ORDINANCE No. 118607

COUNCIL BILL No. 111727

AN ORDINANCE relating to Seattle parks; providing the Superintendent of Parks and Recreation an additional method for enforcing the Parks Code, the Seattle Municipal Code, and other laws; authorizing administrative suspension of park use by individual who violate laws and rules in the parks; authorizing hearings on those suspensions; redefining the crime of trespass in parks; establishing the punishment therefor; and amending, repealing and adding sections to Chapter 18.12 of the Seattle Municipal Code

COMPTROLLER FILE No.

Introduced: 5-12-97	By: Donaldson
Referred: 5-12-97	To: Parks, Pub Grnds & Rec
Referred:	To:
Referred:	To:
Reported: JUN 2 1997	Second Reading: JUN 2 1997
Third Reading: JUN 2 1997	Signed: JUN 2 1997
Presented to Mayor: JUN 3 1997	Approved: 6-4-97
Returned to City Clerk: 6-5-97	Published: Full 11 pages
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

INDEXED

The City

Honorable President:

Your Committee on

to which was referred the within C
report that we have considered the

5/28/97 Parks, Public

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SMEAD 73 YSP 17117

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The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

ole President:

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h was referred the within Council Bill No.
hat we have considered the same and respectfully recommend that the same:

3/97 Parks, Public Grounds and Recreation 2-1 Do Pass
1 Abstain (McIver)

Full Council vote 6-2

Committee Chair

SMEAD 25 YSP 17117

ORDINANCE 118607

AN ORDINANCE relating to Seattle parks; providing the Superintendent of Parks and Recreation an additional method for enforcing the Parks Code, the Seattle Municipal Code, and other laws; authorizing administrative suspension of park use by individuals who violate laws and rules in the parks; authorizing hearings on those suspensions; redefining the crime of trespass in parks; establishing the punishment therefor; and amending, repealing and adding sections to Chapter 18.12 of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added a new Section 18.12.025 to Chapter 18.12 of the Seattle Municipal Code as follows:

18.12.025 Purpose and findings

The City of Seattle finds as follows, and declares that this ordinance is passed in response to the following facts:

1. Unlawful and inappropriate behavior in the City's parks diminishes these precious assets and deprives citizens of the full use and enjoyment of the natural beauty, recreational opportunities and peaceful repose that parks are intended to preserve in an urban setting.

2. In addition to more serious criminal acts that threaten personal injury and property damage, a wide range of illegal disorderly behavior can transform a park into an unwelcoming, unattractive and ultimately unsafe public space requiring increased expenditures for public safety and maintainance.

3. The laws intended to preserve and protect the parks for the benefit of all are effective only if those who use the parks obey the law. The current criminal and civil penalties for violating the law are

frequently inadequate alone to deter illegal behavior, prevent its recurrence or provide for the removal of the offender from the park.

4. Compliance with the law, including the Parks Code and regulations, will be enhanced by the immediate administrative sanction of excluding from a park those who violate the law. In addition, for repeat offenders and for more serious offenses, exclusion for extended periods of time will provide a necessary additional remedy to protect the parks.

5. Due to the geographic proximity of some parks, the similarity of some park functions and the potential displacement of illegal behavior from one park to another, it is necessary to provide for exclusion from groups of parks or all parks under certain circumstances.

Section 2. There is added a new Section 18.12.278 to Chapter 18.12 of the Seattle Municipal Code as follows:

18.12.278 Park Exclusion

A. The Superintendent may, by delivering an Exclusion Notice in person to the offender, exclude from a city park zone or zones, anyone who within a city park:

1. Violates any provision within this chapter, or

2. Violates any park rule as defined in section 18.12.030, or

3. Violates any provision of the Seattle Municipal Code or Revised Code of Washington.

The offender need not be charged, tried, or convicted of any crime or infraction in order for an Exclusion Notice to be issued or effective. The exclusion may be based upon observation by the Superintendent or upon the sort of civilian reports that would ordinarily be relied upon by police officers in the determination of probable cause.

B. If the offender:

1. Has not been excluded from any city park zone by an Exclusion Notice issued within one (1) year prior to the violation and the current violation is not a felony violation or weapon violation, then the Superintendent may exclude the offender from the city park zone in which the current violation occurred for a period not exceeding seven (7) days from the date of the Exclusion Notice.

