

Lindsey Ozbolt

From: Lindsey Ozbolt
Sent: Friday, January 20, 2017 4:32 PM
To: 'Peggy Michael Reddy'
Cc: 'ELST Master Plan'
Subject: RE: 161118 ELST South Samm B - Reddy - ROW

Dear Ms. Reddy,

Thank you for contacting the City of Sammamish regarding the current Shoreline Substantial Development Permit Application for East Lake Sammamish Trail Segment 2B (SSDP2016-00415).

Your comments have been received and will be included in the project record. At the close of the comment period, all comments will be compiled and provided to King County for review and response. You will be included in future notices the City issues for this proposal.

Additionally, I have received the correspondence between you and King County on January 19th and 20th, 2017. These will be included in the project record as well.

Regards,

Lindsey Ozbolt

Associate Planner | City of Sammamish | Department of Community Development
425.295.0527

From: Peggy Michael Reddy [mailto:reddy@benefits-consulting.com]
Sent: Tuesday, January 17, 2017 3:40 PM
To: Lindsey Ozbolt <LOzbolt@sammamish.us>
Cc: 'ELST Master Plan' <ELST@kingcounty.gov>; Peggy Michael Reddy <reddy@benefits-consulting.com>
Subject: 161118 ELST South Samm B - Reddy - ROW

Dear Ms. Ozbolt: I'm a property owner adjacent to the trail. Below is an email that I sent to King County informing them that I think they have misplaced the boundary stakes placed within my property boundary. Attached is the response from King County (16118 ELST South Samm B – Reddy – ROW). It's been two months and I have heard nothing further. This seems a very simple fix. King County has public records showing that I purchased that portion of the Burlington Northern ROW from the Land Conservancy in 1997 prior to the County's purchase of the trail ROW. I bought the entire length of the ROW from the Conservancy abutting my property – I believe approximately 250 feet by 25 feet. Attached also is documentation that I sent along with this email. Note the portion I purchased is referred to as "Parcel B". Should I go down to King County and find the actual recorded deed? The one attached is simply a change in the Grantor from me as a single person to my Trust. Kindly advise if I need to take action since there has been no additional information from the County. Note too that I have had the property surveyed on at least two separate occasions with the most recent one attached shown with the "ROW Purchase and Survey" attached. What's confusing is that either the County in the legal description of Parcel B in the deed or the Surveyor made a mistake as to boundary descriptions (using North instead of South or visa versa – it's not about where the stakes are located, it's about describing where they are located and having conflicting descriptive in reporting the location of the

boundary stakes);however, the error in the description has no bearing on the legitimacy of the purchase from the Land Conservancy of Burlington Norther ROW. Thank you, Peggy

Peggy Reddy
929 East Lake Sammamish Shore Lane SE
Sammamish, WA 97075
206.484.4845

From: ELST Master Plan [<mailto:ELST@kingcounty.gov>]
Sent: Friday, November 18, 2016 9:53 AM
To: Peggy Michael Reddy <reddy@benefits-consulting.com>
Subject: 161118 ELST South Samm B - Reddy - ROW

Dear Ms. Reddy,

Thank you for your interest in the East Lake Sammamish Trail project. Please see the attached regarding your communications from November 16 and 17, 2016. Please let me know if you have any questions.

Regards,

Kelly Donahue
Community Engagement

King County Department of Natural Resources
201 South Jackson Street, Suite 700
Seattle, WA 98104-3854
Project Hotline: [1-888-668-4886](tel:1-888-668-4886)

From: Peggy Michael Reddy [reddy@benefits-consulting.com]
Sent: Thursday, November 17, 2016 10:09 AM
To: ELST Master Plan
Subject: RE: Reddy ROW Purchase in 1997

Please acknowledge receipt of this email and let me know the timing as to when you plan to respond. Thank you. Peggy Reddy 206.484.4845.

From: Peggy Michael Reddy [<mailto:reddy@benefits-consulting.com>]
Sent: Wednesday, November 16, 2016 12:58 PM
To: 'ELST@kingcounty.gov' <ELST@kingcounty.gov>
Cc: 'Peggy Michael Reddy' <reddy@benefits-consulting.com>
Subject: Reddy ROW Purchase in 1997

Hi Kelly Donahue: Following your letter of October 6 that I received King County surveyed and staked the "public right-of-way" (ROW) within the South Sammamish B portion of the trail from 33rd St. to NE Inglewood Hill Road. This includes my property at 929 East Lake Sammamish Shore Lane SE, Sammamish, WA 98075.

There is a King County stake at the top of my driveway that appears to indicate that it is the boundary for the ROW (ROW 387+45.39). Further there is also a King County stake ROW (ROW 377+80.44) at the southern end of my property. I think both stakes are misplaced by 25 feet.

In August 1997 I purchased this property and subsequently purchased the ROW (shown as Parcel B on the attached Deed Exhibit A). If you need the original Deed could you please check King County records. I purchased said ROW at N69°49'12"W for a distance of 25 feet toward the center of the trail. I purchased the ROW at N72°19'01"W for a distance of 25 feet toward the center of the trail. In total I purchased 25 feet of the ROW by 250 feet approximately paralleling the trail between these two points at N17°40'59"E.

So what appears to have occurred is that the Parcel B ROW purchase was not used when the stakes were placed on my property. Please confirm the status of the trail survey and whether or not we are in agreement that the stakes are in fact, misplaced. Thanks!

I called today and talked to Robert Reyes who indicated he would share my call with you.

