

**Jack Venrick**

**From:** "Jack Venrick" <jacksranch@skynetbb.com>  
**To:** "AJack R. Venrick" <jacksranch@skynetbb.com>  
**Sent:** Tuesday, November 18, 2008 4:17 PM  
**Attach:** Rural Property Owner Tells Enumclaw Mayor & King County The Hard Truth During Rails to Trails Takings Meeting.eml; Stories Along The Trail Of State Taking (Corrected).eml; Enumclaw to Buckley Rails To Trails - The Little Trail of Tears.eml; Enumclaw Foothills Trails.eml; Rails-with-Trails Lessons Learned - Recreational Trails Publications - FHWA.htm.eml; Property dispute stands in way of trail plan.eml; BeresRailsToTrailsGroenCase.pdf  
**Subject:** Dear Property Owner - We Have Plans To "Railroad" Your Property Soon - (NO BACKGROUND)



Original Message:

**From:** Jack Venrick  
**To:** [Senator Pam Roach](#) ; [Rep. Dan Roach](#) ; [Representative Chris Hurst](#)  
**Sent:** Wednesday, August 06, 2008 12:36 PM  
**Subject:** Dear Property Owner - We Have Plans To "Railroad" Your Property Soon - Please Come To Our "Open House"

**bcc:** CAPR Board

**Dear Senator Roach & Representative Roach & Hurst & CAPR Board:**

I received this announcement below from Ed Storm and wanted to send this out to everyone but thought it best to give you a heads up first.

This "meeting", please see below, is going to be another DOT like bully session, I'm sure. I attended the last one at the Enumclaw City Hall with a dozen of the local rural property owners whose land use and claims are being confiscated. It was "open season" on the unsuspecting rural property owners including their one local Buckley attorney. The property owners didn't have a chance and were figuratively chickens thrown in with the wolves. I was dam near arrested and charged for telling the City and the County, they could not do this. Representative Roach Roach was supposed to be there, I believe but couldn't make it. The former Mayor of Enumclaw and friend to Ed Storm said he should have been there too to help. He appears to be against the trail.

The counties and the state have been working on this for decades. The property owners are the last to know and become involved in meeting charades like this one at the eleventh hour and 59 minute. You are well aware of the tactics used. They try to corral the ignorant and herd them down the chute of taking. The decisions have already been made, the PA's have systemically taken everyone's property and the use of it from them and the local District courts have quickly complied.

My research shows the following groups pushing this:

1. Pierce and King County Park Departments,
2. Washington State Interagency Committee for Outdoor Recreation,
3. Foothills Trails Coalition - <http://www.piercecountytrails.org/board.php>
4. The Washington Wildlife and Recreation Program (WWRP)
  1. [http://www.wildliferecreation.org/wwrp-projects/projects/Buckley\\_to\\_South\\_Prairie\\_Foothills\\_Trail](http://www.wildliferecreation.org/wwrp-projects/projects/Buckley_to_South_Prairie_Foothills_Trail)
  2. *The Washington Wildlife and Recreation Program (WWRP) is a state grant program that creates and conserves local and state parks, wildlife habitat and working farms. The Washington State Recreation and Conservation Office administers WWRP grants, and the legislature funds the program.*

Senator Roach, what is the best strategy to use here? Can you meet with the applicable 4 Legislative District Senators Senators shown below? There is an endless list of open ended issues on these takings. I have listed many in this



email and also in the attached emails, especially in the one "Rural Property Owner Tells..."

No title searches have been done for the hundreds of rural and urban property owners these trails are going through. No one has been informed of their rights, no independent land use expert counsel has been provided, no history on the chicanery of the Rails to Trails takings have been provided, ecetera, ecetera.

You know much better than I how to handle this situation. My thoughts are to use this Rails To Trails taking as an opportunity to throw all this back into some committee to work out a new "process" that is sensitive to the rights of rights of all the rural and urban private property owners abutting AND near by. There is unending and growing list of list of hardship cases these Rails To Trails create for the adjoining property owners.

Also we have some inside advantage with Steve Hammond being back with the County under Councilman Reagan Dunn. Plus we have a recent local Rails To Trails case decided in favor of the abutting property owners, please see attached "Beres Rails to Trails Groen Case" However these cases are very expensive, like \$100K and are very title type dependent and chain of title dependent and land grant dependent. There are numerous entanglements that the the state and Congress have created over the centuries.

