



## MEDINA CITY COUNCIL

Monday, April 24, 2023

5:00 PM – REGULAR MEETING

### AGENDA

#### VISION STATEMENT

Medina is a family-friendly, diverse and inclusive community on the shores of Lake Washington. With parks and open spaces, Medina is a quiet and safe small city, with active and highly-engaged residents. Medina honors its heritage while preserving its natural environment and resources for current and future generations.

#### MISSION STATEMENT

Ensure efficient delivery of quality public services, act as responsible stewards of Medina's financial and natural resources, celebrate diversity, leverage local talent, and promote the safety, health, and quality of life of those who live, work, and play in Medina.



# MEDINA, WASHINGTON

## MEDINA CITY COUNCIL REGULAR MEETING

Hybrid - Virtual/In-Person  
Monday, April 24, 2023 – 5:00 PM

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### AGENDA

**MAYOR** | Jessica Rossman

**DEPUTY MAYOR** | Randy Reeves

**COUNCIL MEMBERS** | Cynthia F. Adkins, Jennifer Garone, Harini Gokul, Mac Johnston, Bob Zook

**CITY MANAGER** | Stephen R. Burns

**CITY ATTORNEY** | Scott Missall

**CITY CLERK** | Aimee Kellerman

#### Virtual Meeting Participation

The Medina City Council has moved to hybrid meetings, offering both in-person and online meeting participation. In accordance with the direction from Governor Inslee, masking and social distancing will be optional for those participating in person. Individuals who are participating online and wish to speak live must register their request with the City Clerk at 425.233.6411 or email [akellerman@medina-wa.gov](mailto:akellerman@medina-wa.gov) and leave a message before 2PM on the day of the April 24 Council meeting. Please reference Public Comments for April 24 Council Meeting on your correspondence. The City Clerk will call on you by name or telephone number when it is your turn to speak. You will be allotted 3 minutes for your comment and will be asked to stop when you reach the 3 minute limit. The city will also accept written comments. Any written comments must be submitted by 2 PM on the day of the April 24 Council meeting to the City Clerk at [akellerman@medina-wa.gov](mailto:akellerman@medina-wa.gov).

#### [Join Zoom Meeting](#)

Meeting ID: 832 5227 3105

Passcode: 589036

One tap mobile

+12532158782,,83252273105# US (Tacoma)

#### 1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Council Members Adkins, Garone, Gokul, Johnston, Reeves, Rossman and Zook

#### 2. APPROVAL OF MEETING AGENDA

#### 3. PUBLIC COMMENT PERIOD

Individuals wishing to speak live during the Virtual City Council meeting will need to register their request with the City Clerk at 425.233.6411 or email [akellerman@medina-wa.gov](mailto:akellerman@medina-wa.gov) and leave a message **before 2PM** on the day of the April 24 Council meeting.

Please reference Public Comments for April 24 Council Meeting on your correspondence. The City Clerk will call on you by name or telephone number when it is your turn to speak. You will be allotted 3 minutes for your comment and will be asked to stop when you reach the 3 minute limit.

4. **CITY MANAGER'S REPORT**

None.

5. **PRESENTATIONS**

None.

6. **CONSENT AGENDA**

None.

7. **LEGISLATIVE HEARING**

None.

8. **PUBLIC HEARING**

None.

9. **CITY BUSINESS**

9.1 Undergrounding Utilities

**Recommendation:** Discussion and direction.

**Staff Contact:** Ryan Osada, Director of Public Works

Time Estimate: 60 minutes

9.2 Funding Stormwater Replacement Options

**Recommendation:** Discussion and direction.

**Staff Contact:** Ryan Wagner, Director of Finance and HR

Time Estimate: 45 minutes

9.3 Resolution Setting Legislative Hearing – OGCC Street Vacation

**Recommendation:** Adopt Resolution No. 432

**Staff Contacts:** Scott Missall, City Attorney and Stephanie Keyser, AICP, Planning Manager

Time Estimate: 30 minutes

10. **REQUESTS FOR FUTURE AGENDA ITEMS AND COUNCIL ROUND TABLE**

11. **PUBLIC COMMENT**

Comment period is limited to 10 minutes. Speaker comments limited to one minute per person.

12. **ADJOURNMENT**

Next regular City Council Meeting: May 8, 2023 at 5 PM.

## ADDITIONAL INFORMATION

Public documents related to items on the open session portion of this agenda, which are distributed to the City Council less than 72 hours prior to the meeting, shall be available for public inspection at the time the documents are distributed to the Council. Documents are available for inspection at the City Clerk's office located in Medina City Hall.

The agenda items are accessible on the City's website at [www.medina-wa.gov](http://www.medina-wa.gov) on Thursdays or Fridays prior to the Regular City Council Meeting.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (425) 233-6410 at least 48 hours prior to the meeting.

## UPCOMING MEETINGS AND EVENTS

Monday, April 24, 2023 - City Council Meeting (5:00 PM)  
Wednesday, April 26, 2023 – Open House T-Mobile (6:00 PM to 8:00 PM)  
Friday, April 28, 2023 - Arbor Day Event (10:00 AM)  
Monday, May 8, 2023 - City Council Meeting (5:00 PM)  
Thursday, May 11, 2023 – Open House Gas Powered Leaf Blowers (5:00 PM to 6:30PM)  
Monday, May 15, 2023 - Park Board Meeting (5:00 PM)  
Tuesday, May 2, 2023 - Planning Commission Special Meeting (6:00 PM)  
Monday, May 22, 2023 - City Council Meeting (5:00 PM)  
Tuesday, May 23, 2023 - Planning Commission Regular Meeting (6:00 PM)  
**Monday, May 29, 2023 - Memorial Day – City Hall Closed**  
Monday, June 12, 2023 - City Council Meeting (5:00 PM)  
Monday, June 26, 2023 - City Council Meeting (5:00 PM)  
Tuesday, June 27, 2023 - Planning Commission Regular Meeting (6:00 PM)  
**Tuesday, July 4, 2023 - Independence Day - City Hall Closed**  
Monday, July 10, 2023 - City Council Meeting (5:00 PM)  
Monday, July 17, 2023 - Park Board Meeting (5:00 PM)  
Monday, July 24, 2023 - City Council Meeting (5:00 PM)  
Tuesday, July 26, 2023 - Planning Commission Regular Meeting (6:00 PM)  
Wednesday, August 9, 2023 – Emergency Preparedness Meeting (4:00 PM)  
Monday, August 14, 2023 - City Council Meeting - **Dark No Meeting**  
Monday, August 28, 2023 - City Council Meeting - **Dark No Meeting**  
**Monday, September 4, 2023 - Labor Day - City Hall Closed**  
Monday, September 11, 2023 - City Council Meeting (5:00 PM)  
Monday, September 18, 2023 - Park Board Meeting (5:00 PM)  
Monday, September 25, 2023 - City Council Meeting (5:00 PM)  
Tuesday, September 26, 2023 - Planning Commission Regular Meeting (6:00 PM)  
Monday, October 9, 2023 - City Council Meeting (5:00 PM)  
Monday, October 23, 2023 - City Council Meeting (5:00 PM)  
Tuesday, October 24, 2023 - Planning Commission Regular Meeting (6:00 PM)  
**Friday, November 10, 2023 - Veterans Day - City Hall Closed**  
Monday, November 13, 2023 - City Council Meeting (5:00 PM)  
Monday, November 20, 2023 - Park Board Meeting (5:00 PM)  
**Thursday, November 23, 2023 - Thanksgiving Holiday - City Hall Closed**  
**Friday, November 24, 2023 - Day After Thanksgiving Holiday - City Hall Closed**

Monday, November 27, 2023 - City Council Meeting (5:00 PM)  
Monday, December 11, 2023 - City Council Meeting (5:00 PM)  
Wednesday, December 13, 2023 – Emergency Preparedness Meeting (4:00 PM)  
***Monday, December 25, 2023 - Christmas Day - City Hall Closed***

### **CERTIFICATION OF POSTING AGENDA**

The agenda for Monday, April 24, 2023 Regular Meeting of the Medina City Council was posted and available for review on Friday, April 21, 2023 at City Hall of the City of Medina, 501 Evergreen Point Road, Medina, WA 98039. The agenda is also available on the city website at [www.medina-wa.gov](http://www.medina-wa.gov).



# MEDINA, WASHINGTON

## AGENDA BILL

April 24, 2023

**Subject:** City-Wide Undergrounding Project

**Category:** Presentation/Discussion

**Staff Contact:** Ryan Osada, Public Works Director

### **Summary**

In 2018, Medina City Council directed city staff to research and present information about undergrounding powerlines. The Council participated in two study sessions in 2018 to gather preliminary information about the process and potential costs. A third study session was scheduled twice but canceled on both occasions.

At the October 24, 2022 Medina City Council Retreat, one of the Council priorities for staff was to “*Research and develop a plan for undergrounding utilities.*” This presentation is to engage the Council in discussing the organization and cost of undergrounding the powerlines throughout the city.

### **Attachments**

1. Power Point
2. 2007 FAQ’s about undergrounding utilities in Medina
3. 2018 PSE Proposal
4. 2018 PSE Good Faith Estimate
5. PSE Conversion to Underground Customer Responsibilities Handout
6. PSE Service Conversion Explanation
7. Maps
8. Options for Funding Underground Utilities

**Budget/Fiscal Impact:** Estimated cost of \$39,000,000.

**Staff Recommendation:** Discussion and direction.

**City Manager Approval:**

**Proposed Council Motion:** N/A

*Time Estimate: 60 minutes.*



# Citywide Undergrounding

April 2023



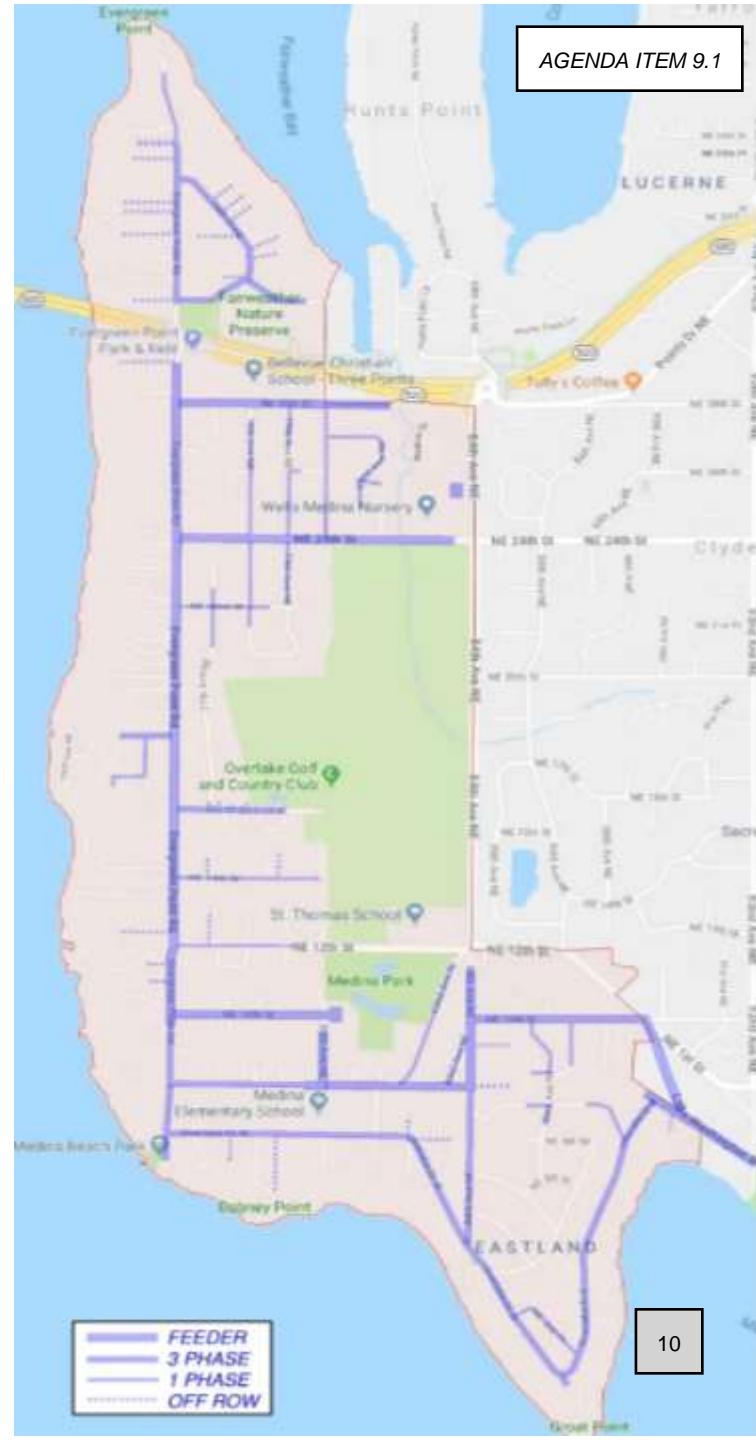
# Timeline

- February 26, 2018 City Council Study Session - Undergrounding Utilities
- April 23, 2018 City Council Study Session - PSE's Andy Swayne and Dennis Booth gave a brief 15 minute update for undergrounding utilities in Medina.
- June 25, 2018 City Council Study Session cancelled due to lack of business
- Topic moved to November 26, 2018 Study Session
- November 26, 2018 City Council Study Session cancelled
- October 2022 Council Retreat Action Item – Undergrounding Presentation Requested

# UG Service Conversion

- Three phases @ 15 months each
- Additional undergrounding (Lumen, Comcast)
- Luminaire Conversion (128 each)
- Homeowner Service Conversions
- Additional items to consider:

- Trenching
- Surface Restoration
- Engineering
- Management
- Easements



# Estimated Cost



## FACILITY CONVERSION GOOD FAITH ESTIMATE DETAIL

### Scope of Work

Date: 6/18/2018

To: City of Medina  
501 Evergreen Point Rd,  
Medina  
City of Medina, WA 98039

The removal of approximately 533 poles. Convert approximately 17,780 feet of PSE's 600amp overhead feeder to underground. Convert approximately 18,380 feet of PSE's 200amp three phase overhead to underground. Convert approximately 220 feet of PSE's 200amp two phase overhead to underground. Convert approximately 27,705 feet of PSE's 200amp single phase overhead to underground. Convert approximately 5,090 feet of PSE's overhead service conductor to underground.

Attn: Mike Sauerwein

An approximated Total Circuit foot within the city limits is 69,880 feet.

Project Description: Convert PSE's distribution from overhead to underground

Location: City of Medina

PSE Project Manager: Dennis Booth 425-417-9188

Activity:	PSE Construction Cost Estimate low	PSE Construction Cost Estimate High		Change Orders
PSE Order #	N/A	N/A	N/A	N/A
% Reimbursable	40%	40%	100%	100%
PSE Materials	\$5,144,468.00	\$7,459,478.60	\$2,512,779.86	PSE Excavation 100% City Cost
PSE Construction Labor Line Work	\$ 7,716,702.00	\$11,189,217.90		
PSE Project Management	\$ 1,714,823.00	\$2,486,493.35		
PSE Duct and Vault	\$ 2,602,637.39	\$4,208,824.22		
PSE Design Cost	\$ 50,000.00	\$72,500.00		
PSE Overheads	\$ 3,155,153.47	\$4,574,972.53		
Federal Income Tax	\$2,215,233.25	\$3,212,088.21	\$269,118.72	\$0.00 Total
<b>Total Actual Costs:</b>	\$22,899,017.11	\$ -	\$33,203,574.81	\$2,781,898.58
				40% City Cost
			<b>Low Range Estimate</b>	\$25,680,915.69
			<b>High Range Estimate</b>	\$35,985,473.39
				\$10,272,366.28
				\$14,394,189.36

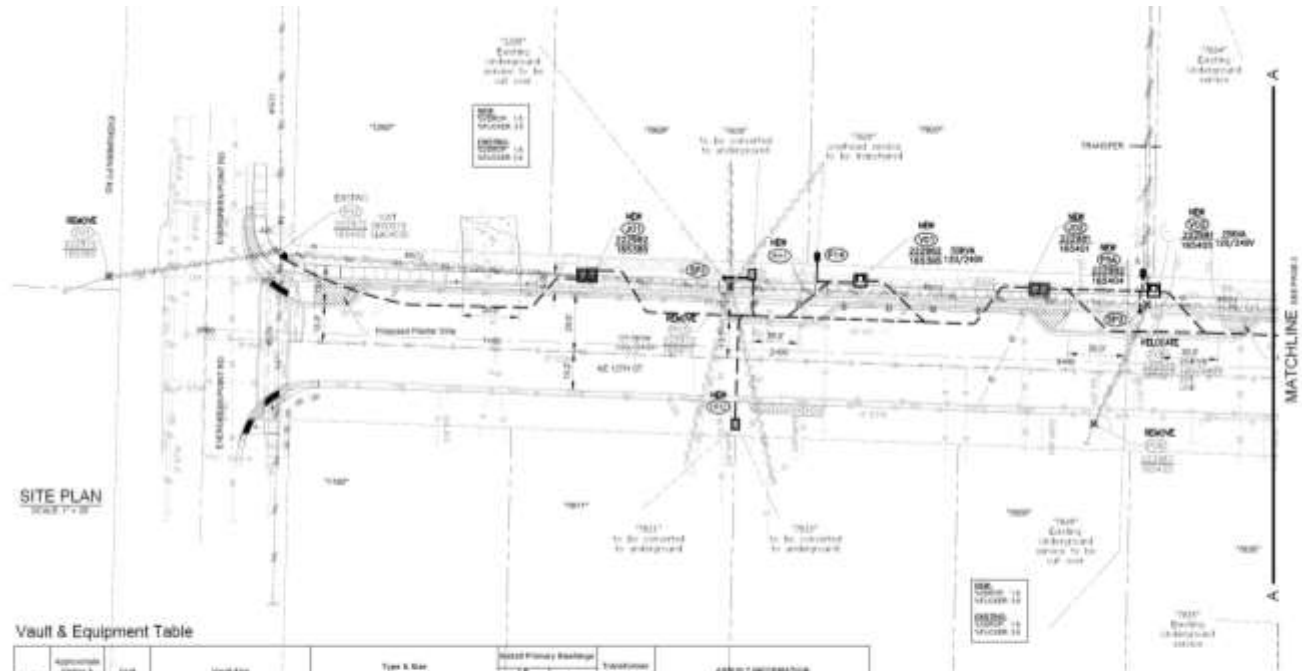
2018 Estimate \$14,400,000 x 30% (current 2023)	\$18,720,000
JUT, Surface Restoration & Traffic Control	\$17,500,000
Luminaire Conversion	\$ 768,000
Design Engineering & Construction Management (6%)	\$ 2,100,000

### ESTIMATED COST

**\$39,088,000**

# Current Pilot Project: NE 12<sup>TH</sup> ST Sidewalk & Undergrounding

- Homeowner conversion appeals
- Vaults and Equipment in landscape
- Utility Coordination (Joint Utility Trench, Design Engineering)
- Easements
- Tree & Landscape Trimming and Removal



Vault & Equipment Table

NO	Approximate Station & Offset From US Center	Grid Number	Vault Size & Cover	Type & Main Equipment in Vault	Notes/Primary Backings	Transition @ Station or Intermediate Pt.	ASBESTOS INFORMATION From an Inspector
V01	STN 2428.0 27.0'	22280 25380	42"X48"X36" Concrete MINOR PER STD 400.1-10.0	TOP-UP 1000000 W/ TRP NONE IN VAULT RECALL TO SECONDARY CONNECTOR LINE RANGE - 100' JAWSPYER W/ 60' GAUGE CONVEY TRP W/ 100' GAUGE W/ 60' GAUGE	1	1	
V02	STN 2432.0 27.0'	22280 25380	42"X48"X36" Concrete MINOR PER STD 400.1-10.0	TOP-UP 1000000 W/ TRP NONE IN VAULT RECALL TO SECONDARY CONNECTOR LINE RANGE - 100' JAWSPYER W/ 60' GAUGE CONVEY TRP W/ 100' GAUGE W/ 60' GAUGE	1	1	
E01	STN 1438.0 28.11'	22280 25380	48"X72"X36" Concrete W/ 2" 1/2 DIA. 4" DIA. 6" DIA. W/ 2" 1/2 DIA. 4" DIA. 6" DIA.	48"X72"X36" Concrete W/ 2" 1/2 DIA. 4" DIA. 6" DIA. W/ 2" 1/2 DIA. 4" DIA. 6" DIA.	3	5	
E02	STN 1439.0 28.11'	22280 25380	48"X72"X36" Concrete W/ 2" 1/2 DIA. 4" DIA. 6" DIA.	48"X72"X36" Concrete W/ 2" 1/2 DIA. 4" DIA. 6" DIA.	3	5	

NO	Vault Size & Cover	Type & Main Equipment in Vault	REMARKS
E01	48"X72"X36" CONCRETE W/ 2" 1/2 DIA. 4" DIA. 6" DIA.	(S) 1.0 Primary Connector W/ 2" 1/2 DIA. 4" DIA. 6" DIA.	
E02	48"X72"X36" CONCRETE W/ 2" 1/2 DIA. 4" DIA. 6" DIA.	(S) 1.0 Primary Connector W/ 2" 1/2 DIA. 4" DIA. 6" DIA.	



# CITY OF MEDINA

## Office of the City Manager

Last Update: August 13, 2007

### **FREQUENTLY ASKED QUESTIONS ABOUT UNDERGROUNDING UTILITIES IN MEDINA**

**1. What does the Undergrounding Utilities Proposition do?**

The proposition authorizes the City to borrow up to \$26 million (by issuing bonds) in order to pay the costs of undergrounding utilities. Voter approval of the proposition in November 2007 is required in order to permit the City to issue the bonds.

**2. What percentage of voters must vote “Yes” to approve the Undergrounding Utilities Proposition?**

60% of the voters who vote in the election must approve the proposition in order for it to pass.

**3. What does the term “undergrounding utilities” refer to?**

Puget Sound Energy (PSE), uses this term to describe the removal of the overhead electrical distribution system facilities consisting of wires, transformers, switches, and distribution poles, and replacing them with a system that is installed primarily underground. In an underground system the vaults, conduits, and cables are underground while the transformers and switches are pad-mounted and sit above ground (on top of vaults). This is referred to as an underground conversion.

**4. What are the advantages of undergrounding utilities?**

A significant advantage of undergrounding is the aesthetic improvement resulting from eliminating the poles, lines and overhead transformers throughout the community. Additionally, studies have shown that underground systems: experience fewer service disruptions; reduce motor vehicle accidents; lower maintenance costs; require less tree trimming; and suffer fewer line losses.

**5. Are there any disadvantages to undergrounding utilities?**

Underground electric utility systems generally take up more of the public right-of-way (ROW) and may require additional easements on private property. Trouble shooting system problems and restoring power outages take longer. Data indicates that although the frequency of outages for underground systems is 50% lower than overhead systems, the average duration of such disruptions is 58% longer than for an overhead system outage. On average, converting to underground power lines costs five to ten times as much as installing new overhead power lines.

**6. Is undergrounding utilities common and have any neighboring communities already completed this work?**

Many communities incorporate undergrounding utilities in their road projects, both for new roads or road improvements. Many communities require that new development include undergrounding of utilities. Data compiled by the Federal Energy Regulatory Commission shows that 49% of all new utility lines installed by Investor Owned Utilities from 1993-2002 were installed underground. The Town of Hunts Point converted to all underground utilities in the 1960s. The Town of Beaux Arts Village recently requested that PSE convert all of its electric utility systems to underground within the town.

**7. What is the City's share of the estimated total cost of undergrounding utilities in Medina?**

\$26 million.

**8. How much of the undergrounding utilities cost is paid for by the utility companies and how much by the City?**

In terms of electricity, the Washington Utilities and Transportation Commission (WUTC) has approved a tariff, commonly referred to as Schedule 74, that provides the terms and conditions under which PSE will convert its existing overhead electric distribution system to an underground system. Generally Schedule 74 calls for most conversion costs to be split 60% / 40% between PSE and the City, with the City also being responsible for all costs associated with surveying, trenching, excavation, backfill and restoration for the conversion.

**9. How does the City plan to finance their share of the costs?**

The City will borrow up to \$26 million and will raise that money by selling long term general obligation bonds of the City. The proceeds of the bonds will be used to pay project costs. The bonds will be repaid over a term of 20 years with annual tax levies on all of the taxable property within the City.

**10. How will my share of the cost for undergrounding utilities be calculated?**

Property owners within the City will pay a uniform tax rate that is calculated based upon the assessed value of their property.

**11. If utilities in my neighborhood are already underground, will my property still be assessed the new bond levy?**

Yes; the tax levy is required to be uniform on all taxable property, regardless of whether utilities in the area are already underground.

**12. What is the expected tax levy rate?**

Based on the City's 2007 assessed valuation, the projected levy rate is approximately \$0.85 per \$1,000 of assessed value. For instance, if a home has an assessed value of \$1 million, the annual assessment will be \$850.

**13. For how long will the tax levy be placed on my property tax bill?**

Twenty years, starting with the year in which the bonds are issued.

**14. Will my annual total bond repayment levy stay level, or will it increase as my home's assessed valuation increases?**

The City expects to structure the bond issue so that the dollar amount of the levy will stay the same during the 20 year payment period. The levy rate (dollars per thousand of assessed value) will change, of course, as the assessed valuation changes over time.

**15. Can I choose to pay off my total bond tax levy in a lump sum, accelerate payments or otherwise retire the debt early?**

An individual property owner cannot prepay property taxes for future years. The bonds will be structured, however, so that the City will be able to refinance the bonds if interest rates decrease in the future.

