Objection to Final Waterfront LID No. 6751 Assessment and Appeal of Final Assessment Amount

Seattle City Clerk City of Seattle PO Box 94607 Seattle, WA 98124-6907 January 22, 2020

LIDHearingExaminer@seattle.gov

I/We object to and appeal the final assessment levied against me/us and my/our property. Per the LID No. 6751

Names:

Stuart C. McGehee

Dione McGehee

Property

Address:

1521 2nd Ave., #2504

Seattle, WA 98101

King County

Tax Parcel ID: 2538830950

Owner's Mailing

Address:

1521 2nd Ave., #2504

Seattle, WA 98101

Stuart C. McGehee and Dione McGehee have owned this property since August of 2018. Previously, Stuart McGehee and Dione McGehee we renters in the 1521 2nd Ave. building.

Dione McGehee is a career commercial real estate professional having been involved in commercial real estate for three decades. Stuart McGehee is a career financial services industry professional. He is founder and a principal of Pacific Northwest Asset Management, LLC located at 2211 Elliott Ave., Ste. 200, Seattle, WA, 98121.

1. In preparation of this objection and appeal, I/we discovered that the Final Special Benefit Study and Addenda Volume had not been made available to property owners until January 4, 2020, although the 237, page Final study is dated November 18, 2019 and the 214 page Addenda Volume dated November 12, 2019. The Hearing Examiner should continue the final assessment hearings currently set for February 4, 2020 for at least 90 days to allow time for property owners to locate, analyze, and respond to the Final Special Benefit Studies.

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- 2. There are no "plans and specifications" on file with the Clerk's Office for the LID Improvements, and it is unlawful to move to final assessments without such "plans and specifications." Ordinance 125760, Section 3; Local and Road Improvement Districts Manual for Washington State 6th Edition, pp. 3, 19, 31, 44 (2009).
- 3. There has been no State Environmental Policy Act (SEPA) review of the Waterfront LID formation ordinance, and there are incomplete SEPA reviews of the LID Improvements themselves. It is unlawful to move forward with final assessments until all SEPA reviews are complete for both the Waterfront LID *and* the Waterfront LID Improvements. *LID Manual*, pp. 3, 6, 17, 24, 26; SMC 25.05.800.Q.
- 4. Without more design details and the date certain for completing construction, it is pure speculation what benefit (general or special), if any, the LID Improvements will create. *Anthony Gibbons Letter* (May 2, 2018).
- 5. My property is not receiving any special benefits. It is unlawful to include any property that will not receive special benefits, and it is an unconstitutional taking of private property. *Heavens v. King County Rural Library District*, 66 Wash.2d 558, 564, 404 P.2d 453 (1965).
- 6. The estimated value lift applied by Valbridge is less than 4% which is within the margin of error for any appraisal and thus, by definition, speculation. *Anthony Gibbons Letter* (May 2, 2018). Attached is a copy of Anthony Gibbons Letter.
- 7. The LID Improvements are unnecessary, purely aesthetic, and adjacent to a planned 8-lane roadway and mismanaged public spaces of poor quality. There will be no special benefit.
- 8. The LID is not local or intended to provide special benefits. It is a regional, national, and international destination. There is no special benefit to Stuart McGehee or Dione McGehee.
- 9. The LID Improvements do not add anything significant to the Central Waterfront, which already has a promenade, viewpoints, as well as connecting streets and bridges.
- 10. The construction estimates are not based upon substantially complete construction documents, are out of date, and uncertain. Final assessments will bind future City Councils and budgets to complete the LID Improvements regardless of cost. It is unlawful to bind future City Councils and future budgets to spend hundreds of millions of dollars on projects still early in the design process. Washington Attorney General Opinion 2012 No. 4 (May 15, 2012). Attached is a copy of AG Opinion 2012 No. 4.
- 11. I incorporate by reference all objections made as part of King County Superior Court Case No. 19-2-05733-5 SEA (Consolidated with No. 19-2-08787-1 SEA). Attached is a copy of the Third Amended Complaint.
- 12. I join in and incorporate by reference every objection made by every other property owner.
- 13. Stuart McGehee and Dione McGehee do hereby challenge the erroneous and arbitrary alleged \$65,129.40 special benefit LID improvement of King County Parcel ID number 2538830950.

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Printed Names: STUART C. M'GEHER DIONE MCGEHER

Signed: Dione McGEHER

Dione McGEHER

Dione McGEHER

Dione McGEHER

Dione McGEHER

Dione McGEHER

Dione McGEHER