I guess I can crudely summarize all the information in this email to one point, even if the government can create some some legal fiction they can take the land that is not good enough. The government and special interest agenda has been to work around the abutting and near by property owners. Then at the last hour they launch a local PR campaign, exactly like you experienced with the DOT forced roundabout attempt here in Enumclaw that you all successfully squashed.

HELP!

Sincerely,

Jack Venrick

PS Also check out these sites FYI

1. <http://dwb.thenewstribune.com/news/local/story/6006500p-5276571c.html>
2. [http://www.rco.wa.gov/documents/rcfb/Grants/WWRP/WWRP\\_press\\_release\\_detail\\_report.pdf](http://www.rco.wa.gov/documents/rcfb/Grants/WWRP/WWRP_press_release_detail_report.pdf) (\$8.5 million dollar requested budget!)
3. *(NOT FOR PUBLIC DISTRIBUTION) Jack, the Beres case which is on Lake Sammamish was handled by John Groen of Bellevue 425-453-6206. I suggest you contact him to get a current location to copy the case. The first case is the Hash case and John Groen can also give you the cite for it. We are moving out of Washington State to Wyoming as Washington has gotten totally out of hand politically. The Enumclaw ROW was slightly different that the Hash and Beres case (1875 Act) as your ROW was granted by the Northern Pacific land grant in 1864 although a few reroutes were granted under the 1875 Act. Groen may be able to help you out, but at a price. If I remember correctly, the folks on your ROW had plenty of warning but chose to sit on the sidelines until it is now probably too late as the Court of Claims has a six year statute of limitations on filing. I gave a talk to the ROW owners back in 1993 but received nothing but blank stares as I mentioned it would probably cost them some money--so they got what they paid for--nothing.  
Dick Welsh--NARPO*

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

From: Jack Venrick  
To: AJack R. Venrick



Sent: Wednesday, August 06, 2008 11:06 AM

Subject: Dear Property Owner - We Have Plans To "Railroad" Your Property Soon - Please Come To Our "Open House"

STATIONERY HEADLINE



## King County

Capital Planning and Development Section  
Parks CIP Unit

Facilities Management Division, DES

King Street Center  
201 South Jackson, Room 700  
Seattle, WA 98104-3855  
**206-263-7285** Fax 206-263-6217

[www.metrokc.gov](http://www.metrokc.gov)

July 23, 2008

Dear Property Owner,

King County Parks will be holding an open house for the Foothills Trail project. The open house will be held Wednesday, August 20<sup>th</sup>, 2008 from 5:30pm to 7:30pm. The open house will be held at the Enumclaw Fieldhouse, also known as Pete's Pool. It is located at the Enumclaw Expocenter (Please see attached map).

The open house is an opportunity to review the preliminary design drawings for the trail.

This segment of trail is approximately 1.1 miles long and is located within King County Parks right-of-way. The trail segment begins at 252<sup>nd</sup> Avenue South, just outside the City of Enumclaw and continues along the former rail road bed to its terminus just north of Mud Mountain Road (Please see attached map).

The design and construction of this segment of trail is the first in several phases to complete construction of the Foothills trail from the White River to Kanaskat Palmer State Park. The Foot Hills Trail, in its entirety, follows the old Burlington Northern Santa Fe Rail Road line between Kanaskat Palmer State Park and City of Puyallup.

Information regarding this trail project can be found at: <http://www.kingcounty.gov/foothillstrail>

I look forward to meeting you at the open house. If you have any questions or concerns, please feel free to contact me at 206-263-7280.

Sincerely,

Kelly Donahue  
Project Manager, Facilities Management Division  
201 South Jackson Street, Room 700  
Seattle, WA 98104  
[kelly.donahue@kingcounty.gov](mailto:kelly.donahue@kingcounty.gov)

King County Parks **Your  
Big Backyard**

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Dear Senators & Representatives of Legislative Districts 25, 27, 30 & 31:





ccc. Property Rights Groups

Before we have any "pre & post operative" trail taking public meetings, I would like to throw a few ideas on the trail so to speak.

A Rail to trail Act or a Congressional land act does not make the taking of private or public land constitutional or legitimate or right, or right, especially for less than marginal land uses such as peddle biking. Congress, the judiciary and the executive offices, have a long history of abuse at the national, state & local levels of private property. The fed, states, counties and cities can no longer have this double standard of shutting down private and public property uses and then turning around and stealing our land for some preferred selective marginal urban use. Said another way, we cannot be held in a force field to maintain our rural traditional use while the urbanites systemically use the Congress, executive offices and the judiciary to park out our rural farms with more parks, bike trails, and unending green nonsense by using semantic swindling.