2. Has been the subject of only one (1) prior Exclusion Notice issued within one (1) year prior to the current violation and neither the current nor the past violation was a felony violation or weapon violation, then the Superintendent shall exclude the offender from the city park zone in which the current violation occurred for a period of ninety (90) days from the date of the Exclusion Notice.

3. Has been the subject of two (2) or more prior Exclusion Notices issued within one (1) year prior to the current violation, all from the same city park zone in which the current violation occurred, or if the current violation is a felony violation or weapon violation, then the Superintendent shall exclude the offender from the city park zone in which the current violation occurred for a period of one (1) year from the date of the Exclusion Notice.

4. Has been the subject of two (2) prior Exclusion Notices within one (1) year prior to the current violation and, in combination, the current violation and those prior violations took place in two (2) or more city park zones, then the Superintendent shall exclude the offender from all city park zones for a period of one (1) year from the date of the Exclusion Notice.

C. The Exclusion Notice shall be in writing and shall contain the date of issuance. The Exclusion Notice shall specify the length and places of exclusion. It shall be signed by the issuing

individual. Warning of the consequences for failure to comply shall be prominently displayed on the notice.

D. Only the Superintendent's Hearing Officer after a hearing may rescind or shorten an Exclusion Notice.

E. An offender receiving an Exclusion Notice longer than seven (7) days may seek a hearing before the Superintendent's Hearing Officer to have the Exclusion Notice rescinded or the period of exclusion shortened. The request for a hearing shall be delivered to the Superintendent's Hearing Officer or postmarked no later than seven (7) days after the issuance date of the Exclusion Notice. The request for hearing shall be in writing and shall be accompanied by a copy of the Exclusion Notice on which the hearing is sought. The hearing should occur within seven (7) days after the Superintendent's Hearing Officer receives the request for hearing. The Superintendent's Hearing Officer shall take reasonable steps to notify the offender of the date, time, and place of the hearing.

F. The Superintendent's Hearing Officer may issue subpoenas for the attendance of witnesses and the production of documents, and shall administer oaths to witnesses. The Superintendent's Hearing Officer shall not issue a subpoena for the attendance of a witness at the request of the offender unless the request is accompanied by the fee required by RCW 5.67.010 for a witness in district court. The offender shall be responsible for serving any subpoena issued at the offender's request.

G. At the hearing, the violation must be proved by a preponderance of the evidence in order to uphold the Exclusion Notice. If the Exclusion Notice was issued because of the alleged violation of any criminal law, the offender need not be charged, tried, or convicted for the Exclusion Notice to be upheld. The Exclusion Notice establishes a prima facie case that the offender committed the violation as described. The Superintendent's Hearing Officer shall consider a sworn report or a declaration under

penalty of perjury as authorized by RCW 9A.72.085, written by the individual who issued the Exclusion Notice, without further evidentiary foundation. The certifications authorized in Rule 6.13 of the Criminal Rules for Courts of Limited Jurisdiction shall be considered without further evidentiary foundation. The Superintendent's Hearing Officer may consider information that would not be admissible under the evidence rules in a court of law but which the Superintendent's Hearing Officer considers relevant and trustworthy.

H. If the violation is proved, the Exclusion Notice shall be upheld; but upon good cause shown, the Superintendent's Hearing Officer may shorten the duration of the exclusion. If the violation is not proved by a preponderance of the evidence, the Superintendent's Hearing Officer shall rescind the exclusion. If the Superintendent's Hearing Officer rescinds an exclusion, the exclusion shall not be considered a prior exclusion for purposes of the Seattle Municipal Code 18.12.278(B).

I. The decision of the Superintendent's Hearing Officer is final. An offender seeking judicial review of the Superintendent's Hearing Officer's decision must file an application for a writ of review in the King County Superior Court within fourteen (14) days of the date of that decision.

J. The exclusion shall remain in effect during the pendency of any administrative or judicial proceeding.

K. No determination of facts made by a person conducting a hearing under this section shall have any collateral estoppel effect on a subsequent criminal prosecution or civil proceeding and shall not preclude litigation of those same facts in a subsequent criminal prosecution or civil proceeding.

L. This section shall be enforced so as to emphasize voluntary compliance with laws and park rules, and so that inadvertent minor violations that would fall under subsection B.1 can be corrected without resort to an Exclusion Notice.

