

From: [REDACTED]
Cc: BOS_PublicComment@co.nevada.ca.us
Date: Friday, September 18, 2020 4:33:04 PM
Attachments: [Appeal Letter Part 3.pdf](#)

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Here is Part Three of Andresen Response for Appeal Hearing Sept 22, 2020.

Thank you,
Cheryl Andresen

Kerry -
As you have acknowledged
we own the road in front
of our house. I was
going to let things alone
but since you are
burning me in you do not
have permission to put
your things down on
our property.
I am not taking
any more

1-16-19



NO STOPPING
TRESPASSING
OR
PLOWING!
Private Property



Drive By But...
NO STOPPING
TRESPASSING
OR
PLOWING!
Private Property!

WELCOME DRIVE BY
SLOWLY-CHILDREN
NO STOPPING
NO TRESPASSING
NO PLOWING
PRIVATE PROPERTY
THANKS

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

Michael B. Brown (SB #179222); Tiffanie C. de la Riva (SB #309092)
500 Capitol Mall, Suite 1600
Sacramento, CA 95814

To keep other people from seeing what you entered on your form, please press the Clear This Form button at the end of the form when finished.

TELEPHONE NO.: (916) 447-0700 FAX NO. (Optional):

E-MAIL ADDRESS (Optional): michael.brown@stoel.com

ATTORNEY FOR (Name): Larry Andresen

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Nevada

STREET ADDRESS: 10075 Levon Avenue, #107

MAILING ADDRESS:

CITY AND ZIP CODE: Truckee 96161

BRANCH NAME: Truckee

PLAINTIFF/PETITIONER: Larry Andresen

DEFENDANT/RESPONDENT: Peter Rivara

DECLARATION

CASE NUMBER:

I, Larry Andresen, declare as follows:

1. I am over the age of eighteen, and if called to testify, I could and would testify competently of my own personal knowledge.
2. Respondent's behavior has been ongoing for approximately 10 years. Ten years ago, I asked Respondent why he appeared to dislike me. He responded that it was because I "put gravel on the road and now it is difficult for [his] wife to walk on (Iceland Road)." Responded additionally told me he never wanted to talk to me again and that just having to look at me made him angry.
3. During one incident where Respondent verbally harassed me, I was staking out fence posts on one of my rental properties. Respondent asked what I was doing, and during the course of the conversation, I told Respondent, "Pete I hope you have a nice day." Responded replied, "I hope you have an awful day. I hope you break your leg, I hope you are in a lot of pain. I want to see you in a lot of pain. I can't stand to look at your or see your face."
4. Respondent has yelled at other neighbors, people passing by, and even Glen Jobe, a retired appraiser who was conducting an appraisal on one of the properties.

[continued on page 2]

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: January 26, 2017

Larry Andresen

(TYPE OR PRINT NAME)


(SIGNATURE OF DECLARANT)

- Attorney for Plaintiff Petitioner Defendant
 Respondent Other (Specify):

(4)

SHORT TITLE: Declaration of Larry Andresen	CASE NUMBER:
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ATTACHMENT (Number): 2

(This Attachment may be used with any Judicial Council form.)

5. On August 4, 2016, Respondent verbally harassed my wife, Cheryl Andresen. I was turning on sprinklers at a neighbor's home with their permission. To the best of my knowledge, Cheryl was shutting off the water valves. Respondent began yelling at Cheryl, then followed Cheryl down the roadway, yelling approximately 6 inches from her face. Respondent's wife, Jamie, held Respondent's arm and attempted to get him to go back inside their home, but this was unsuccessful. Jamie witnessed Respondent's behavior. Respondent continued yelling at Cheryl as she walked home, using profanities and calling her a "fucking bitch" and telling her to "fuck off." Respondent shouted that he would report us to the authorities for watering the roadway. Cheryl reported this incident to the Sheriff's Department. The officer stated he would call Respondent about this incident.

6. During the week of January 2, 2017, I was clearing snow with my backhoe on Iceland Road proceeding down Floriston Avenue. Respondent attempted to prevent me from accessing the roadway by blocking the road with his vehicle. When I steered around Respondent, he followed me approximately 6" from the rear of my backhoe for a distance of about 300 feet. Respondent parked his vehicle in the middle of Floriston Avenue, blocking access on Floriston Avenue. He then moved his truck to block the roadway and moved his car back into his driveway. His truck continued to block the roadway. When my neighbor, David Hershey, requested Respondent move his truck to allow access to the roadway, Respondent replied that the Highway Patrol told him he could park in the road. This incident was documented on our cameras.

7. On January 11, 2017, I was clearing snow on Floriston Avenue. I got out of my loader and walked to the front of the Rivara property to take pictures of the cleared roadway. As I was walking back to my loader, Respondent came charging at me and yelling to stay the "Fuck off [his] property." I reached for the backhoe door handle, but Respondent grabbed my arm and pinned me against the loader. I could not move and told Respondent to "Get off me, get off me, let go." At some point, Respondent ripped the sweatshirt off my arm. During the struggle, my key ring was torn apart, bent, and distorted. I lost several keys, some of which have not been recovered.