Property taxes are unconstitutional and have been ruled so in at least 4 state high courts, i.e. they are not apportioned nor can they be mathematically. It does not take a high court to see this is and it is only a matter of time before each state will no longer "enjoy" taking private property. At the same time there are also high court rulings that the current federal tax taking of wages is also unconstitutional. The current "income tax" system is an excise tax and cannot be levied again the private Citizens.

Government cannot continue this agenda of stealing wages from the property owners via private property taxes with the left hand and then stealing their private or public property with the right hand. The end result is growing government tyranny and violence. violence. Whether you can find a court or a judge to enforce these Rail to Trail takings is a matter of chance and money. If you read some of the background of the King County Rails To Trails takings attached above, you will learn that King County sent out some 250 letters to those rural property owners abutting some of the sections. Thirty did not respond and they were defaulted upon in upon in the King County court system. Two brave rural property owners, who live near me, fought.

King County or Pierce County are so under handed they cannot approach or directly involve the abutting or nearby property owners in owners in the community hall. They only come to the community hall after they have spent decades in the back planning rooms "saucering and blowing" their biking zealot little trail of tears. One of the taken & protesting rural property owners to the Enumclaw Enumclaw to Buckley rails to trails of their attorneys told me he was afraid of loosing his license if he protested too much. All he would say to the taking committee, i.e. Mayor of Enumclaw, King County Assist. PA, King County Capital Planning & Development, at the time was, "we think you have a double standard". You can read all about it in the attached email "Rural Property Property Owner Tells Enumclaw Mayor & King County The Hard Truth.."

95% of the abutting trails is owned by private property owners in America who have the reversionary rights according to the Godfather of Rails to Trails takings Dick Walsh <http://home.earthlink.net/~dick156/>.

The misery caused of this current taking agenda by the state, county, city, green groups and peddle bike groups are beyond understanding to 99% of those whose "ox has not been gorged. Senator Roach knows what these tactics are used by the state and county serial government groups upon the private property owners.

Property owner more often give up their property and unalienable rights out of ignorance or apathy or no time or money to fight.

- Why are the counties, cities and the state allowed to "railroad" these trail takings on the QT?
- Why is the government even involved in "outdoor recreation", especially the attorney for the land grabbing green extreme group Futurewise?
- Why aren't the abutting or near by property owners informed of their rights and given the history and agenda of the state rails to to trails takings?
- Why can't the peddle bikers use an expended side of the highways and bridges vs. taking legitimately or not some poor property property owners land?.
- Why are the county Park Departments allowed to take any private or public property for a very narrow urban narrow specialized



specialized land use:

- Why does the state, county & city GOVERNMENTS collude to encourage takings of rural private and public property for a narrow park like use?
- Why are unconstitutional private property taxes used against the property owner to not only take his wages but the use of his land as well as the encroachment to his land?
- Why are a few elite specialized urban groups allowed to encroach, use, take, encumber, endanger and cost rural private property owners who have no to negative interest in that sport?
- Why is "Rails To Trails" and other green agendas allowed to shut down traditional land use while forcing specialized green sport use in the very areas where the rural private property owners have little to no use of their own lands and water?
- Why are the government and special interest groups allowed to collude over decades to instigate these green and elite sport taking plans while the particular rural community and its rural private property owners have no say, no knowledge, no vote BUT BUT ceremonial "post op" public pandering MEETINGS LIKE ABOVE?
- This abuse of private property and the multiple use of public property can no longer be tolerated by anyone.
- Rails To Trails and any green taking is a mere privilege that may or may not be allowed depending totally on the private property owners free choice and free will.
- There are over 800 federal and state court "decisions" regarding the abandoning of railroad right-of-way. The message here is the the dam government needs to stay far far away from private and even the public use of public property other than multiple use. use.
- Washington State has over 47 cases since 189.
- This sort of adversarial "railroading" of land use is "Titanic" in nature.
- Multiple use of CERTAIN STATE AND NATIONAL LANDS SHOULD BE SET ASIDE FOR TRAILS FOR BIKERS, HIKERS, ATV'ERS, HORSE BACK RIDERS, KAYAKERS, ETC.
- NO MULTIPLE USE SHOULD BE made to park out the rural or urban areas which only lead to intolerable friction, conflict, court battles, private and public costs unbearable to anyone with common sense and love for their own neighbors.
- Government at any level should never stoop to use their own biased & corrupt courts, executive offices or legislature or back room tribunals to take specialized use of any private land or public land in the immediate urban or surrounding rural areas. This is why we have vast sections of national forests and parks, state forests and parks.
  - The current takings are only the use of manipulation of the courts, legislature and executive office who have no business doing any of this
  - The current wave of abutting property owners on these trails are for the most part victims of duress who do not have a vote for the taking of the neighbors property
  - Nobody's private property should be taken even in court for this sort of petty elite urban biking recreation
- It is quite simple and relative inexpensive to just use the sides of the existing roadways and bridges for the all hikers and bikers even if the existing bed has to be extended IF people want to approve this expense of the existing road tax funds.
- The current so called Washington State Interagency Committee for Outdoor Recreation is not just unconstitutional and fraudulent, it is immoral and criminal in the way it is treating abutting private property owners along this trail of tears.
- This "Stepford" town & county mentality of believing you can influence and change the laws of the land, the Constitution, the the Common law, the Natural Laws, God's law are half truths. While you can change the "laws" to anything you wish to take from A to give to B, it is substance over form

