

FEB 04 2025

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CITY OF SNOQUALMIE
PLLC

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Patricia M. Army
Dean Williams
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Via Messenger Delivery

City of Snoqualmie
City Council
38624 SE River Street
Snoqualmie, WA 98065

January 31, 2025

Re: Petition for Vacation of Right of Way, Tax Parcel Number 7849200064

Dear Council Members:

On behalf of NWBF, LLC (fka Isola Financial), we petition the City of Snoqualmie for Vacation of Right of Way Abutting Tax Parcel Number 7849200064, commonly known as 39194 Park St. (the "Property"). Specifically, we ask City Council to correct a century-old error and vacate the area of Schusman Avenue SE eastward of the Property, as dedicated in the Plat of Snoqualmie Falls in 1890, and following the relocation of Park Street approx. 30 years later. Pursuant to Chapter 35.79 RCW, we request a hearing before the City Council to make our case.

Summary

The property in question includes a single-family residence that has stood in its current location for over 80 years (the "Home"), now home to a young family. Two years ago, when NWBF marketed the Property for sale, City Staff discouraged potential buyers by citing nonexistent litigation. The City even offered to purchase the Property for just \$1,000.00, claiming that its value was negative due to demolition costs exceeding its worth. Staff's position is the Home is an unlawful, non-conforming use and must be demolished because it encroaches into a right of way that the City has never used and does not need.

In reality, it appears that the City's true intention is to devalue the property in order to acquire it for use as a park. The owner argues that the confusion surrounding the right-of-way stems from over a century of street paving, construction, surveys, and dedications—factors that have long obscured any original error. Given this, NWBF respectfully requests that the City Council either vacate the relevant right of way or purchase the Property for an amount reflective of its fair market value.

Vacation Area Legal Description:

All right of way East of LOT 1, BLOCK 4, Plat of Snoqualmie Falls, as per plat recorded in Volume 6 of Plats, Page 51, records of King County, less area dedicated for Park Street right of way, as reflected in survey by Harry Thompson dated July 22, 1919.

NWBF History & Ownership

We own this property through a Deed in Lieu of Foreclosure, but NWBF is not a mortgage company. In the simplest terms, we accepted the property as collateral in an unrelated business transaction, which the prior owner could not repay, and as a result, we inherited the property as

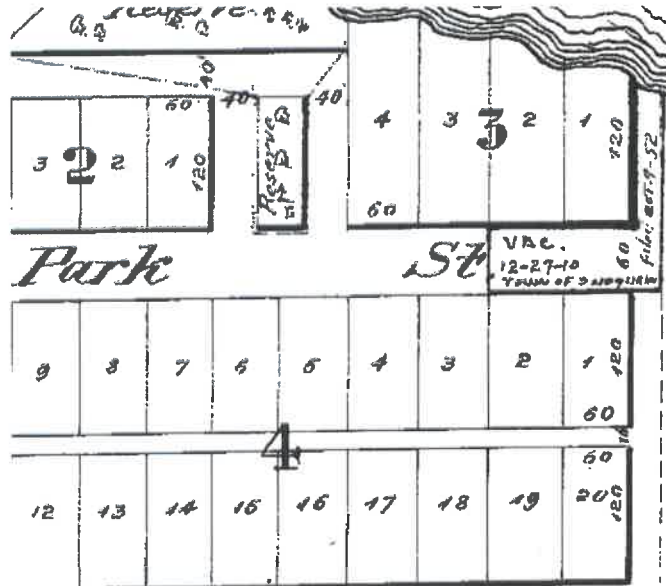
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payment of the debt. This was not an investment property the NWBF purchased in an arms-length transaction based on due diligence or any sort of profit-based prospects. In every respect, NWBF never intended, wished, or sought to own the Property outright, nor is it our practice to own single-family homes for rent or long-term investment. The ownership of this property, by this company, was happenstance.

NWBF did the only reasonable thing for a business who owns a single-family home under the circumstance—it rented it. For years, NWBF has tried to rent and/or sell the Property as what it thought the Property was, an ordinary marketable home, on the historic Snoqualmie River.

Property History

In 1890, the Plat of Snoqualmie Falls created hundreds of rectangular parcels, including Lot 1, Block 4, as shown below:



See Att. A. The right of way east of these parcels became known as Schusman Avenue. As can be seen on the face of the record plat, portions of “Park Street” and Schusman Avenue were vacated by the Town of Snoqualmie in 1910. On information supplied by former City Attorney Robert Sterbank, this was done after a flood and a resulting need to relocate Park Street. After exhaustive searches, we have not been able to locate any Ordinance or Deed regarding the dedication of the present Park Street across the Property, but we have every reason to believe it was contemporaneous with the 1910 vacation.

Park Street was clearly relocated. A surveyor was unable to find any record of the Park Street dedication, nor any legal description for this right of way, and as a result, utilized the King County Assessor’s records to map the existing Park Street ROW.

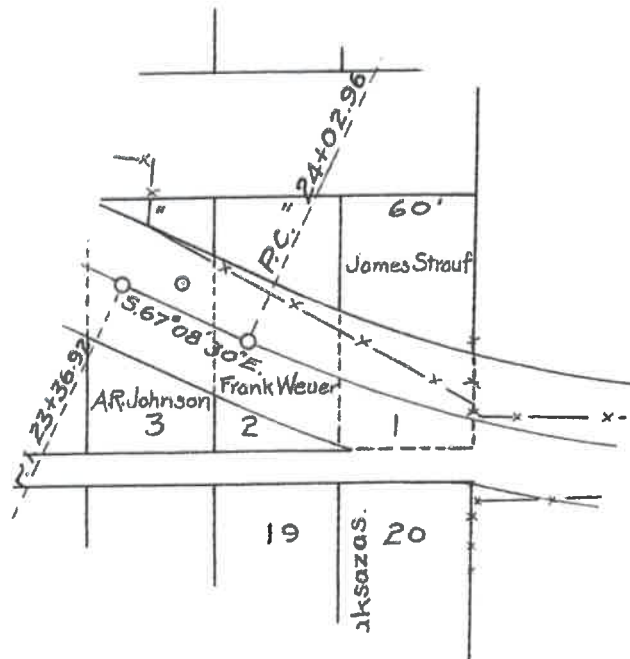
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NO INFORMATION COULD BE RECOVERED FOR THE CURVE DATA OF PARK AVENUE GOING THROUGH LOTS 1 AND 2 IN BLOCK 4; THE CURVE DATA WAS DEVELOPED FROM RECORD INFORMATION AS SHOWN ON TAX ADDESBORN'S 1/4 SHEET OF THE N. W. 1/4 OF SECTION 32, TOWNSHIP 24 NORTH, RANGE 8 EAST, W.M.



See Att. B. As you can see, according to this 1997 survey, the building on the Property encroaches not only into the original Schusman Avenue, but also into the relocated Park Street. Clearly, this portion of Park Street was never improved to full width. During our research, we did find a 1919 survey of Park Street in the records of the King County Assessor's Office, which notably shows Park Street further south than current King County Assessor's maps.