8. Due to Respondent's behavior and verbal threats, I continue to fear for my safety.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 2 of 2

(Add pages as required)

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10 Attorneys for Petitioner
11 Larry Andresen

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF NEVADA
14 TRUCKEE BRANCH

15 LARRY ANDRESEN,

16 Petitioner,

17 v.

18 PETER RIVARA,

19 Respondent.

CASE NO. TCU17-6578

DECLARATION OF DAVID HERSHEY
IN RESPONSE TO RESPONDENT'S
RESPONSE TO REQUEST FOR CIVIL
HARASSMENT RESTRAINING ORDERS

Hearing:

Date: May 2, 2017

Time: 1:30 p.m.

Dept: A

1 I, David Hershey, declare:

2 1. I have personal knowledge of the facts stated in this Declaration and, if called as a
3 witness, could and would testify competently to those facts.

4 2. I reside at 10965 Floriston Avenue, Truckee, California 96161. I have lived here
5 since approximately October 2016. I rent from Ron and Virginia Legg, the property owners.

6 3. I reviewed the Response filed by Peter Rivara on April 28, 2017, and have the
7 following comments.

8 4. Paragraph 6 of Mr. Rivara's declaration lists an incorrect date and appears to be
9 mixing up different incidents.

10 5. As noted in my January 25, 2017, declaration the date he blocked the one and only
11 road was January 3, 2017. I further noted in my declaration that Mr. Rivara 'eventually moved
12 his vehicle' but I did not describe in detail Mr. Rivara's unreasonable behavior before I was able
13 to convince him to move. I feel that the addition of a better description of his behavior may be
14 helpful.

15 6. After seeing that he had blocked the road I asked him to move his vehicle. He
16 refused and told me to "call the sheriff. The sheriff said I can block the road, I don't have to
17 move it - he has to talk to me. I am going to make that son-of-a-bitch talk to me." (The he being
18 Mr. Andresen). I sarcastically replied, "Thanks for being a good neighbor, thanks for being a kind
19 human." So I then went back to my house to tell my girlfriend Rebecca Dunsing who came
20 outside and took a photograph of the vehicle in the roadway and she then went back inside to call
21 the sheriff's office. I got into my vehicle and went down the road and sat and honked the horn
22 repeatedly to get Mr. Rivara to come back out of his house to move his vehicle out of the
23 roadway.

24 7. Pete came out and said "I can park here" but while he was saying that he moved
25 the vehicle. His wife came out of the house at that time and after driving through I stopped and
26 got out of my vehicle and walked over to her and said "Jamie this is unacceptable, Rebecca and I
27 need access." She said "I agree." I had previously told them on several occasions not to block
28

1 the road especially considering Rebecca's job as a Deputy Probation Officer for Sierra County as
2 she is often 'on call' and has to respond if necessary.

3 8. Later that evening, apparently when Pete was not home, I was outside with my dog
4 and Pete's wife Jamie walked up the road towards me and said, "please don't tell Pete that I am
5 here. He will be mad at me. It was not right for him to do that. I am sorry for him blocking you."

6 9. **Paragraph 7 of Mr. Rivara's declaration** describes the physical altercation that
7 occurred on January 11, 2017. I addressed this incident in my declaration. But I noted that Mr.
8 Rivara in his declaration described the incident differently from how he described it to me and my
9 girlfriend Rebecca Dunsing at the time. Mr. Rivera in his declaration said that Larry pushed him
10 and kicked him. He did not tell us that at the time of the incident. He claimed at the time only
11 that Larry pushed him. As I noted I did not see the beginning of the incident, but as I also noted
12 in my declaration I did see Pete grabbing and pulling on Larry trying to prevent him from getting
13 into the cab of the backhoe. I also noted him slamming the door on Larry several times. I never
14 saw Larry kick Pete, not did Pete make any mention of that at the time of the incident.

15 10. Additional undated information: What was also not in my previous declaration
16 was an incident that I witnessed well before the snowfall started. I am unsure about the date but it
17 was not long after we moved in. I was outside in our yard and I heard yelling. When I looked to
18 see what was going on I saw Pete standing in the middle of the road, blocking Larry, stopping
19 him from driving on the road. Pete was yelling at Larry "fucking hit me!" Larry backed up and
20 turned his vehicle around and went back the direction he came.

21 11. On a different occasion, I am unsure of this date also, I witnessed Pete in his
22 vehicle "chasing" Larry who was driving his backhoe. This was in a wide spot of the road right
23 before you get to Pete's house/property. Pete was behind Larry who was in the backhoe and Pete
24 was weaving around each side of the backhoe erratically. Larry just continued in his backhoe
25 down the road.

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I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

Executed on this 1st day of May 2017, at Reno, Nevada.