**16. How is my senior citizen, widow, or widower of a veteran exemption affected by this new tax levy?**

Any exemption or deferral you are entitled to affects the assessed valuation of your property and therefore is applied to this tax levy.

**17. Since the bond levy tax is part of my property tax bill, is it also tax deductible?**

The property tax allocable to the repayment of the bonds is deductible under *current* federal tax law in the same manner as other property taxes (if the property owner itemizes deductions).

**18. What happens if the total bond proceeds are not sufficient to cover the cost of all undergrounding?**

The City has conservatively estimated costs, so this is unlikely. However, if funds are insufficient, the City could choose to complete work in high priority areas only, or could seek alternative funding sources.

**19. What happens to surplus bond proceeds if the cost of undergrounding comes in under budget?**

Bond proceeds can only be used for the undergrounding project. If the cost of the undergrounding comes in under budget, then any remaining bond proceeds (and interest earnings) will be deposited in the City's debt service fund, and used to retire bonds or make interest payments, thereby lowering the upcoming tax levy.

- 20. Can the City retire this bond debt early, refinance the bonds later at more attractive interest rates, or otherwise reduce the total bond cost to property owners over the term of the bonds?**

If interest rates decrease, the City will have the ability to refinance the debt. However, it is expected that cost savings from a refinancing would be available only after 10 years (which is a standard call provision for tax-exempt municipal bonds).

- 21. Will undergrounding utilities affect my future monthly service bills?**

Possibly. Although initial costs for conversions will be covered under the terms of the tariff schedule, future costs for maintenance and upkeep may be born by rate payers. However, rate increases depend on many factors and are currently based on Puget Sound Energy's entire service area. Any changes in the rates would also be subject to approval by the WUTC.

- 22. What exactly is the scope of work that must be undertaken to underground utilities?**

New underground utility distribution systems must be designed and engineered. Some additional public rights-of-way or utility easements may need to be acquired. New underground utility systems must be constructed (this will require excavation of roads, shoulders, sidewalks and possibly some property frontages for the installation of conduits and vaults) and connected to the existing utility systems. Customer service lines must then be disconnected from the existing utility systems and connected to new underground utility systems. Lastly, the existing overhead utility systems will be removed and surface restoration will be completed.

- 23. Will any utility equipment remain above ground and visible, such as vaults and connection boxes, and where might they be located?**

Yes. On the electric utility side, pad-mounted transformers and switches (green boxes ranging in size from about three feet square and two feet tall to five feet square and four feet tall) will be above ground. There will be vault lids at grade that will be visible and access to the lids will have to be maintained. Typically these facilities will be located within public rights-of-way where sufficient operating space can be made available. Otherwise, some facilities may need to be located in easements outside of public rights-of-way.

- 24. Who is responsible for undergrounding the service connection between my home's electrical panel and the street?**

Washington state law (RCW 35.96) makes customers responsible for disconnection and removal of overhead services lines. PSE tariff Schedules 74 and 85 make customers responsible for the installation of new underground services lines to their homes. For most single family homes, the customer must provide trench and conduit from the utility system to the meter at the home for the installation by PSE of a service line to the home. The customer is also responsible for making necessary modifications at the home to allow for connection of a new underground service line (this typically must be done by a qualified electrical contractor hired by the customer). The customer is responsible for all costs associated with the above work.



**25. Can I choose not to underground the service connection between my home's electrical panel and the street?**

Washington state law (RCW 35.96) requires removal of overhead services lines within underground conversion areas, but does provide the opportunity for a customer to object to the requirement and to have a hearing before the City. PSE Tariff Schedule 74 requires conversion of all service lines unless otherwise agreed between the City and PSE.

**26. Can I get an estimate of this cost before I cast my vote on the bond issue?**

Most licensed electrical contractors can provide you a general estimate of the cost; however they may need additional design information about the undergrounding connections at the street before an accurate cost can be provided.

**27. How long will I have to complete this work, and what is the estimated cost?**

PSE provides property owners with 90 days notice in anticipation of service cutover. The estimated total costs for this work will range from \$2,500 to as much as \$5,000.

First there is the cost to make modifications at the premises, dig the trench and lay the conduit from the house to the street. Property owners will need to hire, and make payment directly to, an independent contractor to do this work. This work typically requires City permits and inspections.

PSE will charge customers to install and connect the new service line. Currently, this is a flat rate charge for most single family residential customers of \$475 for single phase service lines running up to 250 feet. Single phase service lines running longer than 250 feet and three phase service lines (only will apply to a few in the City) cost a bit more (the charge is based on company costs for the specific work required). These charges are adjusted from time to time along with other rates for service.

**28. How do I find qualified technicians to perform this service, and will there be payment options?**

Service directories, contractor's licensing boards, and personal referrals are all good ways to find qualified technicians. The City may also compile a list of qualified technicians, but will not make individual recommendations. PSE does not currently have payment options for this work, and such options for independent contractor work are up to the individual vendor.

**29. If my home already has underground utility cabling to the street will I escape these added homeowner costs?**

Yes, though in some rare cases some incidental costs could result, based on individual property owner conditions.

**30. If approved, when might work begin and what disruptions to roadways or electrical service to my home can I expect?**

If approved, the City would act promptly to issue the bonds, and bid the project work elements. Actual work could begin in 2008. Service disruptions should be minimal. Traffic disruptions are likely but are not expected to be severe or protracted in any given neighborhood.

**31. If landscaped City-owned right-of-way adjacent to my property is disturbed by necessary trenching to underground utilities, who will be responsible for restoring the affected area?**

How much public right-of-way along homeowner property frontage will be disturbed is unknown until a comprehensive engineering design is completed. The City is under no obligation to restore landscape placed in the right-of-way by property owners. It is anticipated the City will make a policy decision on this question once the full extent of disturbance is known.



CITY OF MEDINA



**City of Medina – Schedule 74 Proposal.**

**DESIGN COST ESTIMATE & PROPOSED SCHEDULE PRESENTATION**

**PSE Project Contact**

Municipal Liaison Manager:

425-462-3852

Andy Swayne

[Andy.Swayne@PSE.com](mailto:Andy.Swayne@PSE.com)

PSE Project Manager:

Dennis Booth 425-417-9188

[Dennis.Booth@PSE.com](mailto:Dennis.Booth@PSE.com)

**INTRODUCTION**

In response to the Conversion Project Scope of Work provided by the City of Medina and consistent with Section 3 of the Schedule 74 Design Agreement, this document and attachments hereto have been prepared by Puget Sound Energy to (present 1) the Company's estimate of the cost to perform the Design Work for this Conversion Project (the Design Cost Estimate), and 2) the Company's proposed schedule to complete the Design Work (the Design Schedule). The City of Medina should review the information contained herein and then meet with the Company to finalize the Conversion Project Scope of Work, Design Cost Estimate and Design Schedule.

**CONVERSION PROJECT SCOPE OF WORK**

This Design Cost Estimate and Design Schedule have been prepared based on the Scope of Work provided by the City of Medina, (drawings are not currently available.) The City of Medina has requested PSE to convert all PSE facilities within the current Right of Way and within the city limits (excluding PSE 115kV overhead transmission lines.)

**This proposed scope of work will include:**

1. The removal of approximately 533 poles.
2. Convert approximately 17,780 feet of PSE's 600amp overhead feeder to underground.
3. Convert approximately 18,380 feet of PSE's 200amp three phase overhead to underground.

4. Convert approximately 220 feet of PSE's 200amp two phase overhead to underground.
5. Convert approximately 27,705 feet of PSE's 200amp single phase overhead to underground.
6. Convert approximately 5,090 feet of PSE's overhead service conductor to underground.

An approximated Total Circuit foot within the city limits is 69,880 feet.

Government-requested upgrades to be included in the design for this project include the following: Install additional City owned conduit for future. Conduits size and quantity will be determined at a future date. City owned conduit is not included in this proposal.

Company-initiated upgrades to be included in the design for this project include the following: PSE upgrades are not yet defined but may include additional 6" and 4' conduits.

Installation of ducts and vaults will be performed by PSE and its contractor. PSE's contractors will be determined prior to construction.

#### Design Assumptions:

The Design Cost Estimate and proposed Design Schedule reflect the following assumptions, in addition to the above "Scope of Work."

The city will provide PSE with all CAD and as-built drawings that they "currently" have. PSE will develop an overhead to underground conversion design for PSE facilities within the city limits and Rights of Way. Any other utility's that occupies space on PSE poles will be required to develop a design separately. The project will be split into "Three Construction Phases." The "Construction Phases" are.

1. **Phase one Limits:** PSE circuit (Overlake 13) will convert Evergreen Point Road from PSE's substation located at the intersections of 80<sup>th</sup> avenue north east and north east 10<sup>th</sup> street. Phase one of the conversion will extend West along 10<sup>th</sup> street and turn north along Evergreen Point Road to north east 24<sup>th</sup>.
2. **Phase two Limits:** PSE circuit (Overlake 15) will convert Overlake Drive from PSE's substation located at the intersections of 80<sup>th</sup> avenue north east and north east 10<sup>th</sup> street to the city limits.
3. **Phase three Limits:** PSE circuit (Medina 37) will convert north east 24<sup>th</sup> and extend north along Evergreen Point Road and include north east 28<sup>th</sup> street to the city limits.

The Company will receive written notice to proceed with the Design Work from the City of Medina prior to starting any design work. All facilities for the Underground Distribution System will be located within City of Medina public rights-of-way (Public Thoroughfare and Private Roads). Easements could be requires for new underground equipment and they will be identified on the PSE design plans.

### DESIGN SCHEDULE

Upon receipt by the Company (PSE) of the City of Medina's written notice to proceed with the Design Work, the Company proposes to perform the Design Work in accordance with the following schedule:

- Completion of preliminary design and presentation of sufficient space analysis (within Public Thoroughfare) - 90 business days *after NTP received by the City of Medina*.
- Completion of design engineering and presentation of a draft Project Plan (including design drawings and specifications, project responsibilities, estimated project construction costs and proposed construction schedule) – To be Determined.
- Agreement on a final Project Plan - To be Determined.

### DESIGN COST ESTIMATE

The Design Cost Estimate attached hereto reflects the Company's good faith estimate of the cost to perform the Design Work for this Conversion Project in accordance with the proposed Design Schedule above. Future changes in the City of Medina's scope of work would result in this good faith estimate being void.

### CONSTRUCTION COST ESTIMATE

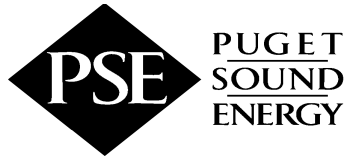
The Construction Cost Estimate attached hereto reflects the Company's good faith estimate of the cost to perform PSE's portion of the underground conversion work. Future changes in the City of Medina's scope of work would result in this good faith estimate being void. This estimate includes the PSE portion of trenching and backfill, installing PSE's conduit and vaults, underground wire installation, the removal of PSE poles and equipment.

Additional costs that are not reflected in this estimate are:

1. Survey
2. Landscaping restoration.
3. Material laydown yard / staging area.
4. Construction for any utility other than PSE.
5. Service conversions.
6. Permitting

### CONSTRUCTION DURATION

For estimating purposes the three construction phases are split into equal parts. Civil / Duct and Vault is estimated at 200 feet of production per day. Installing PSE vaults and conduit in the joint trench will take approximately 349 working days per phase of the project. This is assuming one (3 person) civil crew. Line work for each phase will take approximately 200 working days assuming one (4 man) line crew. Construction durations can be reduced by adding resources and overlapping civil and line crew's. The construction durations can be revisited at the 60% design phase.



## FACILITY CONVERSION GOOD FAITH ESTIMATE DETAIL

**Scope of Work**

Date: 6/18/2018

To: City of Medina  
501 Evergreen Point Rd,  
Medina  
City of Medina, WA 98039

The removal of approximately 533 poles. Convert approximately 17,780 feet of PSE's 600amp overhead feeder to underground. Convert approximately 18,380 feet of PSE's 200amp three phase overhead to underground. Convert approximately 220 feet of PSE's 200amp two phase overhead to underground. Convert approximately 27,705 feet of PSE's 200amp single phase overhead to underground. Convert approximately 5,090 feet of PSE's overhead service conductor to underground.

Attn: Mike Sauerwein

An approximated Total Circuit foot within the city limits is 69,880 feet.

Project Description: Convert PSE's distribution from overhead to underground

Location: City of Medina

PSE Project Manager: Dennis Booth 425-417-9188

Activity:	PSE Construction Cost Estimate low	PSE Construction Cost Estimate High		Change Orders
PSE Order #:	N/A	N/A	N/A	N/A
% Reimbursable:	40%	40%	100%	100%
PSE Materials	\$5,144,468.00	\$7,459,478.60	\$2,512,779.86	PSE Excavation 100% City Cost
PSE Construction Labor Line Work	\$ 7,716,702.00	\$11,189,217.90		
PSE Project Management	\$ 1,714,823.00	\$2,486,493.35		
PSE Duct and Vault	\$ 2,902,637.39	\$4,208,824.22		
PSE Design Cost	\$ 50,000.00	\$72,500.00		
PSE Overheads	\$ 3,155,153.47	\$4,574,972.53		
Federal Income Tax	\$2,215,233.25	\$3,212,088.21	\$269,118.72	\$0.00 Total
<b>Total Actual Costs:</b>	\$22,899,017.11 \$ -	\$33,203,574.81	\$2,781,898.58	
				40% City Cost
			<b>Low Range Estimate</b>	\$25,680,915.69 \$10,272,366.28
			<b>High Range Estimate</b>	\$35,985,473.39 \$14,394,189.36





## **SCHEDULE 74**

### **CONVERSION TO UNDERGROUND SERVICE FOR GOVERNMENT ENTITIES**

#### **Summary of Customer Responsibilities Concerning Service Lines**

Puget Sound Energy (PSE) performs conversion of its existing overhead electric distribution system to an underground system at the request of Government Entities (cities, towns and counties) under PSE's Electric Tariff G Schedule 74. As provided by Schedule 74 and Washington State Law all customers served from the distribution system being undergrounded must be served by underground service lines unless PSE explicitly agrees to other electric service arrangements. This document has been prepared to help you understand your responsibilities as a PSE customer related to Underground Conversion Projects and installation of electric Underground Service Lines.

#### **Underground Service Lines are Required by Washington State Law**

The Revised Code of Washington (RCW 35.96 for cities and towns, RCW 36.88 for counties) provides that when service is available from underground electric and communication facilities in a conversion area, the city, town or county shall mail a notice to the owners of all structures or improvements (including homes and business) in the conversion area informing such owners that:

- 1) Service from the underground facilities is available; and
- 2) All electric and communications service lines from the existing overhead facilities within the conversion area to any structure or improvement must be disconnected and removed; and
- 3) Should such owner fail to convert such services lines from overhead to underground as prescribed by such notice, the city, town or county will order the electric and communications utilities to disconnect and remove the overhead service lines.

In addition to providing such notice, cities, towns and counties often provide additional notices, information and coordination assistance to customers within the conversion area in connection with service line conversion. You may want to talk with your jurisdiction's Project Manager or other representative concerning your jurisdiction's notification process, procedure, timing and expectations.

Note that RCW applies to communications (telephone and cable) facilities as well. Communications facilities are often located on PSE's poles within a conversion area and are typically converted to underground by the respective communications companies. Contact the appropriate communication companies concerning your responsibilities with regard to conversion of communication service lines.

#### **My Home or Business has an Overhead Service Line – What do I do?**

As part of a conversion project, PSE removes existing overhead electric service lines in conjunction with the installation and connection of new underground electric service lines. Installation and connection of underground service lines is governed by PSE Electric Tariff G Schedule 85. Your responsibilities will be dependent on your customer type.

All customers with overhead service lines must make application to PSE for new underground service. Information handbooks and application materials are available from PSE and may be available from your city, town or county. Be sure to request the right handbook for your customer type.

All customers must make their structures ready for underground service. This typically involves work on or replacement of your structure's electric meter box and may require additional structure electrical wiring system work. You will likely need to engage a qualified electrical contractor to perform this work.



### Single Family Residential Customers

Single Family Residential Customers are those customers having secondary voltage service to a single family detached home located on a legal residential lot (mobile or manufactured homes meeting these qualifications and permanently installed on a foundation are typically included in this class of service). See PSE Schedule 85 for additional details.

In addition to making your structure ready for underground service, Single Family Residential Customers must provide trenching, installation of conduit under obstructions, backfill and surface restoration from the structure to the service connection point provided by PSE at or near the public right-of-way/property line. The service connection point may be a hand-hole (small box in the sidewalk, lawn or planter strip) or a pad-mounted transformer similarly located. PSE will provide an appropriate location at the property line to which you will need to trench. Contact your jurisdiction concerning permit requirements.

PSE will install, own and maintain the underground service line to your structure. PSE will connect the service line to your structure meter box and our distribution system.

### Non-Residential Customers

All customers that are not Single Family Residential Customers are Non-Residential Customers, including multi-family residential structures and mobile home parks; commercial, industrial, recreation and lighting uses.

In addition to making your structure ready for underground service, Non-Residential Customers must provide, install, and maintain customer owned underground service line(s) from your structure meter box to the service connection point provide by PSE, typically at or near the public right-of-way/property line. The service connection point may be a hand-hole (in the sidewalk, lawn or planter strip) or a pad-mounted transformer similarly located. PSE will provide an appropriate location at the property line to which you will need to install your underground service line(s). You will likely need to engage a qualified electrical contractor to perform this work. Contact your jurisdiction concerning permit requirements.

PSE will connect the service line(s) to the distribution system at the service connection point.

### **My Home or Business Already has an Underground Service Line – What do I do?**

Customers already served by underground service lines may need to do very little and if the service line is connected to existing PSE underground distribution system, you may need to do nothing at all. In most cases you do not need to make application to PSE for a new service. Where practical, PSE will locate a new underground service connection point (to the new underground distribution system) in close proximity to your existing underground service line so that the service line can be intercepted and reconnected by PSE to the new connection point. In some instances Non-Residential Customers may need to engage a qualified electrical contractor to reroute your existing underground service line to the new connection point.

### **Costs Associated for Service Line Conversions**

These costs are typically borne by the individual customer and include the cost to engage qualified contractors to perform the work, together with the costs of materials and any permits that may be required. You may want to discuss this with your jurisdiction representative.

In addition, there is a fee charged under Schedule 85 to cover the installation or connection of new underground electric service lines by PSE that varies by customer class. Typically customers already served by existing underground service lines are not charged a fee associated with transferring existing underground service lines from the existing overhead distribution system to the new underground distribution system.

## Schedule 74 Service Conversions

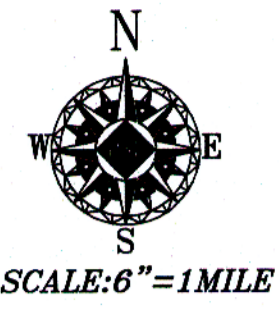
Individual service conversions from overhead to underground are not included in the main conversion project or in the project pricing. The conversion and the cost of the conversion is the responsibility of the individual customer. PSE will provide the City with a list of the services to be converted and copies of PSE's "Electric Service Handbook". The City may, at its option, elect to facilitate the conversions.

Responsibilities for labor and materials differ for residential versus non-residential services. These differences are explained in the "Electric Service Handbook".

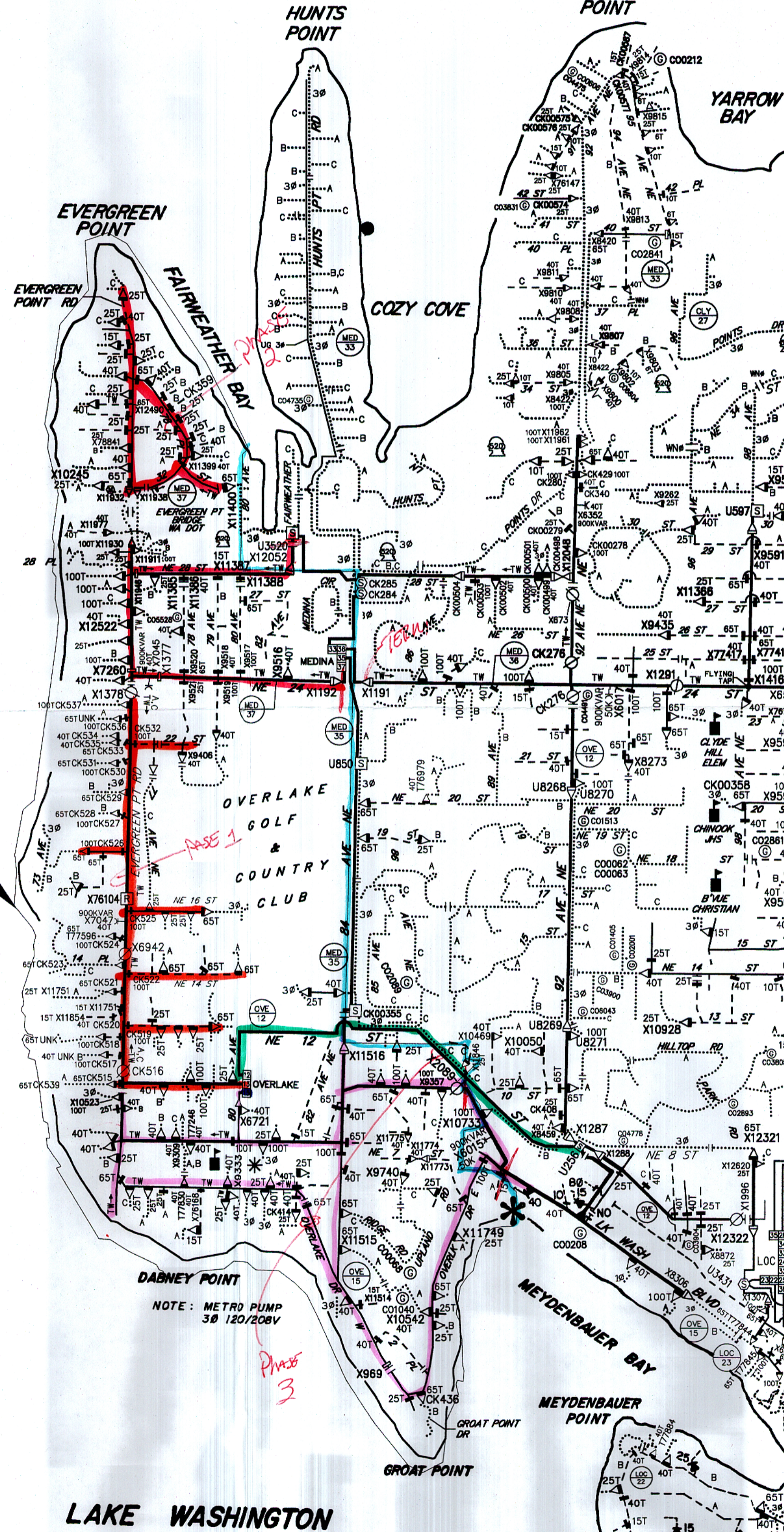
The process is as follows:

- The City notifies the customer by letter, when the new underground system is energized and ready for service conversions. (Advance notice is recommended.) A copy of PSE's "Electric Service Handbook" should be included in this notification. The customer should be told that they have 90 days to convert their service in accordance with RCW 35.96.050. The City notification should direct the customer to call Jennifer Conroy, Customer Construction Representative, at PSE at 888-321-7779 Ex 7136 to initiate the work order.
- When the underground service is ready and has passed electrical inspection, the customer schedules the service conversion work by calling Kait Koenig at Potelco at 253-476-6108.

If the City is assuming responsibility for converting the service, then the City should call PSE to place the service conversion orders and provide PSE with a billing address. When each individual service is ready and has passed electrical inspection, the City should call PSE to schedule the conversion work. Schedule 85 conversion charges apply and will be billed to the entity placing the order.