See Att. C. This survey makes more sense when considering the current location of the home on the Property. On information and belief, the existing Park Street, as improved on the ground, lies

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within the prism of this survey. Given the absence of any formal record of dedication for the new Park Street, NWBF is willing to execute a deed dedicating the Park Street ROW as evidenced by the 1919 Survey to perfect Snoqualmie's title to this area. However, with regard to the area of the Home on Schusman Avenue, we require the Council's cooperation to vacate this area and correct the apparent mistake that was made 100 years ago in relocating Park Street.

Historical records indicate that the Building was originally constructed in 1940, including the King County Assessor's office records. The Building can be seen, in substantially the same location that exists today, in aerial photos dating back many decades, for instance,



c.1952



c.1969



c.1980

We believe an error was made, either during the 1910 vacation, or as part of the relocation of Park Avenue, resulting in the orphaning of a portion of Schusman Avenue right of way north of Park Ave, when this area should have been vacated to the Property. The configuration of the Property, and the uselessness of maintaining the existence of Schusman Avenue right of way north of Park Ave, makes this clear, as does Snoqualmie's allowance of the Building in 1940 and decades after. As an aside, the adjacent parcel's owner maintained a homestead exemption for his home through bankruptcy, which severed one or more of the parcels.

Present Situation

Regardless of how it happened, Snoqualmie permitted construction of the Building long ago, and Snoqualmie has issued multiple permits since 1940. In a letter to NWBF dated August 14, 2024, Emily Arteché recently took the position that NWBF must demolish this structure because "it is unlawful for anyone to make private use of a public right-of-way without a right-of-way use permit." *See Att. D* (dated August 14, 2024). Of course, City Staff would undoubtedly refuse to grant such a permit because of their plan to acquire the Property in the future. This plan has a name (Riverwalk) and details are publicly available.¹ On page 124 of the City's 2015 Riverwalk Master Plan, the Property is specifically highlighted and labeled as a "Tier 2 Property" for acquisition and inclusion in the Riverwalk development. As part of this plan, Snoqualmie rezoned the Property to a designation that does not allow for new single-family homes, making the existing home all-the-more valuable to the Property.

¹ <https://www.snoqualmiewa.gov/891/Riverwalk>.

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The original Riverwalk plan estimates an acquisition cost for the Property of several hundred thousand dollars. In 2018, as part of a King County Conservation Futures Application, for which the City of Snoqualmie was the named Applicant, Snoqualmie valued the Property at \$273,000. *See Att. E* at 4. This changed, when in 2023, Staff asserted that the Property is worth **\$1,000** due to costs associated with demolishing the Building. *See Att. F*. Staff's first email to NWBF actually stated the property had a *negative* overall value. Clearly, Staff learned of the right-of-way issue, and decided to capitalize on the mistake made decades ago, to try and compel NWBF to sell the Property for pennies on the dollar. In comparison, the owner has obtained appraisals that estimate the value of the Property in excess of \$500,000. However, even after learning this information, Staff initially took no action, other than discouraging potential buyers. Staff also refused to review NWBF's appraisals.

NWBF had a buyer for the Property under contract. The buyer approached Snoqualmie for due diligence and was told the Property is "in litigation with the city" and "do not buy it." This was false information. At that time, Snoqualmie had not instituted any action against the Property or NWBF, administrative or otherwise. Years have passed while Staff waits for NWBF to give up and sell for a *de minimus* amount.

Never did anyone at Snoqualmie assert that NWBF would be subject to an enforcement action until after NWBF refused to sell the Property at such a deflated price. This is clearly a strategy to devalue the Property ahead of initiating formal condemnation procedures, which Staff has refused to do, telling NWBF that this property is in their "10-year pile."

We are asking Council to make this right, recognizing that an 85-year old structure, with 85-years of permitting history, cannot be casually dismissed and demolished without, as the Federal and

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State Constitutions require, “just compensation.” We have no intention of standing in the way of Snoqualmie’s Riverwalk plan, but neither will NWBF sit idly by while Staff systematically devalues the Property. We sincerely hope that this matter will not require litigation. We respectfully submit this Petition for Vacation to you for consideration.

Sincerely,



Dean Williams
Direct Tel: (425) 467-9967
Email: williams@immklaw.com

Signed by:

5A55343F65214E2...

NWBF, LLC
By: Jeffrey J. LePage
Its: Manager

Reviewed and Approved by:

DocuSigned by:

AD5391E9B1E543D...

Stephen DeShazo
In-House Counsel
deshazos@nwbf.com
7525 SE 24th St., Ste. 487
Mercer Island, WA 98040

Explanation.

The initial point of this plat is the point of intersection of the Center-line of the Seattle, Lake Shore and Eastern Ry. with the line between Sections 30 and 31 which point is one foot West of the corner of Sections 29, 30, 31 and 32, Township 26 North, Range 2 East, N.M. Streets are 60 feet wide, except where otherwise indicated on the plat. Allys are 10 feet wide. The standard size of lots is 60 feet by 120 feet and 30 feet by 120 feet. Fractional lots are in dimensions as indicated on the plat. The line A-B on this plat is a line line to which all streets, allys, back and lot lines etc. are parallel or at right angles or at such angles as may be indicated.

The Seattle, Lake Shore and Eastern Ry. rights of-way is 100 feet wide.

Description.

This plat of the townsite Squawamis Mills embraces Lot 5 of Section 30, the Northeast Quarter of the Northeast Quarter of Section 31, Lot 7 and the Southeast Quarter of the Northeast Quarter of Section 32, all in Township 26 North, Range 2 East, N.M. King County, Wash.

Dedication.

Know all men by these presents, that the Squawamis Land and Improvement Company, a corporation, existing under the laws of the State of Washington, and being the owner in fee simple of those lands in King County, State of Washington, particularly described as Lot 5 in Section 30 and the Northeast Quarter of the Northeast Quarter of Section 31 and Lot 7 and the Southeast Quarter of the Northeast Quarter of Section 32, all in Township 26 North, Range 2 East, N.M. unconditionally declare this plat of the townsite of Squawamis, T. 26 N., R. 2 E., and does hereby dedicate to the use of the public, forever, all streets and allys shown on said plat.

In Witness Whereof the said corporation has put its corporate name to be signed, hereto by its President and its secretary and seal, to be hereunto affixed by its Secretary, this 10th day of September, A.D. 1900.

Squawamis Land and Improvement Company.

By Allen F. Walker

President

No. Wilson

Secretary of

Squawamis Land and Improvement Company.

Signed, Sealed and delivered

In the Presence of

C. T. Grover

J. L. Crawford.



State of Washington } ss.
County of King

Acknowledgment.

This is to certify that on this 10th day of September, A.D. 1900, before me, the under-signed, a Notary Public in and for the State of Washington, residing at the City of Seattle, personally came, Allen F. Walker and J. L. Crawford, to me known to be the identical persons, who as President and secretary respectively of the Squawamis Land and Improvement Company, executed the above and foregoing dedication as the act and deed of said corporation. And the said Allen F. Walker acknowledged to me that, as the President of the said Squawamis Land and Improvement Company, he signed the name of said Corporation to the above and foregoing instrument and his own name as President thereof, freely and voluntarily and as act for the free and voluntary act and deed of the said Squawamis Land and Improvement Company. And the said J. L. Crawford, as acknowledged to me that, as the secretary of said Corporation, he signed to said dedication the corporate seal of said company and his own name as such secretary, freely and voluntarily and as act for the free and voluntary act and deed of the said Squawamis Land and Improvement Company.