Peggy Michael Reddy
P. O. Box 2088
Issaquah, WA 98027
206.484.4845



King County

Parks and Recreation Division

Department of Natural Resources and Parks



November 18, 2016

Hello Ms. Reddy,

Thank you for your emails regarding the East Lake Sammamish Trail project. Please see your email summary, as well as the King County response below. Let me know if you have any questions.

Comment: November 16, 2016: Following your letter of October 6 that I received King County surveyed and staked the "public right-of-way" (ROW) within the South Sammamish B portion of the trail from 33rd St. to NE Inglewood Hill Road. This includes my property at 929 East Lake Sammamish Shore Lane SE, Sammamish, WA 98075.

There is a King County stake at the top of my driveway that appears to indicate that it is the boundary for the ROW (ROW 387+45.39). Further there is also a King County stake ROW (ROW 377+80.44) at the southern end of my property. I think both stakes are misplaced by 25 feet.

In August 1997 I purchased this property and subsequently purchased the ROW (shown as Parcel B on the attached Deed Exhibit A). If you need the original Deed could you please check King County records? I purchased said ROW at N69°49'12"W for a distance of 25 feet toward the center of the trail. I purchased the ROW at N72°19'01"W for a distance of 25 feet toward the center of the trail. In total I purchased 25 feet of the ROW by 250 feet approximately paralleling the trail between these two points at N17°40'59"E.

So what appears to have occurred is that the Parcel B ROW purchase was not used when the stakes were placed on my property. Please confirm the status of the trail survey and whether or not we are in agreement that the stakes are in fact, misplaced. Thanks!

I called today and talked to Robert Reyes who indicated he would share my call with you.

Comment: Project hotline call on November 16, 2016: Ms. Reddy called as a result of the recent staking work done. She claimed ownership of land within the staked area. She purchased from the land conservancy before King County bought the rail bed. Ms. Reddy stated she has the land survey from when the purchase took place. She is not sure if King County is aware of the purchase taking place or her ownership of the land. Specifically mentioned buying 25 ft. by approximately 300 ft. section of land.

Comment: November 17, 2016: Please acknowledge receipt of this email and let me know the timing as to when you plan to respond. Thank you. Peggy Reddy 206.484.4845.

King County Response: Thank you for your phone call, email, and the survey attachment. King County Parks will review the information, and we will follow up with the results of our investigation.



King County

Parks and Recreation Division

Department of Natural Resources and Parks



If you have any other questions or concerns regarding this trail, please feel free to contact the project hotline at 1-888-668-4886 or ELST@kingcounty.gov. You may also visit the project [website](#), King County Park's [blog](#), and our [Twitter](#) page for up-to-date information on this and other projects.

Sincerely,

Kelly Donahue
Community Engagement

King County Department of Natural Resources
201 South Jackson Street, Suite 700
Seattle, WA 98104-3854
Project Hotline: 1-888-668-4886

WHEN RECORDED RETURN TO:

Peggy Reddy
P.O. Box 2088
Issaquah, WA 98027-0093



20131017001118

ZEMAN LAW GROU QCD 74.00
PAGE-001 OF 003
10/17/2013 13:55
KING COUNTY, WA

E2636244

10/17/2013 13:54
KING COUNTY, WA

TAX
SALE

\$10.00
\$0.00

PAGE-001 OF 001

QUIT CLAIM DEED

Grantor: PEGGY MICHAEL REDDY, a single person

Grantee: THE PEGGY MICHAEL REDDY REVOCABLE TRUST,
PEGGY MICHAEL REDDY, Trustee

Legal Description: Portions of Tracts 15 to 19, replat of Mason's Lakeside; Vol. 37 of
Plats, page 55

Assessor's Tax Parcel ID#: 519710-0075-00, 062406-9013-06

THE GRANTOR, PEGGY MICHAEL REDDY, a single person, conveys and quit claims to THE PEGGY MICHAEL REDDY REVOCABLE TRUST, Peggy Michael Reddy, Trustee, the following described real estate situate in the County of King, State of Washington.

Street Address: 929 E. Lake Sammamish Shorelane SE
Sammamish WA 98075

Legal Description: SEE EXHIBIT A ATTACHED HERETO

DATED: October 15, 2013

Peggy Michael Reddy
Peggy Michael Reddy

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this day personally appeared before me PEGGY MICHAEL REDDY, to me known to be the individual described in and who executed the within and foregoing instrument individually and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 15th day of October, 2013.

[Signature]
NOTARY PUBLIC in and for the State of
Washington, residing at: Kirkland, WA
My appointment expires: 5-9-2017
Name Printed: Laura H. Zeman

EXHIBIT A

LEGAL DESCRIPTION:

Parcel A:

Portion of Tracts 15 to 19, replat of Mason's Lakeside, according to the plat thereof, recorded in Volume 37 of Plats, page(s) 55, in King County, Washington, lying Easterly and Southeasterly of a line described as follows:

Beginning at the Northwest corner of said Tract 19; Running thence Easterly along the North line of said tract, 42.10 feet to the true point of beginning; Thence South $16^{\circ}14'00''$ West 152.70 feet; Thence South $51^{\circ}34'00''$ West 108.90 feet to iron pipe on shore line of Lake Sammamish and on tract line between Tracts 14 and 15. Together with Shorelands adjoining.

