackdown. It is this "as long as everything is peaceful in my backyard" attitude that is part of the problem.

It has been said that the cannabis industry needs to support advocacy. The truth is more cannabis advocates should start concerning themselves less with temporary protections and worthless memos and start pushing for more concrete reforms.

But it is not the people living in legal states that are causing the problems – it's the thugs from areas of prohibition that are coming in to take advantage of the situation, says Sonoma County Agricultural Commissioner Tony Linegar. "Marijuana is so valuable men are willing to kill for it," he said.

## **YOU MAY ALSO LIKE**

It is important to point out that Linegar does not appear to be anti-marijuana. He believes "marijuana ought to be treated as any other crop, provided that public safety is assured, banking issues are resolved and the smell of marijuana doesn't adversely affect neighbors."

It all comes down to the price of weed on the black market, Linegar added. As long as there is a demand for pot where prohibition remains the law of the land, there will be a vibrant black market.

The only way to bring this violent fiasco to a screeching halt is "ending the federal prohibition and resolving the banking issue," he said.

While it is true that federal marijuana legalization would make most things easier with respect to marijuana – after all, no one is killing anyone these days over a bottle of beer --there is no evidence that statewide legalization is making life more threatening for anyone.

But it could be awhile before federal legalization comes to pass. As it stands, Congress has yet to embrace the issue. Despite a handful of lawmakers willing to support temporary protections, like the Rohrabacher-Blumenauer amendment, neither chamber (or Party, for that matter) seems a bit too concerned with the legal status of marijuana. In fact, even those representatives from legal states have said that they are staying out of the federal marijuana discussion until Sessions threatens to discount states rights and enforce some kind of crackdown. It is this "as long as everything is peaceful in my backyard" attitude that is part of the problem.

It has been said that the cannabis industry needs to support advocacy. The truth is more cannabis advocates should start concerning themselves less with temporary protections and worthless memos and start pushing for more concrete reforms.



RECORDING REQUESTED BY:  
 Stewart Title of California  
 WHEN RECORDED MAIL TO  
 AND MAIL TAX STATEMENTS TO:  
 Laura A. Miller  
 189 Vernon Terrace #17  
 Oakland, CA 95610  
 TITLE ORDER NO. 7931-446467  
 ESCROW NO. 7912-446467  
 APN. 013-060-18

Doc # 2012008908  
 Page 1 of 2  
 Date: 5/24/2012 11:18A  
 Filed by: SPL EXPRESS  
 Filed & Recorded in Official Records  
 of COUNTY OF LAKE  
 DOUGLAS W. WACKER  
 COUNTY RECORDER  
 Fee: \$10.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## GRANT DEED

### THE UNDERSIGNED GRANTOR(S) DECLARE(S):

DOCUMENTARY TRANSFER TAX is: \$0.00

CITY TAX is: \$0.00

Monument Preservation Fee is: \$0.00

- ☒ computed on full value of property conveyed, or  
☐ computed on full value less value of liens and encumbrances remaining at time of sale.  
☐ Unincorporated area: ☒ City of Lower Lake, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Laura A. Miller who acquired title as Laura Ann Miller

hereby GRANT(S) to Laura A. Miller, a single woman

the following described real property in the City of Lower Lake, County of Lake, State of California:

FOR LEGAL DESCRIPTION, SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Dated: May 21, 2012

*Laura A. Miller*  
 Laura A. Miller

STATE OF CALIFORNIA

COUNTY OF Alameda

On 05-21-2012 before me,  
Usha M Patel a Notary Public,  
 personally appeared Laura A Miller

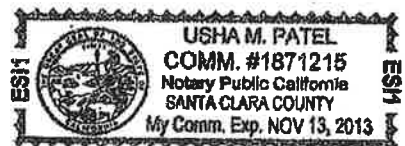
who proved to me on the basis of satisfactory evidence) to be the person(s), whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Usha M Patel

(Seal)



MAIL TAX STATEMENTS AS DIRECTED ABOVE

## EXHIBIT "A"

## LEGAL DESCRIPTION

Tract One:

Parcel 2 as shown on that certain map filed October 17, 1994 in Book 34 of Parcel Maps at page 19, Lake County Records.