In Witness Whereof I have hereunto set my hand and official my Notarial Seal the day and year, in their certificate, above written.



C. T. Grover, Notary Public,
residing at the City of Seattle in said County and State.

Legend.

This plat is made for the purpose of correcting errors of description in the original plat filed for record, Aug. 27, 1900, recorded at Page 179 of volume 3 of plats, whereby the S.W. 1/4 of Section 31 was described as the N.M. & O.N.M. of Section 31 - and Range 2 was described as Range 3.

63306.

Filed for Record at Olympia
Sept. 11, A.D. 1900
at 10 min. past 4 P.M.
and returned to the City of
Seattle, King County, Wash.

W. B. M. W.
County Clerk

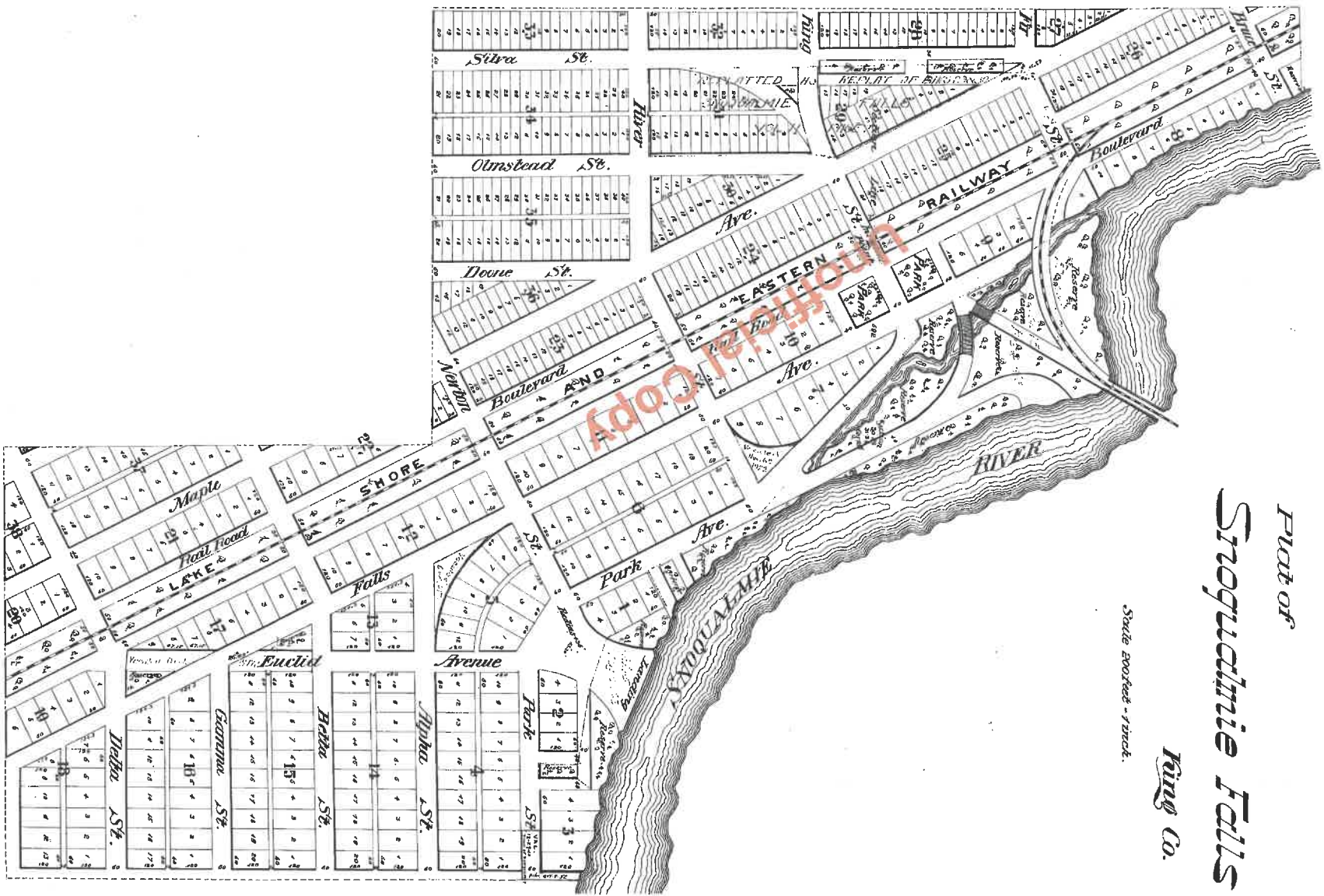
A. B. 12-20-00.

Part of

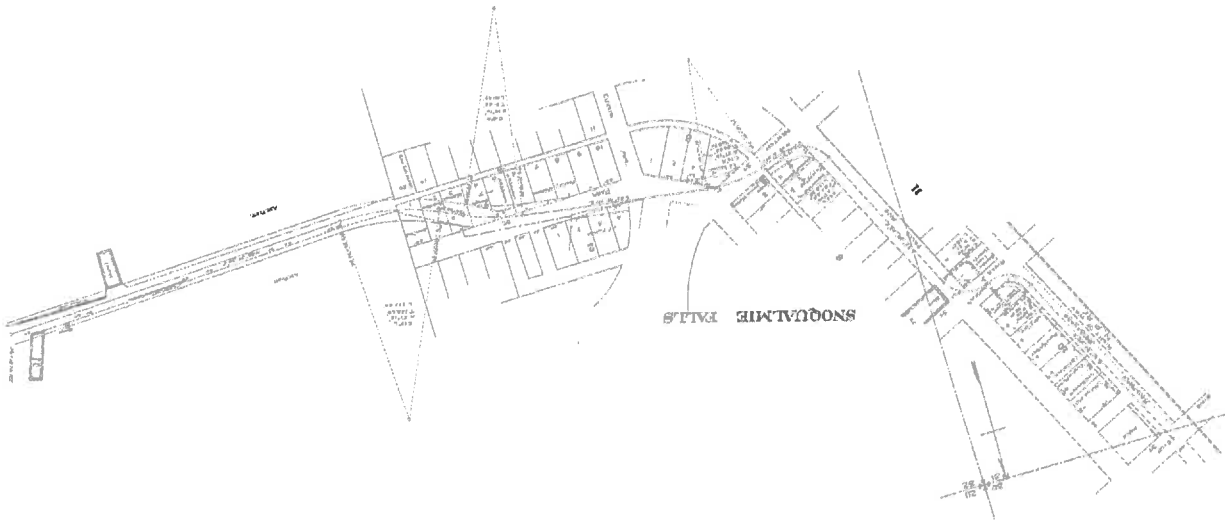
Stoughton Falls

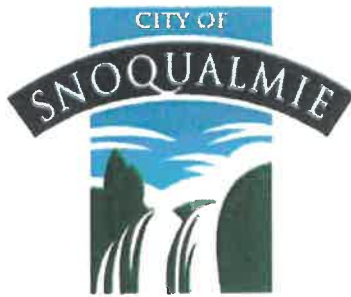
Ring Co.

