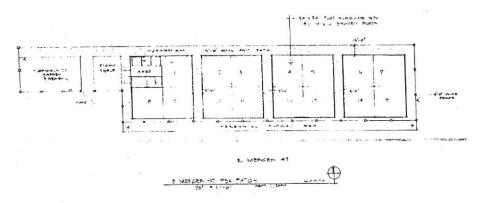
3. SDCI's view of this issue is false. The Panhandle is a formal part of the Mad P P-Patch.

4. The eastern half of the current panhandle was part of the original site map for the Mad P, when the P-Patch was first approved by the Department of Neighborhoods ("DON") and Seattle Department of Transportation ("SDOT"). Attached hereto as **Exhibit A** is a true and correct copy of the original SeaTran (now SDOT) permit for the P-Patch, together with the original site map. The original site map is also excerpted below. Originally, the portion of the panhandle depicted below (on the left side of the image) was used as an herb garden. As the Examiner can see, the eastern half of the current panhandle was clearly part of the original site design.

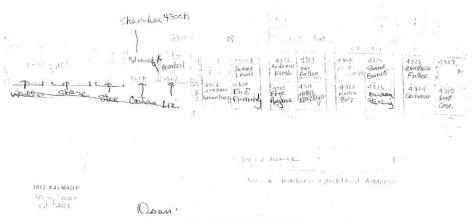


Source: Ex. A (Original Site Map from 2000)

- 5. Later, the panhandle was expanded to the west for use as a Kid's Garden. In 2006, this addition to the P-Patch was formally recognized by DON as part of the official P-Patch. This formal recognition was communicated to the Mad P community by Sandy Pernitz of DON, who conveyed to our community that DON had reached an agreement with SDOT to formally include what was then the Kid's Garden within the official P-Patch.
- 6. Each year through 2015, Ms. Pernitz circulated a hand-drawn map of the P-Patch to individuals who would be leasing plots during the coming year. Attached hereto as **Exhibit B** is a true

and correct copy of the map that Ms. Pernitz circulated in 2012, listing the tenant or tenants for each plot. In the lower left-hand corner of Exhibit A, Ms. Pernitz wrote "est. 2006," denoting that the current footprint of the P-Patch (including the western-most portion of the panhandle) was formally approved in 2006. This annotation was included in each prior iteration of the map since 2006. However, in the time I have had since SDCI filed its motion for reconsideration, I have not been able to locate those older maps.

7. Below is an excerpt from Exhibit B showing the footprint of the P-Patch as of 2012, including Ms. Pernitz's notation that it was approved in 2006. The area marked "food bank" at the west end of the panhandle is what I am referring to as the Kid's Garden. By this time, the herb garden in the eastern half of the panhandle had also been converted to two individual plots (identified as plots 4300A and 4300B in the image below).

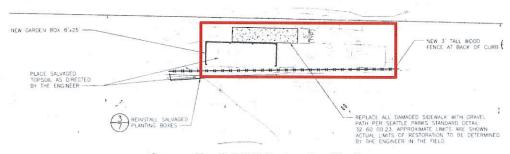


Source: Ex. B (2012 DON Map)

8. The configuration of the panhandle changed somewhat in 2015. Two years prior, in 2013, there was a break in a sewer line in the hill above the Mad P P-Patch, in the Mercer-Madison Woods. Representatives from Seattle Public Utilities ("SPU") met with Sandy Pernitz and I as the fix would require the use of a portion of the Mad P to access the hillside. We worked with SPU and

created a plan/schedule for repairing the pipe and restoration of the P-Patch following the fix. Work was to begin in November of 2014.

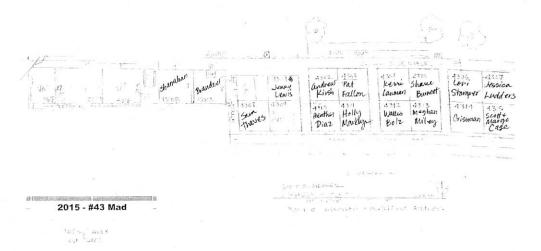
- 9. In August of 2014, however, I noted a bubble of sewage plus a strong sewage smell down by the Kid's Garden, which was located at that time in the panhandle. Following my reporting of that event, SPU expedited the repair. King County also closed the panhandle plots due to concerns about contamination.
- 10. Ultimately, SPU reconstructed the panhandle plots in 2015, at the city's expense. Attached hereto as **Exhibit C** is a true and correct copy of the final restoration plan, which I obtained from Scott Stevens, P.E., who was a senior capital projects coordinator at SPU. The restoration plan depicts the work that was done by the city to restore the panhandle plots after the sewage leak. The project involved construction of a new 8' x 25' garden box (to contain the soil outside the right-of-way), replacement of a damaged P-Patch walkway, a new fence, and reinstallation of salvaged planting boxes. Below is an excerpt from SPU's restoration plan, depicting the work that was done. The red box, which I have added, shows the location of the panhandle.