David Hershey

2017-01-03 11:05:30



Exhibit 5 Mr. Rivara winches behind Backhoe following Mr. Andresen closely behind for approximately 300'

(1)

2017-01-03 11:05:37



GAM1

Mr. Ruvara parked his car after following Mr. Andersen in Bulchoe (2)
in roadway blocking thru traffic

2017-01-03 11:07:09



CAM 1

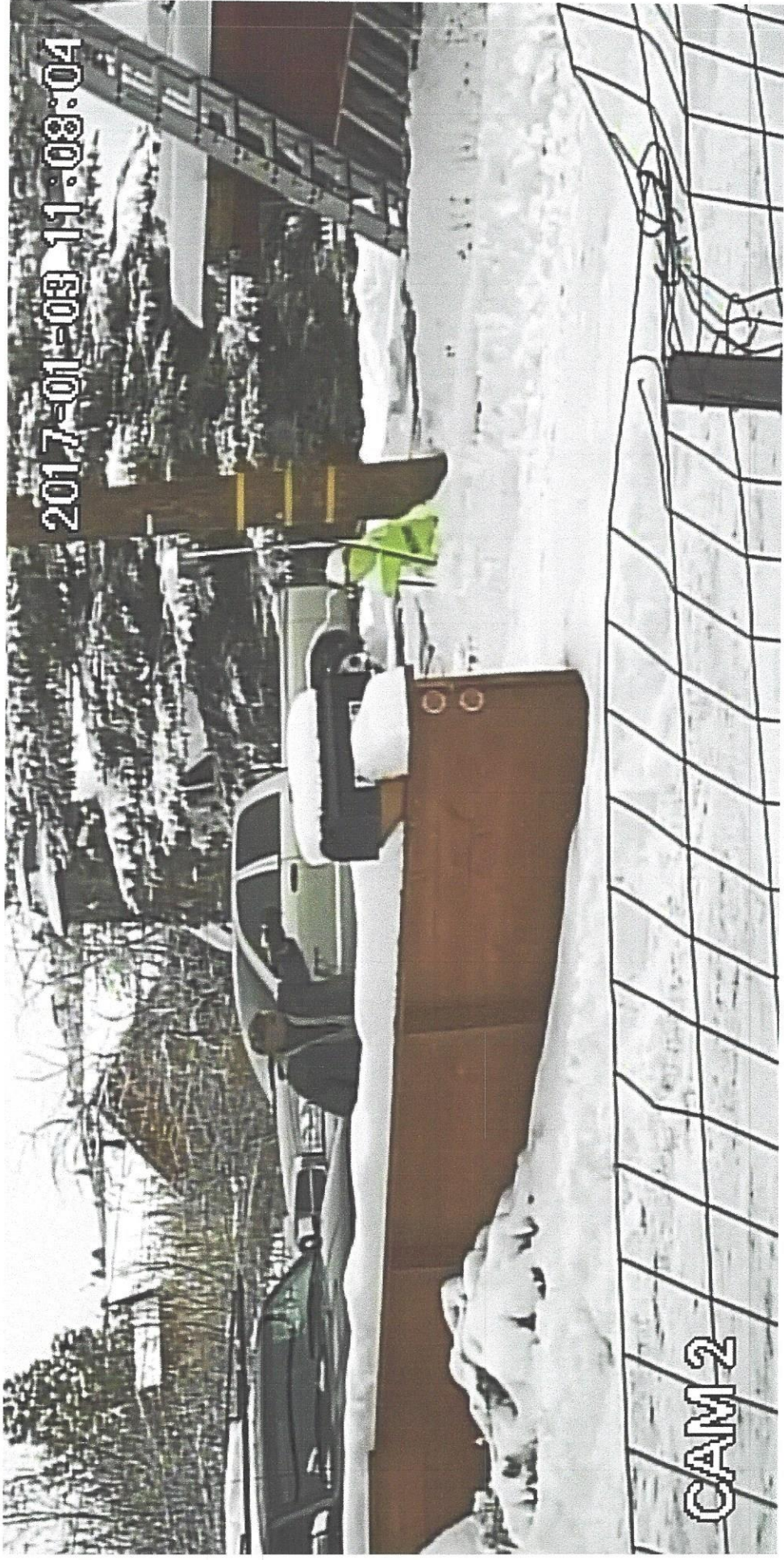
Mr Ruwara moved his car and placed his truck in roadway not allowing thru traffic. (3)



Mr. Hershey Pleading with Mr. Ruvara to move his truck to allow him thru on roadway. (4)