Scale 200 feet = 1 inch.



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COMMUNITY DEVELOPMENT DEPARTMENT

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PO Box 987
Snoqualmie, WA 98065

Office: (425) 888-5337
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Stephen DeShazo,
Isola Homes In-House Counsel
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Mercer Island, WA 98040



Mathew LePage
Isola Homes
7525 SE 24th St., Ste. 487,
Mercer Island, WA 98040

Re: 39194 SE Park Street, Snoqualmie, WA, Tax Parcel Number 7849200064

Dear Mr. DeShazo and Mr. LePage,

Isola Financial LLC ("Isola") purchased the above property in June of 2012. The image below outlines the tax parcel that was purchased. This letter is sent to inform you that the dwelling located partially on the Isola lot at 39194 SE Park Street encroaches on City of Snoqualmie Right of Way to the east as shown on image.

Pursuant to Snoqualmie Municipal Code 12.19.010, it is unlawful for anyone to make private use of any public right-of-way without a right-of-way use permit issued by the city. No right-of-way use permit was issued for the encroaching use of City right-of-way.

Within thirty (30) days of the date of this letter, the City demands the illegal use of City property cease and the encroachment be removed. A permit application to demolish the structure may be obtained through the City's Forms Center

Thank you,


Emily Arteche (Aug 14, 2024 13:47 PDT)

Emily Arteche

Director of Community Development
City of Snoqualmie



CONSERVATION FUTURES (CFT) 2019 ANNUAL COLLECTIONS
APPLICATION FOR FUNDS

PROJECT NAME Snoqualmie Riverfront Reach

Applicant Jurisdiction(s): City of Snoqualmie

Open Space System: Above Snoqualmie Falls

(Name of larger connected system, if any, such as Cedar River Greenway, Mountains to Sound, a Regional Trail, etc.)

Acquisition Project Size: 1.0 acres (4 parcels)

(Identify the acreage targeted under this year's funding request)

CFT Application Amount: \$765,500

(Dollar amount of CFT award requested)

Total Project Size: 11.0 acres (28 parcels)

(If known, identify total acreage at project completion for multi-year projects)

KC PL Application Amount:

(King County Projects Only: Dollar amount of KCPL requested)

Type of Acquisition(s): [X] Fee Title [] Conservation Easement [] Other:

CONTACT INFORMATION

Contact Name: Nicole Sanders

Phone: 425-888-5337

Title: Senior Climate & Long Range Senior Planner

Email: nsanders@ci.snoqualmie.wa.us

Address: 38624 SE River St/PO Box 987, Snoqualmie 98065

Date: 03/06/18

PROJECT SUMMARY:

(In the space below, provide a brief but comprehensive description of the project, which succinctly explains what the project is attempting to accomplish. This should include reference to the overall watershed, reach, trail or open space system within which the project is set. Please note how the targeted parcels are significant individually, or as part of an overall multi-parcel system.)

This project will acquire 4 of the remaining 16 residential, riverfront parcels with houses within 150 feet of the Snoqualmie River in City limits (in WRIA 7), using funds to purchase open space-zoned parcels along the south/west bank reach between SE Northern St. and the King County Snoqualmie Valley Regional Trail (SVRT) corridor. These river reach properties are in the FEMA-designated 100-year floodway and have suffered repetitive flood damage; they also pose the primary risk to natural processes in this reach through residential activity. The City recognizes that the river reach presents aesthetic, cultural, passive recreation and restoration opportunities, and aims to acquire reach properties for open space, riparian habitat restoration, and to provide a Riverwalk trail.

This application is a phase of a multi-year reach project to acquire 28 residential properties along the south bank of the Snoqualmie River within City limits; the open-space zoned north bank remains undeveloped. Since 2012, the City has acquired 7 riverfront reach parcels with King County Flood Control District, King Conservation District, FEMA and Conservation Futures tax funding. For 2018 alone, one (1) property has been acquired, and there is funding and owner-interest to acquire three (3) more. After subtracting the 4 projected 2018 acquisitions, and the past 8 acquisitions (including 1 by King County), only 16 acquisitions remain out of the original 28 target properties.

This project proposes to acquire 4 properties, composed of 3 contiguous and 1 separated SE Park St. parcels (see site map). Following acquisition, residential buildings will be removed /demolished with non-CFT funds, and integrated into larger restoration projects. Open space acquisitions will be added to overall City acquisitions. To date the City has acquired a total of 42 riverfront parcels, or 1.5 river miles of the 2.2 mile reach, totaling 66.5 acres, due to this project as well as the Snoqualmie Preservation Initiative, various grants and open space donations.

1. OPEN SPACE RESOURCES

Please review the attached evaluation criteria. For the **proposed acquisition parcel(s)**, please mark those criteria that apply and thoroughly, yet succinctly, describe **in the space below** how the proposed acquisition satisfies each marked criteria. Please clearly describe how these criteria might be met at a landscape level, and how they apply to individual parcels. If restoration is part of the plan, please briefly describe the current condition and the hoped for restored condition that is the goal of the acquisition.

- | | |
|---|---|
| <input checked="" type="checkbox"/> A. Wildlife habitat or rare plant reserve | <input checked="" type="checkbox"/> E. Historic/cultural resources |
| <input checked="" type="checkbox"/> B. Salmon habitat and aquatic resources | <input checked="" type="checkbox"/> F. Urban passive-use natural area/greenbelt |
| <input checked="" type="checkbox"/> C. Scenic resources | <input checked="" type="checkbox"/> G. Park/open space or natural corridor addition |
| <input checked="" type="checkbox"/> D. Community separator | <input checked="" type="checkbox"/> H. Passive recreation opportunity/unmet needs |

A. Wildlife habitat or rare plant reserve – This Snoqualmie River reach serves as significant habitat and a large wildlife corridor for elk, deer, beaver, wintering bald eagles, pileated woodpecker, and native songbirds. Natural vegetation of riverbank parcels has largely been removed and replaced with lawn grass, garden and orchard landscape species. A major riverfront acquisition goals is to conserve and restore natural Snoqualmie River riparian systems for connected wildlife habitat along the River.

B. Salmon habitat and aquatic resources – The project is in the Snohomish River Salmon Conservation Plan Headwaters section (11.16). The watershed supports wild runs of Coho, Chinook, Pink, Chum and Steelhead salmon; Chinook is present in the Snoqualmie River. Although salmon habitat cannot be directly supported as the acquisition reach is upstream of Snoqualmie Falls, habitat restoration in this area will improve instream conditions for Chinook downstream and for resident fish, including other salmonids such as presumed listed bull trout; rainbow and cutthroat trout habitat has also been noted locally. The removal of impervious surfaces will further improve hydrological function, sediment transport processes, and instream habitat structure. The Snoqualmie River is 303(d) listed for temperature – the 2011 Snoqualmie River Basin TMDL... Implementation Plan (Publ. No.11-10-041), emphasizes the importance of restoring riparian shading and the priority of planting native vegetation where buffers are lacking (page 135). The City has striven to prioritize acquisitions with higher river shading potential.