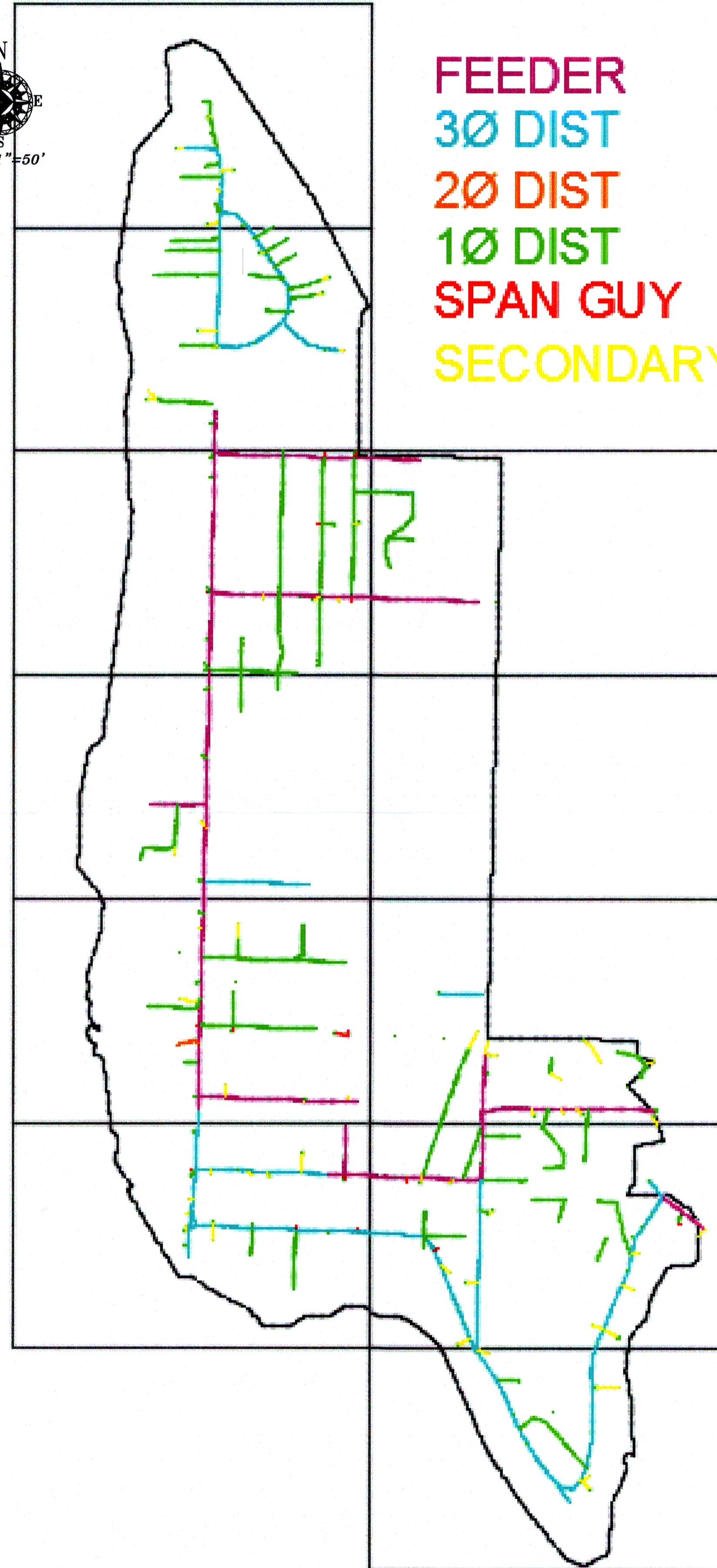
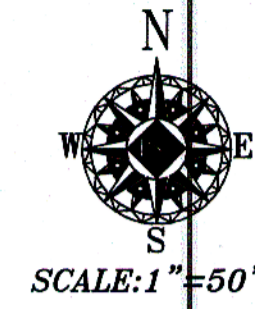
LAKE WASHINGTON



CITY OF MEDINA JURISDICTIONAL BOUNDARY

LAKE WASHINGTON

OVERHEAD CIRCUIT MAP (X)  
SCALE: 6" = 1 MILE

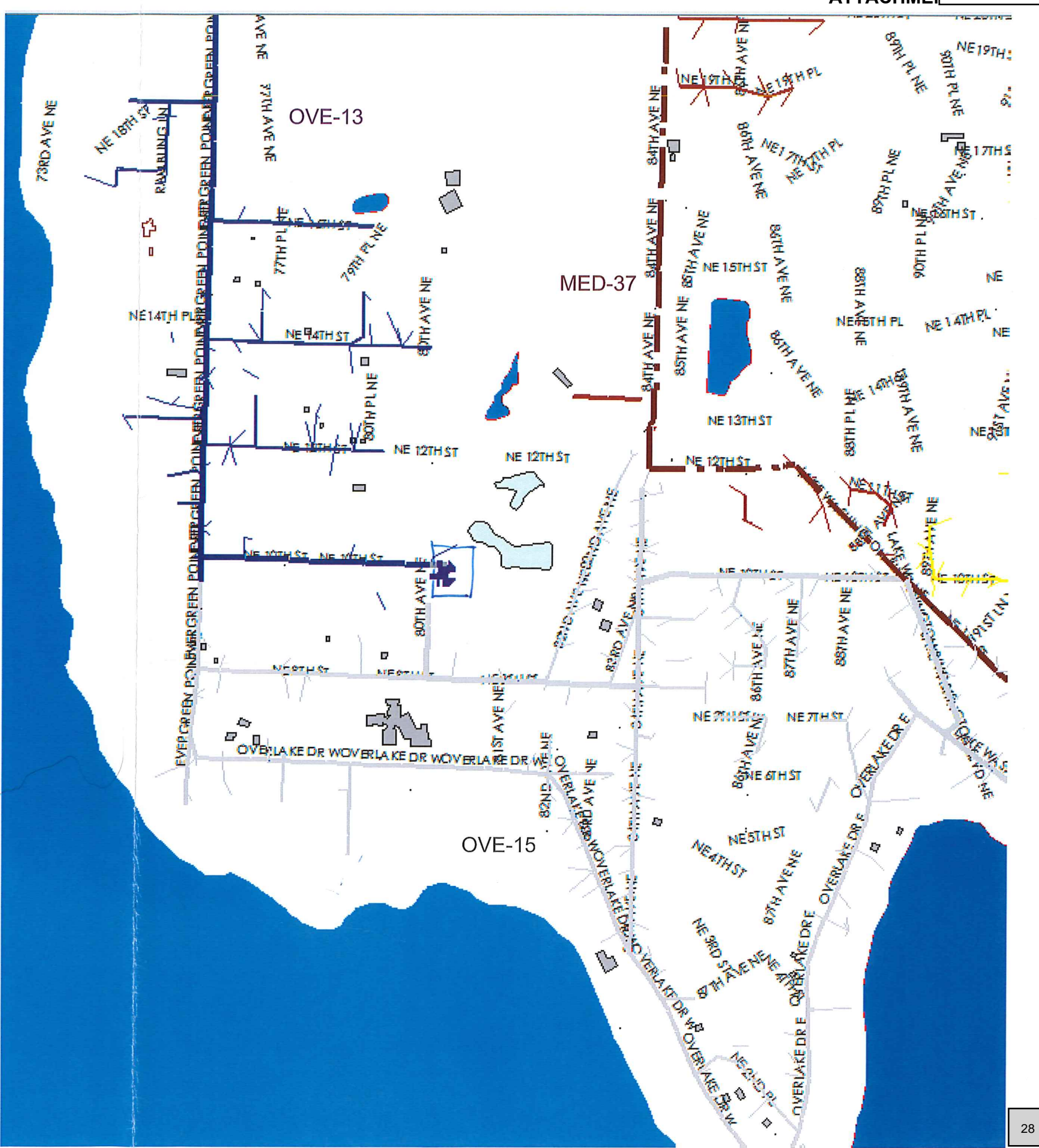


FEEDER  
30 DIST  
20 DIST  
10 DIST  
SPAN GUY  
SECONDARY

N/A

		REAL ESTATE/EASEMENT		PERMIT	
		N/A		N/A	
3		FUNCTION	CONTACT	PHONE NO	DATE
2		PROJECT MGR	N/A	N/A	N/A
1		ENGR - POWER	C. DONEEN	253-208-2681	4/20/18
REV#	DATE	BY	DESCRIPTION	ENGR - GAS	
				N/A	N/A
COUNTY	N/A	Emer Sect	Gas Wk Ctr	POWER WK CTR	
		N/A	N/A	N/A	
1/4 SEC		OP MAP		PLAT MAP	
U-MAP NO (POWER)		OH CKT MAP	UG CKT MAP	CIRCUIT NO	
		N/A	N/A	N/A	
JOINT FACILITIES ARRANGEMENTS					
UTILITIES		N/A	N/A	N/A	N/A
CONTACT		N/A	N/A	N/A	N/A
PHONE#		N/A	N/A	N/A	N/A
<b>PUGET SOUND ENERGY</b> DESIGNED BY		CITY OF MEDINA UG CONVERSION FEAS. MEDINA, WA		INCIDENT N/A	MAOP N/A
		Gas Order	Elect Order		
		N/A	N/A		
		SCALE	PAGE		
		N/A	2/1		

Apr 20, 2018 11:01am J:\Electric\_South\_King\_Pl\_74\_73\_02\_Cities & Municipalities\Medina\Medina - OH-UG Conversion (Entire City)\Project Scope Map\ Medina.dwg



### Options to Fund Undergrounding Utilities

There are two options...form a Local Improvement District (LID) of Benefited Property Owners or a Property Tax Levy.

#### **Forming a Local Improvement District** (There are a number of steps)

- Determine the extent of property owner support
- Prepare preliminary assessment map and assessment roll.
- City Council Pass Resolution declaring intent and setting a date for a Public Hearing of the proposed LID.
- Mail notice property owners at least 15 days prior to Public Hearing
- Publish City Council Resolution for two consecutive weeks in the official newspaper
- Prepare an Ordinance forming the LID
- Hold a Public Hearing
- City Council Pass Ordinance creating LID.
- Within 15 days after the City Council has adopted the Ordinance creating the LID, the City Clerk files with the City Finance Director the title of the improvements, the LID number, a copy of the diagram or print showing the boundaries of the district (preliminary assessment roll map), preliminary assessment roll or abstract of same showing thereon the lots, tracts, or parcels of land to be assessed.
- The City Clerk posts the preliminary assessment roll on the index of local improvement assessments against the properties affected by the local improvement.
- The Finance Director and City Attorney calculate protest percentage...percentage of assessment represented by each property owner. **If property owners representing 60% of the improvement costs file written protests within a 30-days of the ordinance being passed the City cannot proceed with the project.**
- Subsequently, there is a 30-day appeal period, **during which any property owner who has filed a timely written protest may appeal the formation of an LID to Superior Court.** An appeal does not automatically stop the LID process. The issues raised in the appeal should be carefully reviewed with the city attorney and bond counsel, however.

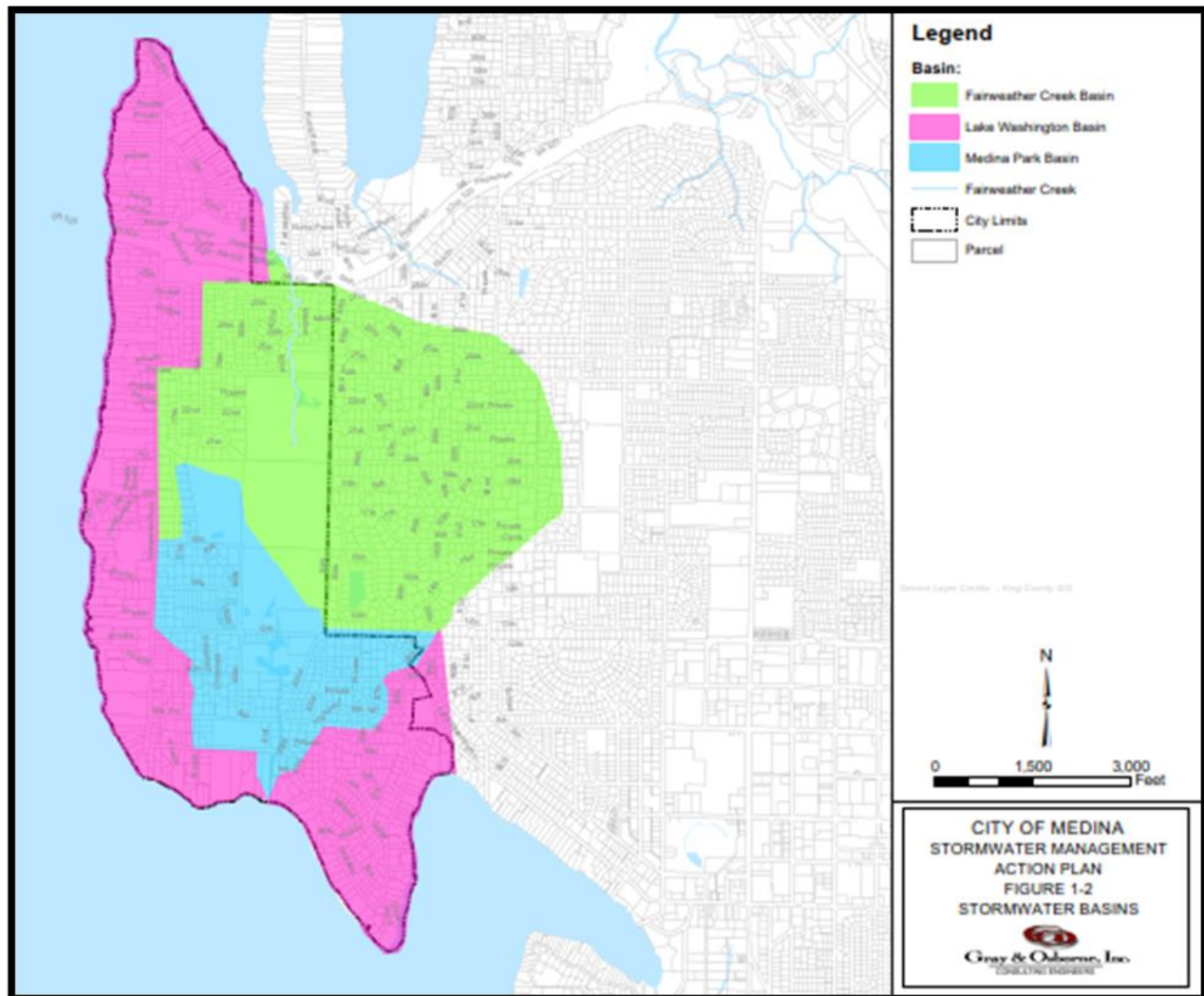
**Property Tax Levy**

- This could be a City-Wide Special Property Tax Levy for the purpose of funding undergrounding utilities throughout the City (this is somewhat analogous to a school district passing a “technology levy”)
- 60% “Yes” vote would be required to pass

**Construction Bonds (Paid by Benefited Property Owners or Property Tax Receipts)**

- Could be financed with Municipal Bonds (10-20 Years, about 2-3% interest)
- Lien could be placed on benefited property
  - Qualified senior citizens
  - Economically disadvantaged property owners (City gets to define “economically disadvantaged” within reason)

## Stormwater Infrastructure Funding



- Ryan Osada presented the need to prioritize Stormwater on March 2. And estimated the city will need between \$300,000 and \$400,000 annually for Stormwater projects and maintenance.
- Currently using ARPA funding for 2023 projects, but a long-term solution is needed.
- Grants are great supplemental sources of funding but are not guaranteed.

### Option 1 – Funding Storm Water Internally

- Six Million in Capital Reserves, Stormwater could be funded with current and future capital dollars.
- Create a Stormwater reserve fund of \$1.5 Million from the Capital Fund which will cover costs through at least 2027.
- 50% of REET revenue over expected going forward will be transferred to this fund which will extend the life of this funded past the expected 2027 date.
  - REET has restrictions on maintenance, however the majority of Stormwater projects fall under improvements or new infrastructure.
- 50% of the Capital portion of investment earnings will also be allocated to the new fund.
- Staff will also work to earn grant funding to help offset costs.
- Option two would take us through at least the cross over point for the Levy Lid Lift, without the need for additional cost to residents.

<b>Cash and Investment Activity</b>						
	Period: 2023 - March Period Totals					
	Beginning Cash	Beginning Investments	Activity In	Activity Out	Ending Cash	
General Fund	\$3,414,017.31	\$0.00	\$725,853.86	\$489,238.26	\$3,650,632.91	
City Street Fund	\$61,996.60	\$0.00	\$51,621.03	\$41,665.75	\$71,951.88	
Tree Fund	\$72,937.96	\$0.00	\$0.00	\$0.00	\$72,937.96	
Contingency Fund	\$250,000.00	\$0.00	\$0.00	\$0.00	\$250,000.00	
Levy Stabilization Fund	\$1,083,333.37	\$0.00	\$41,666.67	\$0.00	\$1,125,000.04	
<b>Capital Projects Fund</b>	<b>\$5,998,734.26</b>	<b>\$0.00</b>	<b>\$421,350.36</b>	<b>\$9,673.75</b>	<b>\$6,410,410.87</b>	
Development Services Fund	\$720,629.87	\$0.00	\$152,487.15	\$107,452.09	\$765,664.93	
NonRevenue Trust Funds	\$22,459.18	\$0.00	\$1,132.53	\$123.50	\$23,468.21	



Capital Fund Overview – Last Decade

	REET	Additonal Revenue	Expenditures	Change
2014	\$ 1,183,402.16	\$ 26,108.18	\$ 1,059,798.70	\$ 149,711.64
2015	\$ 924,670.98	\$ 24,848.04	\$ 410,677.36	\$ 538,841.66
2016	\$ 942,930.28	\$ 135,356.07	\$ 1,125,636.26	\$ (47,349.91)
2017	\$ 1,378,806.38	\$ 170,483.88	\$ 830,247.18	\$ 719,043.08
2018	\$ 1,160,324.66	\$ 184,276.16	\$ 1,536,087.20	\$ (191,486.38)
2019	\$ 1,118,164.56	\$ 334,779.34	\$ 1,323,509.55	\$ 129,434.35
2020	\$ 1,537,707.64	\$ 305,009.43	\$ 668,505.36	\$ 1,174,211.71
2021	\$ 1,924,141.74	\$ 519,003.33	\$ 651,667.13	\$ 1,791,477.94
2022	\$ 1,336,037.16	\$ 811,244.10	\$ 1,238,272.30	\$ 909,008.96
2023	\$ 1,133,064.54	\$ 120,200.00	\$ 1,090,000.00	\$ 163,264.54 (Estimate)

**Option 2 – Storm Water Fee Through King County**

-Earliest Implementation would be 2025, most likely 2026.

- \$40K- \$60K Startup cost with a \$2.00 annual maintenance per parcel (Approx. 1185 Parcels in Medina)

*- This maintenance cost includes customer account services salaries to research, maintenance and monitoring the accounts, adding/deleting accounts, customer inquiries/compliances, and to host the billing system by our IT folks.*

With rising costs of materials and labor, Council could elect to include an escalator to increase the per parcel fee at a periodic rate (For example every 5 years)

**Could waivers be available?**

The County Assessor’s manage a program called Senior Citizen and Disable Taxpayer Exemption Program. The County along with 17 other cities utilize that program and provide a waiver or 50% discounts.

**To Cover our Costs**

\$300K - \$400K Divided by 1185 Parcels, Including \$2 per Parcel for the County

Annual fee per parcel: \$255 - \$340

*Visual of how it will look on your Property Tax Statement*

Breakdown by Tax Year

Tax Information	2023	2022	2021	2020
Levy code	2660	2660	2660	2660
Status	Taxable	Taxable	Taxable	Taxable
Omit year	0000	0000	0000	0000
Land value	\$2,211,000	\$1,670,000	\$1,463,000	\$1,510,000
Improvement value	\$1,000	\$1,000	\$1,000	\$1,000
<b>Charges</b>				
Tax	\$13,750.34	\$12,396.83	\$11,771.12	\$11,887.90
Surface Water	\$336.00	\$157.20	\$157.20	\$157.20
Noxious Weed	\$6.29	\$5.39	\$5.39	\$5.39
Conservation	\$12.47	\$12.17	\$11.89	\$11.63
Total billed	\$14,105.10	\$12,571.59	\$11,945.60	\$12,062.12
Amount paid	\$0.00	\$12,571.59	\$11,945.60	\$12,062.12
Interest	\$0.00	\$0.00	\$0.00	\$0.00
Penalty	\$0.00	\$0.00	\$0.00	\$0.00
Balance	\$14,105.10	\$0.00	\$0.00	\$0.00

Other Cities who use the County for fee collection

Black Diamond Bothell Burien Covington Des Moines Federal Way Kenmore KC Kirkland Lake Forest Park	Maple Valley Newcastle Normandy Park Sammamish SeaTac Shoreline Tukwila Woodinville <b>Yarrow Point</b>
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### Option 3 – Combination of Option 1 and 2

- Phased in approach, could start with a lower fee structure with a periodic increase
- Example, \$120 annual fee per parcel with \$200K annual from capital reserves
- Current capital reserves to be used to cover the additional funds needed





# MEDINA, WASHINGTON

## AGENDA BILL

Monday, April 24, 2023

**Subject:** Resolution Setting Legislative Hearing – OGCC Street Vacation

**Category:** Resolution

**Staff Contact(s):** Scott Missall, City Attorney and Stephanie Keyser, AICP, Planning Manager

### **Summary**

On December 21, 2022, the City received a petition from Overlake Golf and Country Club to vacate 31,738.60 square feet of land comprising portions of City rights-of-way designated as NE 16<sup>th</sup> Street and 80<sup>th</sup> Avenue NE (ROW). In accordance with MMC 12.44 and RCW Chapter 35.79, the City Council may initiate the vacation procedures by adopting a Resolution that sets the legislative hearing on the matter.

The petition and land appraisal are attached for review.

- Attachment(s)**
1. Resolution No. 432
  2. Street vacation petition and supporting documents
  3. Appraisal

**Budget/Fiscal Impact:** None

**Recommendation:** Adopt Resolution No. 432

**City Manager Approval:**

**Proposed Council Motion:** Move to adopt Resolution No. 432

Time Estimate: 30 minutes

## CITY OF MEDINA, WASHINGTON

**RESOLUTION NO. 432****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, SETTING A LEGISLATIVE PUBLIC HEARING ON THE JUNE 12, 2023 COUNCIL AGENDA TO CONSIDER THE OVERLAKE GOLF AND COUNTRY CLUB STREET VACATION PETITION IN ACCORDANCE WITH RCW CHAPTER 35.79 AND MEDINA MUNICIPAL CODE CHAPTER 12.44.**

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**WHEREAS**, a street vacation petition dated December 21, 2022 (Petition) was submitted to the City by Overlake Golf and Country Club (OGCC) seeking vacation of 31,738.60 square feet of land comprising portions of City rights-of-way designated as NE 16<sup>th</sup> Street and 80<sup>th</sup> Avenue NE (ROW), which ROW is immediately adjacent to and between four parcels of land owned by OGCC and identified as King County Tax Parcel Nos. 3025300392, 2525049020, 2525049004 and 2525049003; and

**WHEREAS**, the ROW to be considered for vacation comprises an ell-shaped assemblage that is abutted on all sides by parcels owned by OGCC, and the Petition as submitted is therefore signed by more than two-thirds of the owners abutting the portion of ROW for which vacation is sought; and

**WHEREAS**, pursuant to Medina Municipal Code (MMC) Section 12.44.090, the Council shall, when appropriate, adopt a Resolution fixing the time and date for a legislative public hearing on the requested Petition, which hearing date shall be not less than 20 days nor more than 60 days after passage of said Resolution; and

**WHEREAS**, the City Clerk shall give 20 days' notice of the hearing date and time by posting notice thereof in three public locations within the City and on the ROW for which vacation is sought as required by RCW Chapter 35.79 and MMC Chapter 12.44; and

**WHEREAS** the Council will hear from City Staff, the Petitioner, and public concerning the Petition and its requested ROW vacation, and will review, inquire into, consider and evaluate all such information and the Petition, and may take such action thereon as the Council determines appropriate; and

**WHEREAS**, a hearing held in conjunction with the Council's June 12, 2023 regular meeting satisfies the statutory time frames if this Resolution is adopted at the Council's April 24, 2023 regular meeting;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, RESOLVES AS FOLLOWS:**

**Section 1. Hearing Date Scheduled.** The hearing date and time for the Petition described herein is hereby set for June 12, 2023, commencing at 5:00 p.m. or as soon thereafter as called by the Council from its meeting agenda. The hearing date and time may be continued as determined necessary or appropriate by the Council to complete the Council's analysis and statutory review pursuant to RCW Chapter 35.79 and MMC Chapter 12.44 and enable the Council to make a fully informed legislative decision on the Petition.

**Section 2. Posting of Notice.** The City Clerk is directed to timely post notices of the hearing as required by RCW Chapter 35.79 and MMC Chapter 12.44. The Clerk may additionally post, publish or make available other notices of the hearing as may be useful or customary, including publication on the City website.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON APRIL 24, 2023 AND SIGNED IN AUTHENTICATION OF ITS PASSAGE ON SAID DATE.

APPROVED:

\_\_\_\_\_  
MAYOR, JESSICA ROSSMAN

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
CITY CLERK, AIMEE KELLERMAN

APPROVED AS TO FORM:

---

CITY ATTORNEY, SCOTT M. MISSALL

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
RESOLUTION NO. 432



DEVELOPMENT  
SERVICES

# STREET VACATION PETITION CHECKLIST

501 EVERGREEN POINT ROAD MEDINA, WA 98039  
PHONE: 425-233-6414/6400

This checklist contains the minimum submission requirements for a street vacation petition that are due at the time of submittal. Please note that not all items listed may apply to your submittal.

## STREET VACATION PETITION REQUIREMENTS

<input checked="" type="checkbox"/>	Street Vacation Petition
<input checked="" type="checkbox"/>	A diagram of the location and a survey of the subject property and immediate area of the proposed vacation including the abutting and/or underlying properties, all prepared by a licensed surveyor registered in the state of Washington.
<input checked="" type="checkbox"/>	A legal description of the subject property prepared by a licensed surveyor registered in the state of Washington.
<input checked="" type="checkbox"/>	For each abutting and underlying property and petitioner, a title report indicating the extent and type of ownership and providing a legal description of the petitioner's property.
<input checked="" type="checkbox"/>	Payment for appraisal form signed
	Mailing labels – Word doc formatted to Avery address labels
<input checked="" type="checkbox"/>	Mailing labels containing the names of property owners and their mailing addresses for all properties within 300 feet.
<input checked="" type="checkbox"/>	Vicinity map showing the site with the 300' or three (3) parcels depth minimum buffer of property owners who will be notified of the petition.