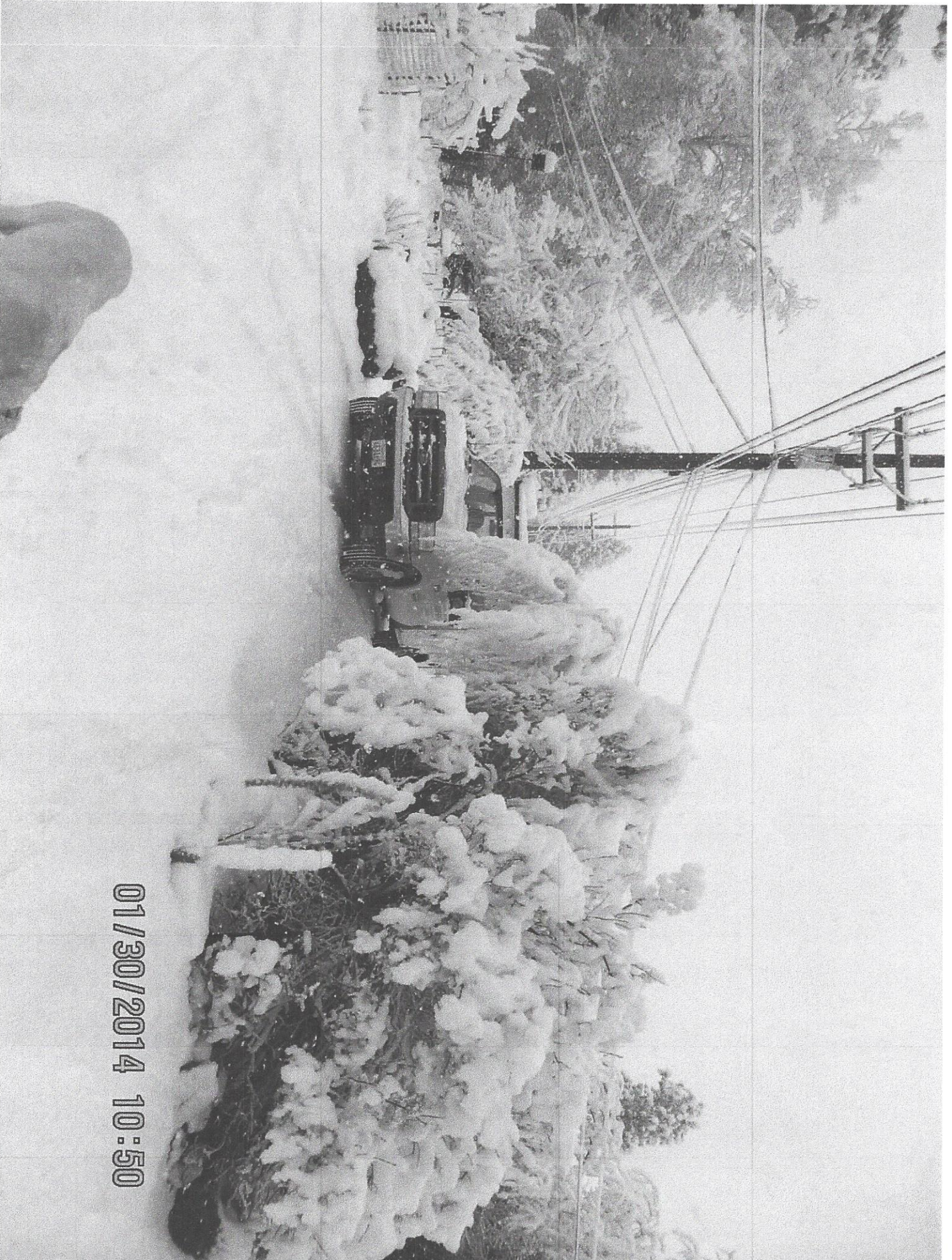
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2017-01-09 11:08:04