I hear one lone small town doctor started this whole mess of taking via the rails to trails at least in the south end. I will spare him the the embarrassment or fame of mentioning his name.

All funding of these trail takings need to be stopped immediately. This is no way to treat anyone, let alone upstanding private property owners who are already wrapped around the government axle of taking a hundred times.

If you need more evidence, more reasons, more pictures, more suffering, more government and bike zealot caused insanity read the attached emails and the government's own admission of the problems below. Anyone who is so naive to think that there are no problems taking property for A and giving it to B, should talk to me or better yet, I will invite you to our next little property rights "Little Shop of Horror Stories" on the latest takings of King and other Communist counties around the green insane Puget Sound.



This part of Washington State, i.e. the Puget Sound is beyond compare and will live in infamy with its karmic debauchery it has suffered upon all the innocent good upstanding credible private property owners. With all due respect to each of you in our "hallowed "hallowed halls" of the Senate, Legislature, Executive Office & the Judiciary, many if not most of you are totally clueless of the downstream impact of your political biased decisions. Each and every ruling you people make is used multiple times AGAINST THE THE POOR AND INNOCENT PRIVATE PROPERTY OWNERS WHO ARE ONLY TRYING TO MAKE IT THOUGH THE DAY.

All of you in government, directly and indirectly have taken an oath to protect private property.

John (Jack) R. Venrick  
Enumclaw, Washington



This sign is now gone, shortly after I released the pictures of the trail takings and the story.

One quarter million dollars just for the City of Buckley.

Let's not even count all of the other cites and rivers and gorges, water lines, gas lines, high power transmission lines...

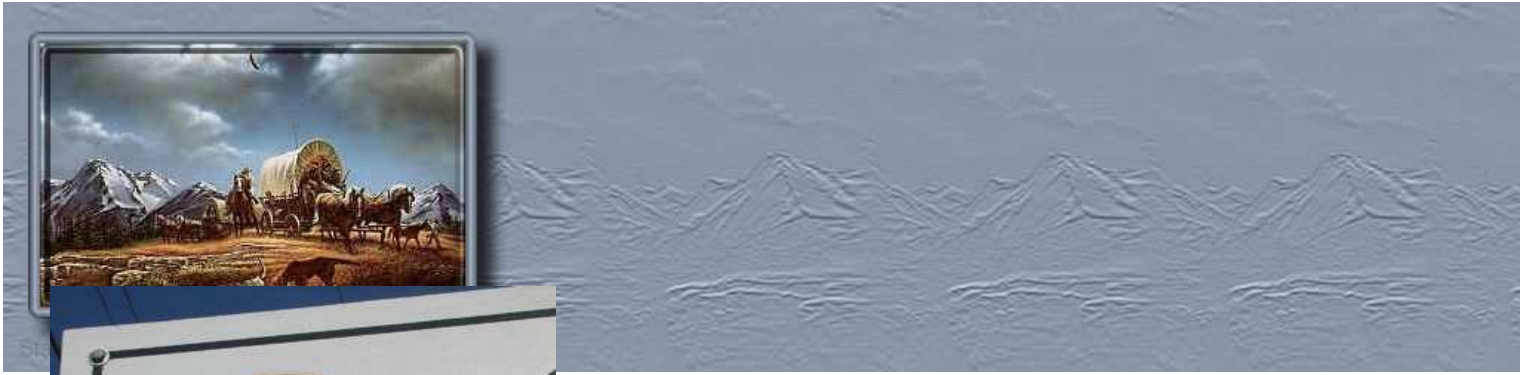
The abutting and nearby property owners didn't know what hit them

Lets not count the thousands of abutting property owners and adjacent property owners along these little taking trails of tears

The voters don't have a clue either.