Parcel B:

That portion of the Burlington Northern Railroad Right of Way (former Northern Pacific Railroad) lying within Section 6, Township 24 North, Range 6 East, Willamette Meridian, in King County, Washington, adjoining the Easterly line of Parcel A and described as follows:

Beginning at the Northeasterly corner of Parcel A;

Thence South $69^{\circ}49'12''$ East along a radial line to a curve in said Railroad Right of Way for a distance of 25.00 feet to a point on a curve with radius of 5,754.65 feet and center point lying Southeasterly at South $69^{\circ}49'12''$ East;

Thence Southerly and Westerly along said curve, parallel to the Westerly line of said

Railroad Right of Way and 25.00 feet Southeasterly as measured at right angles to said Westerly line, for an arc length distance of 250.79 feet through a central angle of $02^{\circ}29'49''$ to a point of tangency with a line bearing South $17^{\circ}40'59''$ West;

Thence South $17^{\circ}40'59''$ West along said line for a distance of 59.90 feet;

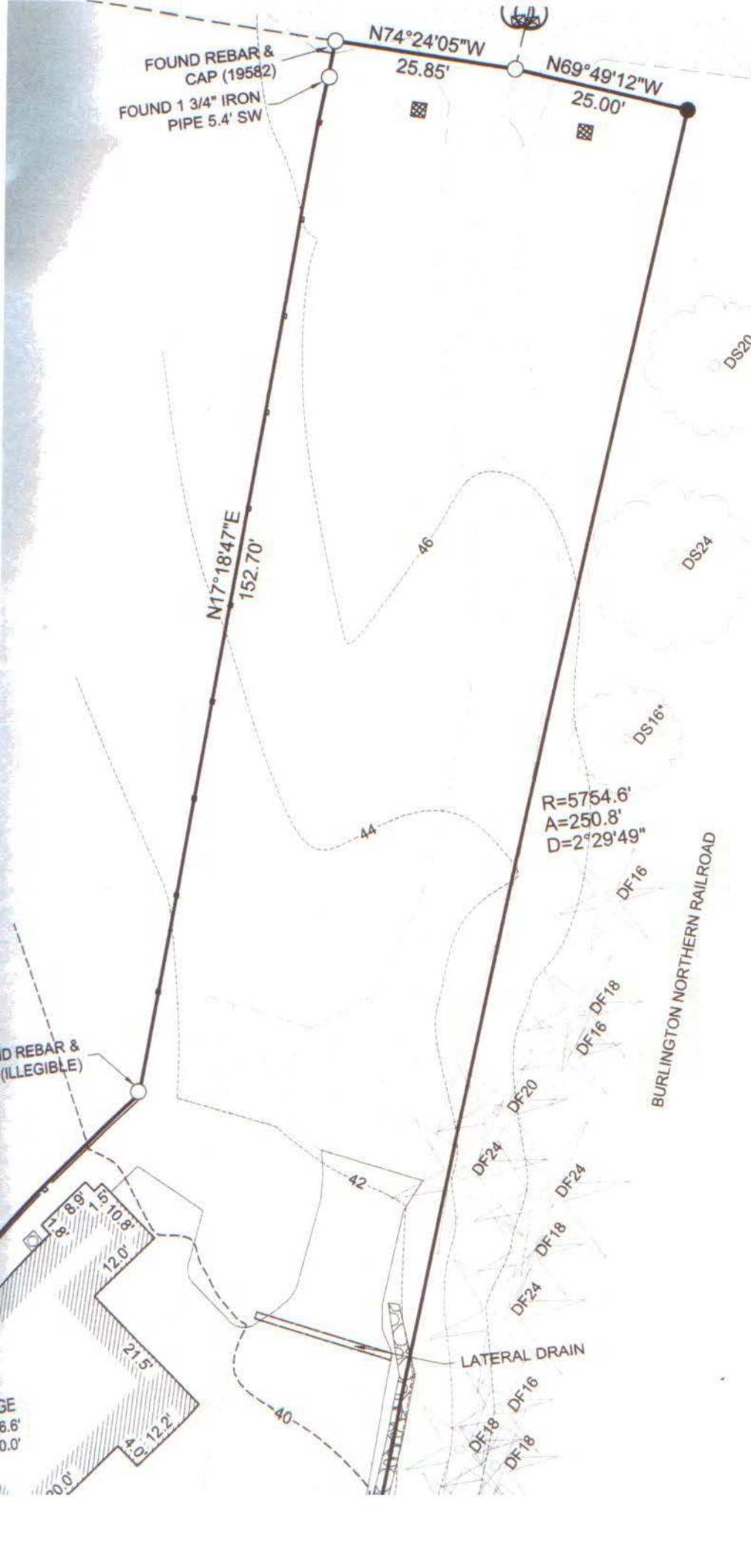
Thence North $72^{\circ}19'01''$ West for a distance of 25.00 feet to the Southeasterly corner of said Parcel A;

Thence along the Easterly line of Parcel A through the following courses;