Section 3. There is added a new Section 18.12.279 to Chapter 18.12 of the Seattle Municipal Code as follows:

18.12.279 Trespass in Parks-Definition-Punishment

A. Any person who knowingly:

1. Enters or remains in a park from which he or she has been excluded during the period covered by an Exclusion Notice pursuant to SMC 18.12.278; or

2. Enters, remains in, or is otherwise present within the premises of a park during hours which the park is not open to the public, unless the person is present within the park to participate in an activity either conducted by the Department or conducted pursuant to the terms of a permit issued by the Department;

shall be guilty of trespass in parks, a gross misdemeanor subject to the provisions of Chapters 12A.02 and 12A.04 of the Seattle Municipal Code.

B. It is not a defense to the crime of trespass in parks:

1. That the underlying exclusion issued pursuant to this chapter is on appeal when the excluded person is apprehended, charged, or tried under this section; nor

2. That the excluded person entered or remained in the park pursuant to a permit that was issued in the name of another person either before or after the date of the Exclusion Notice.

C. Any person convicted of this crime may be punished by a fine in any sum not to exceed Five Thousand Dollars ($5,000.00) or by imprisonment in the City Jail for a term not to exceed one (1) year, or by both such fine and imprisonment.

Section 4. Repeal. Section 18.12.277 of the Seattle Municipal Code (Ordinance 113425, § 20, as last amended by Ordinance 117645, § 4) entitled "Trespass in the parks" is repealed.

Section 5. Section 18.12.030 of the Seattle Municipal Code (Ordinance 106615 § 3, as last amended by Ordinance 118099 § 1) is further amended as follows:

18.12.030 Definitions - Rules of Construction

A. Unless clearly inconsistent with the context in which used, the following definitions apply:

1. "Adequate leash" means a leash of eight feet (8') in length or shorter.

2. "Aquarium" means a facility with artificial habitats containing aquatic or other forms of life for purposes of research, recreation, conservation, education, or viewing.

3. "At large" means a dog or other animal inside The City of Seattle, off the premises of the owner, and not under control by adequate leash.

4. "Camp" means to remain overnight, to erect a tent or other shelter, or to use sleeping equipment, a vehicle, or trailer camper, for the purpose of or in such a way as will permit remaining overnight.

5. "City park zone" means:

(a) A group of parks determined by the Superintendent to be so related to one another geographically or by function or both, that the Superintendent determines that, generally, exclusion from one park would be ineffective without exclusion from the other or others. A park can be part of more than one city park zone.

(b) A city park that is not included in a city park zone defined in paragraph (a) of this subsection is itself a city park zone.

6. "Felony violation" means the violation of a criminal law, the conviction of which would:

(a) Carry a maximum sentence in excess of one year's imprisonment, or

(b) Constitute a felony in Title 9A of the Revised Code of Washington.

7. "Knowingly" means to act when:

(a) one is aware of a fact, facts, circumstances or result described by a statute or ordinance defining an offense; or

(b) one has information which would lead a reasonable person in the same situation to believe that facts exist which facts are described by a statute or ordinance defining an offense.

8. ((~~5.~~)) "Off-leash area" means an area designated in Subsection 18.12.080 B where dogs, and no other animal, shall be allowed to run at large.

9. ((~~6.~~)) "Park" means all parks and bodies of water contained therein, squares, drives, parkways, boulevards, trails, golf courses, museums, aquaria, zoos, beaches, playgrounds, playfields, botanical gardens, greenbelts, parking lots, community centers, and other park, recreation and open space areas and buildings and facilities comprising the parks and recreation system of the City under the management and control of the Superintendent.

10. "Park rule" for purposes of section 18.12.278 means those particular rules or codes of conduct the Superintendent has adopted and has designated, by rule, as those for which a violation may lead to exclusion from a park under section 18.12.278.

11. ((~~7.~~)) "Recreation program" means any program or activity conducted, sponsored, or assisted by the Department of Parks and Recreation, whether or not it occurs in a park.

12.((~~8.~~)) "Superintendent" means the Superintendent of Parks and Recreation of the City and authorized agents of the superintendent, who may include, without limitation, the Chief of Police of the City of Seattle and his or her subordinate officers, Seattle Animal Control Officers, and staff of the Department of Parks and Recreation.

