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January 9, 2015

The Honorable Ed Murray, Mayor of Seattle
Honorable Seattle City Council Members

Dear Mr. Mayor and City Council Members,

The Lake City Neighborhood Alliance (LCNA), representing 24 community organizations including residents, businesses, service providers, faith-based organizations, and special-interest groups, voted unanimously to urge the City to take action to keep Lake City's NE 130th Street-End Beach Park in the public domain. This small, local, Cedar Park community beach, established 82 years ago, is the only water access in the Lake City neighborhoods. It is the only public access to Lake Washington in the 5-mile stretch from Matthews Beach to Log Boom Park in Kenmore.

Since 1932 this beach has been open to public use. Nobody questioned the public nature of this property until it was purchased in October of 2010 and then 2 years later, the new owners and an adjacent neighbor sued King County and Seattle for ownership. By exploiting a technical procedural error made 82 years ago, they were able to take this property away from the public. There is no question that this beach was intended to remain public in perpetuity. Only a legal loophole allowed the adjacent landowners to succeed in their court case.

There is law, and then there is the spirit of the law. The 1932 action that established the park just predated the change in the RCW that prohibited cities and counties from vacating street ends that provide access to bodies of water. Taking away our public access is not in the spirit of the law. The NE 130th Street-End Beach Park has never had any private use. At the time that the Beach's adjacent properties were purchased, the sellers and their brokers assumed the Beach was public. No part of the prices the buyers paid reflected the value of the disputed beach and no taxes have ever been paid to King County or the City of Seattle.

Preserving waterfront access is the responsibility of our City government, as mandated by Seattle's Shoreline Master Program: "Provide for maximum public access to, and enjoyment of the shorelines of the City." Therefore, the City has an obligation to explore all options to keep this property public including condemning for eminent domain. There is broad community support for keeping this property public.

The City Council recently voted unanimously to condemn a private parking lot near the downtown waterfront in order to turn it into a public parking lot. Thus, there is sound precedent by the City for preserving public property for the general good. The Court's written judgment in this matter never suggested that it would be improper or inappropriate to acquire this property through eminent domain. In fact, during oral argument in the Court of Appeals, one of the judges actually suggested that the parties pursue eminent domain. LCNA strongly believes that the public good at stake in preserving the NE 130th Street-End Beach Park is at least as great if not greater than the public good in acquiring a parking lot. The site is an asset for the entire city as well as for our community.

Although established by Lake City and the Cedar Park community to give neighborhood children a place to swim, the NE 130th Street-End Beach Park evolved

decades ago into a park known and widely used by residents in all Lake City neighborhoods. Because it sits adjacent to the Burke-Gilman Trail, cyclists and pedestrians from all over Seattle and King County also enjoy it. The NE 130th Street-End Beach Park serves as an active swimming beach, a launch for kayaks, and a rest-stop along an extensively used urban trail that has very few rest spots. The City recently extended the staircase leading to NE 130th Street-End Beach Park from 42nd Avenue NE. People climbing those stairs often rest at the beach before the climb.

We know you are aware that Lake City does not have sufficient Parks and Park facilities to meet our community needs. Further, another 40,000 residents are expected in North Seattle over the next 10 years. More, not fewer, parks are needed. With the re-activation of the Cedar Park School, the Cedar Park *Park* will become a school yard—still public open space but with a change in play structures and accessible hours. The change in Cedar Park the *park* is a painful loss for our community. If the NE 130th Street-End Beach Park is no longer public, it will add greatly to the deficit. Lack of a local beach access is also an equity issue, particularly pertaining to the many underserved individuals and families in our community.

Council Member Licata, thank you for your ongoing advocacy of Lake City. We greatly appreciate your belief that this street end should be formally designated as a publicly accessible park serving the neighborhood and beyond as it has for over 80 years.

LCNA urges the City to take whatever action is required to keep Lake City's NE 130th Street-End Beach Park in the public domain. Thank you for your attention to this important issue.

Very sincerely,

A handwritten signature in blue ink that reads "Sandra Adams Motzer". The signature is written in a cursive, flowing style.

Sandra Adams Motzer
Chair
sandymotzer@aol.com
206.819.8056