Source: Ex. C (2015 Restoration Plan)

11. Around the time of the sewage leak, the Mad P community decided that it would be better to convert the Kid's Garden to individual plots. Ultimately, that work was carried out by SPU as part of its 2015 restoration project. Attached hereto as **Exhibit D** is a true and correct copy of the annual map that Ms. Pernitz sent out in 2015, depicting the new plots at the west end of the Panhandle

that SPU created (plots 4316, 4317, and 4318), and the individuals leasing the plots that year. The 2015 map is also reproduced below. As above, Ms. Pernitz's notation that the footprint was approved in 2006 can be seen in lower left-hand corner ("est. 2006").



Source: Ex. D (2015 DON Map)

12. Ms. Pernitz was the Mad P P-Patch coordinator with DON until around April of 2015, when she was replaced in that role by Lisa Uemoto, another DON employee. In subsequent years, Ms. Uemoto continued Ms. Pernitz's tradition of circulating a map of the Mad P P-Patch each spring, listing the names of people who would be leasing plots for the coming year. Attached hereto as **Exhibit** E is a true and correct copy of the map that Ms. Uemoto circulated in 2016. As before, the westernmost "panhandle" plots are depicted as a formal part of the P-Patch. Below is an excerpt from the P-Patch map created by Ms. Uemoto in 2016, and circulated to the Mad P community.

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			1.75°C		en.		

Source: Ex. D (2016 DON Map)

- Finally, DON has been leasing the individual panhandle plots for as long as they have 13. existed. Exhibit F contains true and correct copies of applications from six individuals to rent four of the panhandle plots in 2019 - these are plots 4300A, 4316, 4317, and 4318. I obtained these applications from the named individuals but redacted their addresses. As the Examiner can see, five of these individuals are the same people who rented these plots over the past several years - Gene and Liz Brandzel (Plot 4300A), Paula Ladd and Hunter Robbins (4317), and Alexandria Jaeger (Plot 4318).
- I do not know how SDCI created the Geocortex map submitted as Exhibit B to its 14. motion for reconsideration, showing that the panhandle plots are not part of the P-Patch. But based on everything I know about the history of the Mad P P-Patch, that map is wrong.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this Htm day of March, 2019 at Seattle, Was

Bolz Declaration Exhibit A

Seatran	Aı	plication	Permittee copy	W9186
501 Municipal Bldg	684-5253	and Permit		***************************************

Location.. 3000BLK E MERCER ST

Use 54	Type ISSUED	From	days Expir	es Fee 0.00	Tbb No	<i>Date</i> 10-24-2000	Precon Constr Permit Bond	\$ 0.00 0.00 0.00	Gdv
	eceived \$ P-PATCH		Billed \$ is granted to	Contra	Plus a	leposit/bond	\$ 0.00		

#54 CONSTRUCT AND MAINTAIN A COMMUNITY P-PATCH IN THE PUBLIC RIGHT OF WAY INCLUDING THE INSTALLATION OF A WATER METER AND SERVICE LINES. PER APPROVAL OF DEPT. OF NEIGHBOR HOODS ON FILE. LOCATED ON E. MERCER ST. JUST EAST OF 30TH AVE. EAST

Public to be protected at all times. All work shall be in accordance with application and ordinances governing.

REQUIREMENTS (The fine print): Four or more RED OR FLASHING AMBER LIGHTS, of sufficient brilliance to be seen 500 feet, must be maintained at all times during the hours of darkness at the points of obstruction or excavation of any public place. Rights acquired under this permit are inferior to those acquired under existing or future street improvement contracts.

This permit is wholly of a temporary nature, vests no permanent rights whatsoever, and is revocable under ordinances governing.

All work within street areas must be done in accordance with Standard Plans and Specifications of Seatran, and with materials manufactured in the United States.

When working in a metered zone, meter hoods must be obtained from Seatran Traffic Engineer's office, 206/684-5086.

■ The quality and placement of asphaltic concrete must conform to Standard Plans and Specifications.

Parking vehicles in planting (parking) strip area is illegal and not allowed under this permit.

Permittee to be responsible for checking locations and providing adequate protection for all public utilities in street area.

City will not maintain the work done under this permit unless specifically noted.

CALL FOR INSPECTION: Call 684-5253 (South) or 684-7502 (North) twenty-four (24) hours before pouring concrete. Call 24 hours before applying for

OBSTRUCTIONS: If there is a hydrant, water meter, or water service in the way of driveway, notify Seattle Public Utilities and request them to change location of same. This may be done at the expense of the owner of the premises.

OWNERSHIP: All the improvements and facilities constructed under authority of this permit shall, upon completion and acceptance by the City

maintenance, become the property of the City of Seattle.