13. "Superintendent's Hearing Officer" means the individual who is the Superintendent of Parks and Recreation and each person or panel of persons on whom the Superintendent has conferred responsibility to conduct the hearing authorized in subsection 18.12.278 E.

14. "Violation" means an act or omission or combination thereof that is contrary to any park rule or any civil or criminal provision of the Revised Code of Washington or the Seattle Municipal Code proven by a preponderance of the evidence.

15. "Weapon violation" means possession or use of a weapon in violation of Chapter 9.41 of the Revised Code of Washington or Chapter 12A.14 of the Seattle Municipal Code.

16. ((~~9.~~)) "Zoo" means a zoological garden where animals are kept for purposes of research, recreation, conservation, education or viewing.

17. ((~~10.~~)) "Zoo exhibit" means an area in the Zoo reserved for the purpose of exhibiting Zoo animals.

B. Wherever consistent with the context of this chapter, words in the present, past, or future tenses shall be construed to be interchangeable with each other, words in the singular number shall be construed to include the plural, and words in the masculine gender shall apply to the feminine and neuter genders.

Section 6. Record keeping. The Seattle Police Department and the Department of Parks and Recreation should each keep copies of such records as are necessary to administer this ordinance. If the Superintendent's Hearing Officer rescinds or shortens an exclusion, he or she should promptly inform the appropriate record keeper in the Department of Parks and Recreation and in each Seattle Police Department precinct that covers the city park zone or zones referenced in the Exclusion Notice.

Section 7. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the validity of its application to any person or circumstance shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 8. Effectiveness of repealed section. No offense committed and no penalty incurred previous to the time when this ordinance becomes effective shall be affected by the repeal of Seattle Municipal Code ("SMC") section 18.12.277, and no prosecution for any offense or for the recovery of any penalty pending at the time SMC 18.12.277 is repealed shall be affected by the repeal, but the proceedings shall continue in all respects as if that section had not been repealed. This ordinance shall be so construed as to save all proceedings under SMC section 18.12.277 pending on the effective date of this ordinance.

Section 9. Effective date. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 2 day of June, 1997, and signed by me in open session in authentication of its passage this 2 day of June, 1997.

Jan Drago
President _____ of the City Council

Approved by me this 4 day of June, 1997.

Norman B. Rice
Mayor

Filed by me this 5th day of June, 1997.

Judith E. Pupp
City Clerk

(Seal)

SEATTLE CITY ATTORNEY
MARK H. SIDRAN

May 8, 1997

Councilmember Sue Donaldson, Chair
Parks, Public Grounds and Recreation Committee
Seattle City Council

Re: Proposed Parks Code Enhanced Enforcement Ordinance

Dear Councilmember Donaldson:

Attached for the City Council's consideration is a proposed ordinance to better protect Seattle's parks from illegal and inappropriate behavior by authorizing the Parks Superintendent to exclude law violators from Park property. Current laws and regulations already prohibit virtually all of the misconduct of concern, but we need better enforcement tools to make the existing laws work more effectively. Although the Parks Code now contains authorization to exclude violators in some circumstances, it is neither broad enough or detailed enough to be effective.

Our parks are perhaps our most important public spaces. They contribute immeasurably to Seattle's quality of life and in many ways define our city and its neighborhoods. Yet a park that the public can no longer enjoy is no longer a park. These priceless assets are increasingly at risk from the misbehavior of the few who do not respect the rights of all to enjoy park facilities. Drinking alcohol and using drugs, public urination and defecation, sex acts, excessive noise, vandalism and graffiti, overnight camping, dogs at large in unauthorized areas, skating and biking that endangers others; these and other misbehaviors can destroy a park just as surely as cutting its trees or paving it over.

Such misbehavior not only harms the parks, it harms the surrounding neighborhoods. In addition to losing the enjoyment of nearby public space, some neighborhoods are put at increased risk of more serious crime as parks become symbolic "broken windows", signaling that either we do not care or cannot control misbehavior and setting the stage for more serious trouble.

The proposed ordinance is intended to increase deterrence by providing an immediate, meaningful and effective administrative sanction for breaking the law in parks. Such sanctions are not a substitute for the criminal law, but provide an additional

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useful tool for the Parks Superintendent and the police to preserve our parks for all to enjoy. The proposal will strengthen law enforcement within the parks in several important ways:

- It expands the grounds for exclusion to cover some of the most prevalent and disturbing misbehaviors (e.g., alcohol, noise, public urination, sex acts, etc.). Currently the Parks Code limits exclusion to cases where there is substantial risk of injury or property damage.

