

9 October 2015

Elaine Ott & Mitch Treese,

Thank you for your email. I am responding by 12 October 2015, Monday as requested. It is a holiday but it was requested so.... here is the response.

A request, in future correspondence please send copies registered signature mail to: Gay & Margaret Rosser P. O. Box 2771, Vashon, WA 98070. Thank you. We seem to be having a glitch with receiving emails in a timely manner so a second means for this important communication is prudent.

Regarding Vashon Park Districts (VPD) King County Clearing & Grading Type 1 Permit, it appears VPD actions have been outside and far reaching beyond a simple Type 1 C&G. Due to this, numerous and various problems have resulted.

Obviously the matters between VPD and us that have evolved with this fields project encompass much more than VPD just replacing private property they destroyed such as tearing out our fencing, cutting trees, shrubbery and plants, closing off our easement and etc. & etc, while enacting a K C Type 1 C&G.

There are serious land and property issues that have been created by VPD that must be resolved between property owners of record, K. C. Recorded and Filed, additionally there are other issues between VPD and us, ALL of which must be resolved in adherence to KCC, WA. RCW, Federal Regulatory Law and abiding by US Constitution Amendment Rights.

1) Your email mentioned confirmation of property lines. Confirmation has existed and is documented, recorded and filed dating back to pre-1864, and is found in Federal, State and County Records and Archives. No filed and recorded documents have been found that would change what was established and exists and remains legally documented as originally established.

To alter, change, relocate, reestablish or any such action that would create a new or different line to a property or its holdings, W.M. section line, existing easement, existing private roadway, or to remove a survey marker denoting line, W.M. Section line monuments or USA Geodetic marker requires legal documents to be filed and recorded prior to ANY actions being taken.

Destruction of existing survey markers or monuments without required process and legal documentation "before intentional destruction or removal of land surveying monuments is taken", is considered gross misdemeanor and noncompliance to KCC, WA. RCW and Federal Regulatory Law. (WA. Board Journal 2008)

VPD removed and destroyed aforementioned monuments & markers between 3 January and 3 March 2011, VPD did so after we advised and requested in writing that these actions NOT BE ENACTED.

No documents have been found that meet adherence to KCC, WA. RCW or Federal Regulatory Law that would reflect necessary and required, "Permits to Remove or Destroy a Survey

Monument", regarding our private parcel #292-303-9019 and holdings, nor can any be found in County, State, Federal records or were any such revealed in PRA to VPD, PRA to VISD #402 or PRA to KC DDES/DPER. Please note, ALL PRA's were made after destruction and removal of markers and monuments and holdings.

VPD has removed and destroyed survey markers and monuments without required documentation on parcels #292-303-9081 & #202-303-9020 and abutting private property #292-303-9019. These matters of VPD removal of survey markers and monuments has yet to be resolved and directly and adversely impacts our private parcels and holdings.

So, how does VPD plan to decipher where a fence would be set that would replace the ones VPD destroyed and how does VPD plan to remain in compliance to County, State and Federal Regulatory Code when accomplishing the replacement of fences, monuments and markers?

Because this destruction has taken place on our private parcel and holdings, we must be involved in resolutions.

2) Also, again noting private property lines & VPD construction and permanent installations such as:

buildings, utility poles, sprinkler systems, backstops, bleachers, steep grade hills, water tanks, concrete stadium lights standards, fences, dugouts &/or etc.....

Any construction or installation that placement thereof would indicate an alteration, change or relocation of preexisting marked or monument lines, without filed and recorded documentation before action, to change these lines, would be considered noncompliance to KCC, WA. RCW & Federal Regulatory Law.

It appears these types of aforementioned construction and/or installations have been accomplished by VPD on parcels #292-303-9081 & #202-303-9020 and private parcel #292-303-9019 and/or its holdings.

VPD must remain in compliance to KCC Setback, W.M. Section Line Setback and maintain and uphold compliance to private property lines and holdings that are as yet, "legally documented as originally established"?

To the best of our knowledge required documents do not exist nor have been provided to us that are Recorded and Filed that would indicate compliance to Construction & Installation setbacks to our parcel #292-303-9019 and holdings and that adhere to KCC, WA. RCW or Federal Regulatory Law. Nor were any such documents revealed in PRA to VPD, PRA to VISD #402. Please note, PRA's were made after construction and installations.

We, nor any other surrounding or abutting private property owners of record destroyed survey markers and monuments or took part in the intentional destruction. VPD did.

We, nor any other surrounding or abutting private property owners of record installed or constructed without compliance to Rural Residential Area Regulatory Codes. VPD did.

We did not initiate and file a SLAPP Law suit based on frivolous allegations or falsify county or court documents. VPD did.

Before VPD can build a fence, or move forward in a manner of compliance, VPD must resolve the issues VPD has created.

How can VPD suggest it would be anyone else's responsibility to correct issues? VPD carried out the actions, are culpable for the actions & accountable to correct them.

We have requested, in writing, since June 2007 that actions be accomplished that resolve the various issues affixed that impact our private parcel #292-303-9019 and surrounding and abutting private parcels to #292-303-9081 & #202-303-9020. We continue to ask that these issues be resolved and we continue to be willing to work to do so. What we wish for is for VPD to take responsibility for their actions and be willing to work with us to resolve them.