C. Scenic resources – All riverfront parcels offer views of the Snoqualmie River. Select parcels, and the open space corridor connecting with the Meadowbrook Bridge, provide unique views of Mt. Si along Snoqualmie River within the City, providing a striking scenic backdrop for future users of the proposed Riverwalk within this reach of the Watershed.

D. Community separator – The reach provides the Downtown Northern boundary, helping maintain a distinct character from the Mill Pond further North. Proposed acquisitions will extend and restore the greenbelt along the Snoqualmie River.

E. Historic/cultural resources – The City has a rich wealth of historic and cultural resources from thousands of years of Native American habitation and 100+ years of European settlement. The project will improve the aesthetics in two City Historic Districts, the Meadowbrook Bridge and near the Snoqualmie Railroad Depot (County-designated Historic Landmarks). Educational signage highlighting the cultural and natural environment will also be installed along the Riverwalk trail.

F. Urban passive-use natural area/greenbelt – The project adds to a passive 3+ acre greenbelt with River access (see G/H). Acquisitions could be integrated in the Phase II Riverwalk project, for which the City has submitted a Floodplains by Design pre-application with the Department of Ecology. Phase I Riverwalk design is almost complete, supported by a \$1.47 million Department of Commerce grant, as well as City funds. Contiguous acquisitions allow the City to develop future trail access & conduct more immediate restoration; riverwalk trail development will provide public access and education improvements.

G. Park/open space or natural corridor addition – The City currently owns a natural corridor intermittently interrupted with residences, composed of 8,070 of the 11,500 lineal feet of riverfront property, from north of Tokul Road to the County Snoqualmie Valley Regional Trail (SVRT). The riverfront reach includes Sandy Cove (passive) and Riverview (passive/active) Parks, along with over 40 permanent open space parcels; one of the acquisitions is directly adjacent to Riverview Park, and all acquisitions are planned for park/passive use integration with open space. Preventing further reach/floodway active use and development allows the opportunity to restore floodplain functions in this corridor through riparian restoration.

H. Passive recreation opportunity in area with unmet needs – The 2018 *City of Snoqualmie Open Space, Parks and Recreation Plan* identifies a current recreational need of ~14.11 acres Water Access Area. Reach acquisitions will help meet this need. The riverfront reach also provides an excellent passive recreation opportunity of regional significance; acquiring these parcels allows for urban nature trail connections to the King County Snoqualmie Valley Regional Trail (SVRT), helping close regional trail system gaps. In addition, the separate 2016 Tokul Road roundabout project North of this reach extended an urban trail from Snoqualmie Falls (which draws 2 million visitors per year) to the planned starting point of the Phase I Snoqualmie Riverwalk and its future planned regional connections, increasing reach acquisition recreational and educational potential. The City is committed to expanding and supporting the extensive trail network in the City and along the Snoqualmie River, expending \$1.5 million in grants for the Phase I Riverwalk from 2017-2020 (see F). The City has also budgeted over \$700,000 of city funds towards the Riverwalk, and as match for various grants and project needs.

2. ADDITIONAL FACTORS

For the proposed acquisition parcel(s), please mark all criteria that apply and thoroughly, yet succinctly, describe in the space below how the proposed acquisition satisfies each marked criteria.

- A. Educational/interpretive opportunity
- B. Threat of loss of open space resources
- C. Ownership complexity/willing seller(s)/ownership interest proposed
- D. Describe any public or private partnerships that will enhance this project
- E. Is the property identified in an adopted park, open space, comprehensive, or community plan?
- F. Transferable Development Rights (TDR) participation

A. Educational/interpretive opportunity – Active green belt management and educational signage provide ample education opportunities. The extensive riparian area within and adjacent to the reach presents large opportunities to involve volunteers, students, and nonprofits in restoration, similar to City activities with Mountains to Sound Greenway and the Snoqualmie Tribe (see section 2.D). Acquisitions also provide opportunities with interpretive signage on natural and historic features on the future Riverwalk, which projects high use from Snoqualmie Falls trail connections and its 2 million annual visitors.

B. Threat of loss of open space resources – Although reach acquisitions have been relatively successful to date, several property owners have been contacting the City for over five years in hopes of selling; since 2012, seven (7) owners have sold their properties to private entities due to lack of adequate city funding at the point of sale, complicating future acquisition potential. In addition, property values have increased dramatically, with the subject properties doubling in value (an average increase of 102%) since 2012. Recent appraisals note the region continues to gain ~13% value annually. Acquisition delays means cost increases, as well as delays to restoration and bank stabilization efforts. There has been some resource loss due to bank failure. Riverbank erosion has been recorded in different reach areas, and in 2012 there was road failure on Park Ave SE. from reach erosion. As such, the City has a strong interest in preventing new development and removing existing structures from the river's edge, allowing bank stabilization and riparian restoration, while allowing public access in a continuous, scenic river greenbelt.

C. Ownership complexity/willing seller(s)/ownership interest proposed – Among the 4 proposed acquisitions, 2 property owners have signed letters of interest, and 1 expressed verbal interest, in selling to the City. If property owners lose interest in selling, the City would proceed with other acquisitions in the riverfront reach. The project has had exceptional public support over time; riverfront acquisitions and development of a Riverwalk have been called for by citizens in City planning processed for over a decade (*2005 Downtown Vision Plan; 2006 Destination Development and Economic Plan; 2010 Downtown Master Plan; 2011 Bicycle & Pedestrian Recommendations Report; and Snoqualmie 2032, the 2014 Comprehensive Plan Update*).

D. Partnerships - Describe any public or private partnerships that will enhance this project – Several partnerships have formed around, and been bolstered by, funding and restoration activities in the project reach. The City and King County signed the “Upper Snoqualmie Residential Flood Mitigation Riverfront Acquisition” Agreement in 2012, identifying parcels for purchase in the County Flood Control Zone District (FCD) capital improvement program. In the agreement FCD pledged \$3 million to assist the City in acquiring flood-prone properties, at up to \$150,000 per property; the City continues to meet with FCD staff on acquisition progress. Project applications for acquisition, restoration, and Riverwalk funding have also received letters of support from the Snoqualmie Watershed Forum and the Snohomish Basin Salmon Recovery Forum for WRIA 7.

The Phase I Riverwalk project now in design (see 1.F Urban passive-use, above) has had input from the Snoqualmie Tribe, and the City intends to continue project coordination as intergovernmental relationships allow. Additionally in 2016 -2017 the City worked with the King Conservation District (KCD) and Forterra to join the Forterra Green Cities Program with the “Green Snoqualmie” partnership – a systematic 20 year restoration program that utilizes and trains restoration volunteers, via a unified provider network. Green Snoqualmie planning meetings have included the Snoqualmie Tribe, Mountains to Sound Greenway (Greenway), Forterra and King County. The City also has two Conservation Watershed Management (CWM) grants from FCD within and immediately North of this reach with the Greenway for restoration efforts. This strong budding partnership, and stakeholder involvement in the Phase I Riverwalk project, have included planning for more coordinated reach restoration, to specifically target area knotweed issues and to identify areas ripe for new plantings.

