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The Honorable Douglass North

SUPERIOR COURT OF WASHINGTON
FOR KING COUNTY

CENTRAL PUGET SOUND REGIONAL
TRANSIT AUTHORITY, a regional transit
authority, dba SOUND TRANSIT,

Petitioner,

vs.

ANDREW J. SNETHEN and "JANE/JOHN
DOE" SNETHEN, individually and the marital
community composed thereof; CAROL ANN
HANCOCK and "JOHN/JANE DOE"
HANCOCK, individually and the marital
community composed thereof; JPMORGAN
CHASE BANK NA; KING COUNTY, a
municipal corporation; ALL UNKNOWN
OWNERS AND UNKNOWN TENANTS,

Respondents.

) No. 20-2-09065-4 SEA

) STIPULATED JUDGMENT AND DECREE
) OF APPROPRIATION

) Tax Parcel No. 531510-1838

JUDGMENT SUMMARY – JUDGMENT AFFECTING TITLE

- | | |
|---|---|
| 1. Abbrev. Legal Description of Property | Ptn of Lot 7, Block 23, Volume 16 of Plats, Page 58. |
| 2. Petitioner | Central Puget Sound Regional Transit Authority. |
| 3. Respondents | Andrew J. Snethen and "Jane/John Doe" Snethen and Carol Ann Hancock and "John/Jane Doe" Hancock. |
| 4. Just Compensation/ Principal Judgment Amount | \$1,215,000.00 (\$35,000.00 of the total Just Compensation/Principal Judgment Amount remains due and owing after giving Sound Transit credit for the partial payments of \$1,100,000.00 and \$80,000.00 which were deposited into the |

STIPULATED JUDGMENT AND DECREE OF
APPROPRIATION -- 1

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Seattle, Washington 98121-1128
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registry of the Court on September 14, 2020 and December 9, 2020, respectively).

5. Costs and Fees Petitioner to reimburse Respondents up to \$7,500.00 in actual reasonable attorney fees, up to \$5,000.00 in actual reasonable appraisal fees, and up to \$2,500.00 in actual reasonable accounting fees, without deposit with the Court, after receipt, review, and approval of paid invoices. Otherwise each party to bear its own costs and expert and attorney fees.

6. Prejudgment Interest Interest, if any, is included in the Just Compensation/Principal Judgment Amount.

STIPULATION

THIS MATTER having come before the Court upon the Petition of the Central Puget Sound Regional Transit Authority (“Petitioner”), seeking:

- 1) A determination of just compensation to be paid in money for the taking and appropriation of the subject property;
- 2) A judgment and decree of the Court providing for payment of the just compensation so determined; and
- 3) A decree of appropriation appropriating certain property rights, title, and interests to the subject property in Petitioner.

Petitioner, through its undersigned attorneys of Miller Nash Graham & Dunn LLP and Respondents Andrew J. Snethen and “Jane/John Doe” Snethen, appearing through their undersigned attorneys of Rodgers Deutsch & Turner P.L.L.C., and Carol Ann Hancock and “John/Jane Doe” Hancock, appearing through their undersigned attorneys of Inslee Best Doezie & Ryder PS, (collectively, “Respondents”), hereby stipulate to the following Facts and consent to entry of the following Stipulated Judgment and Decree of Appropriation.

FACTS

1. Respondents are the vested owners of the real property identified as King County Tax Parcel No. 531510-1838 (the “Parcel”). With this condemnation action, Petitioner seeks to condemn certain property rights, title, and interest to the subject property, as part of Petitioner’s link light rail project, in order to locate, construct, operate, and maintain Petitioner’s East Link Extension and its related facilities (the “Project”), in King County, Washington, as contemplated

STIPULATED JUDGMENT AND DECREE OF APPROPRIATION -- 2

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1 in Petitioner’s Board Resolution No. R2019-12. Specifically, with this condemnation, Petitioner
2 seeks to appropriate a permanent taking of the Parcel in fee simple absolute, as legally described
3 in **Exhibit 1** hereto. Exhibit 1 is incorporated here by this reference and the real property and real
4 property interests described in Exhibit 1 are hereinafter referred to as the “Condemned Property.”

5 2. On July 2, 2020, an Order Adjudicating Public Use and Necessity was entered in
6 this case, which is on file and incorporated here by this reference.

7 3. On July 20, 2020, a Stipulation for and Order Granting Immediate Possession and
8 Use was entered in this case, which is on file and incorporated here by this reference.

9 4. On September 14, 2020, Petitioner deposited **One Million One Hundred**
10 **Thousand and No/100 Dollars (\$1,100,000.00)** with the above-entitled Court pursuant to the
11 Stipulation for and Order Granting Immediate Possession and Use (“Possession and Use Deposit”).

12 5. On December 9, 2020, Petitioner deposited **Eighty Thousand and No/100**
13 **Dollars (\$80,000.00)** with the above-entitled Court (“Additional Deposit”).

14 6. Petitioner and Respondents, as the vested owners, have agreed through settlement,
15 that the total Just Compensation to be paid for Petitioner’s taking of the Condemned Property is
16 **One Million Two Hundred Fifteen Thousand and No/100 Dollars (\$1,215,000.00)**. This
17 amount includes all compensation owed by Petitioner based on the appropriation of the
18 Condemned Property, including claims for reimbursement and considerations of interest and of
19 expert fees and costs (but not including actual reasonable attorney fees incurred up to \$7,500.00,
20 actual reasonable appraisal fees incurred up to \$5,000.00, and up to \$2,500.00 in actual reasonable
21 accounting fees, as provided for in the Judgment Summary above).