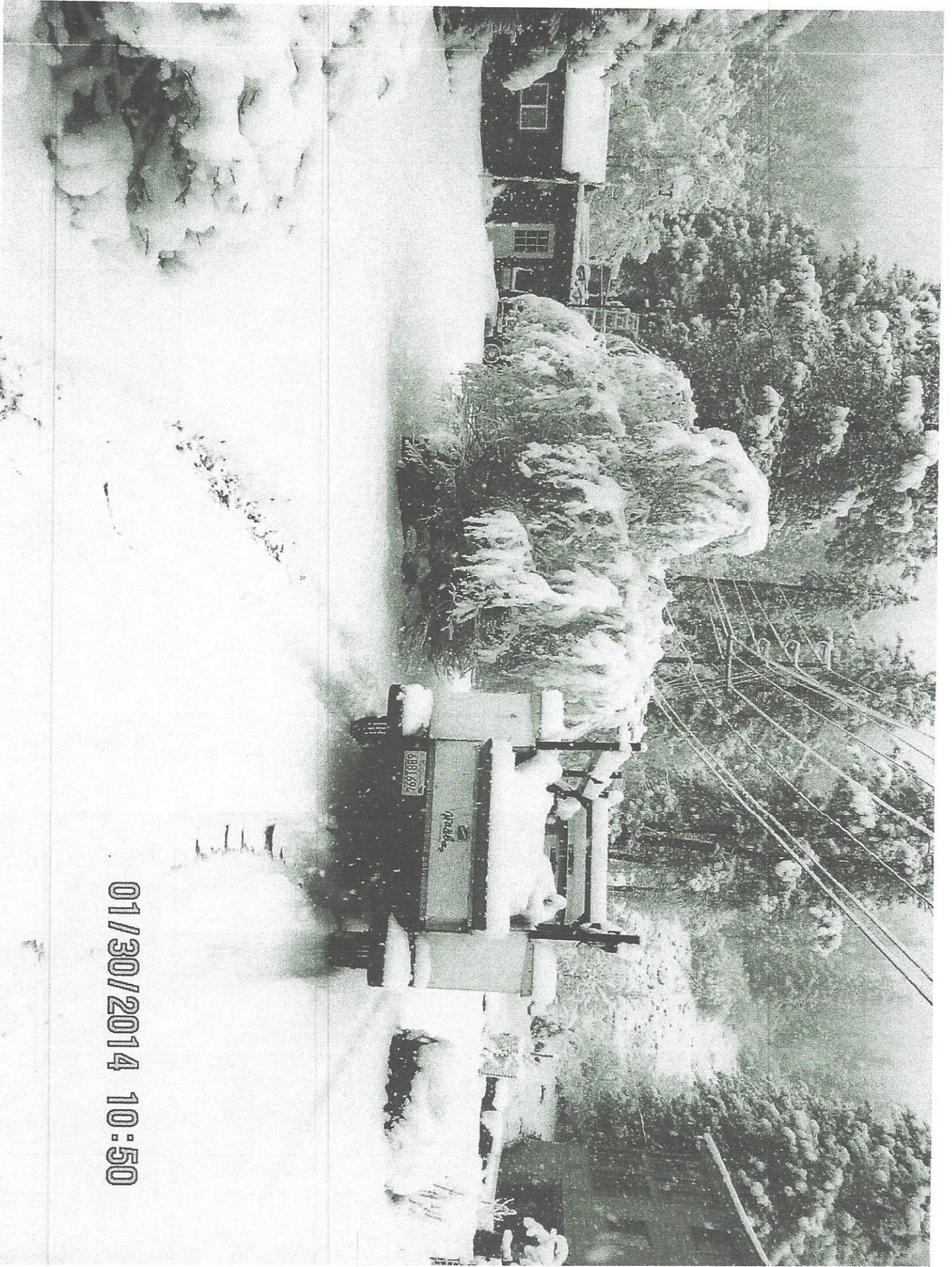
CAM 2





01/30/2014 10:50

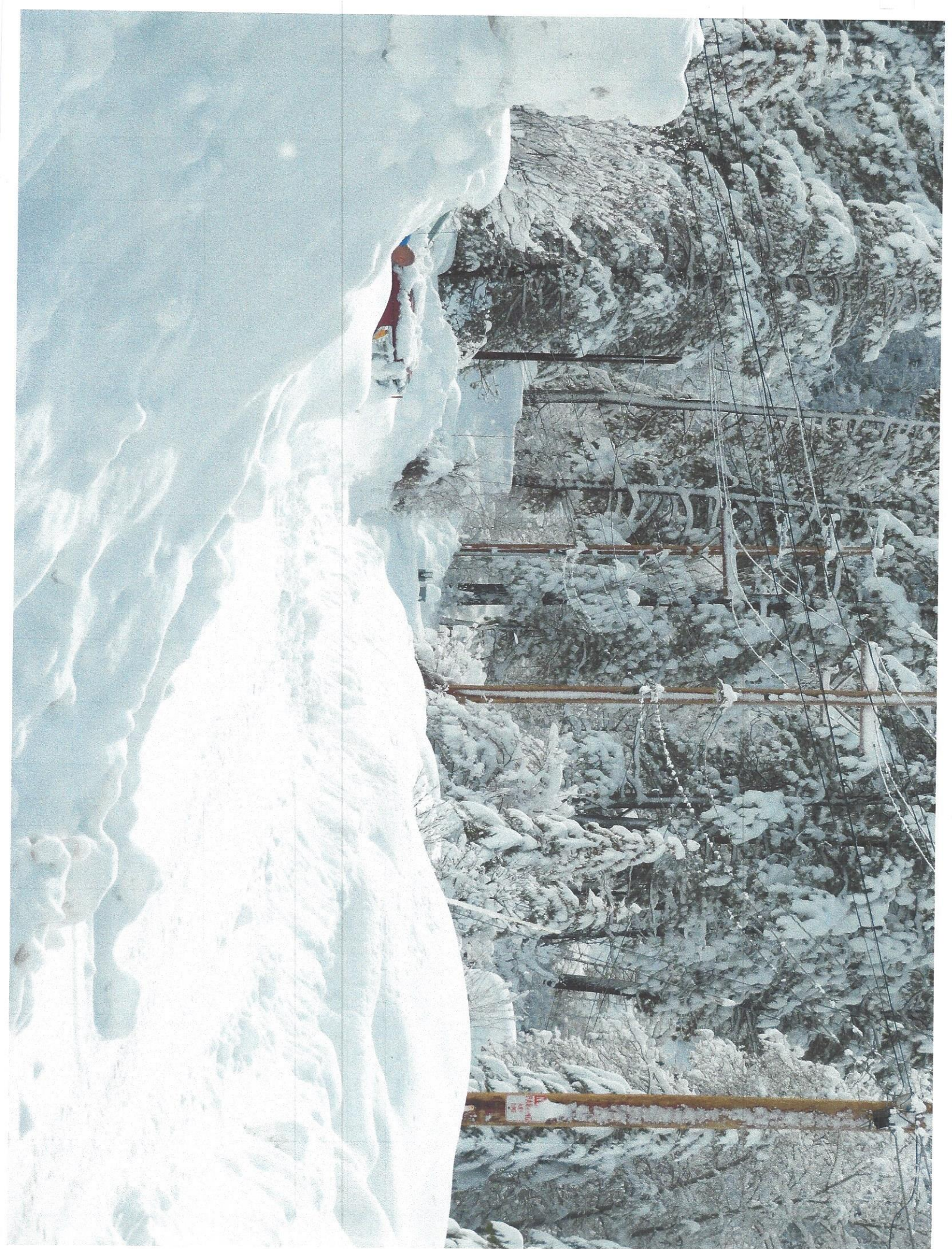
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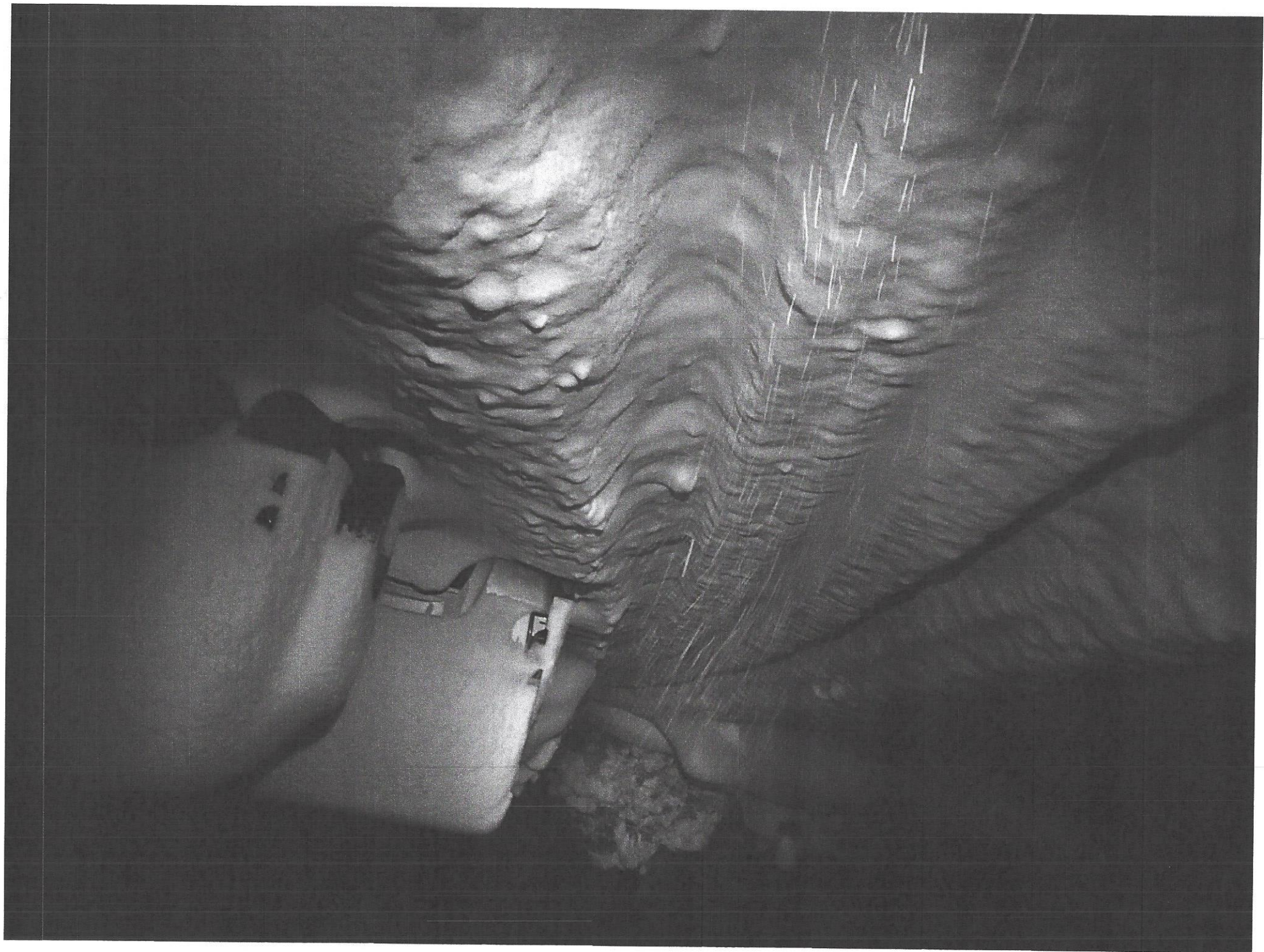