- It takes into account the relative seriousness of the misconduct, providing longer exclusions for more serious offenses like firearm violations or felonies than for less serious violations.

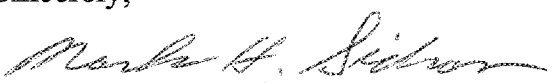
- It increases the exclusion periods, especially for repeat offenders.

- It takes into account the proximity of other parks and the location and pattern of the offender's misconduct, allowing exclusion from one park, some parks or all parks depending on the circumstances and the risk of displacing the misbehavior to other parks.

The proposal also creates an administrative hearing process for those excluded more than seven days who wish to seek review of that decision. Current law is silent in this regard. As under current law, a person who violates the exclusion order is subject to arrest and prosecution for trespass in a park.

I look forward to working with you and the Council to adopt these important improvements to the Parks Code.

Sincerely,



Mark H. Sidran
Seattle City Attorney

MHS:lm
Attachment

Summary of Proposed Park Code Enhanced Enforcement Ordinance

The proposed Park Code Enhanced Enforcement Ordinance will help preserve and protect the City's parks by improving enforcement of existing laws and regulations governing behavior on park property. The public's right to use and enjoy park facilities is increasingly threatened by a variety of misbehaviors such as alcohol and drug use, public urination and defecation, excessive noise, sex acts, vandalism, overnight camping, dogs at large in unauthorized areas, and dangerous skating and bicycling, in addition to more serious crimes such as assaults and firearm violations. Current law (SMC 18.12.277) already provides for exclusion where an offender causes "a substantial risk of injury" to persons or property, however, much of the most troubling and chronic misbehavior falls outside the current law. In addition, the operational details of the existing exclusion ordinance render it largely ineffective.

The proposed Enhanced Enforcement Ordinance creates no new crimes or offenses. Its purpose is to prevent illegal behavior in the parks by providing an immediate administrative sanction of exclusion from park property for all violations of laws and regulations within the parks. In addition to the deterrent benefit of immediate consequences, Enhanced Enforcement gives the Parks and Police Departments an important new tool to prevent recurring violations by the same offenders. As under current law, those who are excluded will be subject to immediate arrest for the crime of trespassing in the parks if they violate the exclusion order. A speedy due process administrative hearing for those who wish to contest an exclusion order is provided.

As provided in the current exclusion ordinance, enforcement authority is vested in the Superintendent of Parks who may delegate that authority to appropriate designees, including the police. An exclusion notice may be served upon a person who violates the Parks Code, rules or law in a park. An offender may be excluded from the park where the violation occurred and from other parks for up to one year depending upon the location of the violation, its severity, and the prior record of exclusions. In contrast, under current law an offender may be excluded only from the park wherein the violation occurred and only for 24 hours, unless the person has within the last 30 days twice been ejected for 24 hour periods, in which case a 30 day exclusion is authorized.

The Enhanced Enforcement Ordinance is an administrative sanction which operates independently of any other criminal or civil enforcement action taken in response to the underlying law violation. Exclusion can be invoked in addition to or instead of any other penalty provided by law.

111727

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

_____ _____

_____ _____

_____ _____

_____ _____

_____

Susan Alden

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

_____

_____

_____

PRESIDENT'S SIGNATURE

C.S. 20.28

STATE OF WASHINGTON - KING COUNTY

81758
City of Seattle, City Clerk

—ss.

No. ORDINANCE IN

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORD 118607

was published on

06/16/97

The amount of the fee charged for the foregoing publication is the sum of $, which amount has been paid in full.