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FROM VPD: Please let me know by Monday, October 12, if: 1) you do, indeed, wish for us to proceed with building a fence, since, if you do not want a fence there at all, ever, we would certainly consider honoring that request; OUR ANSWER: *We do wish VPD would replace our fences, trees, shrubs, plants, easement & etc. VPD tore out and destroyed @ VPD expense* and 2) if/when you plan to confirm the property line at your expense. OUR ANSWER: *Vashon Park District illegally destroyed existing WM Section Lines and property line markers and monuments, as previously mentioned in this letter and text. The expense and responsibility to resolve, correct and confirm belongs to VPD.*

Do keep in mind that it would ultimately be at the Vashon Park District's discretion to build a fence and determine the appropriate time to do so. OUR ANSWER: *Do keep in mind that there is photo and movie evidence of VPD Board members as well as VPD contractors destroying our personal property including fences and we would hope that ultimately it is the discretion of VPD to make good for their actions of destruction and such.*

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We will send this as a responding email prior to 12 October 2015 as requested sending on Sunday 11 October 2015, following we will send as a registered letter to VPD, drop a copy by the VPD Office and copy in Ms. Hill as well.

Thank you.

Gay Rosser.

PO Box 2771  
Vashon Island, WA 98070  
Friends and Neighbors of  
[saverosserhome@yahoo.com](mailto:saverosserhome@yahoo.com)

cc: Personal Files

9 October 2015  
Elaine and Mitch,

For the record here is a list of *some* of the issues that appear to be in noncompliance on parcels #292-303-9081 & #202-303-9020 that impact private parcel #292-303-9019 and its holdings and surrounding and abutting private parcels of record to VPD Fields Project.

- 1) Installation of Sprinkler system setback non-compliance to KCC
- 2) Utility Facility Station installed noncompliance to several KCC's
- 3) 1 project covering 2 parcels in 2 separate W.M. Sections without adjoined parcels paperwork filed noncompliance to KCC
- 4) Backstop & baseball field installed over two separate parcels noncompliance to KCC
- 5) Backstop & baseball field noncompliance to KCC setback to RA5 Rural Residential Setback.
- 6) Installation of Stadium Light setbacks noncompliance to KCC
- 7) Installation of steep grade hillside noncompliance to KCC
- 8) Excessive clearing & removal of wooded area with only Type 1 C&G , noncompliance to KCC
- 9) Installation of utility pole setback to private property line noncompliance to KCC
- 10) Installation of utility pole in no existing utility corridor noncompliance to KCC
- 11) Installation of utility pole & hook up to private utility pole noncompliance to KCC
- 12) Removal of wooded areas on private adjoining property, noncompliance KCC
- 13) Destruction to private property noncompliance to KCC, RCW & US Constitutional Amendment Rights
- 14) Destruction to personal property noncompliance to KCC, RCW & US Constitutional Amendment Rights
- 15) Inclusion of private property in project without recorded owners consent, noncompliance KCC
- 16) Inclusion of private property without required documents noncompliance to KCC
- 17) Installation of well without required water right noncompliance to KCC
- 18) Installation with no fences or safety nets to protect adjoining parcels noncompliance to KCC
- 19) Destruction of 1947 Easement usurped without required consent or documents noncom to KCC
- 20) Initiating & filing SLAPP suit against adjoining property owner noncomp to KCC & WA RCW
- 21) Dugouts constructed and installed without setback noncompliance to KCC
- 22) Bleachers installed without setbacks noncompliance to KCC
- 23) Falsification of Survey Documents noncompliance of KCC & WA RCW

- 24) Destruction & removal of KC survey marker without documentation noncompliance to KCC
- 25) Destruction and removal of federal survey monuments no required documents noncomp to KCC
- 26) Destruction and removal of US Geodetic marker without required document noncomp to KCC
- 27) Trespassing on private property noncompliance to KCC
- 28) Falsification of records to obtain property noncompliance to KCC
- 29) Alterations to long existing property lines without required documents noncompliance to KCC
- 30) Installations and Construction without KC Permits required, noncompliance to KCC, WA RCW

Please note, we continue to be willing to resolve these and other issues regarding actions on parcels, #292-303-9081 & #202-303-9020 that affect private parcel #292-303-9019 its holdings and surrounding and abutting private parcels of record.

Thank you.

Gay Rosser  
PO Box 2771, Vashon Island, WA 98070  
Friends and Neighbors of [saverosserhome@yahoo.com](mailto:saverosserhome@yahoo.com)  
cc: Personal Files

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**From:** Elaine Ott <eott@vashonparks.org>  
**To:** saverosserhome@yahoo.com  
**Cc:** "Hill, Elizabeth" <Elizabeth.Hill@kingcounty.gov>  
**Sent:** Friday, September 25, 2015 3:52 PM  
**Subject:** Sound Fence at VES

Hi Gay,

My project manager, Mitch Treese, whom is currently managing the Clearing and Grading Permit project at VES, informed me recently that you do not want us to install the sound fence along the south and east sides of the VES property (the sides that neighbor the north and west sides of your property) until you have the property line confirmed. I know you discussed this concern with King County Ombudsman Elizabeth Hill last year, which resulted in the attached response from her. As such, I am copying Ms. Hill on this email, in case you require further dialogue with her on this issue.

As it turns out, the requirement for the sound fence has been removed from King County's punch list items. I am quite confident that, as a courtesy to you, the Vashon Park District's Board of Commissioners will elect to

install the fence, anyway. Too, you may recall that the Commissioners offered to install the fence on our side of the trees rather than directly on the property line that borders the west side of your property.

Please let me know by Monday, October 12, if: 1) you do, indeed, wish for us to proceed with building a fence, since, if you do not want a fence there at all, ever, we would certainly consider honoring that request; and 2) if/when you plan to confirm the property line at your expense. Do keep in mind that it would ultimately be at the Vashon Park District's discretion to build a fence and determine the appropriate time to do so.

Thank you,

Elaine Ott  
Executive Director  
Vashon Park District  
206-463-9602  
[www.vashonparks.org](http://www.vashonparks.org)