DEVELOPMENT SERVICES

**STREET VACATION PETITION**

501 EVERGREEN POINT ROAD MEDINA, WA 98039  
PHONE: 425-233-6414/6400

**Complete this form for the following:**

- When applying for a street vacation pursuant to RCW Chapter 35.79 and MMC 12.44

**General Information**

<b>Applicant Name:</b> Terrence I. Danysh	<b>Email:</b> tdanysh@prklaw.com
<b>Contact Phone:</b> 425-990-4003	<b>Alternative Phone:</b> 425-462-4700
<b>Mailing Address:</b> 1850 Skyline Tower, 10900 NE 4th Street	<b>City:</b> Bellevue <b>State:</b> WA <b>Zip:</b> 98004
<b>Applicant's Interest in Property:</b> <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Purchaser <input type="checkbox"/> Other:	
<b>Property Owner's Name (If other than Applicant):</b> Overlake Golf & Country Club	<b>Email:</b> shelly@overlakegcc.com
<b>Contact Phone:</b> Shelly Inman, GM; 425-454-1791 x114	<b>Alternative Phone:</b> 425-454-1791
<b>Mailing Address:</b> 8000 NE 16th St.	<b>City:</b> Medina <b>State:</b> WA <b>Zip:</b> 98039

**Subject Property Address:** NE 16th St and 80th Ave NE Street Ends Bordered by OGCC (see attached)

**Legal Description:** See Attached (D.R. Strong Survey Dated:

<b>Tax Parcel Number:</b> See Attached (Stewart Title Report 10/26/22)	<b>Size of subject property to be vacated (in square feet):</b> See Attached (D.R. Strong Survey Dated:
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**Zoning District:**  
 R-16     R-20     R-30     SR-30     Public     NA (Neighborhood Auto)

**Does the subject property abut any body of water?**

YES     NO

If yes, please describe:

**Certification**

I certify under the penalty of perjury that I am the owner of the above property or the duly authorized agent of the owner(s) acting on behalf of the owner(s) and that all information furnished in support of this application is true and correct.

**Property Owner's Signature** 

**Date** 12-7-2022

**Applicant's Signature** 

**Date** 12/21/2022

**Vacation Criteria**

The following is a list of criteria that council shall consider when determining whether to vacate the subject property. Please respond to each item by providing as much detailed information as possible to support your request. Attach more pages if necessary.

1. **Whether a change in use or vacation of the subject property will provide a benefit to the city as determined by the council, including but not limited to any of the following examples: reduction of unnecessary ROW; preservation of streetscape character; expanding the city's property tax roll; addressing neighborhood requests related to traffic impacts; better accommodation of pedestrians, bicyclists, motorists and/or emergency responders; reservation of an easement will accommodate the city's current or projected need.**

- Vacation will reduce unnecessary ROW
- Vacation will properly align ownership with use

2. **Whether the subject property is no longer required for public use or public access.**

- The proposed area for vacation is not required for public use or public access

3. **Whether the substitution of a new and different public way would be more or less useful to the city and/or the public.**

N/A

4. **Whether conditions may or could change in the future, creating or providing a greater or different public use or need than presently exists.**

- With the vacation, no greater or different public use is anticipated

5. **Whether existing property access will be restricted or denied as a result of the vacation.**

- No; existing property access will not be restricted or denied as a result of the vacation

6. **Whether objections to the petition or proposed vacation are made by (i) owners of private property (exclusive of petitioners) abutting or in proximity to the subject property, (ii) governmental agencies, (iii) private users of the subject property, and/or (iv) members of the general public.**

- This is strictly subject to the Medina City Council's evaluation

PETITION NO. \_\_\_\_\_  
CITY OF MEDINA, WASHINGTON  
PETITION TO VACATE STREET OR ALLEY

To the City Council of the City of Medina, Washington.

We, the owners of two-thirds of the real property abutting the public street, alley, sidewalk, trail and any other public grant, dedication and easement related to street, pedestrian, or travel purposes within the city, legally described on Page 1 of this Street Vacation Petition, petition the City Council of the City of Medina to vacate this public street, alley, sidewalk, trail and any other public grant, dedication and easement related to street, pedestrian, or travel purposes within the city, pursuant to RCW Chapter 35.79 and MMC 12.44.

Property  
Owner #1

Name Overlake Golf & Country Club; Shelly Inman, General Manager

Address 8000 NE 16th St., Medina, WA 98039

Legal Description See Attached (D.R. Strong Survey Dated:

Signature  Date 12-7-2022

Property  
Owner #2

Name \_\_\_\_\_

Address \_\_\_\_\_

Legal Description \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Property  
Owner #3

Name \_\_\_\_\_

Address \_\_\_\_\_

Legal Description \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Property  
Owner #4

Name \_\_\_\_\_

Address \_\_\_\_\_

Legal Description \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**PAYMENT FOR APPRAISAL AGREEMENT**

City of Medina  
City Clerk  
501 Evergreen Point Road  
Medina, WA 98039

To Whom It May Concern:

I/we, the undersigned applicant(s), hereby agree to pay the full cost of an appraisal as provided for in MMC 12.44.080. MMC 12.44.070 provides that the city manager or designee is authorized to obtain an appraisal from a qualified, independent appraiser as part of preparing the staff report of the vacation.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

DATED at Medina, Washington, this 7<sup>th</sup> day of December, 2022.

APPLICANT

*Wally Jones* *Overlake Golf & Country Club*  
*Authorized Agent of the Club*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**SUBDIVISION GUARANTEE**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

**Guarantee No.:** G-6329-000008546

**Fee:** \$350.00

**Order No.:** 22000200931

**Dated:** October 26, 2022

Stewart Title Guaranty Company (the "Company"), guarantees the County of King and any City within which said subdivision is located in a sum not exceeding \$1,000.00 that, according to those public records which, under the recording laws, impart constructive notice of matters affecting the title to the land included within the exterior boundary shown on the map of the subdivision, the only parties having any record title interest in said land whose signatures are necessary, on the certificates consenting to the recordation of said map and offering for dedication any streets, roads, avenues and other easements offered for dedication by said map as referred to in the guarantee.

Signed under seal for the Company, but this Guarantee is to be valid only when it bears an authorized countersignature.


Countersigned by:

  
Authorized Countersignature



  
\_\_\_\_\_  
Frederick H. Eppinger  
President and CEO

Stewart Title Guaranty Company  
1420 Fifth Avenue, Suite 440  
Seattle, WA 98101  
Agent ID: 47H018

  
\_\_\_\_\_  
David Hisey  
Secretary

For coverage information or assistance resolving a complaint, call (800) 729-1902 or visit [www.stewart.com](http://www.stewart.com).  
In writing this company please address it at P.O. Box 2029, Houston, Texas 77252, and refer to the printed Serial Number.

**SUBDIVISION GUARANTEE**

Prepared by:  
Stewart Title Guaranty Company  
1420 Fifth Avenue, Suite 440  
Seattle, WA 98101

Order Number: 22000200931

Guarantee No.: G-6329-000008546

Effective Date: October 26, 2022 at 8:00AM

Premium: \$350.00  
Sales Tax: \$35.88  
Total: \$385.88

OWNERS: [Overlake Golf and Country Club, a Washington nonprofit corporation](#)

## LEGAL DESCRIPTION:

The East three-tenths of the North half of the Northeast quarter of the Northwest quarter of the Southeast quarter of Section 25, Township 25 North, Range 4 East, W.M., in King County, Washington;

Except the North 30 feet and the East 30 feet thereof;

(Being known as Tracts 235, 236 and 237 of Half-Hour-Half-Acre Tracts, according to the unrecorded plat thereof).

Situate in the City of Medina, County of King, State of Washington.

[MAP](#)

## SUBJECT TO:

- General taxes: First half delinquent May 1; Second half delinquent November 1:
 

Year:	2022
Amount Billed:	\$15,243.37
Amount Paid:	\$ 7,621.69
Amount Due:	\$ 7,621.68, plus interest and penalty if delinquent
Tax Account No.:	302530-0392-05
Levy Code:	1836
Land:	\$1,871,700.00
Improvements:	\$-0-

Note: King County Treasurer, 201 South Jackson Street #710, Seattle, WA 98104: (206) 263-2890

Web Address: <https://kingcounty.gov/depts/finance-business-operations/treasury.aspx>

- Current and/or advance personal property taxes that may become due. Please contact the King County Treasurer's office for further information.
- Liability for sewer treatment capacity charges that may be assessed but not disclosed in the public records. Please contact the King County Capacity Charge Department for further information at 206-296-1450.

## WA Subdivision Guarantee

4. Any unrecorded leaseholds, right of vendors and holders of security interest on personal property installed upon said property, and right of tenants to remove trade fixtures at the expiration of the term.
5. Easement and the terms and conditions thereof:  
 Grantee: Bellevue Sewer District  
 Purpose: sewer  
 Affects: refer to said instrument  
 Recorded: August 6, 1965  
 Recording No.: [5912348](#)
6. Easement and the terms and conditions thereof:  
 Grantee: Bellevue Sewer District  
 Purpose: sewer  
 Affects: refer to said instrument  
 Recorded: August 6, 1965  
 Recording No.: [5912354](#)
7. Option to Purchase Agreement and the terms and conditions thereof:  
 By and Between: Overlake Golf and Country Club, a Washington nonprofit corporation and Northwest Building Corporation, a Washington corporation  
 Recorded: June 17, 1981  
 Recording No.: [8106170388](#)
8. Notice of Charges by Water, Sewer, and Storm & Surface Water Utilities and the terms and conditions thereof:  
 Recorded: July 27, 2017  
 Recording No.: [20170727001075](#)

Said instrument is a re-recording of instrument recorded under Recording No. 9612200938.

tc

**SUBDIVISION GUARANTEE**

Order Number: 22000200931

Guarantee No.: G-6329-000008546

This Guarantee and the legal description given herein are based upon information supplied by the applicant as to the location and identification of the premises in question, and no liability is assumed for any discrepancies resulting therefrom. This report does not represent either a commitment to insure title, an examination of or opinion as to the sufficiency or effect of the matters shown, or opinion as to the marketability of title to the land.



## STG Privacy Notice Stewart Title Companies

### WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart Title Guaranty Company and its title affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information.	Do we share	Can you limit this sharing?
<b>For our everyday business purposes</b> — to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.	Yes	No
<b>For our marketing purposes</b> — to offer our products and services to you.	Yes	No
<b>For joint marketing with other financial companies</b>	No	We don't share
<b>For our affiliates' everyday business purposes</b> — information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and non-financial companies. <i>Our affiliates may include companies with a Stewart name; financial companies, such as Stewart Title Company</i>	Yes	No
<b>For our affiliates' everyday business purposes</b> — information about your creditworthiness.	No	We don't share
<b>For our affiliates to market to you</b> — For your convenience, Stewart has developed a means for you to opt out from its affiliates marketing even though such mechanism is not legally required.	Yes	Yes, send your first and last name, the email address used in your transaction, your Stewart file number and the Stewart office location that is handling your transaction by email to <a href="mailto:optout@stewart.com">optout@stewart.com</a> or fax to 1-800-335-9591.
<b>For non-affiliates to market to you.</b> Non-affiliates are companies not related by common ownership or control. They can be financial and non-financial companies.	No	We don't share

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do not control their subsequent use of information, and suggest you refer to their privacy notices.]

### SHARING PRACTICES

<b>How often do the Stewart Title Companies notify me about their practices?</b>	We must notify you about our sharing practices when you request a transaction.
<b>How do the Stewart Title Companies protect my personal information?</b>	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer, file, and building safeguards.
<b>How do the Stewart Title Companies collect my personal information?</b>	<p>We collect your personal information, for example, when you</p> <ul style="list-style-type: none"> <li>▪ request insurance-related services</li> <li>▪ provide such information to us</li> </ul> <p>We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.</p>
<b>What sharing can I limit?</b>	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

**Contact us: If you have any questions about this privacy notice, please contact us at: Stewart Title Guaranty Company, 1360 Post Oak Blvd., Ste. 100, Privacy Officer, Houston, Texas 77056**

## Privacy Notice for California Residents

Pursuant to the California Consumer Privacy Act of 2018 ("CCPA"), Stewart Information Services Corporation and its subsidiary companies (collectively, "Stewart") are providing this **Privacy Notice for California Residents** ("CCPA Notice"). This CCPA Notice supplements the information contained in Stewart's existing privacy notice and applies solely to all visitors, users and others who reside in the State of California or are considered California Residents ("consumers" or "you"). Terms used but not defined shall have the meaning ascribed to them in the CCPA.

### Information Stewart Collects

Stewart collects information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device. Most of the information that Stewart collects in the course of its regular business is already protected pursuant to the Gramm-Leach-Bliley Act (GLBA). Additionally, much of this information comes from government records or other information already in the public domain. Personal information under the CCPA does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Certain personal information protected by other sector-specific federal or California laws, including but not limited to the Fair Credit Reporting Act (FCRA), GLBA and California Financial Information Privacy Act (FIPA).

Specifically, Stewart has collected the following categories of personal information from consumers within the last twelve (12) months:

Category	Examples	Collected?
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	YES
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	YES
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	YES
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	YES
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	YES
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES

Stewart obtains the categories of personal information listed above from the following categories of sources:

- Directly and indirectly from customers, their designees or their agents (For example, realtors, lenders, attorneys, etc.)
- Directly and indirectly from activity on Stewart's website or other applications.
- From third-parties that interact with Stewart in connection with the services we provide.

#### Use of Personal Information

Stewart may use or disclose the personal information we collect for one or more of the following purposes:

- To fulfill or meet the reason for which the information is provided.
- To provide, support, personalize, and develop our website, products, and services.
- To create, maintain, customize, and secure your account with Stewart.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To prevent and/or process claims.
- To assist third party vendors/service providers who complete transactions or perform services on Stewart's behalf.
- As necessary or appropriate to protect the rights, property or safety of Stewart, our customers or others.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our website, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our website, products and services, databases and other technology assets, and business.
- To respond to law enforcement or regulator requests as required by applicable law, court order, or governmental regulations.
- Auditing for compliance with federal and state laws, rules and regulations.
- Performing services including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing advertising or marketing services or other similar services.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

Stewart will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

#### Disclosure of Personal Information to Affiliated Companies and Nonaffiliated Third Parties

Stewart does not sell your personal information to nonaffiliated third parties. Stewart may share your information with those you have designated as your agent in the course of your transaction (for example, a realtor or a lender). Stewart may disclose your personal information to a third party for a business purpose. Typically, when we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- Service providers and vendors (For example, search companies, mobile notaries, and companies providing credit/debit card processing, billing, shipping, repair, customer service, auditing, marketing, etc.)
- Affiliated Companies
- Litigation parties and attorneys, as required by law.
- Financial rating organizations, rating bureaus and trade associations.
- Federal and State Regulators, law enforcement and other government entities

In the preceding twelve (12) months, Stewart has disclosed the following categories of personal information for a business purpose:

- Category A: Identifiers
- Category B: California Customer Records personal information categories
- Category C: Protected classification characteristics under California or federal law
- Category D: Commercial Information
- Category E: Biometric Information
- Category F: Internet or other similar network activity
- Category G: Geolocation data
- Category H: Sensory data
- Category I: Professional or employment-related information
- Category J: Non-public education information
- Category K: Inferences

#### Consumer Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

## Access to Specific Information and Data Portability Rights

You have the right to request that Stewart disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, Stewart will disclose to you:

- The categories of personal information Stewart collected about you.
- The categories of sources for the personal information Stewart collected about you.
- Stewart's business or commercial purpose for collecting that personal information.
- The categories of third parties with whom Stewart shares that personal information.
- The specific pieces of personal information Stewart collected about you (also called a data portability request).
- If Stewart disclosed your personal data for a business purpose, a listing identifying the personal information categories that each category of recipient obtained.

## Deletion Request Rights

You have the right to request that Stewart delete any of your personal information we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, Stewart will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

Stewart may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

## Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us either:

- Calling us Toll Free at 1-866-571-9270
- Emailing us at [Privacyrequest@stewart.com](mailto:Privacyrequest@stewart.com)
- Visiting <http://stewart.com/ccpa>

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

To designate an authorized agent, please contact Stewart through one of the methods mentioned above.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Stewart cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with Stewart.

## Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to an additional 45 days), we will inform you of the reason and extension period in writing.

A written response will be delivered by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

Stewart does not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

#### Non-Discrimination

Stewart will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you a different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

#### Changes to Our Privacy Notice

Stewart reserves the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on Stewart's website and update the notice's effective date. **Your continued use of Stewart's website following the posting of changes constitutes your acceptance of such changes.**

#### Contact Information

If you have questions or comments about this notice, the ways in which Stewart collects and uses your information described here, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

**Phone:** Toll Free at 1-866-571-9270

**Website:** <http://stewart.com/ccpa>

**Email:** [Privacyrequest@stewart.com](mailto:Privacyrequest@stewart.com)

**Postal Address:** Stewart Information Services Corporation  
Attn: Mary Thomas, Deputy Chief Compliance Officer  
1360 Post Oak Blvd., Ste. 100, MC #14-1  
Houston, TX 77056



**SUBDIVISION GUARANTEE**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

**Guarantee No.:** G-6329-000008556

**Fee:** \$350.00

**Order No.:** 22000201033

**Dated:** December 07, 2022

Stewart Title Guaranty Company (the "Company"), guarantees the County of King and any City within which said subdivision is located in a sum not exceeding \$1,000.00 that, according to those public records which, under the recording laws, impart constructive notice of matters affecting the title to the land included within the exterior boundary shown on the map of the subdivision, the only parties having any record title interest in said land whose signatures are necessary, on the certificates consenting to the recordation of said map and offering for dedication any streets, roads, avenues and other easements offered for dedication by said map as referred to in the guarantee.

Signed under seal for the Company, but this Guarantee is to be valid only when it bears an authorized countersignature.

Countersigned by:

  
Authorized Countersignature



  
\_\_\_\_\_  
Frederick H. Eppinger  
President and CEO

Stewart Title Guaranty Company  
1420 Fifth Avenue, Suite 440  
Seattle, WA 98101  
Agent ID: 47H018

  
\_\_\_\_\_  
David Hisey  
Secretary

For coverage information or assistance resolving a complaint, call (800) 729-1902 or visit [www.stewart.com](http://www.stewart.com).  
In writing this company please address it at P.O. Box 2029, Houston, Texas 77252, and refer to the printed Serial Number.

**SUBDIVISION GUARANTEE**

Prepared by:  
Stewart Title Guaranty Company  
1420 Fifth Avenue, Suite 440  
Seattle, WA 98101

Order Number: 22000201033

Guarantee No.: G-6329-000008556

Effective Date: December 07, 2022 at 8:00 am

Customer Reference: Overlake Golf and Country Club

Premium: \$350.00  
Sales Tax: \$35.88  
Total: \$385.88

OWNERS: [Overlake Golf and Country Club](#), a delinquent Washington non-profit corporation

## LEGAL DESCRIPTION:

SEE EXHIBIT A ATTACHED HERETO

## SUBJECT TO:

1. General taxes: Paid In Full:
 

Year:	2022
Amount Billed:	\$7,477.88
Amount Paid:	\$7,477.88
Amount Due:	\$-0-, plus interest and penalty if delinquent
Tax Account No.:	252504-9003-06
Levy Code:	1836
Land:	\$916,100.00
Improvements:	\$-0-
Affects:	Parcel A
  
2. General taxes: Paid In Full:
 

Year:	2022
Amount Billed:	\$83,021.85
Amount Paid:	\$83,021.85
Amount Due:	\$-0-, plus interest and penalty if delinquent
Tax Account No.:	252504-9004-05
Levy Code:	1836
Land:	\$1,625,400.00
Improvements:	\$8,576,600.00
Affects:	Parcel B

Note: King County Treasurer, 201 South Jackson Street # 710., Seattle, WA 98104 (206) 263-2890  
Web Address: <https://kingcounty.gov/depts/finance-business-operations/treasury.aspx>

3. 2023 taxes will become a lien on January 1, 2023. They are not yet ascertainable nor certifiable, and cannot be paid until February 15, 2023.

4. Current and/or advance personal property taxes that may become due upon the premises herein described. Please contact the King County Treasurer's office for further information.
5. Liability for sewer treatment capacity charges that may be assessed but not disclosed in the public records. Please contact the King County Capacity Charge Department for further information at 206-296-1450.
6. Notice of Water, Sewer and Storm and Surface Water Utilities Connection Charge, filed by the City of Bellevue and the terms and conditions thereof, but not limited to possible assessments recorded under Recording No(s). [9612200938](#).
7. Please be advised that our search did not disclose any open deeds of trust of record. If you should have knowledge of any outstanding obligation, please contact the title department immediately for further review prior to closing.
8. Questions regarding the following:

Option of Purchase Agreement, and the terms and conditions thereof:

Between: Overlake Golf and Country Club, a Washington non-profit corporation  
 And: Northwest Building Corporation, a Washington corporation  
 Recorded: June 17, 1981  
 Recording No.: [8106170388](#)  
 Option to re-purchase said premises and other property upon certain terms and circumstances.

Note 1: We find no release of record for said instrument.

Note 2: Northwest Building Corporation no longer appears in the records of the Secretary of State for the State of Washington as a currently existing or recently expiring entity, and no name change or merger into a different company has been found.

Note 3: The term of said option states that it shall expire 21 years after the death of the last surviving grandchild of Norton Clapp, with seventeen of said parties being listed on said instrument. Due to passage of time, and that eight of said grandchildren are female, it could be assumed that several or all of said granddaughters may have married and/or changed last names one or more times. Any of said grandchildren may have re-located beyond King County, or the State of Washington. We find no record of the current names of any of the grandchildren, or current place of domicile to check for notices of death or probates therefor.

If an unrecorded termination of said option exists, a copy should be submitted to this company for review.

9. Any unrecorded leaseholds, right of vendors and holders of security interest on personal property installed upon said property, and right of tenants to remove trade fixtures at the expiration of the term.
10. According to information disclosed by corporation records in the office of the Secretary of State, corporate license fees were last paid for Overlake Golf and Country Club, a delinquent Washington non-profit corporation, on November 30, 2021, and said entity became delinquent on November 30, 2022. Reinstatement may be applied for within two years of such cessation, under the powers provided in the State Statute.
11. Easement and the terms and conditions thereof:
 

Grantee: The Pacific Telephone and Telegraph Company  
 Purpose: Underground lines for telephone and telegraph and other communication circuits and appurtenances, other utility purposes  
 Affects: South 30 feet of Parcel B  
 Recorded: March 20, 1947  
 Recording No.: [3668112](#)



## WA Subdivision Guarantee

12. Easement and the terms and conditions thereof:  
 Purpose: Sanitary sewer lines and appurtenances  
 Affects: As constructed within Parcels A and B  
 Recorded: May 24, 1961  
 Recording No.: [5287317](#)
13. Easement and the terms and conditions thereof:  
 Grantee: Puget Sound Power & Light Company  
 Purpose: Underground electric system and appurtenances  
 Affects: Portions of Parcels A and B as described therein  
 Recorded: April 1, 1985  
 Recording No.: [8504010807](#)
14. Easement and the terms and conditions thereof:  
 Grantee: Puget Sound Power & Light Company  
 Purpose: Underground electric system and appurtenances  
 Affects: As constructed or to be constructed within Parcel B  
 Recorded: February 17, 1993  
 Recording No.: [9302170258](#)
15. Easement and Assignment of Lease Agreement, and the terms and conditions thereof:  
 Grantee: Landmark Infrastructure Operating Company, LLC, a Delaware LLC  
 Purpose: Telecom easement for telecommunications purposes and access thereto  
 Affects: Portion of Parcel B and other property as described therein  
 Recorded: January 26, 2017  
 Recording No.: [20170126001488](#)
- Assignment of said Easement and Lease agreement:  
 Assignee: Landmark Infrastructure Holding Company, LLC, a Delaware LLC  
 Recorded: October 12, 2022  
 Recording No.: [20221012000191](#)
16. Unrecorded Lease, all amendments thereto, and the terms and conditions thereof:  
 Lessor: Overlake Golf and Country Club  
 Lessee: Crown Castle, successor in interest to VoiceStream PCS III Corporation  
 Dated: December 5, 2000  
 Term: Undisclosed  
 Disclosed By: Easement and Assignment of Lease Agreement  
 Recorded: January 26, 2017  
 Recording No.: [20170126001488](#)  
 Affects: Parcel B and other property

Lessee's interest is now held by: CCTMO, LLC, according to recital contained on Assignment recorded October 12, 2022 under Recording Number [20221012000191](#).

ps

**SUBDIVISION GUARANTEE**

Order Number: 22000201033

Guarantee No.: G-6329-000008556

This Guarantee and the legal description given herein are based upon information supplied by the applicant as to the location and identification of the premises in question, and no liability is assumed for any discrepancies resulting therefrom. This report does not represent either a commitment to insure title, an examination of or opinion as to the sufficiency or effect of the matters shown, or opinion as to the marketability of title to the land.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Parcel A:

The Southwest Quarter of the Northeast Quarter of Section 25, Township 25 North, Range 4 East, W. M., in King County, Washington;

Except that portion lying within the [Plat of Fairway View](#), according to the plat thereof recorded in Volume 65 of Plats, pages 43 and 44;

And except the North 30 feet thereof;

And except the South 30 feet thereof conveyed to King County for street by deed recorded under Recording Number [2061160](#).

Parcel B:

The Southeast Quarter of the Northeast Quarter of Section 25, Township 25 North, Range 4 East, W. M., in King County, Washington;

Except the North 30 feet of the West 30 feet thereof;

Except the East 30 feet thereof conveyed to King County for street by Recording Number [1055861](#);

And except the South 30 feet of the West 30 feet thereof conveyed to King County for street by deed recorded under Recording Number [2061160](#).

Situate in the County of King, State of Washington.