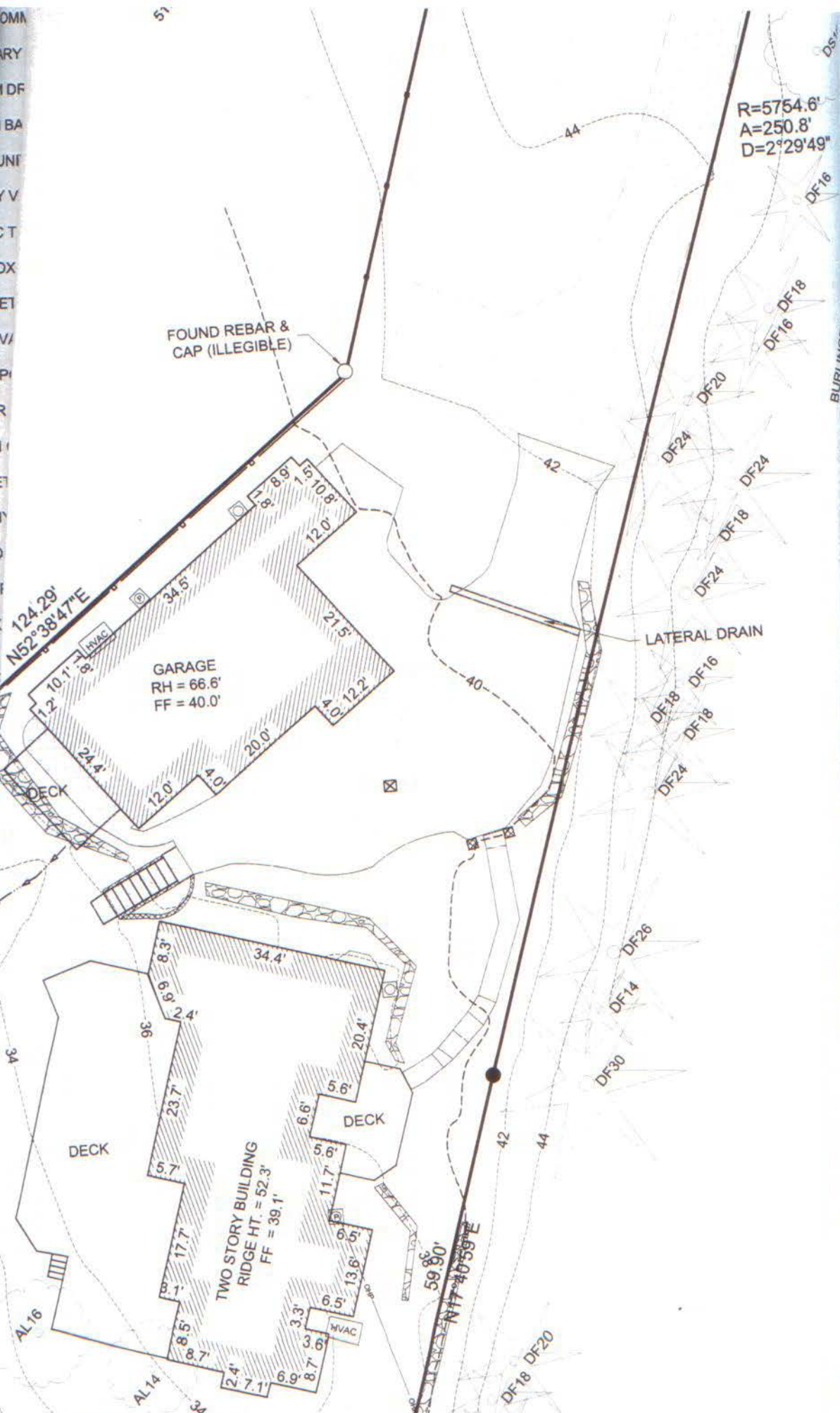
Thence North $17^{\circ}40'59''$ East for a distance of 59.90 feet to a point of tangency with a curve to the right having a radius of 5,779.65 feet;

Thence Northerly and Easterly along said curve for an arc length distance of 251.88 feet through a central angle of $02^{\circ}29'49''$ to the point of beginning.