E. Is the property identified in an adopted park, open space, comprehensive, or community plan? – All project properties are identified in *Snoqualmie 2032, the 2014 City Comprehensive Plan*, as Open Space; plan policies 3.5.2 and 7.3.5 address the Riverwalk, and the Capital Improvement Program includes Riverwalk Acquisitions and Riverwalk Trail Ph. I - III. The *2018 Open Space, Parks and Recreation Plan* also recommends acquiring and preserving additional shoreline access for waterfront trails, visual access and water-related recreation.

F. Transferable Development Rights (TDR) – This project does not propose using Transfer of Development Rights.

3. STEWARDSHIP AND MAINTENANCE

How will the property be stewarded and maintained? Does the property lend itself to volunteer stewardship opportunities or community participation? How will ongoing stewardship and maintenance efforts be funded?

Newly acquired land will join the existing approximately 66.5 acres of permanent public open space located north of and within the proposed acquisition reach. Proposed acquisitions are relatively flat with volunteer populations nearby, providing good terrain and access for volunteer restoration events. The City recently joined the Forterra Green City program, which enlists and retains volunteers to support open space health (see 2.D Partnerships, above). The City contracts with Forterra for program maintenance, in turn funded via stormwater rates (a sustainable funding source), supported by studies on urban forest stormwater benefits. CWM grants and other funders will also continue to be sought for restoration work and early on-going site maintenance. In addition to these resources, the City Parks Division will accept all maintenance responsibilities in perpetuity as it has with all City open spaces.

4. PARCEL DETAILS *(New section added in 2018)*

A. Please provide information about current and future funding targets, adding more rows if needed.

Current Funding Targets (i.e. those targeted to be acquired with requested funding, and shown in red on the map described in Section 6)

Parcel Number	Acreage	Zoning	Assessed Value ¹	Property Interest Sought (fee, easement, or TBD)?
7849200025 (Crabb)	0.19	Open Space	\$362,000	Fee
7850200060 (Ennis)	0.36	Open Space	\$386,000	Fee
7849200060 (Huang)	0.27	Open Space	\$353,000	Fee
7849200064 (Isola)	0.19	Open Space	\$273,000	Fee

Future Funding Targets (i.e. those shown in yellow on the map described in Section 6)

- Please list the parcel numbers here (no additional information needed):

7849200055 (Bates)	7849200450 (Roth)	5417600210 (Eighty Fifty LLC)
7849200041 (O'Reilly)	7849200455 (Hailstone)	5417600215 (Swenson)
7849200040 (Blaney & Davis)	7849200460 (Fooks)	5417600225 (Thompson)
7849200425 (Warren)	5417600175 (Saturday)	

B. Please describe intended future use of the property.

The site is planned for passive open space uses; in the future, acquired properties will undergo restoration and passivedevelopment of a Riverwalk Trail.

C. Please identify if there are parts of the site you intend to use for non-CFT-eligible activities (e.g. more intensive recreational uses, or retaining a structure on a fee purchase²). What funding source do you plan to use to purchase the non-CFT eligible portion of the site?

The site will be for passive recreation only; the whole site will be used for CFT-eligible activities.

Note: Demolitions themselves are not CFT-eligible, but the City has \$58,000 King County Flood Control District Sub-regional Opportunity Funds approved for demolitions, with the opportunity to reserve more. These funds are not listed in the project budget or claimed as match.

¹King County [iMAP](#) is a good source of information. If property is enrolled in Current Use Taxation for Forestry, the Assessor's Office may not provide an assessed value or acreage for the parcels; feel free to note if that is the case.

²Generally, a structure may be retained on CFT-funded fee purchase only if used for maintenance and counted within the 15% limit on impervious surfaces. A structure that is to be kept on site and used for maintenance or a non-compliant use should not be purchased with CFT funding, nor does the funding for the structure purchase count as match.

5. PROJECT BUDGET

1) TOTAL CFT APPLICATION AMOUNT ^a	CFT: \$765,500
2) TOTAL KC PL APPLICATION AMOUNT ^b	KC PL:

^aAllowable CFT acquisition costs (K.C.C. 26.12.010.G): The disbursement of funds shall be made only for capital project expenditures that include costs of acquiring real property, including interests in real property, and the following costs: the cost of related relocation of eligible occupants, cost of appraisal, cost of appraisal review, costs of title insurance, closing costs, pro rata real estate taxes, recording fees, compensating tax, hazardous waste substances reports, directly related staff costs and related legal and administrative costs, but shall not include the cost of preparing applications for conservation futures funds.

^bKing County projects only, if requesting county share of King County Parks Levy.

Estimation of property value:

Briefly note how land values have been estimated (i.e., appraisal, property tax assessment, asking price, letter of value or other means).

Property parcel values are based on listed 2017 King County Assessment values plus a 25% market factor; previous answers under 4.A list only the assessment value. The King County acquisitions unit estimates a 20% to 30% market increase over assessed valued in appraisals. Acquisitions in this reach have followed this trend.

PROJECT COSTS	ESTIMATED DOLLAR AMOUNT OR RANGE
Total property interest value	\$1,717,500
Title and appraisal work	\$16,000 (4 appraisals at \$4,000 each)
Closing, fees, taxes	\$16,000 (4 closing/fees at \$4,000 each)
Relocation	\$22,000 (2 relocations, at \$11,000 each)
Hazardous waste reports	\$14,500 (4 reports at \$3,500 each)
Directly related staff, administration and legal costs	\$28,000 (4 acquisition staff time, \$7,000 each)
Total Project Costs	\$1,813,500

Funding Table: (Section Revised in 2018)

CFT can only provide a maximum of 50% of anticipated project costs. Please document the sources of match that you have received, or intend to seek, towards the target properties.

CFT FUNDING	Date Funding Secured	Dollar Amount
CFT Funds Requested	N/A	
Past CFT Available <i>(i.e. funds remaining from past awards, to be spent on current target parcels)</i>	2016	\$98,000
MATCH FUNDING IN HAND	Date Funding Secured	Dollar Amount
Sources/Status:		
King County Flood Control Zone District	Committed as of 5/23/12	\$450,000 (\$150,000 for 3 parcels, Committed)
MATCH FUNDING STILL SOUGHT	Date Funding Anticipated	Dollar Amount
Sources/Status:		
Ecology, Floodplains by Design(FBD)/Applied	07/2019	\$500,000

Note: This project is scalable, so that some parcels may not be pursued should FBD go un-awarded. Project match has also been reach-wide; the reach will have excess match following completion of the 2018 FEMA applications, which will add \$600,000 match in excess of existing projected CFT expenditures.