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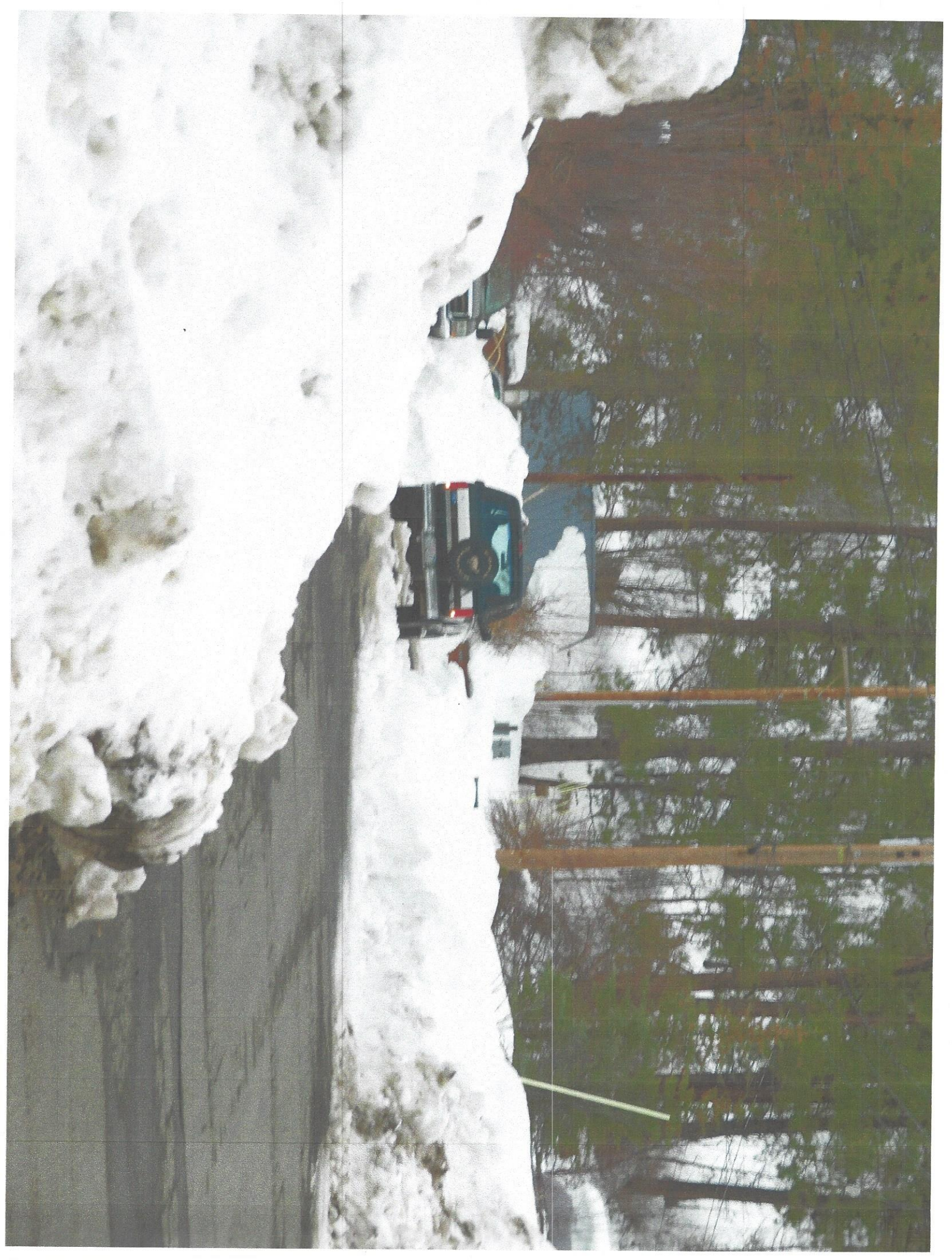