Street Address: 929 E. Lake Sammamish Shore Lane SE
Sammamish WA 98075



OMM
ARY
MDF
HBA
UNI
TYV
ICT
BOX
MET
TVA
TPI
ER
N
ET
H
D
CI
K
IC
V
K
E
J
I

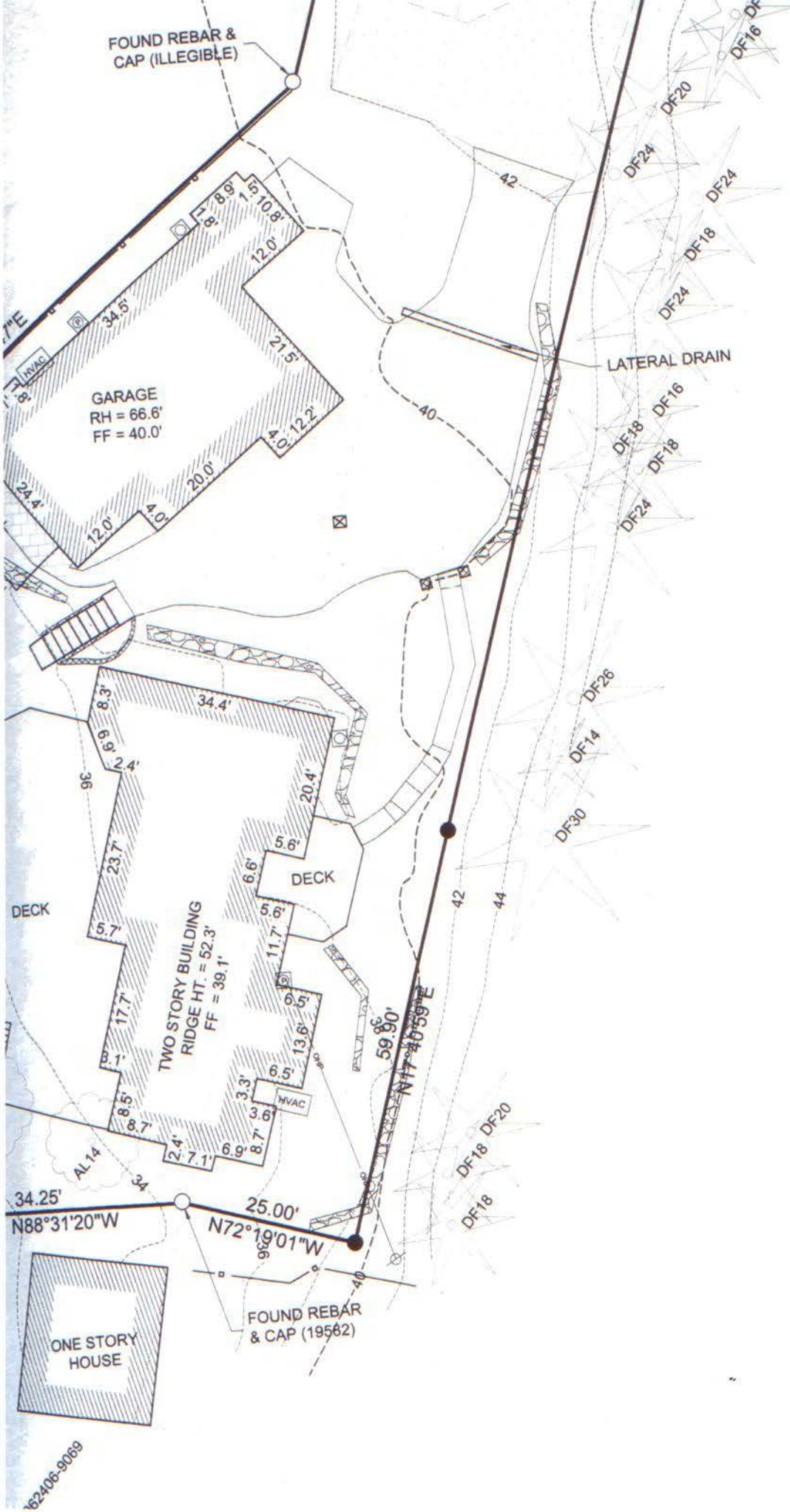


R=5754.6'
A=250.8'
D=2°29'49"

BURLING

FOUND REBAR & CAP (ILLEGIBLE)

BURLINGTON



62406-9069

Lindsey Ozbolt

From: Lindsey Ozbolt
Sent: Thursday, January 19, 2017 8:09 AM
To: Michelle Eden; Steve Roberts; Steve Leniszewski
Cc: william rissberger; frankmckulka@comcast.net; Jerry; Susan Roberts
Subject: Re: Access concerns.

Dear Michelle,

Thank you for contacting the City of Sammamish regarding the current Shoreline Substantial Development Permit Application for East Lake Sammamish Trail Segment 2B (SSDP2016-00415).

Your comments have been received and will be included in the project record. At the close of the comment period, all comments will be compiled and provided to King County for review and response. You will be included in future notices the City issues for this proposal.

Regards,

Lindsey Ozbolt

Associate Planner | City of Sammamish | Department of Community Development
425.295.0527

From: Michelle Eden <mmeden@hotmail.com>
Sent: Tuesday, January 17, 2017 4:28 PM
To: Lindsey Ozbolt; Steve Roberts; Steve Leniszewski
Cc: william rissberger; frankmckulka@comcast.net; Jerry; Susan Roberts
Subject: Re: Access concerns.

Dear Lindsey,

I agree with the comments made by Steve Roberts and Frank McKulka regarding the segment of the trail on which we reside. Moving the trail east along this section would provide a much safer sightline for vehicles crossing the trail. I have had a few very close encounters with bicyclists at this dangerous intersection. If the trail were expanded west along this narrow segment, it would also make access by emergency vehicles impossible.

I also think that removing the large native evergreen tree between my property and the Roberts' home would be a tragedy for wildlife habitat. Bald eagles use the tree daily for perching and fishing, and have very few other remaining such trees in the area for their use. I think there may be a new eagle nest in the tree as well.

Sincerely,

Michelle Eden
1633 E Lk Samm Pl SE
(206)650-6804

From: Lindsey Ozbolt <LOzbolt@sammamish.us>
Sent: Tuesday, January 10, 2017 4:03:32 PM
To: Steve Roberts; Steve Leniszewski

Cc: william rissberger; frankmckulka@comcast.net; Michelle Eden; Jerry; Susan Roberts

Subject: RE: Access concerns.

Dear Mr. Roberts,

Thank you for contacting the City of Sammamish regarding the current Shoreline Substantial Development Permit Application for East Lake Sammamish Trail [Segment 2B \(SSDP2016-00415\)](#).

Your comments have been received and will be included in the project record. At the close of the comment period, all comments will be compiled and provided to King County for review and response. You will be included in future notices the City issues for this proposal.

Regards,

Lindsey Ozbolt

Associate Planner | City of Sammamish | Department of Community Development
425.295.0527

From: Steve Roberts [mailto:steve@roberts.org]