[MAP](#)

## STG Privacy Notice Stewart Title Companies

### WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart Title Guaranty Company and its title affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information.	Do we share	Can you limit this sharing?
<b>For our everyday business purposes</b> — to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.	Yes	No
<b>For our marketing purposes</b> — to offer our products and services to you.	Yes	No
<b>For joint marketing with other financial companies</b>	No	We don't share
<b>For our affiliates' everyday business purposes</b> — information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and non-financial companies. <i>Our affiliates may include companies with a Stewart name; financial companies, such as Stewart Title Company</i>	Yes	No
<b>For our affiliates' everyday business purposes</b> — information about your creditworthiness.	No	We don't share
<b>For our affiliates to market to you</b> — For your convenience, Stewart has developed a means for you to opt out from its affiliates marketing even though such mechanism is not legally required.	Yes	Yes, send your first and last name, the email address used in your transaction, your Stewart file number and the Stewart office location that is handling your transaction by email to <a href="mailto:optout@stewart.com">optout@stewart.com</a> or fax to 1-800-335-9591.
<b>For non-affiliates to market to you.</b> Non-affiliates are companies not related by common ownership or control. They can be financial and non-financial companies.	No	We don't share

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do not control their subsequent use of information, and suggest you refer to their privacy notices.]

### SHARING PRACTICES

<b>How often do the Stewart Title Companies notify me about their practices?</b>	We must notify you about our sharing practices when you request a transaction.
<b>How do the Stewart Title Companies protect my personal information?</b>	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer, file, and building safeguards.
<b>How do the Stewart Title Companies collect my personal information?</b>	We collect your personal information, for example, when you <ul style="list-style-type: none"> <li>▪ request insurance-related services</li> <li>▪ provide such information to us</li> </ul> We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.
<b>What sharing can I limit?</b>	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

**Contact us:** *If you have any questions about this privacy notice, please contact us at: Stewart Title Guaranty Company, 1360 Post Oak Blvd., Ste. 100, Privacy Officer, Houston, Texas 77056*

## Privacy Notice for California Residents

Pursuant to the California Consumer Privacy Act of 2018 ("CCPA"), Stewart Information Services Corporation and its subsidiary companies (collectively, "Stewart") are providing this **Privacy Notice for California Residents** ("CCPA Notice"). This CCPA Notice supplements the information contained in Stewart's existing privacy notice and applies solely to all visitors, users and others who reside in the State of California or are considered California Residents ("consumers" or "you"). Terms used but not defined shall have the meaning ascribed to them in the CCPA.

### Information Stewart Collects

Stewart collects information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device. Most of the information that Stewart collects in the course of its regular business is already protected pursuant to the Gramm-Leach-Bliley Act (GLBA). Additionally, much of this information comes from government records or other information already in the public domain. Personal information under the CCPA does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Certain personal information protected by other sector-specific federal or California laws, including but not limited to the Fair Credit Reporting Act (FCRA), GLBA and California Financial Information Privacy Act (FIPA).

Specifically, Stewart has collected the following categories of personal information from consumers within the last twelve (12) months:

Category	Examples	Collected?
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	YES
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	YES
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	YES
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	YES
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	YES
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES

Stewart obtains the categories of personal information listed above from the following categories of sources:

- Directly and indirectly from customers, their designees or their agents (For example, realtors, lenders, attorneys, etc.)
- Directly and indirectly from activity on Stewart's website or other applications.
- From third-parties that interact with Stewart in connection with the services we provide.

#### Use of Personal Information

Stewart may use or disclose the personal information we collect for one or more of the following purposes:

- To fulfill or meet the reason for which the information is provided.
- To provide, support, personalize, and develop our website, products, and services.
- To create, maintain, customize, and secure your account with Stewart.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To prevent and/or process claims.
- To assist third party vendors/service providers who complete transactions or perform services on Stewart's behalf.
- As necessary or appropriate to protect the rights, property or safety of Stewart, our customers or others.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our website, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our website, products and services, databases and other technology assets, and business.
- To respond to law enforcement or regulator requests as required by applicable law, court order, or governmental regulations.
- Auditing for compliance with federal and state laws, rules and regulations.
- Performing services including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing advertising or marketing services or other similar services.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

Stewart will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

#### Disclosure of Personal Information to Affiliated Companies and Nonaffiliated Third Parties

Stewart does not sell your personal information to nonaffiliated third parties. Stewart may share your information with those you have designated as your agent in the course of your transaction (for example, a realtor or a lender). Stewart may disclose your personal information to a third party for a business purpose. Typically, when we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- Service providers and vendors (For example, search companies, mobile notaries, and companies providing credit/debit card processing, billing, shipping, repair, customer service, auditing, marketing, etc.)
- Affiliated Companies
- Litigation parties and attorneys, as required by law.
- Financial rating organizations, rating bureaus and trade associations.
- Federal and State Regulators, law enforcement and other government entities

In the preceding twelve (12) months, Stewart has disclosed the following categories of personal information for a business purpose:

- Category A: Identifiers
- Category B: California Customer Records personal information categories
- Category C: Protected classification characteristics under California or federal law
- Category D: Commercial Information
- Category E: Biometric Information
- Category F: Internet or other similar network activity
- Category G: Geolocation data
- Category H: Sensory data
- Category I: Professional or employment-related information
- Category J: Non-public education information
- Category K: Inferences

#### Consumer Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

## Access to Specific Information and Data Portability Rights

You have the right to request that Stewart disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, Stewart will disclose to you:

- The categories of personal information Stewart collected about you.
- The categories of sources for the personal information Stewart collected about you.
- Stewart's business or commercial purpose for collecting that personal information.
- The categories of third parties with whom Stewart shares that personal information.
- The specific pieces of personal information Stewart collected about you (also called a data portability request).
- If Stewart disclosed your personal data for a business purpose, a listing identifying the personal information categories that each category of recipient obtained.

## Deletion Request Rights

You have the right to request that Stewart delete any of your personal information we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, Stewart will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

Stewart may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

## Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us either:

- Calling us Toll Free at 1-866-571-9270
- Emailing us at [Privacyrequest@stewart.com](mailto:Privacyrequest@stewart.com)
- Visiting <http://stewart.com/ccpa>

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

To designate an authorized agent, please contact Stewart through one of the methods mentioned above.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Stewart cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with Stewart.

## Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to an additional 45 days), we will inform you of the reason and extension period in writing.

A written response will be delivered by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

Stewart does not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

#### Non-Discrimination

Stewart will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you a different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

#### Changes to Our Privacy Notice

Stewart reserves the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on Stewart's website and update the notice's effective date. **Your continued use of Stewart's website following the posting of changes constitutes your acceptance of such changes.**

#### Contact Information

If you have questions or comments about this notice, the ways in which Stewart collects and uses your information described here, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

**Phone:** Toll Free at 1-866-571-9270

**Website:** <http://stewart.com/ccpa>

**Email:** [Privacyrequest@stewart.com](mailto:Privacyrequest@stewart.com)

**Postal Address:** Stewart Information Services Corporation  
Attn: Mary Thomas, Deputy Chief Compliance Officer  
1360 Post Oak Blvd., Ste. 100, MC #14-1  
Houston, TX 77056





**SUBDIVISION GUARANTEE**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

**Guarantee No.:** G-6329-000008530

**Fee:** \$350.00

**Order No.:** 22000200630

**Dated:** July 06, 2022

Stewart Title Guaranty Company (the "Company"), guarantees the County of King and any City within which said subdivision is located in a sum not exceeding \$1,000.00 that, according to those public records which, under the recording laws, impart constructive notice of matters affecting the title to the land included within the exterior boundary shown on the map of the subdivision, the only parties having any record title interest in said land whose signatures are necessary, on the certificates consenting to the recordation of said map and offering for dedication any streets, roads, avenues and other easements offered for dedication by said map as referred to in the guarantee.

Signed under seal for the Company, but this Guarantee is to be valid only when it bears an authorized countersignature.


Countersigned by:

  
Authorized Countersignature



  
\_\_\_\_\_  
Frederick H. Eppinger  
President and CEO

Stewart Title Guaranty Company  
1420 Fifth Avenue, Suite 440  
Seattle, WA 98101  
Agent ID: 47H018

  
\_\_\_\_\_  
David Hisey  
Secretary

For coverage information or assistance resolving a complaint, call (800) 729-1902 or visit [www.stewart.com](http://www.stewart.com).  
In writing this company please address it at P.O. Box 2029, Houston, Texas 77252, and refer to the printed Serial Number.

**SUBDIVISION GUARANTEE**

Prepared by:  
Stewart Title Guaranty Company  
1420 Fifth Avenue, Suite 440  
Seattle, WA 98101

Order Number: 22000200630

Guarantee No.: G-6329-000008530

Effective Date: July 06, 2022 at 8:00 AM

Premium: \$350.00  
Sales Tax: \$35.88  
Total: \$385.88

OWNERS: [Overlake Golf and Country Club, a Washington nonprofit corporation](#)**LEGAL DESCRIPTION:**

The Northeast quarter of the Southeast quarter of Section 25, Township 25 North, Range 4 East, W.M., in King County, Washington;

Except the East 30 feet thereof;

Also except the South 30 feet thereof;

Also except the West 30 feet thereof;

Also except the North 350 feet of the South 380 feet of the West 700 feet of the East 730 feet thereof;

Also except that portion thereof appropriated by the City of Medina for realignment of 80th Avenue Northeast between 8th Street and Northeast 12th Street by the City of Medina Ordinance No. 97, recorded under Recording No. 5248245.

Situate in the City of Medina, County of King, State of Washington.

[MAP](#)

**SUBJECT TO:**

1. General taxes: First half delinquent May 1; Second half delinquent November 1:

Year:	2022
Amount Billed:	\$51,606.30
Amount Paid:	\$25,803.15
Amount Due:	\$25,803.15, plus interest and penalty if delinquent
Tax Account No.:	<a href="#">252504-9020-05</a>
Levy Code:	1836
Land:	\$1,318,400.00
Improvements:	\$5,022,000.00

Note: King County Treasurer, 500 4th Avenue, 6th Floor Admin. Bldg., Seattle, WA 98104 (206) 263-2890  
Web Address: <https://kingcounty.gov/depts/finance-business-operations/treasury.aspx>

2. Current and/or advance personal property taxes that may become due. Please contact the King County Treasurer's office for further information.

3. Liability for sewer treatment capacity charges that may be assessed but not disclosed in the public records. Please contact the King County Capacity Charge Department for further information at 206-296-1450.
4. Option to Purchase Agreement and the terms and conditions thereof:
 

By and Between: Overlake Golf and Country Club, a Washington nonprofit corporation and Northwest Building Corporation, a Washington corporation

Recorded: June 17, 1981

Recording No.: [8106170388](#)

Amendment and/or modification by instrument:

Recorded: August 28, 2018

Recording No.: [20180828000448](#)
5. Memorandum of Lease:
 

Lessor: Overlake Golf and Country Club, a Washington nonprofit corporation

Lessee: US West Wireless, L.L.C., a Delaware limited liability company

Recorded: November 4, 1999

Recording No.: [19991104000104](#)
6. Memorandum of Mater Prepaid Lease and Management Agreement:
 

Lessor: T-Mobile West Tower LLC, a Delaware limited liability company

Lessee: CCTMO LLC, a Delaware limited liability company

Recorded: July 14, 2014

Recording No.: [20140714000715](#)
7. Unrecorded Lease:
 

Lessor: Overlake Golf and Country Club, a Washington nonprofit corporation

Lessee: Landmark Infrastructure Operating Company LLC, a Delaware limited liability company

Disclosed By: Easement and Assignment of Lease Agreement

Recorded: January 26, 2017

Recording No.: [20170126001488](#)

Amendment and/or modification by instrument:

Recorded: January 30, 2019

Recording No.: [20190130000908](#)
8. Any other unrecorded leaseholds, right of vendors and holders of security interest on personal property installed upon said property, and right of tenants to remove trade fixtures at the expiration of the term.
9. Easement and the terms and conditions thereof:
 

Purpose: sanitary sewer line

Affects: refer to said instrument

Recorded: May 24, 1961

Recording No.: [5287317](#)
10. Terms and conditions of survey recorded February 6, 1974 under Recording Number [7402060452](#).  
Said Survey discloses but is not limited to the fences are not on the true lot lines.
11. Matters disclosed by record of survey recorded August 14, 2000 under Recording Number [20000814900011](#).

## WA Subdivision Guarantee

12. Easement and the terms and conditions thereof:  
 Grantee: City of Medina  
 Purpose: drainage facilities  
 Affects: The description contained therein is not sufficient to determine its exact location within the property herein described.  
 Recorded: December 26, 2000  
 Recording No.: [20001226001330](#)
13. Matters disclosed by record of survey recorded October 11, 2007 under Recording Number [20071011900007](#).
14. Easement and the terms and conditions thereof:  
 Grantee: Puget Sound Energy, Inc.  
 Purpose: utility systems for sale of gas and electricity  
 Affects: The description contained therein is not sufficient to determine its exact location within the property herein described.  
 Recorded: December 24, 2007  
 Recording No.: [20071224000087](#)
15. Side Sewer Minimum Grade Release Request and the terms and conditions thereof:  
 Recorded: March 25, 2008  
 Recording No.: [20080325001393](#)
16. Easement and the terms and conditions thereof:  
 Grantee: City of Bellevue  
 Purpose: water line  
 Affects: refer to said instrument  
 Recorded: May 21, 2008  
 Recording No.: [20080521000637](#)
- Said easement has been partially released by instrument recorded under Recording No. [20210111000182](#)
17. Side Sewer Minimum Grade Release and the terms and conditions thereof:  
 Recorded: October 14, 2008  
 Recording No.: [20081014000711](#)
18. Easement and the terms and conditions thereof:  
 Grantee: Landmark Infrastructure Operating Company, LLC, a Delaware limited liability company  
 Purpose: telecommunication purposes and ingress and egress for maintenance and utility service  
 Affects: a portion of said property  
 Recorded: January 26, 2017  
 Recording No.: [20170126001488](#)
- Amendment and/or modification by instrument:  
 Recorded: January 30, 2019  
 Recording No.: [20190130000908](#)
19. Notice of Charges by Water, Sewer, and Storm & Surface Water Utilities and the terms and conditions thereof:  
 Recorded: July 27, 2017  
 Recording No.: [20170727001075](#)
- Said instrument is a re-recording of instrument recorded under Recording No. 9612200938.

## WA Subdivision Guarantee

20. Memorandum of Easement Agreement and the terms and conditions thereof:  
Recorded: January 30, 2019  
Recording No.: [20190130000904](#)
21. Memorandum of Nondisturbance Agreement and the terms and conditions thereof:  
Recorded: January 30, 2019  
Recording No.: [20190130000905](#)
22. Temporary Easement and the terms and conditions thereof:  
Grantee: St. Thomas School, a not for profit corporation  
Purpose: construction  
Affects: refer to said instrument  
Recorded: January 30, 2019  
Recording No.: [20190130000906](#)
23. Utilities and Storm Water Easement Agreement and the terms and conditions thereof:  
Recorded: January 30, 2019  
Recording No.: [20190130000907](#)
24. Easement and the terms and conditions thereof:  
Grantee: City of Bellevue  
Purpose: water purposes  
Affects: refer to said instrument  
Recorded: January 27, 2021  
Recording No.: [20210127001122](#)

tc

**SUBDIVISION GUARANTEE**

Order Number: 22000200630

Guarantee No.: G-6329-000008530

This Guarantee and the legal description given herein are based upon information supplied by the applicant as to the location and identification of the premises in question, and no liability is assumed for any discrepancies resulting therefrom. This report does not represent either a commitment to insure title, an examination of or opinion as to the sufficiency or effect of the matters shown, or opinion as to the marketability of title to the land.

## STG Privacy Notice Stewart Title Companies

### WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart Title Guaranty Company and its title affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information.	Do we share	Can you limit this sharing?
<b>For our everyday business purposes</b> — to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.	Yes	No
<b>For our marketing purposes</b> — to offer our products and services to you.	Yes	No
<b>For joint marketing with other financial companies</b>	No	We don't share
<b>For our affiliates' everyday business purposes</b> — information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and non-financial companies. <i>Our affiliates may include companies with a Stewart name; financial companies, such as Stewart Title Company</i>	Yes	No
<b>For our affiliates' everyday business purposes</b> — information about your creditworthiness.	No	We don't share
<b>For our affiliates to market to you</b> — For your convenience, Stewart has developed a means for you to opt out from its affiliates marketing even though such mechanism is not legally required.	Yes	Yes, send your first and last name, the email address used in your transaction, your Stewart file number and the Stewart office location that is handling your transaction by email to <a href="mailto:optout@stewart.com">optout@stewart.com</a> or fax to 1-800-335-9591.
<b>For non-affiliates to market to you.</b> Non-affiliates are companies not related by common ownership or control. They can be financial and non-financial companies.	No	We don't share

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do not control their subsequent use of information, and suggest you refer to their privacy notices.]

### SHARING PRACTICES

<b>How often do the Stewart Title Companies notify me about their practices?</b>	We must notify you about our sharing practices when you request a transaction.
<b>How do the Stewart Title Companies protect my personal information?</b>	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer, file, and building safeguards.
<b>How do the Stewart Title Companies collect my personal information?</b>	<p>We collect your personal information, for example, when you</p> <ul style="list-style-type: none"> <li>▪ request insurance-related services</li> <li>▪ provide such information to us</li> </ul> <p>We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.</p>
<b>What sharing can I limit?</b>	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

**Contact us: If you have any questions about this privacy notice, please contact us at: Stewart Title Guaranty Company, 1360 Post Oak Blvd., Ste. 100, Privacy Officer, Houston, Texas 77056**

## Privacy Notice for California Residents

Pursuant to the California Consumer Privacy Act of 2018 ("CCPA"), Stewart Information Services Corporation and its subsidiary companies (collectively, "Stewart") are providing this **Privacy Notice for California Residents** ("CCPA Notice"). This CCPA Notice supplements the information contained in Stewart's existing privacy notice and applies solely to all visitors, users and others who reside in the State of California or are considered California Residents ("consumers" or "you"). Terms used but not defined shall have the meaning ascribed to them in the CCPA.

### Information Stewart Collects

Stewart collects information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device. Most of the information that Stewart collects in the course of its regular business is already protected pursuant to the Gramm-Leach-Bliley Act (GLBA). Additionally, much of this information comes from government records or other information already in the public domain. Personal information under the CCPA does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Certain personal information protected by other sector-specific federal or California laws, including but not limited to the Fair Credit Reporting Act (FCRA), GLBA and California Financial Information Privacy Act (FIPA).

Specifically, Stewart has collected the following categories of personal information from consumers within the last twelve (12) months:

Category	Examples	Collected?
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	YES
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	YES
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	YES
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	YES
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	YES
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES



Stewart obtains the categories of personal information listed above from the following categories of sources:

- Directly and indirectly from customers, their designees or their agents (For example, realtors, lenders, attorneys, etc.)
- Directly and indirectly from activity on Stewart's website or other applications.
- From third-parties that interact with Stewart in connection with the services we provide.

#### Use of Personal Information

Stewart may use or disclose the personal information we collect for one or more of the following purposes:

- To fulfill or meet the reason for which the information is provided.
- To provide, support, personalize, and develop our website, products, and services.
- To create, maintain, customize, and secure your account with Stewart.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To prevent and/or process claims.
- To assist third party vendors/service providers who complete transactions or perform services on Stewart's behalf.
- As necessary or appropriate to protect the rights, property or safety of Stewart, our customers or others.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our website, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our website, products and services, databases and other technology assets, and business.
- To respond to law enforcement or regulator requests as required by applicable law, court order, or governmental regulations.
- Auditing for compliance with federal and state laws, rules and regulations.
- Performing services including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing advertising or marketing services or other similar services.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

Stewart will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

#### Disclosure of Personal Information to Affiliated Companies and Nonaffiliated Third Parties

Stewart does not sell your personal information to nonaffiliated third parties. Stewart may share your information with those you have designated as your agent in the course of your transaction (for example, a realtor or a lender). Stewart may disclose your personal information to a third party for a business purpose. Typically, when we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- Service providers and vendors (For example, search companies, mobile notaries, and companies providing credit/debit card processing, billing, shipping, repair, customer service, auditing, marketing, etc.)
- Affiliated Companies
- Litigation parties and attorneys, as required by law.
- Financial rating organizations, rating bureaus and trade associations.
- Federal and State Regulators, law enforcement and other government entities

In the preceding twelve (12) months, Stewart has disclosed the following categories of personal information for a business purpose:

- Category A: Identifiers
- Category B: California Customer Records personal information categories
- Category C: Protected classification characteristics under California or federal law
- Category D: Commercial Information
- Category E: Biometric Information
- Category F: Internet or other similar network activity
- Category G: Geolocation data
- Category H: Sensory data
- Category I: Professional or employment-related information
- Category J: Non-public education information
- Category K: Inferences

#### Consumer Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

## Access to Specific Information and Data Portability Rights

You have the right to request that Stewart disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, Stewart will disclose to you:

- The categories of personal information Stewart collected about you.
- The categories of sources for the personal information Stewart collected about you.
- Stewart's business or commercial purpose for collecting that personal information.
- The categories of third parties with whom Stewart shares that personal information.
- The specific pieces of personal information Stewart collected about you (also called a data portability request).
- If Stewart disclosed your personal data for a business purpose, a listing identifying the personal information categories that each category of recipient obtained.

## Deletion Request Rights

You have the right to request that Stewart delete any of your personal information we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, Stewart will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

Stewart may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

## Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us either:

- Calling us Toll Free at 1-866-571-9270
- Emailing us at [Privacyrequest@stewart.com](mailto:Privacyrequest@stewart.com)
- Visiting <http://stewart.com/ccpa>

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

To designate an authorized agent, please contact Stewart through one of the methods mentioned above.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Stewart cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with Stewart.

## Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to an additional 45 days), we will inform you of the reason and extension period in writing.

A written response will be delivered by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

Stewart does not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

#### Non-Discrimination

Stewart will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you a different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

#### Changes to Our Privacy Notice

Stewart reserves the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on Stewart's website and update the notice's effective date. **Your continued use of Stewart's website following the posting of changes constitutes your acceptance of such changes.**

#### Contact Information

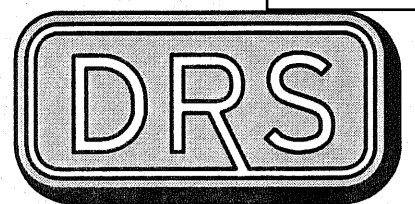
If you have questions or comments about this notice, the ways in which Stewart collects and uses your information described here, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

**Phone:** Toll Free at 1-866-571-9270

**Website:** <http://stewart.com/ccpa>

**Email:** [Privacyrequest@stewart.com](mailto:Privacyrequest@stewart.com)

**Postal Address:** Stewart Information Services Corporation  
Attn: Mary Thomas, Deputy Chief Compliance Officer  
1360 Post Oak Blvd., Ste. 100, MC #14-1  
Houston, TX 77056



**D.R. STRONG**  
CONSULTING ENGINEERS  
ENGINEERS PLANNERS SURVEYORS  
620 - 7th AVENUE KIRKLAND, WA 98033  
O 425.827.3053 F 425.827.2423

# BOUNDARY AND TOPOGRAPHIC SURVEY

A PORTION OF SW 1/4 OF THE NE 1/4, THE SE 1/4 OF THE NE 1/4,  
THE NW 1/4 OF THE SE 1/4 AND THE NE 1/4 OF THE SE 1/4 OF  
SECTION 25, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M.,  
CITY OF MEDINA, KING COUNTY, WASHINGTON

## LEGAL DESCRIPTIONS (ADJOINING PARCELS)

TAX PARCEL 252504-9003:  
THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON;  
EXCEPT THAT PORTION THEREOF LYING WITHIN THE PLAT OF FAIRWAY MEW, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 65 OF PLATS, PAGE 43 AND 44;  
AND EXCEPT THE NORTH 30 FEET THEREOF;  
AND EXCEPT THE SOUTH 30 FEET THEREOF CONVEYED TO KING COUNTY FOR STREET BY DEED RECORDED UNDER RECORDING NUMBER 2061160

TAX PARCEL 252504-9004:  
THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON;  
EXCEPT THE NORTH 30 FEET OF THE WEST 30 FEET THEREOF;  
AND EXCEPT THE EAST 30 FEET THEREOF CONVEYED TO KING COUNTY BY DEED RECORDED UNDER RECORDING NO. 1055861;  
AND EXCEPT THE SOUTH 30 FEET OF THE WEST 30 FEET THEREOF CONVEYED TO KING COUNTY FOR STREET BY DEED RECORDED UNDER RECORDING NO. 2611160.

TAX PARCEL 252504-9020:  
THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON;  
EXCEPT THE EAST 30 FEET THEREOF;  
ALSO EXCEPT THE SOUTH 30 FEET THEREOF;  
ALSO EXCEPT THE WEST 30 FEET THEREOF;  
ALSO EXCEPT THE NORTH 350 FEET OF THE SOUTH 380 FEET OF THE WEST 700 FEET OF THE EAST 730 FEET THEREOF;  
ALSO EXCEPT THAT PORTION THEREOF APPROPRIATED BY THE CITY OF MEDINA FOR REALIGNMENT OF 80th AVENUE NORTHEAST BETWEEN 8th / STREET AND NORTHEAST 12th STREET BY THE CITY OF MEDINA ORDINANCE NO. 97, RECORDED UNDER RECORDING NO. 5248245.

SITUATE IN THE CITY OF MEDINA, COUNTY OF KING, STATE OF WASHINGTON.