Only "The Shadow" Government and Governor knows what is going on behind closed doors for the last decade and more





Washington State Interagency Committee for Outdoor Recreation is headed by Kaleen Cottingham, who has represented Futurewise, Futurewise, an environmental extreme shell organization. See excerpt on her below extracted from email above entitled "Enumclaw to Buckley Rails to Trails - the Little Trail of Tears."

OLYMPIA - Governor Chris Gregoire today announced the appointment of Kaleen Cottingham of Olympia as the director of 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 Recreation and Conservation Office is responsible for maintaining much of what gives Washingtonians such a high quality of life - recreation opportunities, a diverse biological heritage and a commitment to salmon recovery. I am excited that Kaleen Cottingham will be leading this office as they move into a new chapter," said Governor Gregoire. "She has worked on natural resources issues in Washington her entire career and brings a depth of knowledge to the position."

Cottingham, 51, owns a legal consulting firm, focusing on natural resources and environmental permitting and projects. As a lawyer, she has worked on a proposal to build a national research laboratory near Leavenworth, supported the Election Reform Task Force, facilitated the development of a water-planning process in King County and a dispute over the Thurston County off-road vehicle park.

She also has represented Futurewise, a statewide land use advocacy group, on legislative issues.

Cottingham is a member of the faculty in the paralegal program at Tacoma Community College, where she taught environmental law, land use and basic paralegal training. She was appointed by Governor Locke as a member of the Pollution Control and Shorelines Hearings Board from 2001 - 2003, hearing hearing appeals of decisions regarding pollution, water rights, hazardous waste facilities and shoreline development rights.

She was the Deputy Commissioner of Public Lands from 1997 - 2001 and led the agency's strategic direction and policy initiatives on a wide variety of natural resources issues. From 1993 - 1997, she was the Supervisor of the Department of Natural Resources, where she as responsible for both the day-to-day day operations of the department as well as governmental and public relations. Prior to this, Cottingham served as the natural resources policy advisor and and then the legal counsel for Governor Gardner.

Kaleen Cottingham, State Policy Representative for Futurewise, participated in negotiations during the 2007 Washington state legislative session that led to the enactment of SB 5248 relating to agriculture and critical areas.

This is a shameful act and black mark upon Governor Gregorie and the State to place such an extreme green radical in a position like this. You may as well give the money directly to Futurewise ex 1000 Friends of Washington so they can go around and sue every property owner and city in Washington State.



The Foothills Trail

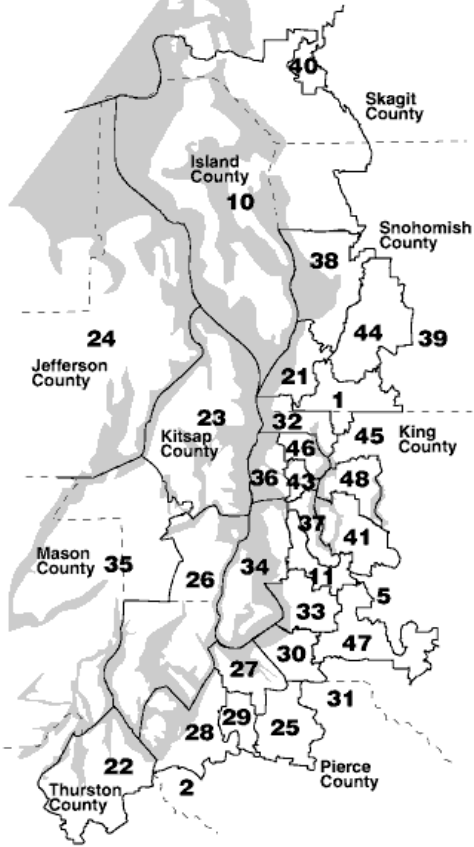
Pierce County, Washington



Looks like the trail is a Pierce and King County taking with the help of the Washington State Interagency Committee for Outdoor Recreation