Sent: Tuesday, January 10, 2017 3:47 AM

To: Steve Leniszewski <SLeniszewski@sammamish.us>

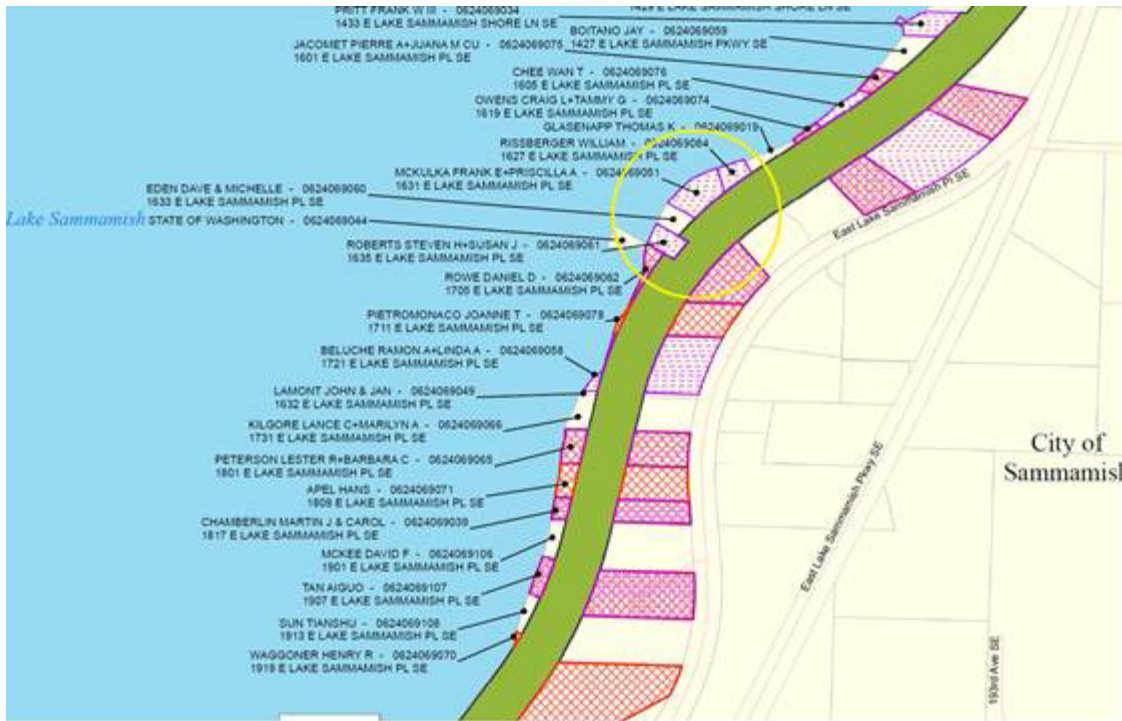
Cc: Lindsey Ozbolt <LOzbolt@sammamish.us>; william rissberger <williamrissberger@comcast.net>; frankmckulka@comcast.net; Michelle Eden <mmeden@hotmail.com>; Jerry <jerryj27@msn.com>; Susan Roberts <susan@roberts.org>

Subject: Re: Access concerns.

Hi Steve,

I wanted to follow up with you regarding our meeting in September. As you may recall I had a concern that the county had plans on moving the trail substantially west impeding safe access to my property. At issue, widening the trail east, was the ditch that since the county had obtain the railroad easement had been, as we understood it, reclassified as a wet land. Having said that we have recently been advised that the trail will indeed be partially widened east and a culvert will be installed in place of the ditch. This is the start of good news for the four affected neighbors that live in that area. However in the county's preliminary plans they do propose also widening the trail west. You may recall that in our earlier discussion I mentioned that I had worked with former city employee, Rob Garwood, in the planning and permitting of our new home. (Permit No. B15-00019). In that regard, I did not ask the city for a building variance and was permitted using standard setbacks. In working with Mr. Garwood I was informed that even without a variance there were certain garage/driveway access requirements necessary to successfully obtain a permit to build. One of the things discussed was the turning radius to get into our garage and driveway. In working with Mr. Garwood that turning radius was based on the then, and current, trail fence and bollards and their distance to our home. (See attached site plan.) Moving that fence and bollards west would make turning into our garage a dangerous proposition involving multi-point turns adjacent to the trail. In addition with the help of Mr. Garwood and our architect we had designed our home such with the existing access we would not need to back out north across two neighbors lots to turn around to cross the trail but could back out south within our own property width to drive out safely in a forward gear.

Attached is a county produced map of the area. For clarity here is an annotated blow up of that map showing the 4 homes affected in this discussion.



In general here is the list of my concerns with widening trail west past its current position.

1. The current crossing point for the trail would be narrowed at the Rissberger property (1627 E.L.S. PL SE) making general access even more precarious.
2. Myself (1635 E.L.S. PL SE) and the Eden's family (1633 E.L.S. PL SE) when leaving our properties must back out and back into the McKulka property's driveway (1631 E.L.S. PL SE). This becomes even more difficult with a west widening of the trail.
3. Currently there is just enough room for driving past the Eden's parked vehicles for me to access my property. If the trail is widened west then that will be impossible without some major changes to where/how the Eden's currently park.
4. If the trail is widened west then that tree as shown in the picture will have to be removed so that I can get to my property. That would be a shame. Not only for those neighbors that enjoy the tree but for the eagles that often use it as a perch.
5. As mentioned above, widening the trail west would cause issues for my property both in regards to access and safety for ourselves and those on the trail.

The good news is that the county is proposing widening the trail east already and as we understand it they are only proposing widening the trail west by a few feet. Those few feet are precious and necessary for us for safe access and safe trail usage. Given that the county is planning on widening the trail east I would ask you that you continue to be our advocate and work with the county to widened it east the extent that we may have our current boundaries and access.

I am out of the country until the 20th but would very much like to meet with you upon my return if you have any questions at all. Also I'm sure that my neighbors, as cc'd in this email, would support the items mentioned and might also have additional concerns and suggestions.

Best regards,

Steve and Susan Roberts

1635 E.L.S. PL SE
Sammamish, WA
98075



On Fri, Sep 9, 2016 at 1:52 PM, Steve Leniszewski <SLeniszewski@sammamish.us> wrote:

Thanks. We'll attach it to the file.

Cheers,

Steve L.