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STIPULATED JUDGMENT AND DECREE OF
APPROPRIATION -- 3

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Seattle, Washington 98121-1128
(206) 624-8300/Fax: (206) 340-9599

1 **Stipulated and Agreed to this 30th day of**
2 **December, 2020, by:**

3 MILLER NASH GRAHAM & DUNN LLP

4
5 By: Jacqueline Walker
6 Jacqualyne J. Walker, WSBA# 45355
7 Nicholas A. Valera, WSBA# 54220
8 Attorneys for Petitioner Sound Transit

Stipulated and Agreed to this 30th day of
December, 2020, by:

RODGERS DEUTSCH & TURNER, P.L.L.C.

By: Daryl Deutsch
Daryl Deutsch, WSBA# 11033
Attorneys for Respondent Andrew J.
Snethen and "Jane/John Doe" Snethen

Stipulated and Agreed to this 30th day of
December, 2020, by:

INSLEE BEST DOEZIE & RYDER PS

By: Kinnon W. Williams
Kinnon W. Williams, WSBA# 16201
Attorneys for Respondent Carol Ann
Hancock and "John/Jane Doe" Hancock

JUDGMENT AND DECREE OF APPROPRIATION

15 **NOW, THEREFORE**, in accordance with the parties' stipulation and agreement, it is
16 hereby **ORDERED, ADJUDGED, AND DECREED** as follows:

17 1. That the sum of **One Million Two Hundred Fifteen Thousand and No/100**
18 **Dollars (\$1,215,000.00)** represents the total just compensation to be paid by Petitioner for the
19 Condemned Property ("Just Compensation"), as legally described in **Exhibit 1** hereto. This
20 amount includes all compensation owed by Petitioner based on the appropriation of the
21 Condemned Property, including claims for reimbursement and considerations of interest and of
22 expert fees and costs (but not including actual reasonable attorney fees incurred up to \$7,500.00,
23 actual reasonable appraisal fees incurred up to \$5,000.00, and up to \$2,500.00 in actual reasonable
24 accounting fees, as provided for in the Judgment Summary above).

25 2. That Petitioner's Possession and Use Deposit of **One Million One Hundred**
26 **Thousand and No/100 Dollars (\$1,100,000.00)** and Additional Deposit of **Eighty Thousand and**

STIPULATED JUDGMENT AND DECREE OF
APPROPRIATION -- 4

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1 **No/100 Dollars (\$80,000.00)** into the Court registry represents partial payments of the Just
2 Compensation. After consideration of the Possession and Use Deposit and the Additional Deposit,
3 **Thirty-Five Thousand and No/100 Dollars (\$35,000.00)** remains due and owing (“Decree
4 Deposit”).

5 3. That upon entry of this Stipulated Judgment and Decree of Appropriation and
6 payment into the Court registry of the Decree Deposit, Petitioner shall be deemed to have
7 appropriated the Condemned Property, as legally described in Exhibit 1 hereto, with all rights and
8 restrictions described therein, which restrictions shall bind all named Respondents in this action,
9 and those claiming by, through, or under them.

10 4. That the Decree Deposit is subject to any liens of taxes, including surface water
11 management service charges. The Clerk of the Court shall not disburse any of the funds deposited
12 until after receiving proof, sufficient to the Clerk of the Court, that any such liens have been paid
13 to the City and/or County Treasurer and all such liens discharged. Chap. 84.60 RCW.

14 5. That Petitioner hereby acknowledges receipt of a current, completed, and signed
15 IRS Form W-9 from Respondents.

16 6. That a certified copy of this Stipulated Judgment and Decree of Appropriation
17 shall be filed in the Office of the County Auditor and shall be recorded by such Auditor as a deed
18 of real estate with like effect.

19 DONE IN COURT this 14th day of January, 2021

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21 Douglas A. North
22 THE HONORABLE DOUGLASS NORTH

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STIPULATED JUDGMENT AND DECREE OF
APPROPRIATION -- 5

1 Presented by:

Copy received; Notice of Presentation
Waived; Approved as to Form:

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MILLER NASH GRAHAM & DUNN LLP

RODGERS DEUTSCH & TURNER, P.L.L.C.

By: Jacqualyne Walker
Jacqualyne J. Walker, WSBA# 45355
Nicholas A. Valera, WSBA# 54220
Attorneys for Petitioner Sound Transit

By: Daryl Deutsch
Daryl Deutsch, WSBA# 11033
Attorneys for Respondent Andrew J.
Snethen and "Jane/John Doe" Snethen

Copy received; Notice of Presentation
Waived; Approved as to Form:

INSLEE BEST DOEZIE & RYDER PS

By: Kinnon W. Williams
Kinnon W. Williams, WSBA# 16201
Attorneys for Respondent Carol Ann
Hancock and "John/Jane Doe" Hancock

EXHIBIT 1

R/W NO. EL 074.1
TPN 531510-1838
ANDREW J. SNETHEN AND CAROL ANN HANCOCK

Grantors' Entire Parcel:

Lot 7, Block 23, McGilvra's Island Addition, according to the plat thereof recorded in Volume 16 of Plats, Page 58, in King County, Washington;
Except the East 100 feet thereof; and
Except that portion thereof conveyed to the State of Washington for highway purposes by deed recorded under recording no. 8405100057; and
Except any remaining portion thereof lying within the right of way for SR 90.

Fee Acquisition Area Acquired by Grantee:

ALL OF GRANTORS' ENTIRE PARCEL, AS DESCRIBED ABOVE.