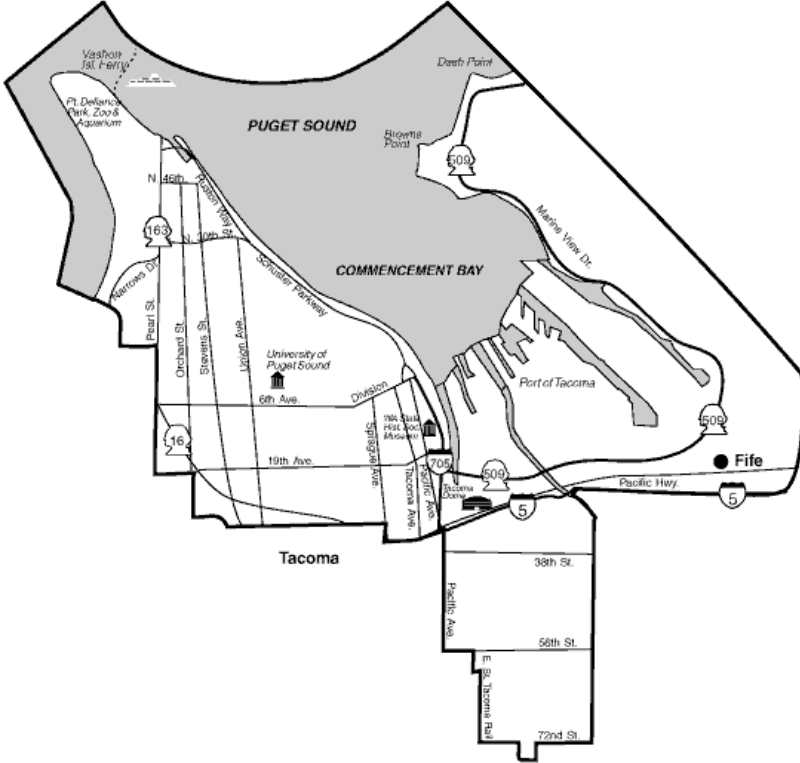
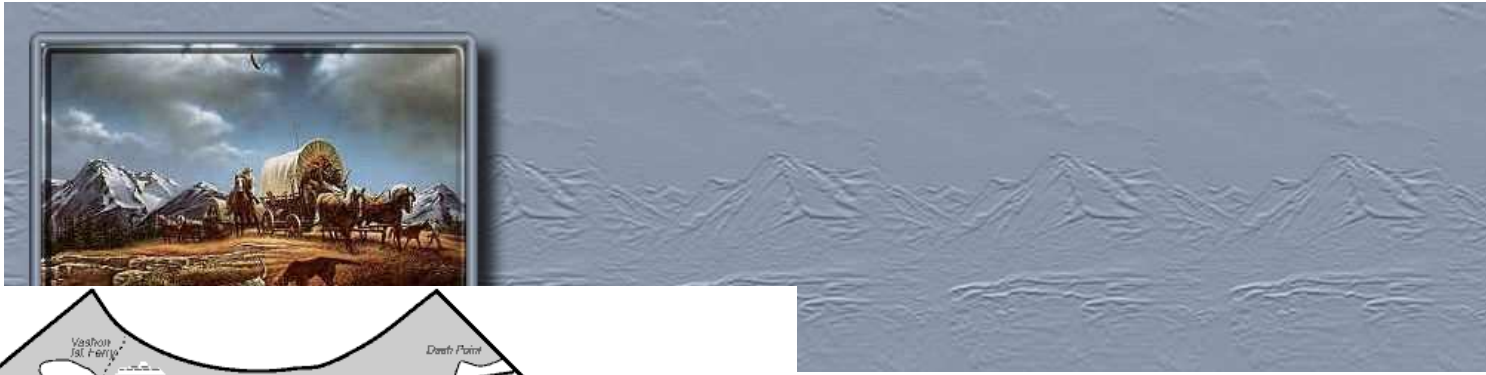
You can read all the background attached I have been able to dig up that I can show publicly





## Puget Sound Legislative Districts

Looks like the trail takings cross at least legislative districts 27, 25, 30 and 31