Tract Two:

A 20' (foot) wide Roadway and Public Utility Easement across Parcel 1 as shown on that certain Parcel Map filed in the office of the Lake County Recorder in Book 34 of Parcel Maps at page 19, filed October 17, 1994, the center-line of which is described as follows:

Beginning at a point on the Easterly right-of-way line of Spruce Grove Road, as shown on said Parcel Map, that is located South  $19^{\circ} 06' 02''$  West, a distance of 31.40' (feet) from a point on said right-of-way line that is South  $15^{\circ} 13' 25''$  West, a distance of 195.53' (feet) from the most Northwestern corner of Parcel 1 as shown on said Parcel Map; thence leaving said right-of-way line, and running South  $52^{\circ} 24' 59''$  East, 234.72' (feet); thence South  $56^{\circ} 48' 56''$  East, 65.07' (feet); thence South  $61^{\circ} 28' 34''$  East, 232.80' (feet); thence South  $44^{\circ} 59' 45''$  East, 168.09' (feet); thence South  $55^{\circ} 48' 18''$  East, 82.85' (feet); thence South  $44^{\circ} 06' 05''$  East, 91.54' (feet); thence South  $36^{\circ} 25' 02''$  East, 131.52' (feet); thence South  $25^{\circ} 14' 21''$  East, 114.82' (feet); thence South  $46^{\circ} 38' 09''$  East, 31.39' (feet) to a point on the most Southerly line of said Parcel 1, said point lying North  $39^{\circ} 46' 32''$  West, a distance of 902.99' (feet) from the Section Corner common to Sections 5, 4, 7, & 9 in Township 11 North, Range 6 West, M.D.M.

APN: 013-060-180-000

*A non-exclusive, perpetual easement and "right of way" generally for street and utility purposes.*





RECORDING REQUESTED BY:  
 Stewart Title of California  
 WHEN RECORDED MAIL TO  
 AND MAIL TAX STATEMENTS TO:  
 Laura A. Miller  
 189 Vernon Terrace #17  
 Oakland, CA 95610  
 TITLE ORDER NO. 7931-446467  
 ESCROW NO. 7912-446467  
 APN. 013-060-18

Doc # 2012008908  
 Page 1 of 2  
 Date: 5/24/2012 11:18A  
 Filed by: SPL EXPRESS  
 Filed & Recorded in Official Records  
 of COUNTY OF LAKE  
 DOUGLAS W. WACKER  
 COUNTY RECORDER  
 Fee: \$10.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S):

DOCUMENTARY TRANSFER TAX is: \$0.00

CITY TAX is: \$0.00

Monument Preservation Fee is: \$0.00

- ☒ computed on full value of property conveyed, or  
☐ computed on full value less value of liens and encumbrances remaining at time of sale.  
☐ Unincorporated area: ☒ City of Lower Lake, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Laura A. Miller who acquired title as Laura Ann Miller

hereby GRANT(S) to Laura A. Miller, a single woman

the following described real property in the City of Lower Lake, County of Lake, State of California:

FOR LEGAL DESCRIPTION, SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Dated: May 21, 2012

STATE OF CALIFORNIA

COUNTY OF Alameda

On 05-21-2012 before me,  
Usha M Patel a Notary Public,  
 personally appeared Laura A Miller

Laura A. Miller  
 Laura A. Miller

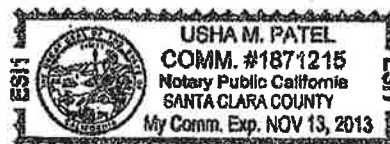
who proved to me on the basis of satisfactory evidence) to be the person(s), whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Usha M Patel

(Seal)



MAIL TAX STATEMENTS AS DIRECTED ABOVE

roadway, without our knowledge, or permission, to establish a commercial enterprise, and the physical and environmental results to a roadway, that never was intended for commercial usage, since its inception 27 years ago.

We want to make it perfectly clear that we are opposed to the Committee granting a commercial permit to the Dawson Enterprise, as it currently exists, that is, the utilization of the current easement for the exploitation of a commercial venture.

I have investigated, using the Assessor's Office, Survey Office, Community Development and City Planning Office, to determine the exact extent of the physical parameters of the land listed as 15232 Spruce Grove Road. What has come to light is, the fact that Laura Miller's property has two abutments that border on public roadways; to the West onto Spruce Grove Road, and to the East onto Jerusalem Grade Road (see exhibit 5). It is our contention that, if Lake County Planning Commission decides to grant a permit, that it be **conditionally binding** on Mr. Will Dawson and Laura Miller, to construct a passable roadway for commercial purposes onto Jerusalem Grade Road.

In summation, I am informing this commission that I have already retained legal counsel, and should this commission decide to disregard the arguments that we have set forth at this meeting, it is my intention to file in Superior Court for an injunction against the property owner of 15232 Spruce Grove Road, with a motion to rescind the current easement through our property. I thank the committee members for taking the time to listen to our plea, and their consideration in this matter.