R. Patterson

Subscribed and sworn to before me on

06/16/97

M. Alvarez

Notary Public for the State of Washington, residing in Seattle

Grantor's successor in interest or the holder of any recorded junior lien or encumbrance paying the entire principal and interest secured by the Deed of Trust, plus costs, fees and advances, if any, made pursuant to the terms of the obligation and/or Deed of Trust. VI. A written notice of default was transmitted by the Beneficiary or Trustee to the Grantor or the Grantor's successor in interest at the following address: John L. Schneider 24716 13th Pl. S. Des Moines, WA 98188 Joni R. Schneider 24716 13th Pl. S. Des Moines, WA 98188 Occupant(s) 24716 13th Pl. S. Des Moines, WA 98188 by both first class and certified mail on July 25, 1996 proof of which is in the possession of the Trustee; and the Grantor or the Grantor's successor in interest was personally served on July 30, 1996 with said written notice of default or the written notice of default was posted in a conspicuous place on the real property described in paragraph 1 above, and the Trustee has possession of proof of such service or posting. VII. The Trustee whose name and address are set forth above, and whose telephone number is (503) 241-0772, will provide in writing to anyone requesting it, a statement of all costs and fees due at any time prior to the sale. VIII. The effect of the sale will be to deprive the Grantor and all those who hold by, through or under the Grantor of all their interest in the above-described property. IX. Anyone having an objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the sale pursuant to RCW 61.24.130. Failure to bring such a lawsuit may result in a waiver of any proper grounds for invalidating the Trustee's sale. X. FAIR DEBT COLLECTION PRACTICES ACT NOTICE: Professional Foreclosure Corporation of Washington is attempting to collect a debt and any information obtained will be used for that purpose. DATED this 31ST day of January, 1997 PROFESSIONAL FORECLOSURE CORPORATION OF WASHINGTON By: Richard H. Smith Vice-President/Asst. Secretary (503) 241-0772 PFC #: 96-60323 Loan #: 691720 Title Order No.: 463619 FHA#561-613909 NPP0029294

Dates of publication in the Seattle Daily Journal of Commerce, May 27 and June 16, 1997. 6/16(**80976**)

PROBATE NOTICES

NOTICE TO CREDITORS
Estate of
CYNTHIA L. CHARTIER

IN THE SUPERIOR COURT of the State of Washington for King County.

In the Matter of the Estate of Cynthia Lavonne Chartier, Deceased. No. **97-4-01737-5 SEA**. Notice to Creditors. (RCW 11.40.010.)

The Personal Representative named below has been appointed and has qualified as Personal Representative of this estate. Persons having claims against the decedent must, prior to the time such claims would be barred by any otherwise applicable statute of limitations, serve their claims on the Personal Representative or the attorneys of record at the address stated below and file an executed copy of the claim with the Clerk of this Court within four months after the date of first publication of this Notice or within four months after the date of the filing of the copy of this Notice with the Clerk of the Court, whichever is later or, except under those provisions included in RCW 11.40.011 or 11.40.013, the claim will be forever barred. This bar is effective as to claims against both the probate assets and nonprobate assets of the decedent.

Date of filing copy of Notice to Creditors with Clerk of the Court: June 13, 1997.

Date of first publication: June 16, 1997.

EDMUND K. ROBINSON,
Personal Representative.

c/o Alan H. Kane, 701 Fifth Avenue, Suite 5000, Seattle, Washington 98104-7078.

PRESTON GATES & ELLIS LLP. By: ALAN H. KANE, WSBA #00206, Attorneys for the Estate, 701 Fifth Avenue, Suite 5000, Seattle, WA 98104-7078, (206) 623-7580.

6/30(**81759**)

NOTICE TO CREDITORS
Estate of
FRANCIS C. BRUYA

IN THE SUPERIOR COURT of the State of Washington in and for the County of King.

In Re the Estate of: Francis C. Bruya, Deceased. Probate No. **97-4-02621-8SEA**. Notice to Creditors. (RCW 11.40.010 & .015.)

The Personal Representative named below has been appointed and has qualified as personal representative of this estate. Persons having claims against the deceased must, prior to the time such claims would be barred by any otherwise applicable statute of limitations, serve their claims on the personal representative or the attorney of record at the address stated below and file an executed copy of the claim with the Clerk of this Court within four months after the date of first publication of this Notice or within four months after the date of the filing of the copy of this Notice with the Clerk of the Court, whichever is later or, except under those provisions included in RCW 11.40.011 or RCW 11.40.013, the claim will [illegible] after the date of the filing of the copy of this Notice with the Clerk of the Court, whichever is later or, except under those provisions included in RCW 11.40.011 or 11.40.013, the claim will be forever barred. This bar is effective as to claims against both probate assets and non-probate assets of the decedent.

Date of filing copy of Notice to Creditors with Clerk of Court: May 30, 1997.

Date of first publication: June 2, 1997.

Personal Representative:
KENNETH J. ANDERSON,
BETTY A. WOOLLEY.