## 27th Legislative District

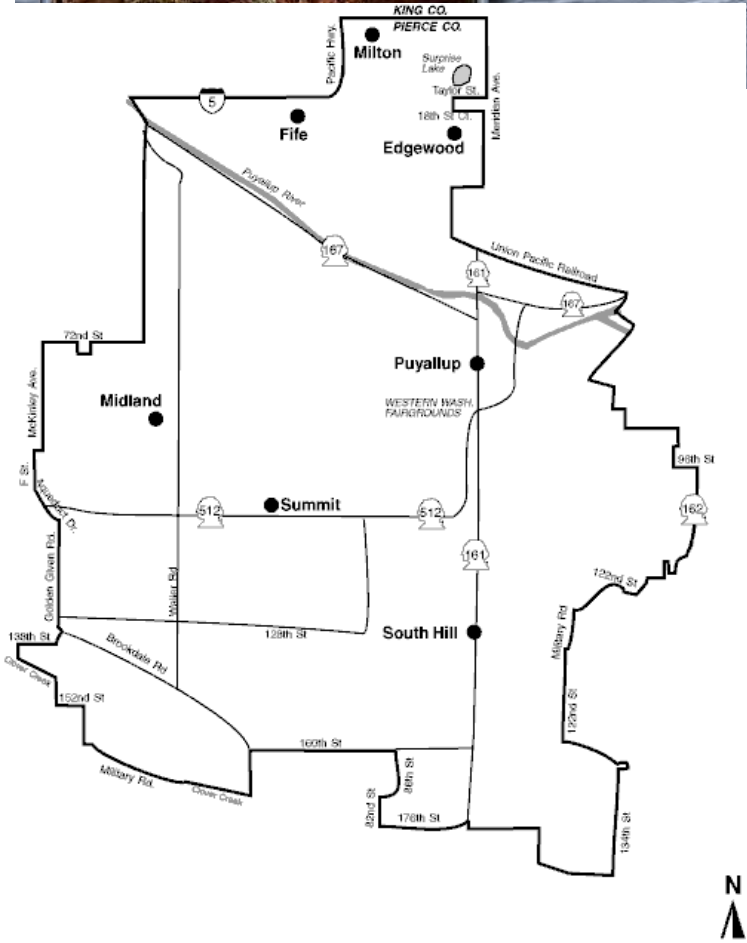
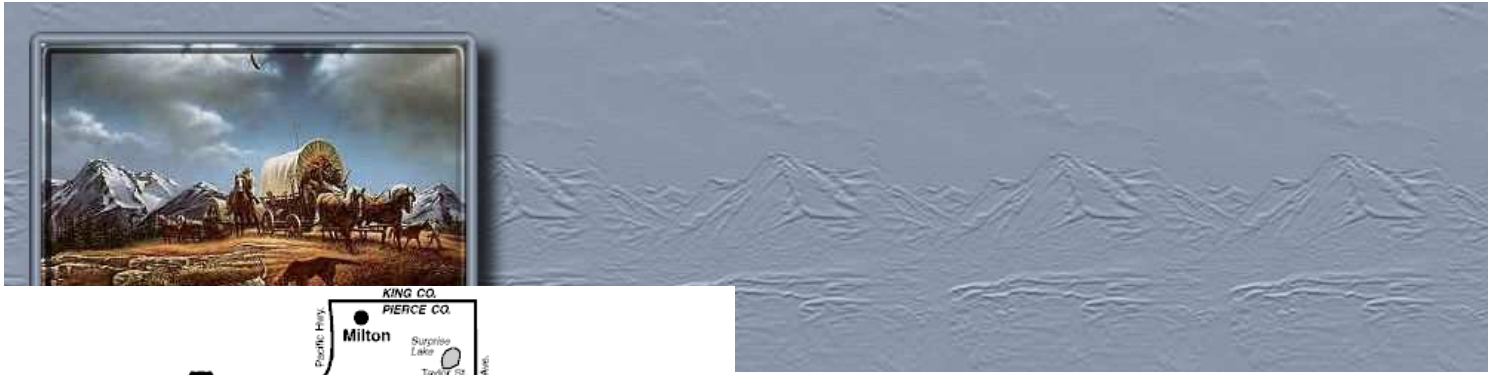
### District Legislators

[Senator Debbie Regala](#)  
Democrat

[Representative Dennis Flannigan](#)  
Position 1, Democrat

[Representative Jeannie Darneille](#)  
Position 2, Democrat

Sound to Mountain Rail to Trail Encroaching on the unsuspecting property owners  
 Whether they want it or not,  
 Whether they own it or not,  
 Whether they know it or not,  
 Whether they can afford an highly specialized land use attorney or not,