From: Steve Roberts [mailto:steve@roberts.org]
Sent: Friday, September 9, 2016 1:20 PM
To: Steve Leniszewski <SLeniszewski@sammamish.us>
Subject: Access concerns.

Hi Steve,

Thanks for seeing me yesterday on no notice. I really appreciate it. Below are a couple of pictures showing you my access west of the trail. As mentioned we worked with Rob Garwood and he helped us understand at the time that even with the trail where it is now we would need all the distance to have a minimum acceptable turning radius. As I mentioned in our meeting prior to the county deciding that this was going to be a trail the ditch to the east was simple a ditch and as such was regularly backhauled to clean it out. So I've also attached my letter that I recently sent Kelly Donahue of the County concerning the ditch. In summary there is room for the trail to move east but moving it west will be a serious safety issue for us entering and certainly backing out of our garage on to the trail area.

Best regards,

Steve Roberts
1635 East Lake Sammamish PL SE



Re: E. lake Sammamish Trail improvement

Lindsey Ozbolt

Thu 1/19/2017 8:10 AM

To: Brad Del Matto <braddmt@hotmail.com>;

Cc: 'Lorelle Del Matto' <lorelledm@outlook.com>;

Dear Brad,

Thank you for contacting the City of Sammamish regarding the current Shoreline Substantial Development Permit Application for East Lake Sammamish Trail Segment 2B (SSDP2016-00415).

Your comments have been received and will be included in the project record. At the close of the comment period, all comments will be compiled and provided to King County for review and response. You will be included in future notices the City issues for this proposal.

Regards,

Lindsey Ozbolt

Associate Planner | City of Sammamish | Department of Community Development
425.295.0527

From: Brad Del Matto <braddmt@hotmail.com>
Sent: Tuesday, January 17, 2017 7:42 PM
To: Lindsey Ozbolt
Cc: 'Lorelle Del Matto'
Subject: E. lake Sammamish Trail improvement

Dear Lindsey,

We understand that residents along the lake are to provide comments to you regarding the recent trail improvement plans for section 2B (the 60% improvement plans/maps) released by King County.

The address of our residence is 161 E. Lake Sammamish Shore Lane NE. the trail is between our residence and E. Lake Sammamish parkway. Our comments are as follows:

First, the County intends to extend its current trail border (i.e., the fence along the trail

separating our property from the trail) into an area that we use for parking and storage. The county indicates that it will use this extended area for drainage. It seems that the county could easily drain the trail to the east where it currently drains and where there are wetlands. Further, it is uncertain how drainage to the west will affect our property in terms of increasing saturation nearer to our residence. I am concerned it could cause flooding problems.

Second, the plans fail to indicate how the County intends to improve this drainage area in terms of materials and vegetation. It seems the county should provide specifics so that we have sufficient information to comment about impact before the plans are approved.

Third, the county wants to install a chain link fence along the extended border. The problem is we have deer (often with fawns in the spring) and other wildlife accessing the lake through the trail. This would disrupt wildlife and would likely cause some of them to be trapped if they make it to the lake. Trapped deer are dangerous and being trapped could impact their health. The county should at least provide many gaps in the fence to allow animals to pass more freely.

Fourth, according to the Tree Preservation Plans, 16 trees are to be removed (sheet TP16 of the plans) that are outside the planned trail footprint. It appears this is intended only to allow construction of the dispersion area. Trees absorb moisture and contribute significantly to dispersion of runoff. These trees should not be removed.

Thanks for considering our comments.

Brad & Lorelle Del Matto
161 E. Lake Sammamish Shore Lane NE
Sammamish, WA 98074

Re: East Lake Sammamish Trail -- South Sammamish Segment B

Lindsey Ozbolt

Wed 1/18/2017 11:07 AM

To: Duncan Greene <dmg@vnf.com>;

Duncan,

You and your client will be added as a party of record and included in all future notices.

Best,

Lindsey Ozbolt, Associate Planner
City of Sammamish, Department of Community Development

From: Duncan Greene <dmg@vnf.com>
Sent: Tuesday, January 17, 2017 11:17 AM
To: Lindsey Ozbolt
Subject: East Lake Sammamish Trail -- South Sammamish Segment B

Lindsey,

Thanks again for the helpful phone call this morning. As we discussed, my client Arul Menezes owns property at 3145 East Lake Sammamish Shore Lane, which is located within the South Sammamish "Segment B" portion of the East Lake Sammamish Trail. Mr. Menezes has concerns regarding project design that we will explain in our comment letter.

Please add my client to your list of parties of record who will receive notices regarding the shoreline permit application for the South Sammamish "Segment B" portion of the trail project pursuant to IMC 21A.15.865. I will be representing Mr. Menezes in this matter. Please direct all notices and other communications to me.

Thank you.

Duncan Greene | Partner
Van Ness Feldman LLP

719 Second Avenue, Suite 1150
Seattle, Washington 98104-1728

(206) 623-9372 | dmg@vnf.com | vnf.com

This communication may contain information and/or metadata that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please do not read or review the content and/or metadata and do not disseminate, distribute or copy this communication. Anyone who receives this message in error should notify the sender immediately by telephone (206-623-9372) or by return e-mail and delete it from his or her computer.

Re: ELST Section 2B

Lindsey Ozbolt

Thu 1/19/2017 8:05 AM

To: Tracy Neighbors <neighborst@hotmail.com>;

Dear Tracy,

Thank you for contacting the City of Sammamish regarding the current Shoreline Substantial Development Permit Application for East Lake Sammamish Trail Segment 2B (SSDP2016-00415).

