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BEFORE THE HEARING EXAMINER OF THE CITY OF MERCER ISLAND

In Re The Appeal of:

STEVE and SOPHY YANG,

 Petitioners,

 v.

CITY OF MERCER ISLAND,

 Respondent,

 and,

CHRISTOPHER and NICOLE
NIEDERMAN,

 Applicants.

No. APL21-006

CITY OF MERCER ISLAND’S FILE
PRODUCED UNDER HEARING
EXAMINER RULE 224

The City of Mercer Island submits the following exhibits in the above-referenced matter, currently set for hearing on September 20, 2021:

Exhibit No.	Description	Date
1	Cover email exchanges re permit application	May 23-24, 2021
2	Permit Application	May 18, 2021
3	16017 Niederman Gate	undated
4	Email from N. Allerdice to C. Niederman	May 27, 2021
5	Example	undated
6	Example (2)	undated
7	Email from C. Niederman to N. Allerdice	May 27, 2021
8	All-o-matic gate operator toro 24 gate manual	undated

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Exhibit No.	Description	Date
9	Email from J. Hicks to C. Niederman	June 1, 2021
10	2105-227-SUB1 Plans Denied	
11	Email from C. Niederman to J. Hicks	June 1, 2021
12	Terrane Survey	March 30, 2015
13	Email chain between C. Niederman and J. Hicks	June 1, 2021
14	Niederman Driveway Gate	Rev. July 8, 2020
15	Auto Security Gate	Last updated July 2020
16	2105-227- SUB1 Plans	June 5, 2020
17	2105-227- SUB1 Plans Review	June 5, 2020
18	2105-227- SUB1 Plans Approved	June 1, 2021
19	Email chain between C. Niederman and A. Leon	June 18 - July 1, 2021
20	4 Niederman Garage-Driveway Gate	July 1, 2021
21	Email from A. Leon to Permit Center	July 1, 2021
22	Email from K. Salvo to C. Niederman	July 6, 2021
23	Email exchange between K. Salvo and C. Niederman	July 6-7, 2021
24	Owner As Contractor Form	July 6, 2021
25	Email exchange between N. Allerdice and L. Pineau	July 8, 2021
26	Email from J. Hicks to D. Henderson	July 12, 2021
27	Email from J. Hicks to L. Pineau	July 14, 2021
28	Voicemail from C. Niederman to J. Hicks	undated
29	Email from C. Niederman to J. Hicks	July 14, 2021
30	Cover email for signed permit	July 23, 2021
31	Signed Permit	July 21, 2021
32	Email from L. Pineau to C. Niederman	July 26, 2021
33	Cover email chain for Appeal form from C. Ingram	July 26, 2021
34	Appeal	July 26, 2021
35	Evan's Addition Plat	January 1977
36	Declaration of Notice	September 10, 2021

The City reserves the right to seek admission of rebuttal exhibits after review of the Appellants' exhibits. The City further reserves the right to utilize documents identified by Appellants, and to rely on and elicit testimony concerning any provision of the Revised Code of Washington, Washington Administrative Code, or Mercer Island City Code.

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DATED this 13th day of September, 2021.

MADRONA LAW GROUP, PLLC

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CITY OF MERCER ISLAND
OFFICE OF THE CITY ATTORNEY

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Attorneys for the City of Mercer Island

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DECLARATION OF SERVICE

I, Tori Harris, declare and state:

1. I am a citizen of the State of Washington, over the age of eighteen years, not a party to this action, and competent to be a witness herein.

2. On the 13th day of September, 2021, I served a true copy of the foregoing City of Mercer Island’s File Produced Under Hearing Examiner Rule 224 on the following counsel of record using the method of service indicated below:

Cassidy J. Ingram, WSBA No. 56063 Ryan Sternoff, WSBA No. 37021 Ahlers, Cressman & Sleight, PLLC 1325 Fourth Avenue, Suite 1850 Seattle, WA 98101 Counsel for Petitioners	<input type="checkbox"/> First Class, U.S. Mail, Postage Prepaid <input type="checkbox"/> Legal Messenger <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail: cassidy.ingram@acslawyers.com ryan.sternoff@acslawyers.com <input type="checkbox"/> EService pursuant to LGR
Mark Rosencrantz, WSBA No. 26552 Carney Badley Spellman, P.S. 701 Fifth Avenue, Suite 3600 Seattle, WA 98104 Counsel for Applicants	<input type="checkbox"/> First Class, U.S. Mail, Postage Prepaid <input type="checkbox"/> Legal Messenger <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail: rose@carneylaw.com <input type="checkbox"/> EService pursuant to LGR

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

DATED this 13th day of September, 2021, at Seattle, Washington.

Tori Harris