## 25th Legislative District

### District Legislators

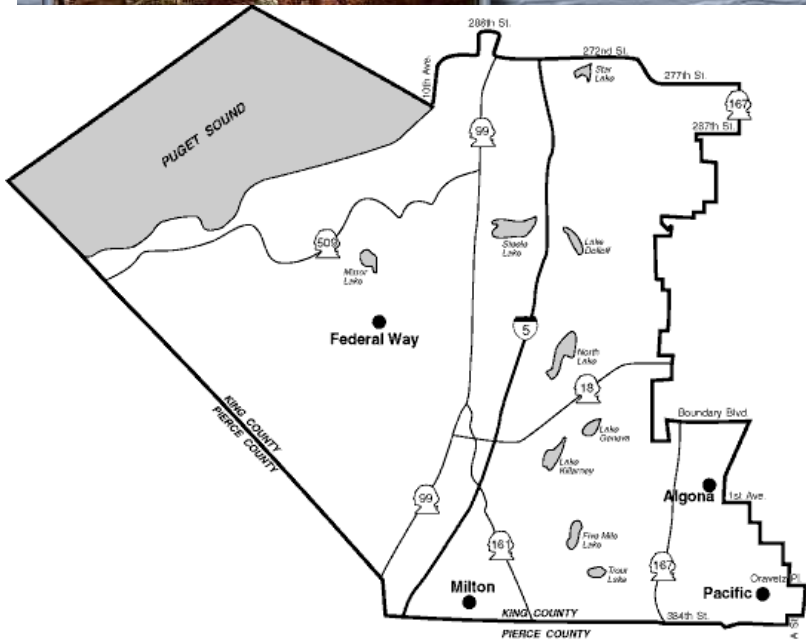
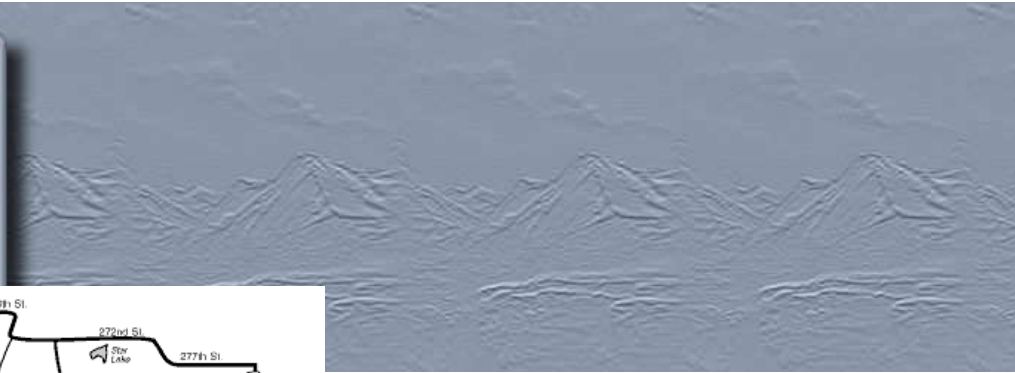
[Senator Jim Kastama](#)  
Democrat

[Representative Joyce McDonald](#)  
Position 1, Republican

[Representative Dawn Morrell](#)  
Position 2, Democrat

Don't worry, all the details have been taken off by King and Pierce County Park Departments and the Washington State Governors Office and the Washington State Interagency Committee For Outdoor Recreation and all the little taking cities along the trail and the county Prosecuting Attorney offices are busy sending out mail threatening suit if you try to prevail





### 30th Legislative District

#### District Legislators

[Senator Pam Roach](#)  
Republican

[Representative Dan Roach](#)  
Position 1, Republican

[Representative Christopher Hurst](#)  
Position 2, Democrat

You want a park?  
You want a trail?  
You want a wetland?  
You want a dry land?  
You want fish?  
You want a bird?  
You want it "Critical" or "Sensitive" or just Rare?  
You want it "endangered maybe"  
You want license or a code or a perhaps a fee?  
Come one come all  
To the Puget Sound Communist County ball  
But if you want to use your land as you see fit  
Or build or remodel or develop it  
Just forget it



Stationary Heaven



### 31st Legislative District

#### District Legislators

Senator Pam Roach  
Republican

Representative Dan Roach  
Position 1, Republican

Representative Christopher Hurst  
Position 2, Democrat

Here is my "favorite county  
I live here well not really anymore  
The communist have moved in  
I merely rent my land that I once owned  
From the green collectivist

How many ways can you destroy private and public property, let me, no I have already done that, see attached. Even attached. Even better let the government count its own ways. Please see below.

<http://www.fhwa.dot.gov/environment/rectrails/rwt/references.htm>



## Rails-with-Trails: Lessons Learned

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