

John (Jack) R. Venrick

From: "Jack Venrick" <jacksranch@skynetbb.com>
To: "AJack R. Venrick" <jacksranch@skynetbb.com>
Sent: Saturday, January 10, 2009 5:30 PM
Attach: Rails to Trails to Hell.eml; Enumclaw to Buckley Rails To Trails - The Little Trail of Tears.eml; Stories Along The Trail of State Taking.eml; Rural Property Owner Tells Enumclaw Mayor & King County The Hard Truth During Rails to Trails Theft Meeting - Mayor & County Try to Charge & Arrest Him.eml; Failure of State Rails To Trails.xls
Subject: An Urgent Call For Private Property Taking Process Reform in Washington State

From: Jack Venrick

To:
Sent: Wednesday, April 02, 2008 10:34 PM
Subject: An Urgent Call For Private Property Taking Process Reform

To: Citizen Alliance For Property Rights, Senator Pam Roach,
Representative Dan Roach, Representative Chris Hurst
cc: Attorney Sam Rodabough

I just got off the phone with Ed Storm (Stormy) who is a rural land owner about 5 miles from me along SR410 between Enumclaw and Buckley. Ed has about 6.5 acres, I believe and is one of 250 property owners whose property is being taken by King County with the help of the City of Enumclaw and other towns along the trail with the help of ex Futurewise attorney Kaleen Cottingham who was appointed to run the Recreation and Conservation Office, formerly the Interagency Committee for Outdoor Recreation. The office supports five boards that create and maintain recreation opportunities in Washington, protect the state's wild lands and contribute to salmon recovery efforts.

The purpose of this email is to overview what I have heard to date regarding Ed Storm's Rails to Trails Taking Case by King County.

Stormy tells me one of the King County Assessor's, Al Rose, has looked at his title and claims it looks legal to him. Also Representative Hurst has looked at Stormy's title and has told him it looks good. Stormy tells me Representative Hurst has graciously offered to provide State legal help. Sam Rodabough of Groen, Stephens & Klinge has contacted Stormy however, Stormy is holding for input from Representative Hurst and his council before using his own limited funds for legal help.

Also Preston Drew reports below that the Beres family have won their

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case on the east Lake Sammamish Trail. I also heard through another source that some of the abutting property owners along the Lake Sammamish trail hired a title researcher to trace the ownership of each property back in time.

Ed Storm also tells me that Dave Spohr, the King County Rural Ombudsman under Regan Dunn, says Ed's deed is not good and he can't imagine why anyone would tell him it was or to that effect.

Ed Storm's neighbor and his attorney would also be interested in any help and ideas to fight the county, I believe.

I would like to suggest that a meeting be called with the key people above to discuss options to help these property owners. Also I would like to hear a discussion of using Ed Storm's case as a public galvanizing cause to at least alert hundreds of other abutting and nearby private property owners who were not informed of their rights before their land was taken from them without compensation and in some cases with litigation costs of defending themselves against the county.

Ed Storm is 70 plus years old and his wife has a heart condition and this is all very stressful on both of them. He is anxious to find some resolution. He has calls into Steve Hammond and Chris Hurst.

In light of what happen to me at the Rails to Trails rural property owners meeting with the Mayor of Enumclaw and King County, I would like to suggest that CAPR consider helping Ed Storm with some legal council from Sam Rodabough as the board thinks necessary after this meeting.

Ed Storm is well known in the community and has been given much support for speaking out against the City of Enumclaw and King County aggressive behavior. This could be an excellent opportunity to run our flag for respect of private property up the flag pole, so to speak. This case could, at least be a warning to those who have no boundaries to think twice before sending out mass mailings notifying property owners their land will be taken regardless of their rights.

Here are some random thoughts and suggestions for consideration.

1. A call for an State wide investigation of the impact of the Rails To Trails

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- program on individual property owners abutting and near trails.
2. A moratorium on all private property seizure by government until a process is worked out that is constitutional and gives free choice to all private property owners.
 3. A call for the names and contact information for all the private property owners abutting and nearby the Rails To Trails in Washington State.
 4. A call to develop a new process for any private property land taking that is completely transparent and free choice.
 5. A directive to all government agencies to cease and desist the agenda of parking out rural areas and their traditional way of life.
 6. A directive to all government agencies to provide full public disclosure of all the titles abutting the Rails To Trails Takings.
 7. A directive to all government agencies to provide full legal history of the Rails to Trails Act to each property owner along and near any trail being considered.
 8. A directive to all government agencies to provide a Risk Impact Statement of the dangers and liabilities and the attractive nuisance along these trails.
 9. A directive to all government agencies to provide full disclosure of all Rails To Trails takings along with any other private property takings over the last 50 years.
 10. A directive to all government agencies that the mail and the courts will NOT be used to acquire any private property.
 11. A directive to all government agencies that the land owner will be negotiated with directly in person for the full market value of his property, IF he wishes to sell.
 12. The director of the State Interagency will be removed, i.e. the ex Futurewise legal council.
 13. Full title searches will be provided for at government expense for any private property land that is being considered for public use.
 14. All Rails to Trails land shall be assumed to be reverted back to the private property owner .
 15. All prior government land takings without the direct notice and direct involvement of the property owner will be considered void.
 16. Any tampering with existing private property titles shall be prosecutable at government expense.
 17. Any trespass of private property shall be prosecutable at the government's cost.
 18. Expert legal council and expert opinion on Rails to Trails land use shall be brought into advice any private property owner at government expense.
 19. Rails To Trails biking and hiking sponsoring groups should have the burden

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- to contact each property owner themselves and document their opinions for public viewing.
20. Government and trail sponsoring groups must address the double standards of restricting the rural land use of private property owners while they take the same land for trails and parks and schools and high density homes, ad nausea.
 21. Only ten feet of the property owners land can be used IF the private property consents.
 22. No other facilities or conveniences can be built along the trail, i.e. no toilets, water fountains, benches, plaques, landscaping, paving, parking, etc.
 23. The money for these trails cannot come from taxes, i.e. only private donations can be used.
 24. No coercion, force, deception or hidden agenda can be used to take any private property.
 25. All private property owners abutting and nearby shall be contacted together in a series of public meetings to discuss the pros and cons of such trails.
 26. Any plans for taking of private property must be posted for at least one year prior to these meetings.
 27. Any property owners who refuse to have the trail through his property shall not be forced to comply.
 28. The courts shall not be used to resolve any differences.
 29. The Green River Trail taking attempt shall be used as a model contrary to what we wish to use in the future.
 30. No green extreme groups can participate at any level.
 31. All legislation touching upon private property must go through this process.
 32. You can also find others under my email attached above "Rural Property Owner Tells.....under VII. Urgent Solutions Needed

Thanks for your time on this.

Jack Venrick
Enumclaw, Washington

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"The most effective way of making people accept the validity of the values they are to serve is to persuade them that they are really the same as those which they... have always held, but which were not properly understood or recognized before. And the most efficient technique to this end is to use the old words but change their meaning. Few traits of totalitarian regimes are at the same time so confusing to the superficial observer and yet so characteristic of the whole intellectual climate as the complete perversion of language, the change of meaning of the words by which the ideals of the new regimes are expressed."
-- F. A. Hayek

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