

SKAGIT COUNTY
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MAR 20 2009

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Skagit County Commissioners
C/O Jeroldine Hallberg
1800 Continental Place
Mount Vernon, Wa., 98273

RE: UGA Open Space Concept Plan

Dear Commissioners:

Please accept our comments with respect to UGA Open Space Concept Plan (The Plan) as it was presented at the March 13, 2009 Public Hearing. Our comments revolve around the notification process, legality, and appropriateness of The Plan.

We, as the owners of Apollo Properties which has title to property in question, were not properly notified with regard to the meeting and impending changes. We believe that as such any action taken by the County with respect to property does not constitute satisfaction of the due process incumbent on the County. Furthermore, we as individuals who own adjacent property, were also not notified of impending land use action with regard to the Plan.

After doing a preliminary title search, Apollo Properties has sold and granted an easement to several entities which includes Skagit County Dike District #3 for its exclusive use. If the County wishes to open negotiation with respect to other easements, Apollo would entertain any such negotiations.

A related issue would be the zoning status of the Dike Road property. Currently, the area South of Mount Vernon encompassing the properties owned by Apollo are zoned Ag or one of the related classifications. The current Ag status is totally incompatible with the contemplated public use of The Plan. Currently the application of pesticides of all types are ongoing. As such, all applicable Washington State and County rules are followed. Informed notification of neighbors insure the safety of everyone. If the owners or lease holders were required to accommodate the random nature of public use, we would be unable to utilize the adjacent property as we currently do. We believe this to qualify as a "Taking" of our property. We believe no further action should be taken until the above issues have been legally resolved.

We currently allow many of our neighbors to walk the dikes owned by Apollo. We have known and discussed with them unique features of the property to insure their safety. We are reluctant to allow and frequently ask people unfamiliar with the area not to be on the property for their safety. We have had people leave their garbage and furniture on the property and have witnessed behavior incompatible with raising children and families.

Notwithstanding the legal issues discussed above, this will come down to a safety issue for our family. I am well familiar with the problems associated with the parks in Mount Vernon and we are very uncomfortable with the possible influx of individuals not vested in the safety of the area. Specifically, we have had issues with regard to transients on Dike Road. Feel free to request this information from the Skagit County Sheriff which assisted our adult and minor children in this matter. I can not overstate the point that we take our children's safety seriously. We have had a number of robberies in the area and believe The Plan will magnify this problem. We are thankful for the level of law enforcement we currently

have but deem it to be insufficient under current conditions but totally inadequate when considering the scope of The Plan. The Plan as it's is currently presented makes no allowance for any of these concerns.

At the Public meeting, many spoke favorably of the recreational and societal benefits of The Plan. We acknowledge this and we have made resource allocations consistent with our desire to live in this area. Along with those choices were financial sacrifices. Each one of the people who spoke could have and can still make those same choices. Properties come for sale on a regular basis and we would welcome them to the neighborhood. However, it appeared that many who spoke wanted to enjoy our lifestyle without the financial sacrifice. If our government, The County, wishes to and places a high value on the above Plan, we believe that it should allocate the resources obtained from the benefitting taxpayer and implement The Plan. The Cities and County already have programs in place to fund Parks for this purpose.

We would appreciate your written response to the above issues and the commitment from the County that it intends to follow all of its own rules in this matter.

Thank you for your time and effort in this matter.

Best regards,



Michael N Roozen
Individually



Michael N Roozen
For Apollo Properties



Anita Hernandez Roozen