On Mon, Feb 8, 2016 at 2:50 PM, Duane Brunson [REDACTED] wrote:
She owns the home next to Larrys. He and Cheryl have smooosed her over. Her son on the other
hand hates Larry for all of same reasons I do. She lives in the mid west.

Sent from my iPhone

On Feb 8, 2016, at 1:22 PM, Richard Anderson <Richard.Anderson@co.nevada.ca.us> wrote:

Jamie and Duane, I've rec'd an e-mail from "Martha McBride" that strongly
supports Larry's redirection of Floriston Road. Who is she?

And Jamie, please e-mail me your letter today.

-Richard

Rhetta VanderPloeg

From: Richard Anderson <Richard.Anderson@co.nevada.ca.us>
Sent: Tuesday, February 09, 2016 6:22 AM
To: Duane Brunson
Subject: Re: Floriston Road

Duane, Larry complicated things a couple of weeks ago when he visited Public Works to drop off an application to straighten, widen, and grade Floriston road along the County right of way. You can easily guess what the project involves -- removal of the brushy "island," removal of the tree and structure in front of the Minnis's, removal of parking from in front of your home, etc. Jamie's comments yesterday about Larry's desire to use the ROW for the road seemed to indicate that you all know his intentions; the application is a further elaboration of those intentions, and one that (to the best of my knowledge) will not be accepted or otherwise acted upon by the County. The County's focus is on formalizing the existing path of travel as the legal roadway, and having a court recognize this would remove any basis for reverting to the existing ROW for the road.

The three letters (the third is from his wife) in support of Larry's project -- a project that is not even under discussion at this point -- were sent to the Board, so they probably are public documents. Before I forward them to you, though, I need to ask staff and make sure I'm not violating any protocol.

BTW, a simple e-mail from you to the Clerk of the Board that restates your "PS" would be helpful in providing balance to the e-mails sent by Larry's allies. Her address is Julie.patterson-hunter@co.nevada.ca.us. You could also add the addresses of the supes, if you'd like. So far, the only e-mail correspondence received from your side is one from the Fehrts. Attendance at public comment at my Truckee office might also be useful. I wouldn't even be surprised if the Andresens drive down to the Rood Center this morning.

-Richard

Sent from my iPad

On Feb 8, 2016, at 7:27 PM, "Duane Brunson" [REDACTED] wrote:

I'm confused about redirection and redesign in your 2 emails. I thought we were talking about the fence coming down and the road back the way it was. If Larry Andresen is allowed to keep the fence where it stand its set a prescedent for all of Nevada County. Or is this the idea Larry sent in during the bridge issue regarding making Floriston ave a 2 lane road? Are the supporting emails public? If so I would like to see them.

PS for the record I would like to see the Board of Supervisors stand up for Nevada County and have the fence taken down and Floriston Ave put back to what it has been for decades. Also some measure that Larry can't do road work on Floriston Ave.in any way shape or form in the future.