TAX PARCEL 302530-0392:  
THE EAST THREE TENTHS OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M. IN KING COUNTY, WASHINGTON;  
EXCEPT THE NORTH 30 FEET AND EAST 30 FEET THEREOF;  
(BEING KNOWN AS TRACTS 235, 236 AND 237 OF HALF-HOUR-ONE-HALF-ACRE TRACTS, ACCORDING TO THE UNRECORDED PLAT THEREOF).  
SITUATE IN THE CITY OF MEDINA, COUNTY OF KING, STATE OF WASHINGTON.

## LEGAL DESCRIPTION (PROPOSED RIGHT-OF-WAY VACATION)

THAT PORTION OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 04 EAST, W.M. IN KING COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

THE SOUTH 30.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND; THE SOUTH 30.00 FEET OF THE WEST 30.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND;  
THE WEST 30.00 FEET OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND; THE EAST 30.00 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND; THE NORTH 30.00 FEET OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER;

EXCEPT ANY PORTION THEREOF LYING WESTERLY OF THE NORTHERLY PROLONGATION OF THE WEST LINE OF THE EAST THREE TENTHS OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (ALSO BEING THE WEST LINE OF LOT 235 OF THE UNRECORDED PLAT OF HALF-HOUR-ONE-HALF-ACRE TRACTS) AND;

AND EXCEPT ANY PORTION THEREOF LYING SOUTHERLY OF THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE EASTERLY PROLONGATION THEREOF.

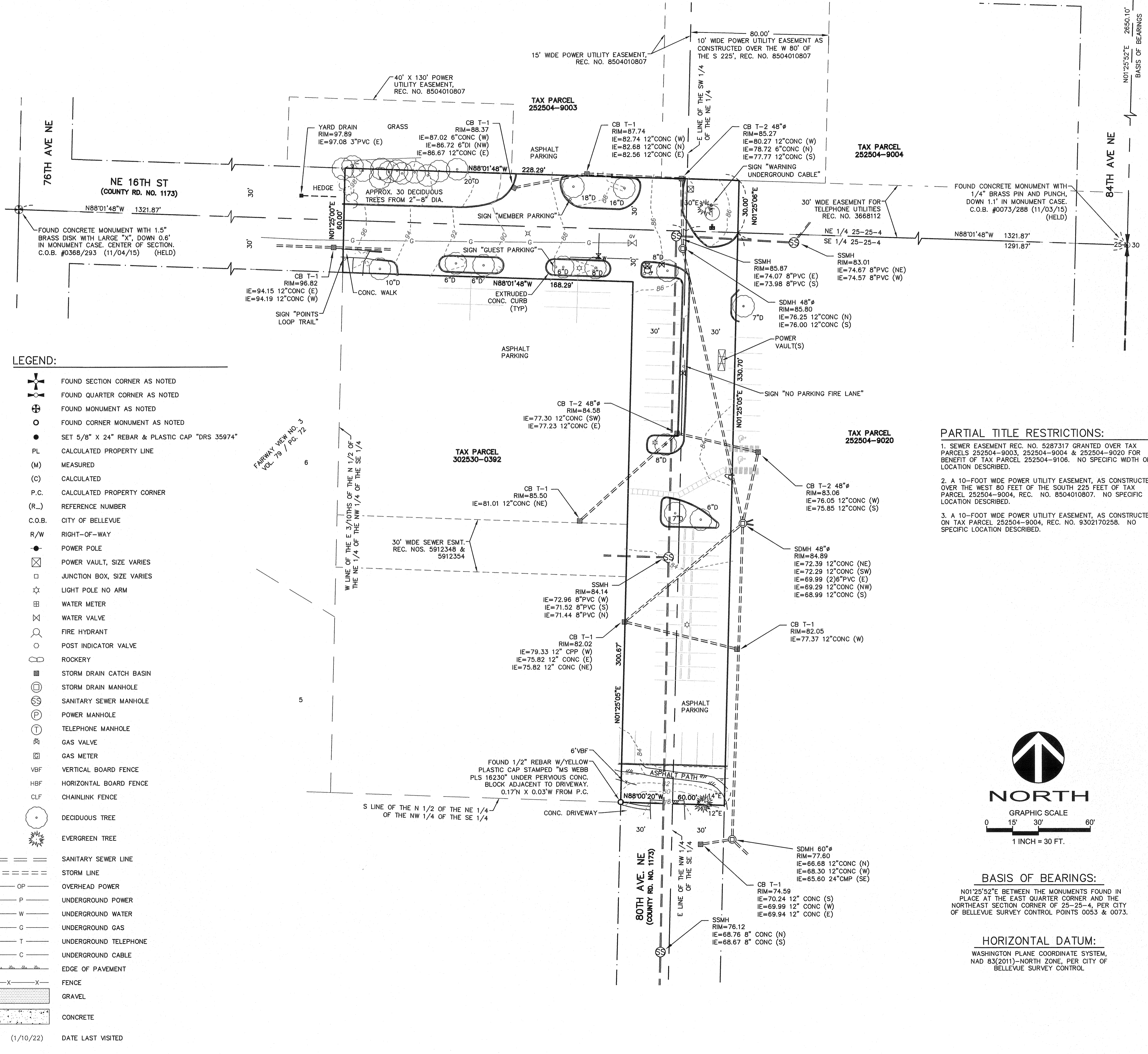
SITUATE IN THE CITY OF MEDINA, COUNTY OF KING, STATE OF WASHINGTON.

## SURVEYOR'S NOTES

- ALL TITLE INFORMATION SHOWN ON THIS MAP HAS BEEN EXTRACTED FROM STEWART TITLE COMPANY SUBDIVISION GUARANTEES ORDER NO. 22000201033 DATED DECEMBER 07, 2022, ORDER NO. 22000200630 DATED JULY 06, 2022 AND ORDER NO. 22000200931 DATED OCTOBER 26, 2022. IN PREPARING THIS MAP, D.R. STRONG CONSULTING ENGINEERS INC. HAS CONDUCTED NO INDEPENDENT TITLE SEARCH NOR IS D.R. STRONG CONSULTING ENGINEERS INC. AWARE OF ANY TITLE ISSUES AFFECTING THE SURVEYED PROPERTY OTHER THAN THOSE SHOWN ON THE MAP AND DISCLOSED BY THE ABOVE REFERENCED STEWART TITLE COMPANY GUARANTEES. D.R. STRONG CONSULTING ENGINEERS INC. HAS RELIED WHOLLY ON STEWART TITLE COMPANY REPRESENTATIONS OF THE TITLE'S CONDITIONS TO PREPARE THIS SURVEY AND THEREFORE D.R. STRONG CONSULTING ENGINEERS INC. QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS TO THAT EXTENT.
- THIS IS A SURVEY OF A PORTION OF THE PUBLIC RIGHT-OF-WAY OF NE 16TH ST. AND 80TH AVE. NE IN SUPPORT OF A PROPOSED VACATION OF SAME.
- ALL SURVEY CONTROL AND PROPERTY CORNERS WERE LAST VISITED ON 11/21/2022 UNLESS OTHERWISE SHOWN HEREON.
- ALL DISTANCES ARE IN U.S. SURVEY FEET.
- THIS IS A COMBINED FIELD TRAVERSE AND GLOBAL POSITIONING SYSTEM SURVEY. A TRIMBLE S7 ONE SECOND COMBINED ELECTRONIC TOTAL STATION AND A LEICA SERIES 1200 GLOBAL POSITIONING SYSTEM WERE USED TO MEASURE THE ANGULAR AND DISTANCE RELATIONSHIPS BETWEEN THE CONTROLLING MONUMENTATION AS SHOWN. CLOSURE RATIOS OF THE TRAVERSE MEET OR EXCEED THOSE SPECIFIED IN WAC 332-130-090. ALL MEASURING INSTRUMENTS AND EQUIPMENT ARE MAINTAINED IN ADJUSTMENT ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
- THE GRID TO GROUND DISTANCE CONVERSION UTILIZES AN AVERAGE COMBINED SCALE FACTOR OF 0.99997808.
- REFER TO SURVEY RECORDING NUMBERS 2022031690008 (R1) AND 2022100390005 (R2) FOR ADDITIONAL SECTION BREAKDOWN INFORMATION.
- UTILITIES OTHER THAN THOSE SHOWN MAY EXIST ON THIS SITE. ONLY THOSE UTILITIES WITH EVIDENCE OF THEIR INSTALLATION VISIBLE AT GROUND SURFACE ARE SHOWN HEREON. UNDERGROUND UTILITY LOCATIONS SHOWN ARE APPROXIMATE ONLY. UNDERGROUND CONNECTIONS ARE SHOWN AS STRAIGHT LINES BETWEEN SURFACE UTILITY LOCATIONS BUT MAY CONTAIN BENDS OR CURVES NOT SHOWN. SOME UNDERGROUND LOCATIONS SHOWN HEREON MAY HAVE BEEN TAKEN FROM PUBLIC RECORDS. D.R. STRONG CONSULTING ENGINEERS INC. ASSUMES NO LIABILITY FOR THE ACCURACY OF PUBLIC RECORDS.
- CONTOURS SHOWN HEREON ARE AT 2-FOOT INTERVALS AND ARE BASED ON DIRECT FIELD MEASUREMENTS.
- INTERPOLATED ELEVATIONS ARE ACCURATE WITHIN ONE-HALF CONTOUR INTERVAL PER NATIONAL MAPPING STANDARDS.
- ONLY THOSE EASEMENTS, NOTED WITHIN THE ABOVE MENTIONED TITLE REPORTS, WHICH ADJOIN THE SUBJECT RIGHT-OF-WAY ARE DEPICTED HEREON. IT IS UNKNOWN WHETHER ANY PORTION OF CERTAIN EASEMENTS WHICH HAVE NO SPECIFIC LOCATION DESCRIPTION MAY ADJOIN SAID RIGHT-OF-WAY AND SAID EASEMENTS ARE NOTED HEREON UNDER THE HEADING "PARTIAL TITLE RESTRICTIONS".

## REFERENCES:

- SURVEY - REC. NO. 2022031690008
- SURVEY - REC. NO. 2022100390005
- STEWART TITLE CO. ORDER #22000201033 (TAX PARCEL #252504-9003)
- STEWART TITLE CO. ORDER #22000201033 (TAX PARCEL #252504-9004)
- STEWART TITLE CO. ORDER #22000200630 (TAX PARCEL #252504-9020)
- STEWART TITLE CO. ORDER #22000200931 (TAX PARCEL #302530-0392)

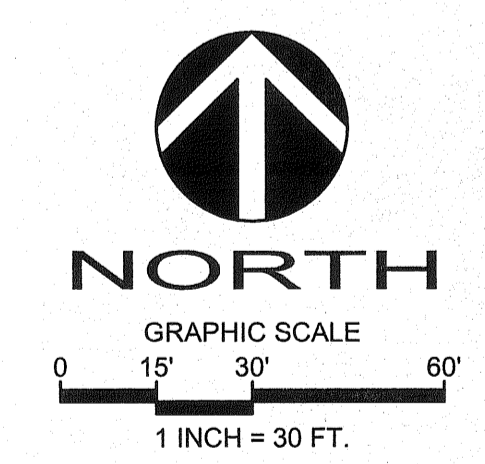


### LEGEND:

- FOUND SECTION CORNER AS NOTED
- FOUND QUARTER CORNER AS NOTED
- FOUND MONUMENT AS NOTED
- FOUND CORNER MONUMENT AS NOTED
- 
- CALCULATED PROPERTY LINE
- MEASURED
- CALCULATED
- CALCULATED PROPERTY CORNER
- REFERENCE NUMBER
- CITY OF BELLEVUE
- RIGHT-OF-WAY
- POWER POLE
- POWER VAULT, SIZE VARIES
- JUNCTION BOX, SIZE VARIES
- LIGHT POLE NO ARM
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- POST INDICATOR VALVE
- ROCKERY
- STORM DRAIN CATCH BASIN
- STORM DRAIN MANHOLE
- SANITARY SEWER MANHOLE
- POWER MANHOLE
- TELEPHONE MANHOLE
- GAS VALVE
- GAS METER
- VERTICAL BOARD FENCE
- HORIZONTAL BOARD FENCE
- CHAINLINK FENCE
- DECIDUOUS TREE
- EVERGREEN TREE
- SANITARY SEWER LINE
- STORM LINE
- OVERHEAD POWER
- UNDERGROUND POWER
- UNDERGROUND WATER
- UNDERGROUND GAS
- UNDERGROUND TELEPHONE
- UNDERGROUND CABLE
- EDGE OF PAVEMENT
- FENCE
- GRAVEL
- CONCRETE
- DATE LAST VISITED

### PARTIAL TITLE RESTRICTIONS:

- SEWER EASEMENT REC. NO. 5287317 GRANTED OVER TAX PARCELS 252504-9003, 252504-9004 & 252504-9020 FOR BENEFIT OF TAX PARCEL 252504-9106. NO SPECIFIC WIDTH OR LOCATION DESCRIBED.
- A 10-FOOT WIDE POWER UTILITY EASEMENT, AS CONSTRUCTED, OVER THE WEST 80 FEET OF THE SOUTH 225 FEET OF TAX PARCEL 252504-9004, REC. NO. 8504010807. NO SPECIFIC LOCATION DESCRIBED.
- A 10-FOOT WIDE POWER UTILITY EASEMENT, AS CONSTRUCTED, ON TAX PARCEL 252504-9004, REC. NO. 9302170258. NO SPECIFIC LOCATION DESCRIBED.



### BASIS OF BEARINGS:

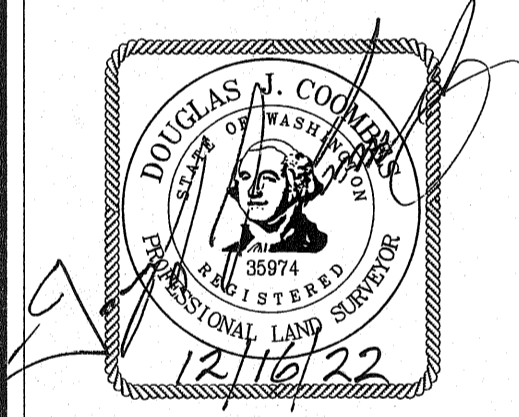
N01°25'52\"/>

### HORIZONTAL DATUM:

WASHINGTON PLANE COORDINATE SYSTEM, NAD 83(2011)-NORTH ZONE, PER CITY OF BELLEVUE SURVEY CONTROL.

**PROPOSED STREET VACATION**  
NE 16TH ST & 80TH AVE NE

**OVERLAKE GOLF AND COUNTRY CLUB**  
PO BOX 97  
MEDINA WA 98039



APR	
REVISION	
DATE	

PROJECT SURVEYOR: DJC  
DRAFTED BY: DJC  
FIELD BOOK: 308  
DATE: 12-16-2022  
PROJECT NO.: 15125

SHEET: 1 OF 1

AGENDA ITEM 9.3

NE 16th  
St

1556

7989

1546

1425

1427

77

**APPRAISAL REPORT ON  
THE COMBINED ±31,738.60 SQUARE FOOT PORTIONS  
OF THE NE 16TH STREET AND 80TH AVENUE NE RIGHT OF WAYS  
MEDINA, WASHINGTON**

FILE 23-MSV

**PREPARED FOR**

**STEPHANIE KEYSER, AICP  
PLANNING MANAGER  
CITY OF MEDINA  
501 EVERGREEN POINT ROAD  
MEDINA, WA 98039**

**AS OF**

**MARCH 19, 2023**

**PREPARED BY**

**JEFFREY A. SHERWOOD  
PRINCIPAL**

**SHERWOOD APPRAISALS  
1429 AVENUE D - PMB 401 ·  
SNOHOMISH, WA 98290**

**PHONE (425) 503-8526**

# Sherwood Appraisals

Real Estate Valuation & Consultation  
1429 Avenue D - PMB 401 · Snohomish, WA 98290  
Phone (425) 503-8526

March 25, 2023

File 23-MSV

Stephanie Keyser, AICP  
Planning Manager  
City of Medina  
501 Evergreen Point Road  
Medina, WA 98039

Re: Appraisal of the combined ±31,738.60 square foot portions of the NE 16th Street and 80th Avenue NE right of ways proposed for vacation abutting portions of the existing Overlake Golf and Country Club ownership in the central portion of the City Limits of Medina, Washington.

Dear Ms. Keyser:

As authorized by you, I have now completed an appraisal report on the above property. Based on my research and analysis, I have concluded the following Market Value estimate of the Fee Simple Estate of this property as of March 19, 2023, the date of inspection.

**“As Is” Market Value of the Fee Simple Estate  
of the Proposed 31,738.60 Square Foot Street  
Vacation as of March 19, 2023 .....\$4,760,000**

The above value conclusion is subject to the attached Certification and Assumptions and Limiting Conditions.

**APPRAISAL REPORT ON  
THE COMBINED ±31,738.60 SQUARE FOOT PORTIONS  
OF THE NE 16TH STREET AND 80TH AVENUE NE RIGHT OF WAYS  
MEDINA, WASHINGTON**

FILE 23-MSV

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The above value conclusion is subject to the attached Certification and Assumptions and Limiting Conditions.

Ms. Keyser  
CITY OF MEDINA

-2-

March 25, 2023  
File 23-MSV

This value conclusion does not include the value, if any, of personal property. The Fee Simple Estate is appraised because there exists no arm's length leases encumbering the property.

I appreciate the opportunity to complete this assignment. If you should require any further assistance or information, please feel free to call.

Respectfully submitted,

SHERWOOD APPRAISALS



Jeffrey A. Sherwood, Principal

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Exhibit 1 Soils Map

**SUMMARY OF SALIENT FACTS AND CONCLUSIONS**

---

<b>PROPERTY APPRAISED</b>	An ell shaped assemblage of portions of both the NE 16th Street and 80th Avenue NE right of ways abutted on all sides by the existing Overlake Golf and Country Club facility within the central portion of the City Limits of Medina.
<b>OSTENSIBLE OWNERS</b>	Presumably The City of Medina.
<b>PROPERTY RIGHTS APPRAISED</b>	Fee Simple Estate subject to the four powers of government-police power, taxation, escheat and eminent domain.
<b>LEGAL DESCRIPTION</b>	There is no legal description available. Outlines of the proposed subject street vacation are shown in the enclosed mapping.
<b>LAND AREA</b>	31,738.60 Square Feet.
<b>BUILDINGS</b>	None.
<b>ZONING</b>	R-20 (Single Family Residence) City of Medina.
<b>HIGHEST AND BEST USE</b> <i>As Vacant</i>	Contribution to the existing Overlake Golf and Country Club facility.
<b>“AS IS” MARKET VALUE OF THE FEE SIMPLE ESTATE OF THE PROPOSED 31,738.60 SQUARE FOOT STREET VACATION AS OF MARCH 19, 2023</b>	\$4,760,000

SUBJECT PHOTOS

---



LOOKING EAST ON NE 16<sup>TH</sup> STREET – SUBJECT RIGHT OF WAY IN DISTANT BACKGROUND



LOOKING EAST ON NE 16<sup>TH</sup> STREET FROM 79<sup>TH</sup> PLACE NE – SUBJECT RIGHT OF WAY BEGINS SOME 110 FEET EAST OF THE EAST SIDE OF 79<sup>TH</sup> PLACE NE IN BACKGROUND

SUBJECT PHOTOS

---



LOOKING EAST ON NE 14<sup>TH</sup> STREET WHICH PROVIDES ONLY ACCESS TO DEVELOPED PORTION OF 80<sup>TH</sup> AVENUE NE RIGHT OF WAY



LOOKING NORTH ON 80<sup>TH</sup> AVENUE NE FROM INTERSECTION WITH NE 14<sup>TH</sup> STREET – SUBJECT RIGHT OF WAY IS IN FAR BACKGROUND

SUBJECT PHOTOS

---



LOOKING NORTH ON 80<sup>TH</sup> AVENUE NE WITH SUBJECT RIGHT OF WAY IN BACKGROUND SHOWING UTILITY WORK IN PROGRESS



LOOKING NORTH ON 80<sup>TH</sup> AVENUE NE – SOUTH END OF SUBJECT RIGHT OF WAY BEGINS ROUGHLY AT THE POINT WHERE THE PAVING GRADES INTO THE LANDSCAPING – POINT LOOP TRAIL AT RIGHT

**SUBJECT PHOTOS**



LOOKING WEST TO SOUTH FROM NORTHEAST CORNER OF SUBJECT ELL SHAPED RIGHT OF WAY – NORTH LEG ON NE 16<sup>TH</sup> STREET AT RIGHT, SOUTHWEST PORTION OF ELL IN FOREGROUND AND SOUTH PORTION ALONG 80<sup>TH</sup> AVENUE NE AT LEFT

FILE 23-MSV

SHERWOOD APPRAISALS



SUBJECT PHOTOS



LOOKING NORTH TO EAST FROM JUST NORTH OF THE SOUTH END OF THE SOUTH LEG OF THE SUBJECT RIGHT OF WAY SHOWING THE PORTIONS OCCUPIED BY PARKING AND CIRCULATION AREAS – POINT LOOPS TRAIL IS SHOWN AT RIGHT

FILE 23-MSV

SHERWOOD APPRAISALS

## CERTIFICATION

I certify that, to the best of my knowledge and belief except as otherwise noted in this appraisal report and/or letter of transmittal,

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved. I previously appraised the subject property in 200 with an effective date of appraisal of July 12, 2020 with a report date of July 14, 2020.
4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. My analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the **Uniform Standards of Professional Appraisal Practice**.
8. I have made a personal inspection of the property that is the subject of this report.
9. No one provided significant real property appraisal assistance to the person signing this certification.



Jeffrey A. Sherwood, Principal  
State of Washington Certified  
Real Estate Appraiser-General-1100895

## ASSUMPTIONS AND LIMITING CONDITIONS

Except where expressly stated to the contrary in the appraisal report, the following Assumptions and Limiting Conditions are governing upon this appraisal.

1. All dimensions and areas and legal descriptions are assumed to be correct as found through available records or on-the-ground inspection. If a survey is provided, it is assumed to be correct unless otherwise stated in the appraisal.
2. No responsibility is assumed in matters of legal character affecting the appraised property such as title defects, overlapping property lines, liens, encroachments, etc.
3. For purposes of this valuation, the valuation is assumed to be free of any encumbrances and has been appraised as though free and clear except as affected by the definition of Market Value under Item 9 below and otherwise stated in the report.
4. All information as found in data furnished is deemed to be reliable. If any errors are found, the right is reserved to modify the conclusions reached.
5. Where the value of the land and the improvements is shown separately, the value of each is segregated as only an aid to better estimate the value of the whole; and the value shown for either may, or may not, be its correct Market Value.
6. While various "approaches to value" and various mathematical calculations have been used in estimating value, these are but aids to the formulation of the opinion of value expressed in this report. In these calculations certain arithmetical figures are rounded off to the nearest significant amount.
7. The data and conclusions embodied in this appraisal are a part of the whole valuation. No part of this appraisal is to be used out of context, and, by itself alone - no part of this appraisal is necessarily correct, as being only part of the evidence upon which the final judgment as to value is based.
8. Employment to make this appraisal does not require the appraiser(s) to attend pre-trial conferences, public hearings or testimony in court with regard to the subject property unless mutually satisfactory arrangements are made in advance.

9. Market Value means:
- (i) The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:
- a. buyer and seller are typically motivated;
  - b. both parties are well informed or well advised, and each acting in what he considers his own best interest;
  - c. a reasonable time is allowed for exposure in the open market;
  - d. payment is made in terms of cash or in U.S. dollars or in terms of financial arrangements comparable thereto; and
  - e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.
- (ii) Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs that are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institution lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession, but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment. (USPAP)
10. Responsible ownership and competent management are assumed.
11. Where the discounted cash flow analysis is utilized, it has been prepared on the basis of the information and assumptions stipulated in this appraisal report. The achievement of any financial projections will be affected by fluctuating economic conditions and is dependent upon the occurrence of other future events that cannot be assured. Therefore, the actual results achieved may well vary from the projections and such variation may be material.
12. Disclosure of the contents of this appraisal report is governed by the By-laws and Regulations of the Appraisal Institute.
13. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or to the MAI or SRA designations) will be disseminated to the public through advertising media, public relations media, news media, sales

media or any other public means of communication without the prior written consent and approval of the appraiser(s).

14. Extensive experience indicates that the relationship of assessed value to Market Value may not be a dependable source of information. The assessed valuation, as shown in this report, is, therefore, not considered an indication of value for the property to this appraisal.
15. It is assumed that the hypothetical buyer is aware that this valuation conclusion does not serve as a warranty on the condition of the property, and is also aware that it is his responsibility (the buyer) to examine the property carefully, and to take all necessary precautions before signing a contract to purchase, lease, etc., and that he is also aware that the estimate for repairs, if any, is a non-warranted opinion of the appraiser, unless otherwise stated.
16. The value conclusion in this report is based entirely on information available through the date of valuation with the appraiser assuming no responsibility with respect to information subsequent to the valuation date which might have a bearing on the conclusion(s) reached in this report.
17. While it is our opinion that this appraisal report follows generally accepted and established appraisal practices, there may be differences of opinion and interpretation of the above requirements as adopted by a given institution or by third parties that may use this report. For this reason, modification and additional work may be requested. If additional research, analysis and/or report preparation are undertaken for this or any reason at a later date (upon client request or third party request with client approval), such shall be done at added fee for time and cost.
18. The appraiser(s) assume no responsibility or liability for the discovery of the existence, if any, of hazardous waste or pollutants under (soil and/or sub-soils) or above (building improvements, fixtures, air space, etc.) the subject property. Discovery of the presence or lack of hazardous waste or pollutants on the subject and/or adjoining properties is considered to be beyond the expertise of the appraiser(s). Any conclusions in this regard by environmental engineers and/or other comparable qualified experts, if used in this report, are assumed to be reliable.

