

----- Original Message -----

From: [Bill Maurer](#)

To: [Jack Venrick](#)

Sent: Tuesday, April 15, 2008 12:16 PM

Subject: RE: An Urgent Call For Private Property Taking Process Reform

Jack,

Sorry for the delay in getting back to you -- I was out of the office for a good chunk of last week and then working on an emergency motion in some on-going litigation.

It appears to me that the issue you describe revolves around the validity of an individual deed or a certain number of deeds. Our litigation efforts regarding property rights is largely restricted to challenging takings for private uses. A public trail -- regardless of the wisdom of the trail or how heavy-handed the government is in taking the property to obtain the trail -- would seem to be a classic public use. Therefore, I don't really think that the rails-to-trails issues fit within our efforts. Let me know if I'm missing something on that.

Regards,

[Bill Maurer](#)

-----Original Message-----

From: Jack Venrick [mailto:jacksranch@skynetbb.com]

Sent: Thursday, April 03, 2008 6:25 PM

To: Bill Maurer

Subject: Fw: An Urgent Call For Private Property Taking Process Reform

Importance: High

To:

Mr. Bill Maurer

Institute of Justice

Bellevue, Washington

Dear Bill:

Senator Pam Roach is planning on calling you regarding a fellow rural property owner about 5 minutes from me on SR410 and 244th Ave SE between Enumclaw and Buckley, Washington.

I am a retired Boeing Engineer from Montana originally and have become active in the restoration of our property rights and all of our freedoms and liberties we have lost over the last couple centuries. I am a member of Citizen Alliance For Property Rights and several other local and national groups. Ex councilman Steve Hammond, who is our CAPR President, put me onto Ed Storm (Stormy) to give him a hand.

The Ed Storm story is attached above in the latest three email FYI plus some other Rails to Trails taking stories I am sure you are more aware of than I.

The bottom line here is King County Assistant PA is trumping Mr. Storm's deed saying it is no good. Two hundred and fifty property owners along the Enumclaw to Orting proposed trail and beyond were sent letters from King County saying telling them to acknowledge the taking. Two hundred and twenty replied and 30 did not reply. Those 30 property owners were then given default judgments and their property was taken. Stormy and one other neighbor were the only two fighting this.

I got involved and documented the case, attached above for CAPR and some 100 other property rights followers on my email list.

One question is, will Ed Storm's deed hold up in court. He got the deed from City of Tacoma because they gave up ownership to the land with a provision to have a maintenance access for the water line that runs through the 400' right of way. The water line comes from Ravensdale, Washington and the Green River Headwater and treatment facility to Tacoma, Washington.

Senator Roach is also a friend of Dick Welsh of <http://home.earthlink.net/~dick156/row.htm>. He has become a national expert and was from the Seattle area but has moved to Wyoming and winters in Palm Springs now. I have email back and forth with him and he is very fed up with state and pretty much washed his hands of it.

Another good source I have used is the Property Rights Foundations of America <http://prfamerica.org/>.

Anyway, hope you can help us here. These rails to trails programs are a terrible curse on the abutting and nearby property owners. The east side Lake Sammamish trail property owners have won a recent case in court, see below underscored. We are trying to get more details on this.

Thank you.

Jack Venrick
Enumclaw, Washington
Rural Property Owner

Sent: Wednesday, April 02, 2008 11:34 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

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 Vicki Beres family have won their case on the east Lake Sammamish Trial. 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 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 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 nauseum.
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 trials 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

----- Original Message -----

From: [Preston Drew](#)

To: 'Jack Venrick'

Sent: Tuesday, March 25, 2008 5:32 AM

Subject: RE: Rural Land Owner Ed Storm Needs Legal Help

Jack,

[Vicki Beres and her husband have won their case involving the east Lk Sammamish trail.](#)
I'll call her for ideas.

[Preston](#)

-----Original Message-----

From: Jack Venrick [mailto:jacksranch@skynetbb.com]

Sent: Monday, March 24, 2008 4:16 PM

To: Samuel Rodabough AttorneyGSK

Cc: Senator Pam Roach (Home); Steve Hammond; Bob Vos CAPR; Darol Johnson CAPR; Laurel CAPR;

Pam Sias CAPR; Preston Drew CAPR; Rodney McFarland CAPR; Tony Zraggen CAPR; Rep. Dan Roach;
Senator Pam Roach; Representative Chris Hurst

Subject: Rural Land Owner Ed Storm Needs Legal Help

Importance: High

Sam -

I met you at one of our Citizen Alliance for Property Rights meeting some time ago.

We have a rural property owner under assault by King County and the City of Enumclaw that needs some legal assistance. I understand he is willingly to pay for the help. He has a deed for the 400 foot right away from the City of Tacoma. King County PA is claiming it's no good.

You can read all about this taking via the three emails attached above. The jest of it is in "Rural Property Owner Tells Enumclaw Mayor & King County"

I believe he has called you and left his name and number, Ed Storm (Stormy) 360-825-2039 (H) or 253-653-3115 (C).

I have cc'd the CAPR Board people and Senator Roach along with our two district Representatives Dan Roach and Chris Hurst. Ed Storm has calls into them and I have forwarded all of the above emails to them regarding the background.

Can you and/or John Groen help him out?

Ed Storm does not have email, he is 70 years young.

Thanks.

Jack Venrick
CAPR
NARLO
Enumclaw, WA

"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