5. ATTACHED MAPS

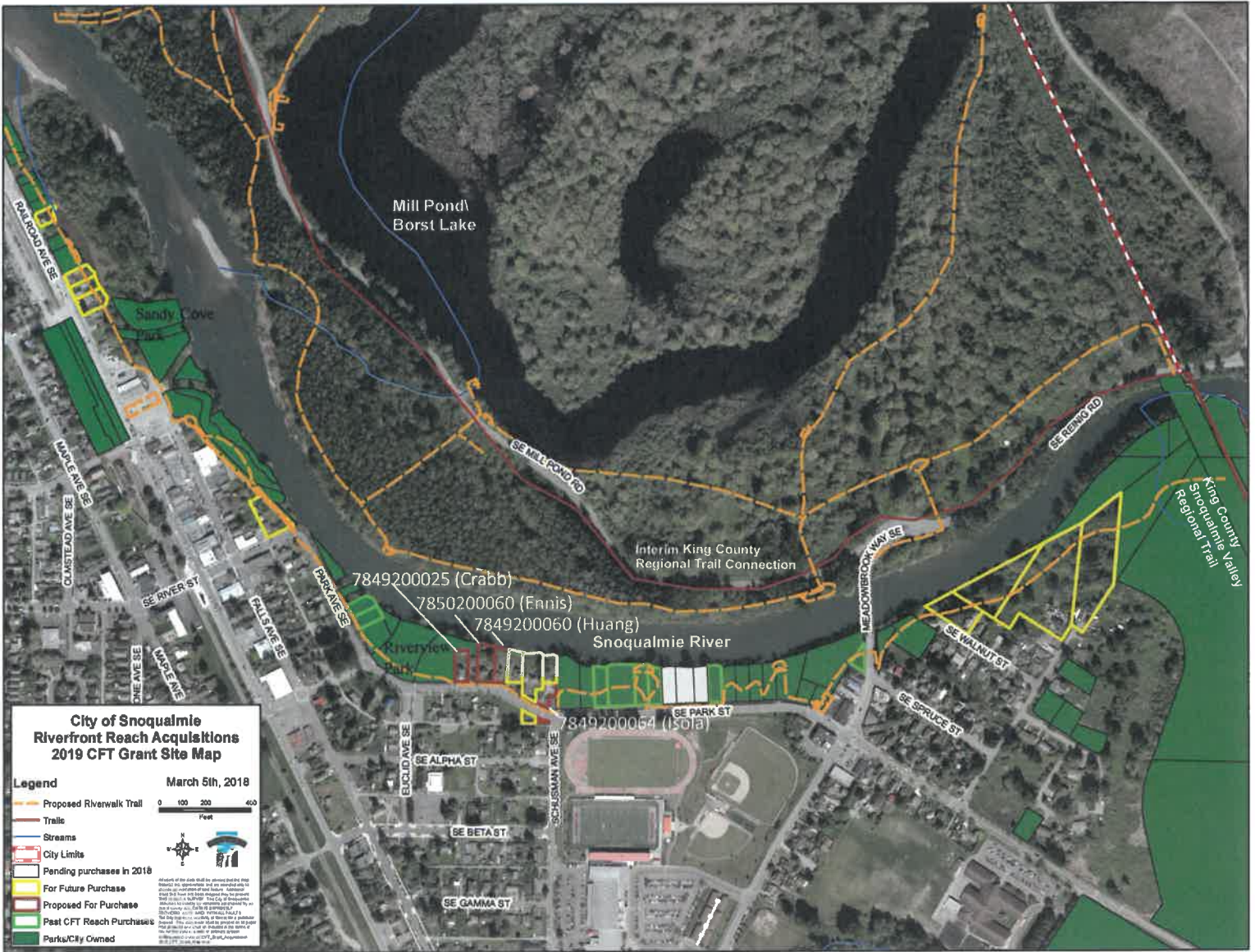
Two maps are required: 1) Site Map and 2) Location Map. You may also submit one additional attachment (e.g. site photo). Maps printed on 8 ½ x 11" paper are preferred, but 11 x 17" paper is acceptable if folded, three-hole-punched, and stapled with your application.

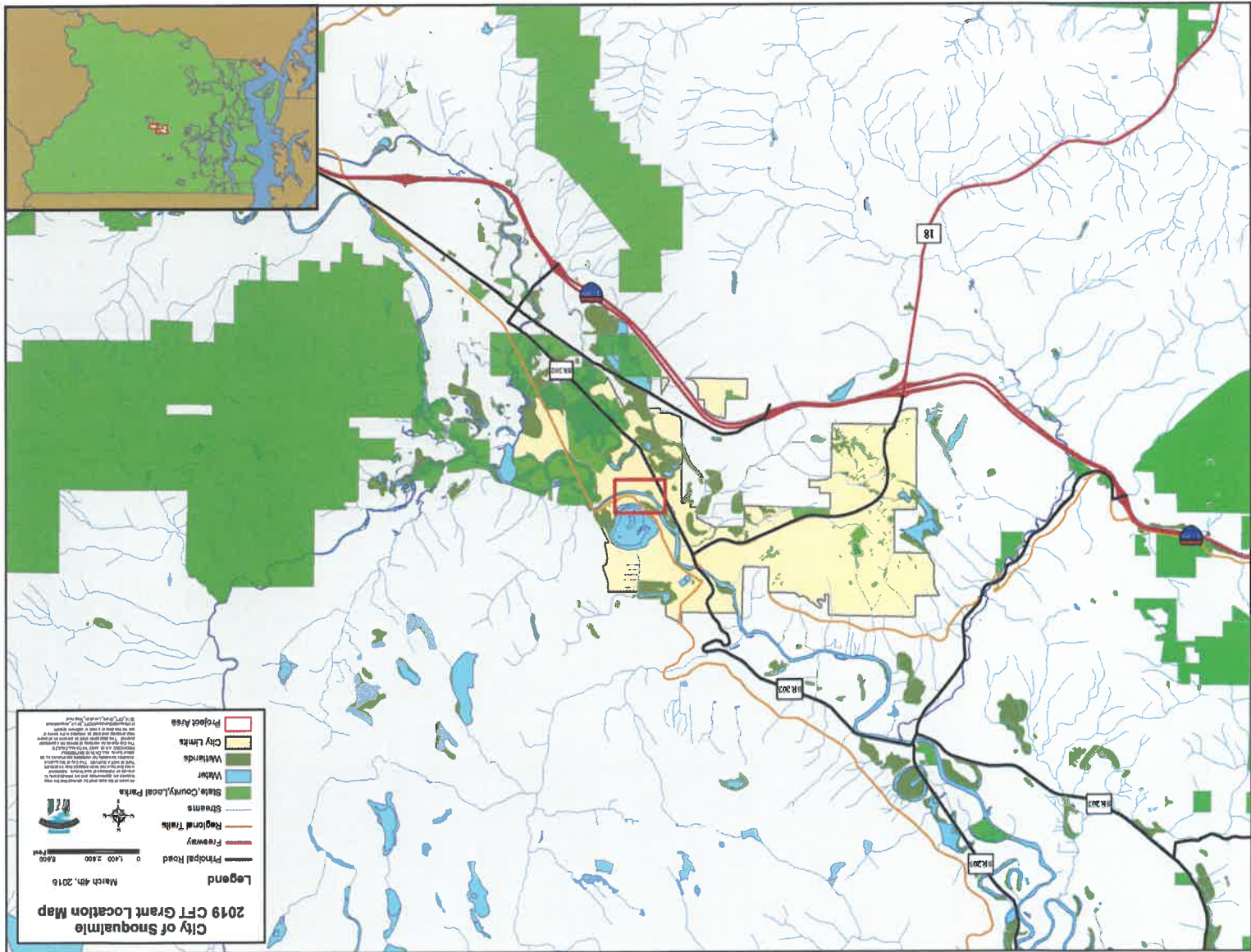
Site Map Guidance:

- Preferred colors/shading:
 - **RED OUTLINE:** Current funding targets in project scope. Please label parcel numbers on targets. Additionally, add a stripe or cross-hatch pattern to identify parcels where you know you will seek only an easement.
 - **YELLOW OUTLINE:** Future funding targets (not for current funding request).
 - **GREEN OR DISTINCT SHADING:** Existing nearby public open spaces. Please label park names or ownership.
- Show and label major watercourses such as creeks, rivers, lakes, or wetlands.
- Show and label roads.
- Show location of any proposed site development (e.g. parking, trails, or other facilities) or proposed site restoration.
- Use aerial photo base layer.