The term "hazardous waste or pollutants," as used herein, refers to any substance defined as toxic, hazardous, etc., by any governmental agency which has legal authority or control over the subject property (i.e., local, state or federal statutes, ordinances, zoning regulations, etc.).

19. This appraisal and all value conclusion(s) reached in this report assume there are no hidden, unapparent, or apparent hazardous waste or pollutants (as defined in Item 18 above) under, on or above the subject property.

The appraiser(s) signing this report have no knowledge of presence or absence of toxic materials, hazardous waste, pollutants on the site, or urea-formaldehyde foam insulation and/or asbestos on or in the existing improvements.

If such is present, the value conclusions reached may be adversely affected; and a re-appraisal, at additional time and cost, would be necessary to estimate the effects of such.

## QUALIFICATIONS OF JEFFREY A. SHERWOOD

### EDUCATION

B. S., Natural Resources Studies, 1973,  
University of Massachusetts - Amherst

M. S., Plant and Soil Science, 1975,  
University of Massachusetts - Amherst

PhD work in Soil Physics, 1975-1976,  
North Dakota State University

### EXPERIENCE

Principal - Sherwood Appraisals, 1994 to present

Fee Appraiser - William R. Coffin & Associates, April 1986 to present

Staff Review Appraiser - Puget Sound Bank, June 1992 to February 1993

Fee Appraiser - Hoefer Associates, Inc., October 1983 to February 1984;  
July 1985 to March 1986

Northwest Septic, Soil Scientist, February 1984 to July 1985

Washington Department of Natural Resources, Soil Scientist/Project Leader,  
April 1979 to July 1982

Assisted in appraisal of some 500,000 acres of forest land for State Forest  
Land Grading Program

### AFFILIATIONS

Associate Member of the Appraisal Institute

### CERTIFICATION/LICENSE

State of Washington Certified General Real Estate Appraiser - 1100895

### CLIENTELE

Associated with the economic or real estate valuation for, but not limited to,  
the following:

Action Mortgage Company  
AT&T Capital Corp.  
Bank of California  
Bellevue School District

Center Mortgage  
Champion International Corp.  
Charter Bank  
City of Seattle

Blackhawk Port Blakely Comm.	City of Tukwila
Burlington Northern	City of Marysville
Cadman Gravel Co.	Coast Mortgage
Catellus Management Corp.	Leen & Moore, P.S.
CBR Cement Canada Ltd.	Leo Fix Transfer, Inc.
Chrysler Realty	MacDonald Properties
City of Bellevue	McDonald's Corp.
City of Kent	Meridian Land Company
City of Monroe	National Public Life
City of Seattle	Northwest Fur Breeders
Colby Manor Nursing Home	Ogden, Murphy & Wallace
Coldwell Banker	Pacific Northwest Bank
Columbia Bank	Pacific First Bank
Colyn Clay Realty	Plum Creek Timber
Covenant Mortgage	Polyclinic
D & D Investments	Port of Seattle
Davis Wright Tremaine P.S.	Puget Sound Bank
Everett Mutual Savings	Redmond Christian School
Evergreen Medical Center	Rowley Agency
First Commercial Mngmnt.	Seafirst Bank
First Interstate Bank	Security Pacific Bank
First Mutual Bank	Shell Oil Company
First National Bank of Enumclaw	Skagit Valley Medical Center
Fletcher General Const.	Smith Brothers
Friend & Rikalo	South Seventh Corp. (i.e. United Parcel Service)
Frontier Bank	Sterling Savings Bank
Grand Ridge Partnership	Taylor-Edwards Whse. & Transfer Co., Inc.
Harmon & Associates	US Army Corps of Engineers
Harvard Union Co.	US Bancorp
Holzerland Enterprises	US Dept. of Justice
Horizon Bank	Virginia Manor Nursing Home
InterWest Savings Bank	Wallace Properties Group
Jensen Sand & Gravel	Washington First Intern'l Bank
Keating, Bucklin & McCormack, P.S.	Washington Mutual Bank
Key Bank	Washington State Dept. of Game
Lane Powell Spears & Lubersky	Washington State Dept. of Transportation
	Wilder Construction



NE 16th  
St

1556

7989

1546

1425

1427

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## APPRAISAL AUTHORIZATION

---

Authorization to complete this appraisal was given via email by Stephanie Keyser, AICP, Planning Manager, City of Medina, 501 Evergreen Point Road, Medina, WA 98039.

---

## LEGAL DESCRIPTION

---

There is no legal description available. Outlines of the proposed subject street vacation are shown in the enclosed mapping.

---

## OSTENSIBLE OWNERS

---

Presumably The City of Medina.

---

## PROPERTY LOCATION/ADDRESS

---

The property is centrally located within the City Limits of Medina roughly 1/2 mile east of Lake Washington, roughly .8 mile south of State Route 520 and roughly 1/4 mile west of the primary north-south arterial, 84th Avenue NE. With the exception of the Overlake Golf and Country Club facility, the primary local land use is larger lot urban residential with a few scattered commercial uses along and near 84th Avenue NE.

The subject right of way does not have an assigned address. The abutting Overlake Golf and Country Club facility has a variety of addresses on NE 16th Street.

The subject's location with respect to the local environment is shown on the enclosed **Vicinity and Neighborhood Maps**.

---

## PURPOSE AND FUNCTION OF APPRAISAL

---

The purpose of this appraisal is to estimate the Market Value of the Fee Simple Estate of the portions of both the NE 16th Street and 80th Avenue NE right of ways proposed for vacation.

The function (use) of this appraisal is to provide my client and one intended user, The City of Medina, with valuation evidence to support decisions concerning the proposed right of way vacation. As such,

other intended users include any parties involved in the execution of this process.

---

**DESCRIPTION OF APPRAISAL  
PROBLEM/SCOPE**

---

To accomplish the purpose of this appraisal, a search was made for data concerning the subject property and the market in which it is located. This included physical and governmental data, local and regional sales of similar upland properties and data concerning the local area and economy.

These sources provided an adequate amount of data to complete this appraisal assignment.

Due to the availability of sufficiently similar sales to compare with the subject, the Sales Comparison Approach was the only methodology used for the valuation.

Because the subject property is vacant and not generating a reliable stream of income, both the Cost and Income Approaches are excluded. Their exclusion represents a typical scope of work for such vacant properties.

In addition, substantial local economic, demographic, and regulatory information, coupled with the above data, was used to determine the Highest and Best Use of the subject property to aid in the appraisal process.

---

**APPRAISER'S EXPERIENCE REGARDING APPRAISAL  
PROBLEM**

---

I have appraised a number of vacant and improved residential properties in the greater Eastside market. I also previously appraised another right of way elsewhere in the City of Medina in 2021.

Based on my experience with the subject market area and property type, I am competent to perform this appraisal assignment.

---

**PROPERTY RIGHTS  
APPRAISED**

---

This appraisal includes all rights inherent in and accruing to the owner by virtue of the Fee Simple Estate which is subject to easements and

encumbrances of record and the four powers of government which are police power, taxation, escheat, and eminent domain.

Fee Simple Estate is defined as: *“Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat.”*

Source: *The Dictionary of Real Estate Appraisal*, Appraisal Institute, Sixth Edition 2015.

---

### **ASSUMPTIONS AND LIMITING CONDITIONS**

---

This appraisal report is based on and subject to the Assumptions and Limiting Conditions found at the beginning of the text portion of the report. These Assumptions and Limiting Conditions include, as Item 9, the definition of Market Value used herein.

---

### **DATE OF INSPECTION**

---

I inspected the subject property and its immediate neighborhood on March 19, 2023.

---

### **EFFECTIVE DATE OF VALUATION**

---

The effective date of the valuation of the property in its “As Is” condition is March 19, 2023, the date of inspection.

---

### **SALE HISTORY**

---

Being a long established right of way dating to 1917, there have been no sales of the subject property in the past three years. Also, it is neither for sale nor presently under contract.

I understand that the results of this appraisal may be used to assist in setting a price for the proposed vacation and sale of the property.

---

## NEIGHBORHOOD AND MARKET ANALYSIS

---

The property, as shown on the following **Vicinity and Neighborhood Maps** is located in the central portion of the City Limits of Medina. Medina is primarily a single-family residential community with some commercial uses along the primary arterials.

Because the City Limits are comparatively small and because most of its extent is now developed, the population in 2010 of 2,969 has grown only marginally over the past decade to  $\pm 3,300$  or roughly 1.0% per year. Thus, the City can be characterized as stable being unlikely to grow significantly in population into the foreseeable future.

With the volume of listings at any given time in Medina being so low with only seven reasonably competitive listings in the subject market, it is difficult to render cogent statistical analyses using the available data. The seven available, reasonably competitive properties have a mean asking price of  $\pm \$3,080,000$ .

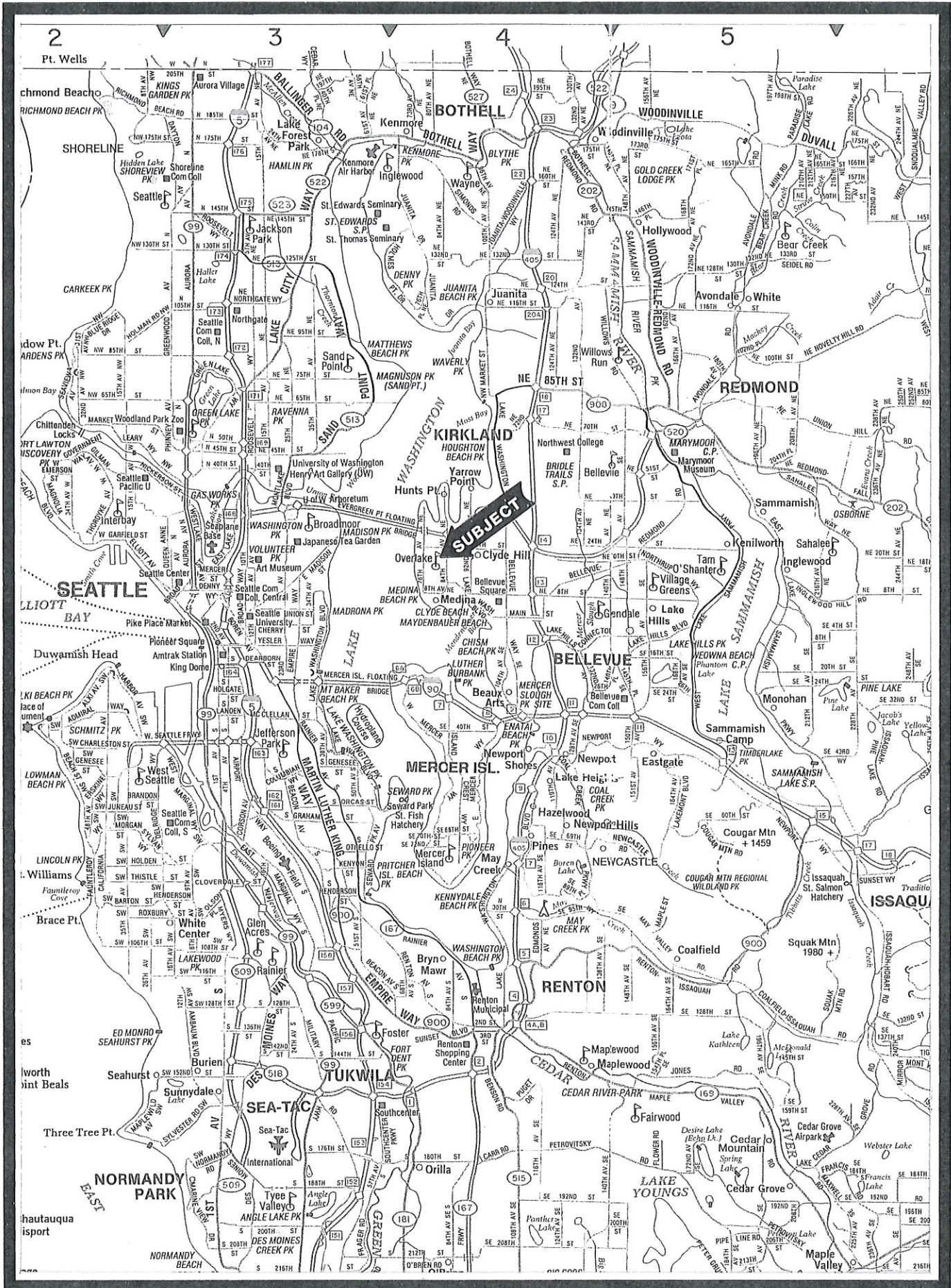
Thus, it can be concluded, even with the paucity of available data, that Medina is one of the highest priced communities within the County and that both listing and sale volumes are comparatively low with the current volume of listings roughly at par with one year ago.

The increase in interest rates and the present overall economic morass have combined to effectively halt the rampant appreciation of local housing prices experienced in the recent past. A good local example is Comparable L-3 in the Sales Comparison Approach below.

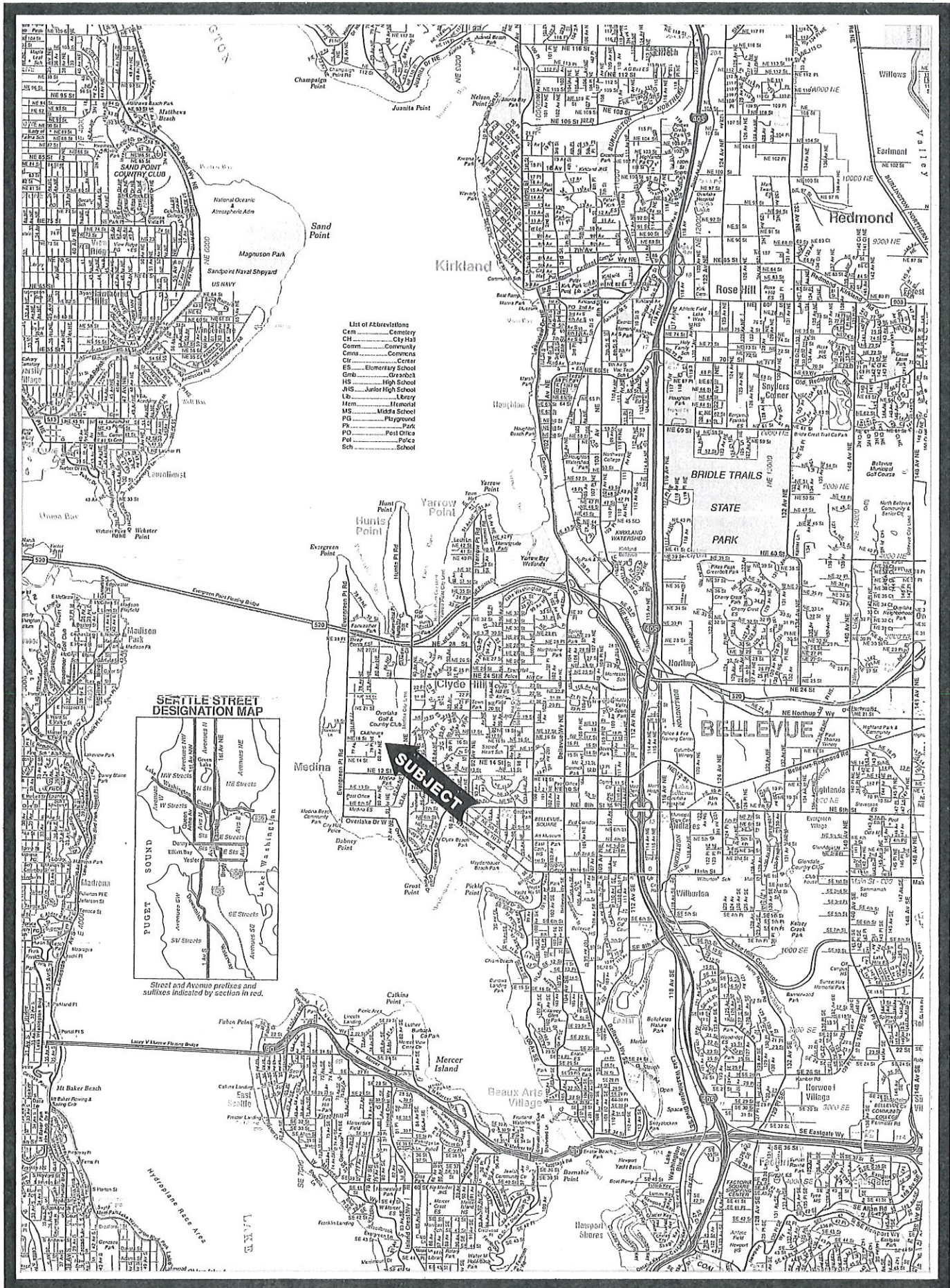
This property was previously purchased in October 2021 for \$2,900,000 by a couple wishing to build a larger home by either adding to the existing small structure or rebuilding. However, after understanding the various complications associated with these options, they bought a home in Seattle and placed this Medina home back on the market.

It was relisted in July 2022 for \$3,200,000 with the price being dropped in October 2022 to \$2,998,000. Although this listing has attracted substantial interest, it has yet to sell. Assuming some price concession to effect a sale, it will likely sell at a price close to the October 2021 level.

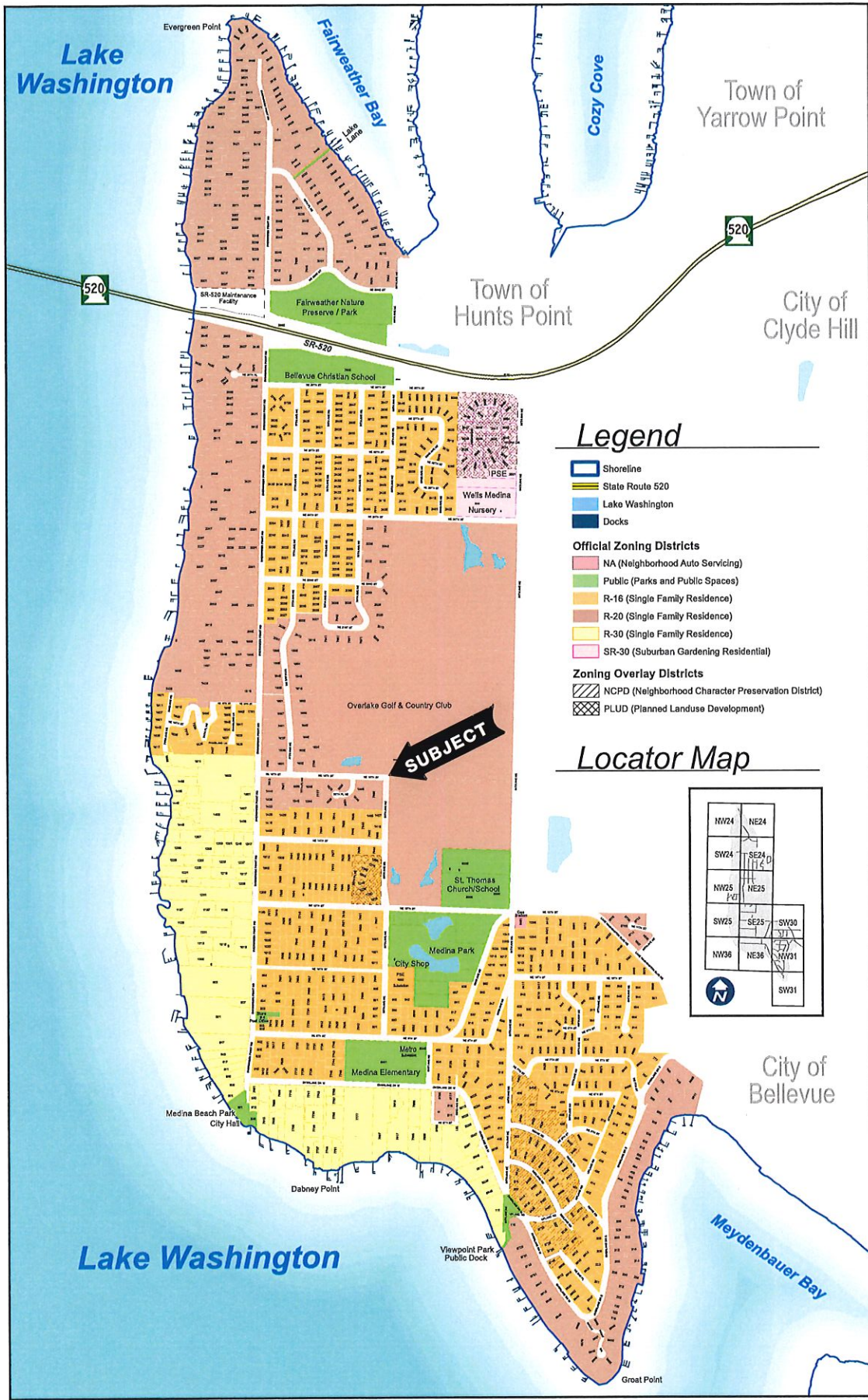
This is in line with the latest available Case Shiller Index information which shows the current market being roughly at the pricing levels of late 2021.



**Vicinity Map**



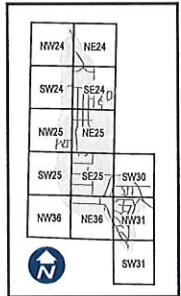
# Vicinity Map



### Legend

- Shoreline
  - State Route 520
  - Lake Washington
  - Docks
- Official Zoning Districts**
- NA (Neighborhood Auto Servicing)
  - Public (Parks and Public Spaces)
  - R-16 (Single Family Residence)
  - R-20 (Single Family Residence)
  - R-30 (Single Family Residence)
  - SR-30 (Suburban Gardening Residential)
- Zoning Overlay Districts**
- NCPD (Neighborhood Character Preservation District)
  - PLUD (Planned Landuse Development)

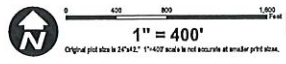
### Locator Map



### Address & Zoning Designations

This map was produced by the City of Medina GIS. It does not represent survey accurate data. No warranties, of any sort, including liability, are made or intended by the City of Medina.

- Official Zoning Map**
- Ordinance No. 907
  - Passed by City Council, 5.12.2014
  - Amended by Ordinance No. 961
  - Effective Date: 7.9.2018

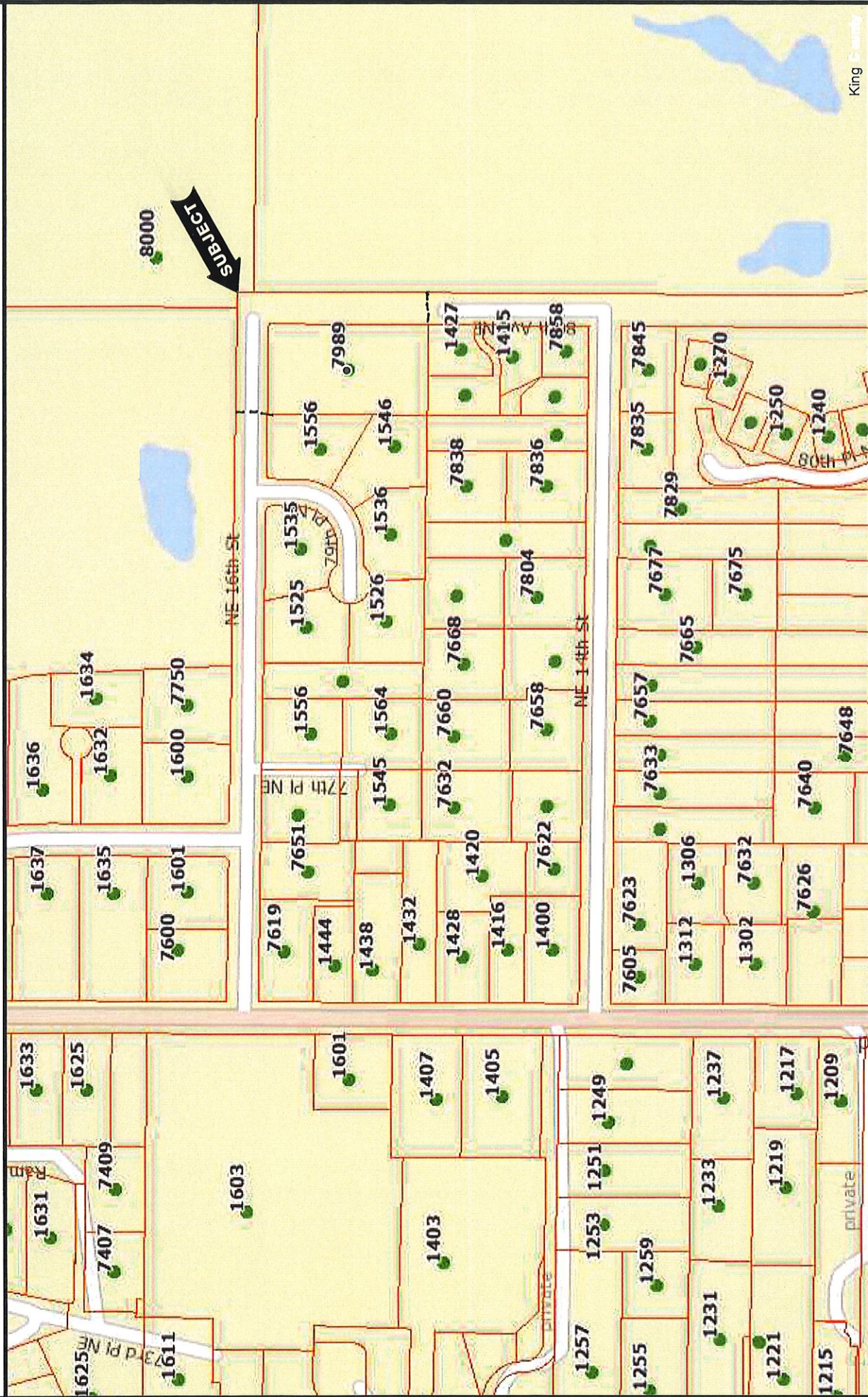


File: \\Medina\GIS\Map\Documents\Medina\_Zoning\_Address\_2018\_1130\_24x42.mxd  
 Print Date: 11.30.18





# King County iMap



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Notes:  
Date: 1/24/2023

Another phenomenon within this local market is the purchase of existing homes in order to demolish them and repurpose the underlying land for new home construction. This behavior is necessitated by the fact that there are so few vacant lots in existence in Medina, and, especially, on the market at any given time.