Duane Brunson
[REDACTED]

Rhetta VanderPloeg

From: Rhetta VanderPloeg
Sent: Thursday, December 6, 2018 10:58 AM
To: Rhetta VanderPloeg
Subject: FW: Floriston Ave.

From: Duane Brunson [REDACTED]
Sent: Wednesday, February 10, 2016 9:14 AM
To: Richard Anderson <Richard.Anderson@co.nevada.ca.us>
Subject: Re: Floriston Ave.

Lets make it our rental as it will still be sunny after 1pm, next door 10909 Floriston Ave. I'll set up some chairs, table etc.

On Wed, Feb 10, 2016 at 9:09 AM, Richard Anderson <Richard.Anderson@co.nevada.ca.us> wrote:
Great; let's all meet at your place, Duane. It'll be after 1, but I don't know how much after.

-Richard

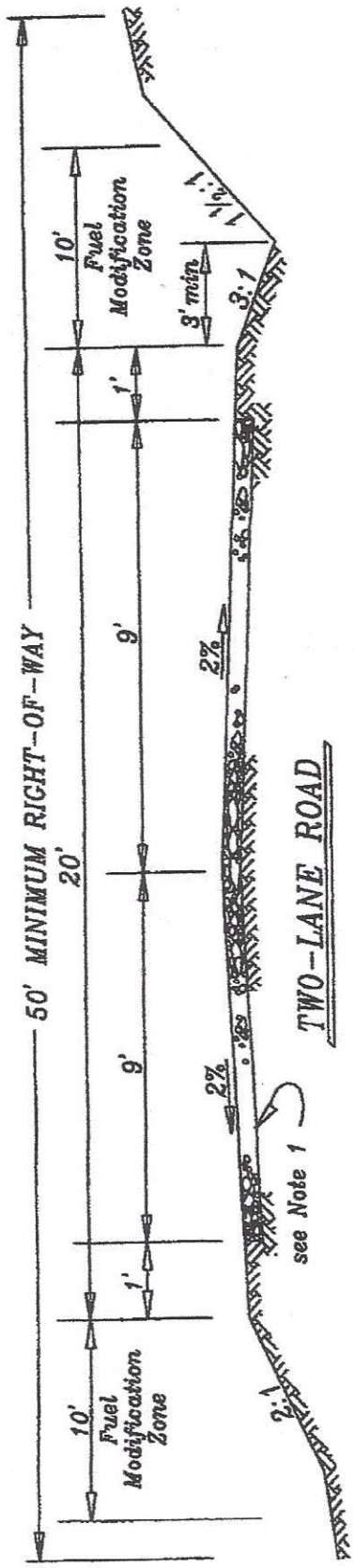
From: Duane Brunson [REDACTED]
Sent: Wednesday, February 10, 2016 9:07 AM
To: Richard Anderson; PETE RIVARA; John Minnis
Subject: Re: Floriston Ave.

You bet, if needed I offer my deck as a meeting place for us all.
530-392-0887

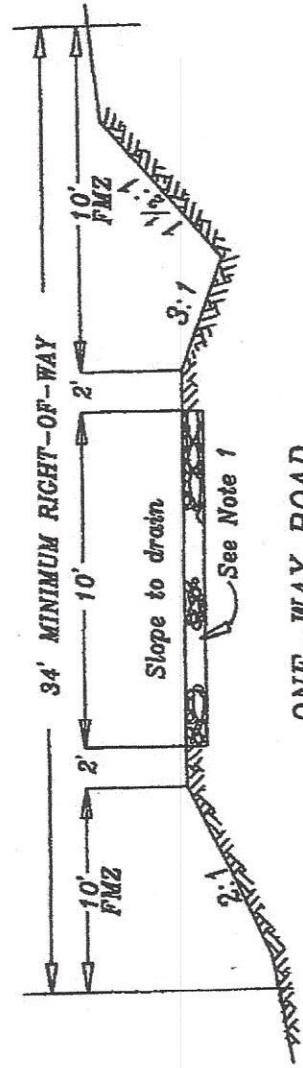
On Wed, Feb 10, 2016 at 8:44 AM, Richard Anderson <Richard.Anderson@co.nevada.ca.us> wrote:
Duane, the Clerk of the Board will be forwarding you, as per your request, the e-mails we rec'd regarding Floriston Ave.

County counsel and one of her staff attorneys are coming to Truckee today for an unrelated meeting. They're planning on visiting Hirschdale afterward. Would you and/or Diane have any interest in talking with them when they're in your community? (They can more precise job of explaining the Board's decision in the context of the closed session.) I'll also extend this invitation to Jamie/Peter and the Minnises. If this is something you all want to do, I can give you a head's-up call when we leave the other meeting....

-Richard



TWO-LANE ROAD



ONE-WAY ROAD

NOTES:

1. Minimum surface capable of supporting a 40,000 lb. vehicle with a minimum of 4" A.B., compacted to 95%, placed on a subgrade compacted to 90%.

COUNTY OF NEVADA
 DEPARTMENT OF TRANSPORTATION
 LOCAL RURAL ROAD SYSTEM
**FIRE STANDARD
 ACCESS ROAD**

Approved by: John W. Ramsey 5-04-95 Date
 Senior Civil Engineer

STANDARD DRAWING
 C-1

Rev. 5-04-95