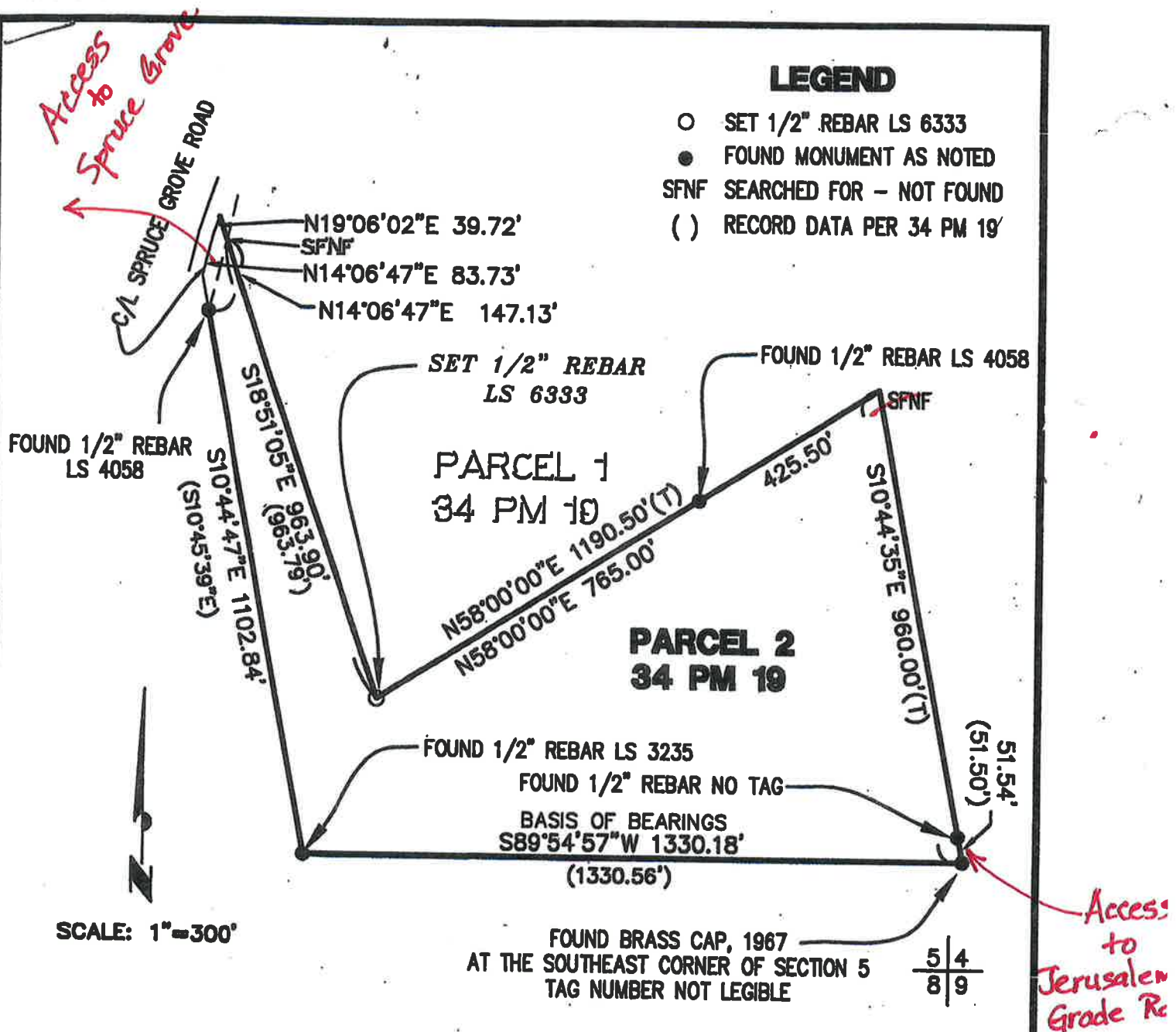
I declare under penalty of perjury that the forgoing facts are true and correct and that the foregoing opinions are my true and honest opinions. This Declaration is executed this tenth day of April, 2019 in Lakeport, California.

  
Antonio Guerra-Freiré

4-10-19  
Date

  
Doris Guerra-Freiré

4-10-19  
Date



### BASIS OF BEARINGS

TAKEN AS: N 89°54'57" E BETWEEN FOUND SECTION CORNER AND REBAR LS 3235, AS SHOWN ON THE PARCEL MAP, FILED IN BOOK 34 OF PARCEL MAPS AT PAGE 19, LAKE COUNTY RECORDS.



### CORNER RECORD

PARCEL 2, BOOK 34 PM 19  
15232 Spruce Grove Rd  
LAKE COUNTY CALIFORNIA

JUNE 2014

DRAWN BY: MJM

RFV 1/18/2017