From a practical standpoint, parties buying older homes in Medina for \$2,500,000+ generally do not wish to occupy such homes as they are smaller, of lower quality and/or in average condition generally uncharacteristic of such a pricing level. Thus, there is pressure to invest substantial funds to upgrade such homes or simply demolish them and rebuild.

The fact that most new construction homes which sell in Medina start at the ±\$5,000,000 price level proves this out.

In spite of the fact that local home values are comparatively high, the limited volume of listings keeps this market in balance. This is evidenced by this local area's marketing times typically being under 30 days with the above noted Comparable L-3 being an exception.

With the overall market showing resistance to any uptick in pricing, it would not appear supported to predict a significant increase in the near future. However, I do conclude that the local market will most likely be stable.

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**SITE  
DESCRIPTION**

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***Shape and size***

As shown on the following **Plat Maps**, which are two scales of the King County Assessor's maps for all or a portion of the SE 1/4 Section 25, Township 25 North, Range 4 East, W.M., the subject consists of an ell shaped assemblage of portions of the right of ways for both NE 16th Street (the northerly portion of the ell) and 80th Avenue NE (the southerly portion of the ell).

If the NE 16th Street portion is extended to the east line of the 80th Avenue NE right of way, this portion is 60 feet north-south by 228.28 feet east-west or 13,696.80 square feet. If the 80th Avenue NE portion is extended to the south line of the NE 16th Street right of way, this portion is 300.68 feet north-south by 60 feet east-west or 18,040.8 square feet resulting in a total gross area for the entire proposed vacation of 31,738.60 square feet.

King County  
Dept of Assessments

- Corridor
- Right-of-Way
- Easement
- Flood
- Street
- Original Street
- Parcel
- Lot
- Survey
- Government Lot
- Hydro
- Donation/land Claim
- Proposed
- Parcel
- Platted Major Number
- City

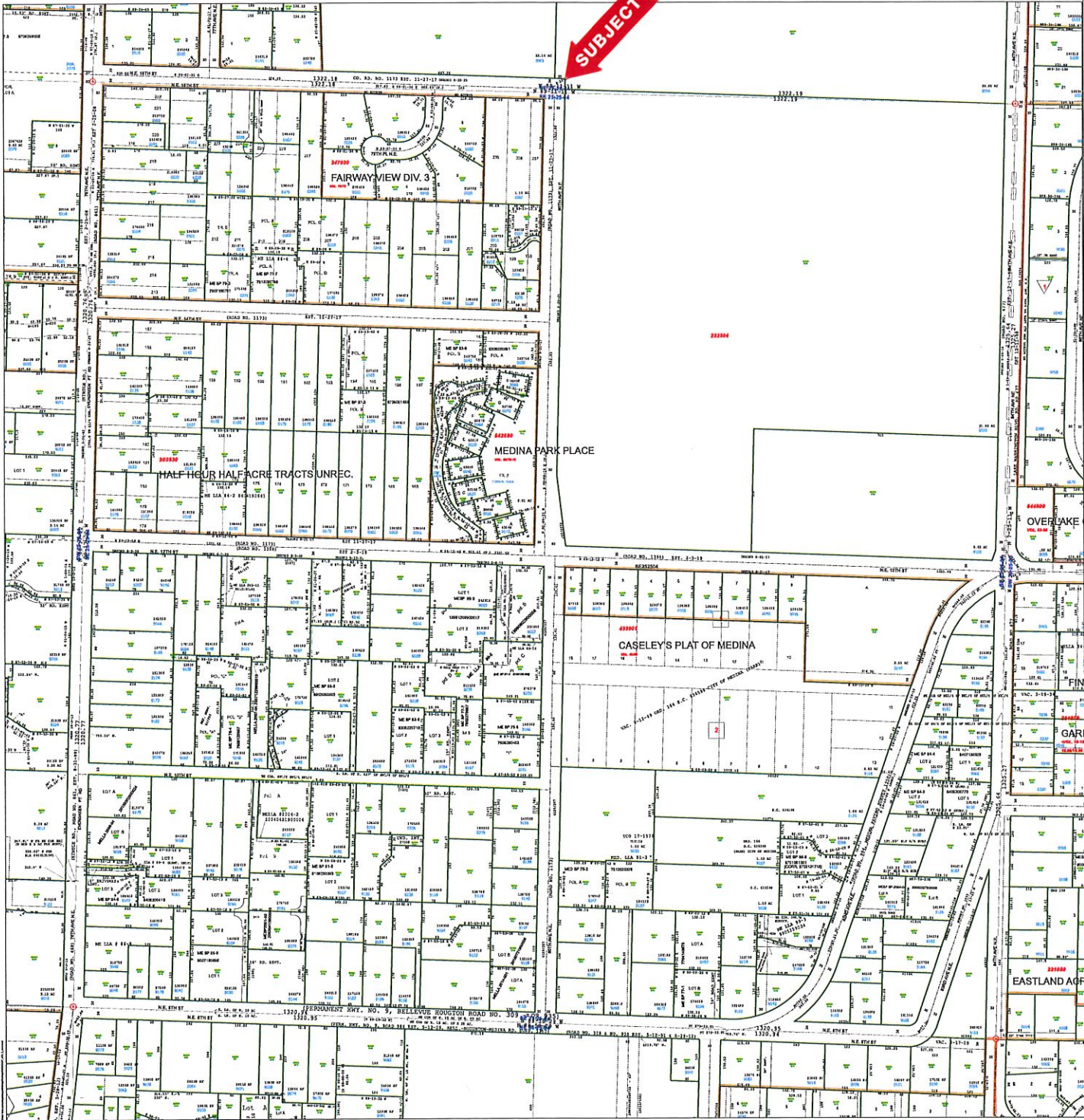
The information included on this map has been compiled by King County and is based on the information provided to the County by the property owner, the assessor, or other sources. King County does not warrant the accuracy, completeness, or reliability of the information, and it is the responsibility of the user to verify the information. King County is not liable for any damages, including consequential damages, arising from the use of this information. The information is provided for informational purposes only and is not intended to be used as a basis for any legal action. The information is provided as a public service and is subject to change without notice. The information is provided as a public service and is subject to change without notice.



SE 25-25-04

1 Inch = 100 Feet  
Date: 2/15/2017

**SUBJECT**





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Set as default

The above dimensions are based on those shown on the King County Assessor's map. Thus, these dimensions and the land areas calculated therefrom should be reliable.

**Assumed Total Gross**

**Vacation Area .....±31,738.60 Square feet**

***Topography, soils & vegetation***

Most of the vacation area is level to gently sloping with no topographically related limitations to its use. There is a short, steeper slope at the southerlymost end of the south leg from the level of the Country Club parking area down to the northerlymost portion of the developed 80th Avenue NE roadway.

According to the NRCS soil survey (See **Exhibit 1**), the property is mapped with the Alderwood gravelly sandy loam, 8-15% slopes, soil group. The Alderwood soil consists of indurated basal till (hardpan) usually at 30 to 50 inches overlain by a surface soil which is an admixture of loess, volcanic ash and ablation till.

Being the most common soil type in the Puget Sound region and with its extent having been heavily developed with both residential and commercial building improvements, the underlying soils should be supportive of whatever, if any, improvements may be placed thereon.

The area proposed for vacation presently supports a mostly paved area supporting an access road and parking spaces. The southerlymost portion of the 80th Avenue NE right of way has been recently used for bunker sand storage and also supports several small trees and some brush.

***Street improvements, access and parking***

NE 16th Street is presently a narrow, two lane paved roadway with minimal ancillary improvements. With this roadway unlikely to access any significant amount of additional properties into the foreseeable future and with it being a minor, lightly traveled street, these existing street improvements provide the local residents and Country Club users with access adequate to serve their needs.

The developed portion of the 80th Avenue NE right of way north of NE 14th Street is a very narrow one to two lane paved roadway which effectively serves as access to two driveways for homes on its west side. Although it does not presently supply vehicular access to the Country Club property, there is a paved trail, the Points Loop Trail, leading from the end of the developed portion into the Country Club ownership.

In any case, neither leg of the combined right of way proposed for vacation appears to be essential to the public.

At the present time, there are some 40 paved parking spaces on the subject right of way, and all of these spaces are located on the southerly leg. The southerly leg also supports portions of the circulation areas accessing this parking, some landscaping and a small portion of the Points Loop Trail.

The westerly leg supports the main paved access way off the end of NE 16th Street. Both the north and south sides outside of the paved access way support a variety of landscaping and access to a number of the privately owned parking spaces supporting the Country Club.

In any case, closure or redevelopment of the subject right of way would negatively impact the Country Club's ability to continue to function efficiently.

### ***Utilities***

The immediate area is supplied with all public and private utilities necessary to support the local residential uses. At the time of inspection, the City of Medina was upgrading some utility lines in the southerly leg of the proposed vacation area.

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## **ASSESSED VALUE AND REAL ESTATE TAXES**

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The subject sections of right of way are not assessed as they are public property. Generally, local land assessments on residential properties are mostly in the range of  $\pm$ \$100 to  $\pm$ \$260 per square foot with a central tendency close to \$170.

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## **ZONING**

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The area of the subject has the City of Medina R-20 zoning. This is a single family zone with an ostensible minimum lot size of 20,000 square feet. This zone has a requirement of 70 feet for both minimum lot width and minimum street frontage.

Setbacks from the front and rear property lines for a lot the size of that abutting the subject are 30 feet with side setbacks are between 10 and 20 feet.

For large lots like that abutting the subject, the maximum lot coverage is 21% and the maximum impervious surface is 52.5%.

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## HIGHEST AND BEST USE

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The concept of Highest and Best Use is based on the following definition:

*The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the Highest and Best Use must meet are legal permissibility, physical possibility, financial feasibility, and maximum profitability.*

(Source: The Dictionary of Real Estate Appraisal, Fifth Edition, published by the Appraisal Institute, 2015).

There are two dimensions to Highest and Best Use, one for the property as vacant and one for the property as improved. Because the subject strip is vacant, only the former will be addressed here.

### **As If Vacant**

The prior Fourth Edition provides a definition of Highest and Best Use As Vacant as follows:

*Among all reasonable, alternative uses, the use that yields the highest present land value, after payments are made for labor, capital, and coordination. The use of a property based on the assumption that the parcel of land is vacant or can be made vacant by demolishing any improvements.*

Applying the four criteria from the above definition:

### ***Legal permissibility***

The underlying R-20 zoning permits primarily single-family residential use.

### ***Physical possibility***

Considering the fact that the entirety of the proposed vacation area is abutted by and effectively located within the confines of the Overlake Golf and Country Club, it would serve best as an inclusion within that overall facility, and this is what is being proposed.

That said, if each leg of the right of way were granted a variance to allow a lot width of 60 feet compared to the 70 feet in the code and at least one were granted a variance in regards to lot size, each could potentially serve as a buildable lot with direct access to each from a

dead end street. Although theoretically possible, such a use is very unlikely.

***Financial feasibility and maximum profitability***

The highest possible price for the proposed vacation area is most likely supported by its addition to the abutting Country Club property, as proposed. Although the alternative of establishing two buildable lots might fetch a higher price, it would also be very unlikely and also unpopular to the established Country Club use.



## SALES COMPARISON APPROACH

This Sales Comparison Approach is based on the premise that the prudent purchaser/investor will pay no more for the subject than the price of acquiring a similar, competitive property in the same or a competing market (Principle of Substitution).

It should be noted that this is an "across the fence" valuation using sales of fully functional properties to assist in estimating the value of the subject right of way. This is the most common and most accepted means of valuing right of way properties like the subject.

All of the available comparables had existing homes in place at the times of sale or listing. I originally investigated 13 comparables.

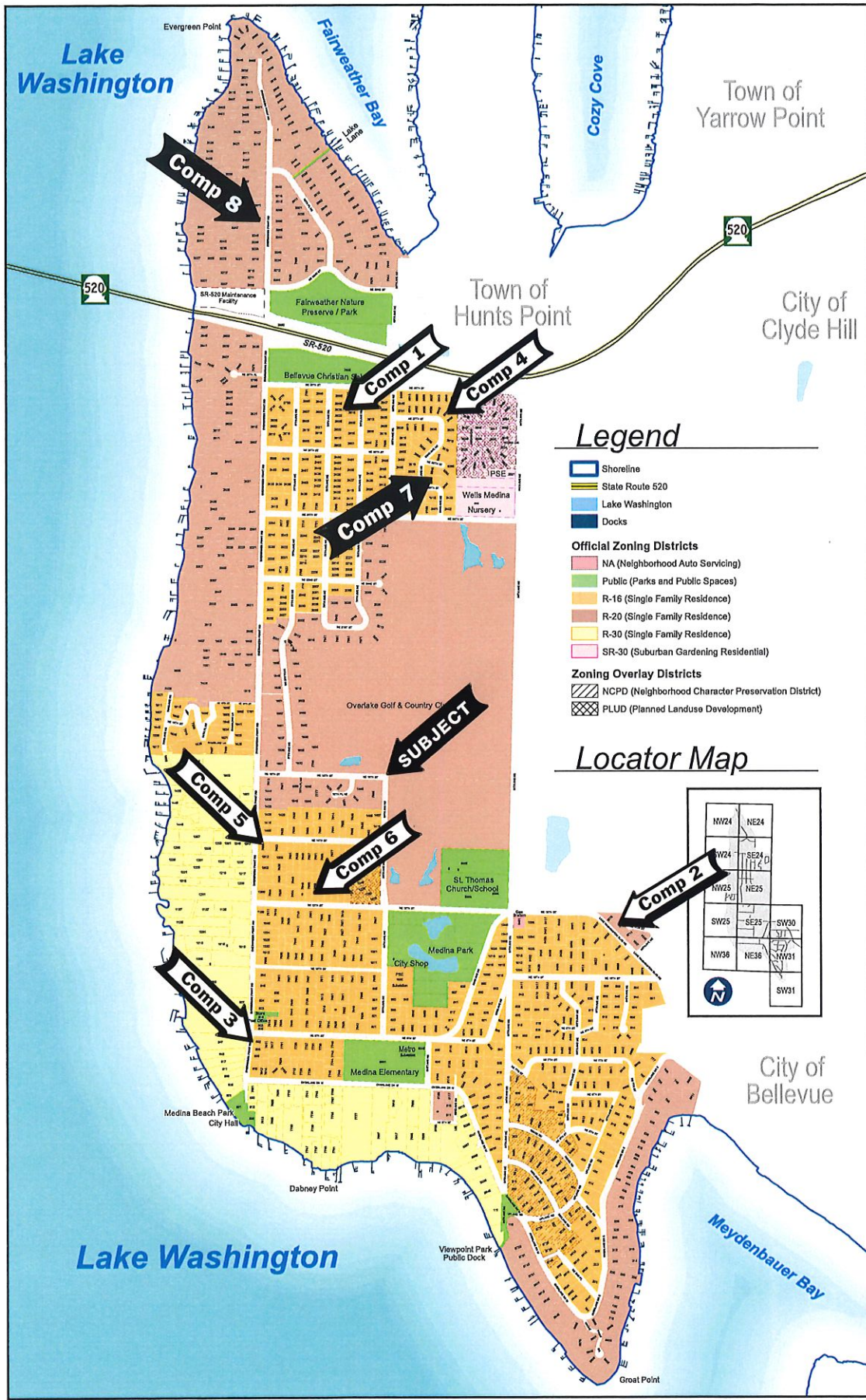
These 13 were narrowed down to eight based on the Assessor's application of a nominal \$1,000 in improvement value for each indicating the Assessor's opinion that the improvements on these various comparables have reached the end of their economic lives. This is supported by several of the recent buyers applying for demolition permits.

These eight were concluded to provide the best possible evidence of underlying land values which would be potentially applicable to the subject.

The basic details of these comparables are summarized below followed by a location map and discussion and correlation of value for the subject.

## SALE SUMMARY

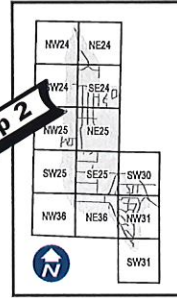
No.	Location/ Address	Sale Date	Sale Price	Approx. Size (SF)	Ind. Price/SF
L-1	2438 78th Ave NE, Medina	04/22	\$2,450,000	8,119	\$301.76
L-2	1076 Lake Washington Blvd, Medina	03/22	\$2,655,000	15,945	\$166.51
L-3	632 Evergreen Point Rd, Medina	10/21 List.	\$2,900,000 \$2,998,000	11,100 11,100	\$261.26 \$270.09
L-4	8050 NE 27th St, Medina	03/22	\$3,050,000	13,501	\$225.91
L-5	7605 NE 14th St, Medina	05/22	\$3,200,000	10,251	\$312.16
L-6	7652 NE 12th St, Medina	12/22	\$3,225,000	19,852	\$162.45
L-7	8240 NE 25th St, Medina	04/22	\$3,800,000	16,071	\$236.45
L-8	3309 Evergreen Point Rd, Medina	06/22	\$4,000,000	26,136	\$153.05



**Legend**

- Shoreline
  - State Route 520
  - Lake Washington
  - Docks
- Official Zoning Districts**
- NA (Neighborhood Auto Servicing)
  - Public (Parks and Public Spaces)
  - R-16 (Single Family Residence)
  - R-20 (Single Family Residence)
  - R-30 (Single Family Residence)
  - SR-30 (Suburban Gardening Residential)
- Zoning Overlay Districts**
- NCPD (Neighborhood Character Preservation District)
  - PLUD (Planned Landuse Development)

**Locator Map**



**Address & Zoning Designations**

This map was produced by the City of Medina GIS. It does not purport to convey accurate data. No warranty, of any sort, including accuracy, fitness, or merchantability, is made by the City of Medina. Source: King County Open Data GIS

**Official Zoning Map**

- Ordinance No. 907
- Passed by City Council, 5.12.2014
- Amended by Ordinance No. 961
- Effective Date: 7.9.2018



0 400 800 1,600  
 1" = 400'  
 Original plot size is 24"x42". 1"x400' scale is not accurate at smaller print sizes.

**Vicinity Map**



COMPARABLE SALES PHOTOS

L1



L2



COMPARABLE SALES PHOTOS

L3



L4



COMPARABLE SALES PHOTOS

L5



L6



COMPARABLE SALES PHOTOS

L7



L8



**Correlation and Conclusion**

These eight comparables (using only the closed sale on L-3), have a range in price paid per square foot for the land from \$153.05 to \$312.16 with a mean of \$227.44 and a median of \$231.78 indicating a reasonably even distribution of the data within the range. Generally, the larger the lot, the lower the indicated price paid per square foot.

This is instructive in regards to valuing the subject as its size is larger than all of the comparables. Thus, conservative judgment should be applied.

The total pricing for the eight comparables ranges from \$2,450,000 to \$4,000,000 with a mean of \$3,160,000 and a median of \$3,125,000 indicating a slight tendency toward the lower end of the range.

The underlying lots range in size from 8,119 square feet to 26,136 square feet with a mean and median of 15,122 and 14,723 indicating a slight tendency toward the lower end of the range. Again, the larger the lot, the tendency is for its indicated price per square foot to be lower.

There are presently (03/24/2023) 12 active listings in Medina with the lowest priced one at \$2,480,000. It is clear that any given party wishing to participate in the local market will be faced with paying circa \$2,500,000+ to live within the Medina City Limits.

Thus, even properties with older homes in average or lower condition and quality will likely sell at \$2,500,000+ with marketing times, in spite of currently challenging market conditions, of less than one month. With these market conditions, it is likely that the lowest price which will be paid for the land underlying a given expendable home is at the ±\$150.00 per square foot level of Comparable L-8, especially if the underlying lot is larger in size.

Given the available data and considering that the subject right of way is larger in lot size than any of the comparables, it is my conclusion that its value is a rounded \$150.00 per square foot or a rounded total for the assumed 31,738.60 square feet of \$4,760,000.

**Sales Comparison Approach**

**Value Indication ..... \$4,760,000**



**FINAL CONCLUSION**

Because the Sales Comparison Approach was the only appropriate means of valuation, its result at \$4,760,000 is appropriated as the final, correlated value conclusion.

**Final Correlated Market Value .....\$4,760,000**

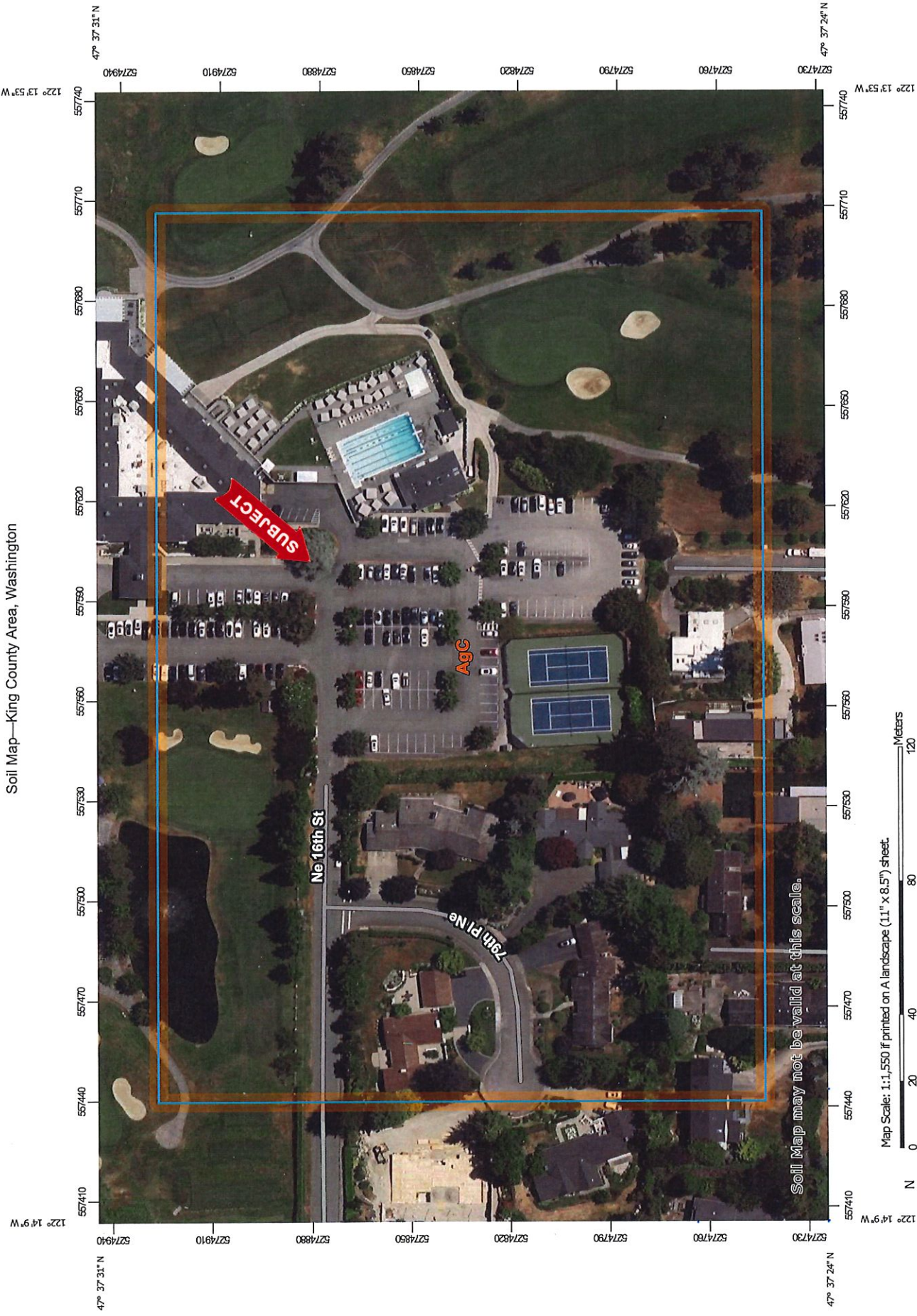
***Exposure and Marketing Times***

All of the sales researched as part of the appraisal process occurred within one year or less of listing. Only overpriced properties or those with difficulties which needed to be overcome prior to closing might take longer than one year to close.

Thus, the value estimate herein assumes an exposure time of less than one year. Also, if the property were listed for sale at the value concluded herein, it would likely sell within one year, probably less.

Thus, no discounting for the prospect of an extended marketing time is necessary.

Exhibit 1



### MAP LEGEND

**Area of Interest (AOI)**

- Area of Interest (AOI)

**Soils**

- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

**Special Point Features**

- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot

- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

**Water Features**

- Streams and Canals

**Transportation**

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

**Background**

- Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: King County Area, Washington  
Survey Area Data: Version 18, Sep 8, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 31, 2022—Aug 8, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AgC	Alderwood gravelly sandy loam, 8 to 15 percent slopes	12.1	100.0%
<b>Totals for Area of Interest</b>		<b>12.1</b>	<b>100.0%</b>