

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF KING

BSRE POINT WELLS, LP, a Delaware limited)	
partnership,)	
)	NO. 18-2-27189-4 SEA
Petitioner,)	
)	NOTICE OF APPEAL TO COURT OF
v.)	APPEALS, DIVISION I
)	
SNOHOMISH COUNTY,)	(Clerk’s Action Required)
)	
Respondent.)	
)	
)	

PETITIONER BSRE POINT WELLS, LP (“BSRE”) seeks review by the Court of Appeals of the State of Washington (Division I) of the following orders:

1. Order Denying Intervenor City of Shoreline’s Motion for Reconsideration on Interpretation of SCC 30.34A.040(1) dated July 1, 2019, and issued by King County Superior Court Judge John McHale;
2. Order on BSRE Point Wells, LP’s LUPA Petition Remanding Per SCC 30.34A.180(2)(f) (2007) dated June 18, 2019, and issued by King County Superior Court Judge John McHale;

1 3. Snohomish County Council Motion No. 18-360, Affirming the Amended
2 Decision of the Hearing Examiner in Re Point Wells Urban Center, Hearing Examiner File No.
3 11-101457 LU/VAR, 11-101461 SM, 11-101464 RC, 11-101008 LDA, and 11-101007 SP and
4 Modifying Findings F.21 and F.31, dated October 9, 2018, and issued by the Snohomish County
5 Council; and
6

7 4. Amended Decision Denying Extension and Denying Applications
8 Without Environmental Impact Statement, Hearing Examiner File No. 11-101457 LU/VAR,
9 11-101461 SM, 11-101464 RC, 11-101008 LDA, and 11-101007 SP dated August 3, 2018, and
10 issued by the Hearing Examiner in and for the County of Snohomish.
11

12 Copies of each of these order is attached hereto. These orders are appealable as a matter
13 of right under RAP 2.2(a)(1) and are timely appealed pursuant to RAP 5.2(e).
14

15 Attorneys for the parties to this appeal are:

16 For Petitioner/Appellant BSRE Point Wells, LP:

17 Karr Tuttle Campbell

18 Jacque E. St. Romain, WSBA No. 44167

19 Doug Luetjen, WSBA No. 15334

20 Gary D. Huff, WSBA No. 6185

21 J. Dino Vasquez, WSBA #25533

22 701 Fifth Avenue, Ste. 3300

23 Seattle, WA 98104

24 jstromain@karrtuttle.com

25 dluetjen@karrtuttle.com

26 ghuff@karrtuttle.com

27 dvasquez@karrtuttle.com

28 For Respondent Snohomish County:

 Matthew Otten, WSBA #40485

 Laura Kisielius, WSBA #28255

 Deputy Prosecuting Attorneys – Civil Division

 Robert Drewel Bldg., 8th Floor, M/S 504

 3000 Rockefeller Ave.

 Everett, WA 98201

motten@snoco.org

lkisielius@snoco.org

1 For Intervenor/Respondent City of Shoreline:
2 Margaret King, WSBA #34886
3 Julie Ainsworth-Taylor, WSBA #36777
4 City of Shoreline
5 17500 Midvale Ave. N.
6 Shoreline, WA 98133
7 mking@shorelinewa.gov
8 jainsworth-taylor@shorelinewa.gov

9 Respectfully submitted this 31st day of July, 2019.

10 KARR TUTTLE CAMPBELL

11 By: /s/ *Jacque E. St. Romain*
12 Gary D. Huff, WSBA #6185
13 Douglas A. Luetjen, WSBA #15334
14 J. Dino Vasquez, WSBA #25533
15 Jacque St. Romain, WSBA #44167
16 701 Fifth Ave., Ste. 3300
17 Seattle, WA 98104
18 E-mail: ghuff@karrtuttle.com
19 E-mail: dluetjen@karrtuttle.com
20 E-mail: dvasquez@karrtuttle.com
21 E-mail: jstromain@karrtuttle.com
22 Attorneys for Petitioner
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I, Heather L. Hatstrup, affirm and state that I am employed by Karr Tuttle Campbell in King County, in the State of Washington. I am over the age of 18 and not a party to the within action. My business address is: 701 Fifth Ave., Suite 3300, Seattle, WA 98104. On this day, I caused to be filed with King County Superior Court a true and correct copy of the foregoing document by using the Court’s electronic filing system. I caused the same to be served on the parties listed below in the manner indicated.

Matthew Otten, WSBA #40485
Laura Kisielius, WSBA #28255
Deputy Prosecuting Attorneys – Civil
Division
Robert Drewel Bldg., 8th Floor, M/S 504
3000 Rockefeller Ave.
Everett, WA 98201
motten@snoco.org
lkisielius@snoco.org
**Attorneys for Respondent Snohomish
County**

- Via U.S. Mail
- Via Hand Delivery (**ONLY if not
opted in to receive E-Service**)
- Via Electronic Mail (**ONLY if not
opted in to receive E-Service**)
- Via Overnight Mail
- Via ECF/E Service (**if opted in**)

Margaret King, WSBA #34886
City Attorney
Julie Ainsworth-Taylor, WSBA #36777
Assistant City Attorney
City of Shoreline
17500 Midvale Ave. N.
Shoreline, WA 98133
mking@shorelinewa.gov
jainsworth-taylor@shorelinewa.gov
Attorneys for City of Shoreline

- Via U.S. Mail
- Via Hand Delivery (**ONLY if not
opted in to receive E-Service**)
- Via Electronic Mail (**ONLY if not
opted in to receive E-Service**)
- Via Overnight Mail
- Via ECF/E Service (**if opted in**)

Executed on this 31st day of July, 2019, at Seattle, Washington.

/s/ Heather L. Hatstrup
Heather L. Hatstrup
Litigation Legal Assistant
hhatstrup@karrtuttle.com