Location Map Guidance:

- Other permanently protected open spaces (private, non-profit, institutional, etc.) shown in green or distinct shading;
- Show major water courses such as creeks, rivers, lakes, or wetlands;
- Show major roads, arterial roads, or regional trails.
- Show city boundaries and/or urban growth boundary.
- Map scale: This map should show approximately a five-mile radius around the proposed acquisition(s).





**City of Snoqualmie
2019 CFT Grant Location Map**
March 4th, 2019

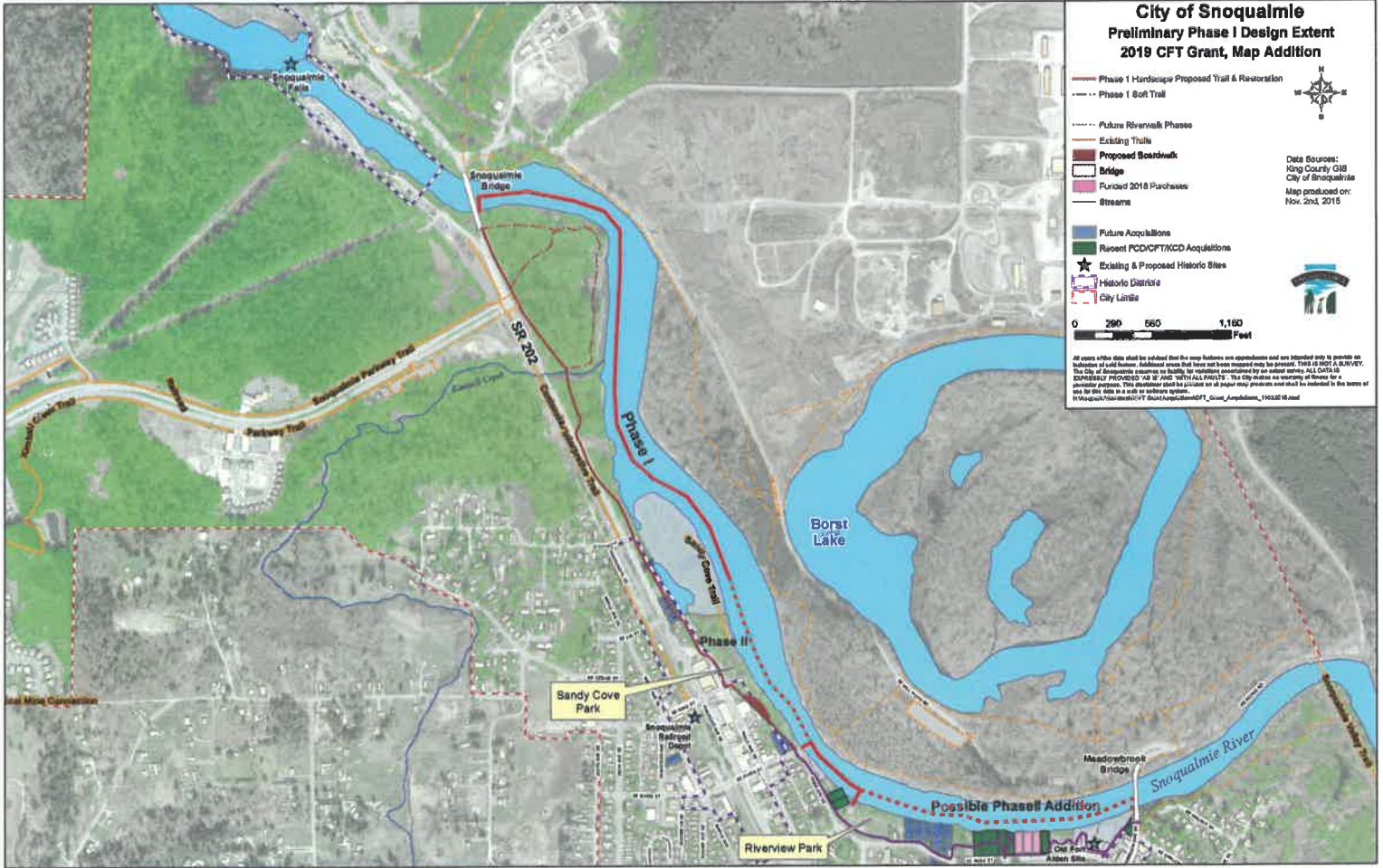
Legend

- Project Area
- City Limits
- Wetlands
- Water
- State, County, Local Parks
- Regional Trails
- Streams
- Freeway
- Primary Road

Scale: 0 1400 2800 5600 Feet

North Arrow

Map data provided by Esri, DeLorme, GeoEye, IGN, Aerotech, Aero, IGN, etc. All rights reserved. © 2019 Esri. All other rights reserved. Esri, DeLorme, GeoEye, IGN, Aerotech, Aero, IGN, etc. are either registered trademarks or trademarks of their respective owners. Microsoft, Bing, and Windows are either registered trademarks or trademarks of Microsoft Corporation in the United States and/or other countries. All other trademarks are the property of their respective owners.



Atty Client Priv.

From: Emily Arteche <EARteche@snoqualmiewa.gov>

Sent: Wednesday, March 22, 2023 2:58 PM

To: Cindy Coakley <cindycoakley@windermere.com>

Subject: I39194 SE Park property

Hi Cindy,

Thank you for discussing the above-mentioned property for sale. The City is very much interested in making an offer to purchase the property at a value that reflects the appraised value. The attached Washington General Certified Appraisal from Kidder Mathews describes in detail the current illegal, non-conformances of the existing improvements. The existing improvements are not legal due to their location on the public right of way. The subject improvements are mostly wood frame, built in 1940. There is a newer masonry façade along the Park Street face. The building will need to be removed. The property is zoned Open Space, with permitted uses that are intended for formal and active park uses, as well as other recreational.

The cost of removal of the structure would be borne by the property owner and must be deducted from the value of the property. The appraisal report states that the

demolition costs for the 1,990 sq ft building will be \$2.82 per sq ft, or a total of \$5,611. Deducting demolition cost of \$5,611 from the appraiser's value opinion of \$5,400 results in a net value of negative \$212, rounded to \$0. It is opinion of the appraiser that the property has a nominal fee simple market value of \$1,000 as of December 2, 2014. In consideration of this information, the City would like to prepare a Purchase and Sale agreement for consideration.

Emily Arteche, AICP | Community Development Director

425-888-8007 | www.snoqualmieva.gov

38624 SE River St.

Snoqualmie, WA 98065