Address: c/o Casey & Pruzan, 720 Third Avenue, #1800, Seattle, WA 98104-1866.

Attorney for Estate: RICHARD A. ACARREQUI, CASEY & PRUZAN. Address: 720 Third Avenue, #1800, Seattle, WA 98104-1866. Phone: (206) 623-3577. Fax: (206) 623-3649.

6/16(**81239**)

NOTICE TO CREDITORS
Estate of
GLYNETH M. JOHNSTON

SUPERIOR COURT OF Washington, King County.

In Re the Estate of Glyneth M. Johnston, Deceased. No. **97-4-01723-5 SEA**. Notice to Creditors.

The personal representative named below has been appointed and has qualified as personal representative of this estate. Persons having claims against the deceased must, prior to the time such claims would be barred by any otherwise applicable statute of limitations, serve their claims on Stephen A. Eggerman of Eggerman & VanSandt, attorneys of record at the address stated below and file an executed copy of the claim with the Clerk of this Court within four months after the date of first publication of this notice or within four months after the date of the filing of the copy of this Notice with the Clerk of the Court, whichever is later, or, except under those provisions included in RCW 11.40.011 or 11.40.013, the claim will be forever barred. This bar is effective as to claims against both the probate assets and nonprobate assets of the decedent.

Date of filing copy of Notice to Creditors with Clerk of Court: June 16, 1997.

Date of first publication: June 16, 1997.

MARK R. JOHNSTON,
Personal Representative.
13636 N. E. 102nd St., Kirkland, WA 98034.

EGGERMAN & VANSANDT, LLP, STEPHEN A. EGGERMAN, WSBA #15753, Attorneys for Estate of Glyneth M. Johnston, 105 Central Way, Suite 200, Kirkland, Washington 98033, (206) 828-9509.

6/30(**81749**)

NOTICE TO CREDITORS
Estate of
RICHARD K. SELDEN

IN THE SUPERIOR COURT, King County, Washington.

In the Matter of the Estate of [illegible]

NOTICE TO CREDITORS
Estate of
NORIO HIRAYAMA

IN THE SUPERIOR COURT of the State of Washington in and for King County.

In re the Estate of Norio Hirayama, Deceased. No. **97-4-02940-3 SEA**. Nonprobate Notice to Creditors.

Nobuo Hirayama, the undersigned Notice Agent, has elected to give notice to creditors of the decedent above named under RCW 11.42.020. As of the date of the filing of a copy of this notice with the Clerk of this Court, the Notice Agent has no knowledge of the appointment and qualification of a personal representative in the decedent's estate in the state of Washington or of any other person becoming a Notice Agent. According to the records of the Clerk of this Court as of 8:00 a. m. on the date of the filing of this notice with the Clerk, no personal representative of the decedent's estate had been appointed and qualified and no cause number regarding the decedent had been issued to any other Notice Agent by the Clerk of this Court under RCW 11.42.010.

Persons having claims against the decedent named above must, before the time the claims would be barred by any otherwise applicable statute of limitations, serve their claims on: The Notice Agent if the Notice Agent is a resident of the state of Washington upon whom service of all papers may be made; the Nonprobate Resident Agent for the Notice Agent, if any; or the attorneys of record for the Notice Agent at the respective address in the state of Washington listed below, and file an executed copy of the claim with the Clerk of this Court within four months after the date of first publication of this notice, or within four months after the date of the filing of the copy of this notice with the Clerk of the Court, whichever is later, or, except under those provisions included in RCW 11.42.030 or 11.42.050, the claim will be forever barred. This bar is effective as to all assets of the decedent that were subject to satisfaction of the decedent's general liabilities immediately before the decedent's death, regardless of whether those assets are or would be assets of the decedent's probate estate or nonprobate assets of the decedent.

Date of filing of this Notice with the Clerk of the Court: June 5, 1997.

Date of first publication of this Notice: June 9, 1997.

The Notice Agent declares under penalty of perjury under the laws of the State of Washington on June 5, 1997 at Snohomish, Washington, that the foregoing is true and correct.

NOBUO HIRAYAMA,
Notice Agent.
17606 Valley Circle Drive, Bothell, WA 98012.

JAMES B. PARSONS, P. S., 10655 NE 4th Street, Suite 707, Bellevue, WA 98004. (206) 451-[illegible]