Your additional comments have been received and will be included in the project record. At the close of the comment period, all comments will be compiled and provided to King County for review and response. You will be included in future notices the City issues for this proposal.

Regards,

Lindsey Ozbolt

Associate Planner | City of Sammamish | Department of Community Development
425.295.0527

From: Tracy Neighbors <neighborst@hotmail.com>

Sent: Tuesday, January 17, 2017 3:33 PM

To: Lindsey Ozbolt

Cc: Don Gerend; Bob Keller; Tom Hornish; Kathleen Huckabay; Christie Malchow; Tom Odell; Ramiro Valderrama-Aramayo; kathy.lambert@kingcounty.gov; Lyman Howard; Tracy Neighbors

Subject: RE: ELST Section 2B

Please find additional comments regarding Section 2B of the ELST.

Regards

Tracy Neighbors

From: neighborst@hotmail.com

To: lozbolt@sammamish.us

CC: dgerend@sammamish.us; bkeller@sammamish.us; thornish@sammamish.us; khuckabay@sammamish.us; cmalchow@sammamish.us; todell@sammamish.us; rvalderrama-aramayo@sammamish.us; kathy.lambert@kingcounty.gov; neighborst@hotmail.com

Subject: ELST Section 2B

Date: Sun, 15 Jan 2017 19:24:21 -0800

Attached please find our comments regarding Section 2B of the ELST. Please do not hesitate to contact me if you have any questions.

Regards

Tracy Neighbors

January 17, 2017

Ms. Lindsey Ozbolt
Assoc. Planner
Sammamish City Hall
801 228th Ave SE
Sammamish, WA 98075

Re: Comments re East Lake Sammamish Trail - ADDENDUM

Dear Ms. Ozbolt,

We took the opportunity today to meet with King County Parks staff at Sammamish City Hall to discuss the 60% plan for the ELST. As a result, we are compelled to file additional comments for the City's consideration.

First, while the County representatives were very courteous it would have been more useful to have County people available who could discuss the plans for our property in detail. The two individuals present were incapable of answering most of the questions we had. At this point we have more questions than answers.

Second, because of our meeting we have some significant additional concerns over and above those raised in our letter of January 14.

1. The County's 60% plan is disingenuous. There were several symbols noted on our property that were not listed in the Appendix to the plan that raise significant issues for our property. Construction plans are notoriously difficult to read by the public and the County should have taken every conceivable step to ensure that sufficient information was available to understand the impact of the plans. There is simply no excuse for the continuing lack of consideration for the residents of Sammamish.
2. There is an existing chain link fence that separates the trail from our private property. The 60% plan does not call for a replacement fence leading to serious personal safety and privacy concerns. As currently designed there is nothing to keep trail users off our private beach and dock nor access to our watercraft and kayaks. We pay taxes on our property - it is not a public park! There are also legal liability issues - what happens if a trail user is injured on our property because the County would not allow the installation of a fence? We seriously doubt that the County will assume responsibility for any damages that might occur. There needs to be conditions written into the plan that allow Sammamish residents to replace existing privacy and security fences.
3. The clear and grub line was not defined on the 60% plan. Similarly, the fill line was not defined. The County representatives explained that the fill line is an area that will have soil additions to bring it level to the trail - a height of roughly 18-24 inches over the course of the ELST on our property. While this may not seem to be a significant height difference I asked if an appropriate retaining wall was going to be built. In return we were told that the fill line will be graded down to the existing slope. This leads to serious safety concerns for the trail using public given the slope since no fence will be installed. It also calls into question the stability of the trail surface if no retaining wall is built to support the weight of the trail.
4. Currently on our property is a substantial boulder that is embedded into the hillside. The above ground portion of the boulder is roughly 20 feet in diameter and sticking up

out of the ground approximately 4 feet. It's unknown what lies beneath the surface. The boulder is significant enough that the BNSF railroad and its predecessors routed the rail bed around it rather than remove it. The County similarly routed the ELST interim trail around the boulder. As noted in our original letter our property contains a steep slope and the weight of the boulder is likely providing a stabilizing influence on the hillside. The County plans to remove the boulder but has no plans to remediate the impact on the hillside. We have serious concerns about the stability of the hillside and the 100-foot-tall fir trees immediately behind the boulder, and indirectly our home, if no remediation is performed. See the picture below. The County should be required to conduct the appropriate engineering studies to determine the impact of the boulder on the hillside and any remediation efforts that might be required.



5. There is an existing retaining wall on the lakefront portion of our property that will be partially removed during the clear and grub process. This wall was permitted and built to stabilize the hillside in that area. The County's 60% plan has no consideration to replace the impacted portion of the wall or to ensure the stability of the remaining wall. At a bare minimum, the ELST plans should be required to maintain the current viability of this wall.

6. The County representatives at our meeting also raised the issue of Special Use Permits to cross the trail to access our property. As noted in our original letter, the BNSF had a prescriptive easement to cross our property rather than fee simple ownership. An easement is a nonpossessory interest one party has in the property of another. The underlying ownership of the property remains with the original owner of the property. It is inconceivable that a homeowner should be required to secure a SUP to utilize their own property. The removal of any requirement for an SUP for any Sammamish residents should be a minimum condition of the City's approval of the ELST plan.

Thank you for consideration of our comments. If you have any questions on the above, please call me on 425-443-2048 to discuss.

Regards

Tracy Neighbors
3015 E Lake Sammamish Pkwy SE
Sammamish, WA
98075

CC:
Sammamish City Council
Lyman Howard, Sammamish City Manager
Kathy Lambert