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April 26, 2010

King County Council
Attention Janice Mansfield,
Environmental and Transportation Committee
516 Third Avenue, 12th Floor
Seattle, WA 98104

Re: King County: Proposed Ordinance 2010-2058.1; Condemnation of
Private Property – Rutherford Slough.

Dear Ms. Mansfield:

The undersigned is the attorney for Rutherford Slough, LLC, the owner of the subject property, which comprises approximately 68 acres of undeveloped land (the “Rutherford Slough Property”). The property owners purchased the real estate from Weyerhaeuser Real Estate Development Co. on or about October 19, 2009. It is important to remember that King County considered purchasing the Rutherford Slough Property from Weyerhaeuser prior to its sale to Rutherford Slough, LLC and declined to do so.

There are a number of inaccuracies and material omissions in the draft ordinance that should be corrected prior to consideration by the Environmental and Transportation Committee of the Metropolitan King County Council, and before the draft ordinance is forwarded to the King County Council for public hearing and possible action.

One or more of the property owners of the Rutherford Slough Property will be present at tomorrow morning’s meeting. The property owners intended to present their comments in person at the meeting as allowed by the April 6, 2010 letter sent by Paul Carlson on behalf of King County. Just this morning the property owners were notified that oral comments/testimony will not be received at the meeting, necessitating these written comments, which were compiled on short notice. It is our hope that the Committee will provide the property owners an opportunity to provide additional comments at the meeting. The owners attending the meeting will also be available to answer any questions the Committee may have.

The following comments/exhibits are material to the Committee’s consideration of the draft ordinance:

1. Attachment A is the Road Use Permit dated June 1, 2008 between Weyerhaeuser as the property owner and King County Division of Parks and Recreation as the permittee. The Road Use