PAYMENT: Pay within 30 days from date of invoice all billings for City services and materials. Any invoice more than 90 days past due will be forwarded to a collection agency or the City Attorney's office for collection. All past due amounts will accrue interest at twelve percent (12%) per annum. In the event suit is commenced to collect on unpaid invoices, the prevailing party will be entitled to reasonable attorneys' fees and

THE CITY SHALL BE HELD HARMLESS FROM ANY ACTION ARISING THROUGH ISSUANCE OF THIS PERMIT.
IT SHALL BE TEMPORARY AND SUBJECT TO REVOCATION BY THE DIRECTOR OF ENGINEERING. UTILITY DAMAGE IS COSTLY! - CALL BEFORE YOU DIG 1-800-424-5555

Application Permittee copy X1078 Seatran 684-5253 and Permit 501 Municipal Bldg

30 AV E Location.. 530

								Deposits		
Use	Type	From	days	Expires	Fee	Tbb	Date	•	\$	Gdv
43	ISSUED	10-18-2000	90	01-16-2001	0.00	No	10-18-2000	Precon	0.00	
								Constr	0.00	
								Permit	0.00	
								Bond	0.00	

Fees received \$ Owner SARAH TREPHEWEY Rilled \$

Plus deposit/bond \$

0.00

Contractor P-PATCH (DON)

Permission is granted to

PERMISSION TO PREPARE STREET END PRIOR TO CONSTRUCTING A NEW P-PATCH. WORK TO INCLUDE REMOVING HAWTHORNS AND MAPLE FROM R.O.W.

Work must conform to ANSI 300 & ANSI Z133

0.00

Standard. Sidewalk/pedestrian access to be clear at all times. Signs and barricades per Traffic Control Manual. Ground person necessary to insure safe passage of cars and pedestrians.

Call 1-800-424-5555 for utility locates before digging.

NOTE: APPROVAL FROM TRAFFIC ENGINEERS REQUIRED INSPECTION TIME IN EXCESS OF ONE HOUR TO BE CHARGED AT \$95.00 PER HOUR.

Public to be protected at all times. All work shall be in accordance with application and ordinances governing.

REQUIREMENTS (The fine print): Four or more RED OR FLASHING AMBER LIGHTS, of sufficient brilliance to be seen 500 feet, must be maintained at all times during the hours of darkness at the points of obstruction or excavation of any public place.

Rights acquired under this permit are inferior to those acquired under existing or future street improvement contracts.

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Permittee to be responsible for checking locations and providing adequate protection for all public utilities in street area.

City will not maintain the work done under this permit unless specifically noted.

CALL FOR INSPECTION: Call 684-5253 (South) or 684-7502 (North) twenty-four (24) hours before pouring concrete. Call 24 hours before applying for final release of deposit.

OBSTRUCTIONS: If there is a hydrant, water meter, or water service in the way of driveway, notify Seattle Public Utilities and request them to change location of same. This may be done at the expense of the owner of the premises.

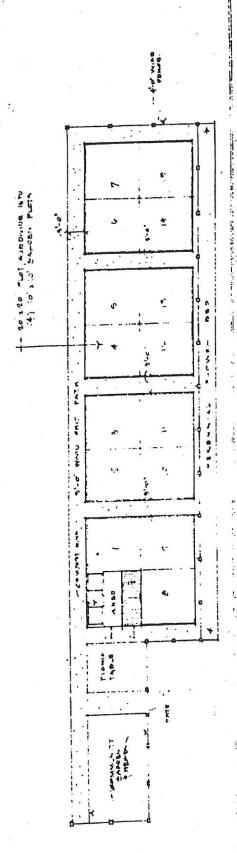
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PAYMENT: Pay within 30 days from date of invoice all billings for City services and materials. Any invoice more than 90 days past due will be forwarded to a collection agency or the City Attorney's office for collection. All past due amounts will accrue interest at twelve percent (12%) per annum. In the event suit is commenced to collect on unpaid invoices, the prevailing party will be entitled to reasonable attorneys' fees and costs of litigation.

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IT SHALL BE TEMPORARY AND SUBJECT TO REVOCATION BY THE DIRECTOR OF ENGINEERING. UTILITY DAMAGE IS COSTLY! - CALL BEFORE YOU DIG 1-800-424-5555

Call David Simpson at 615-0925

Site Map



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E. MERCER 41

Bolz Declaration Exhibit B

4314 CRISSMAN 4306 anastasia Fullep FRIET Shame 4313 TIMIT ETT 4317 Wallis 12017 Bunk FALLON 4302 indrew Kirsh JOHDAN GIZ Greenberg Flemin JERRY S Shawahan 430eB 1000 700M

(Markey)

1307- J

4300 & Shownham

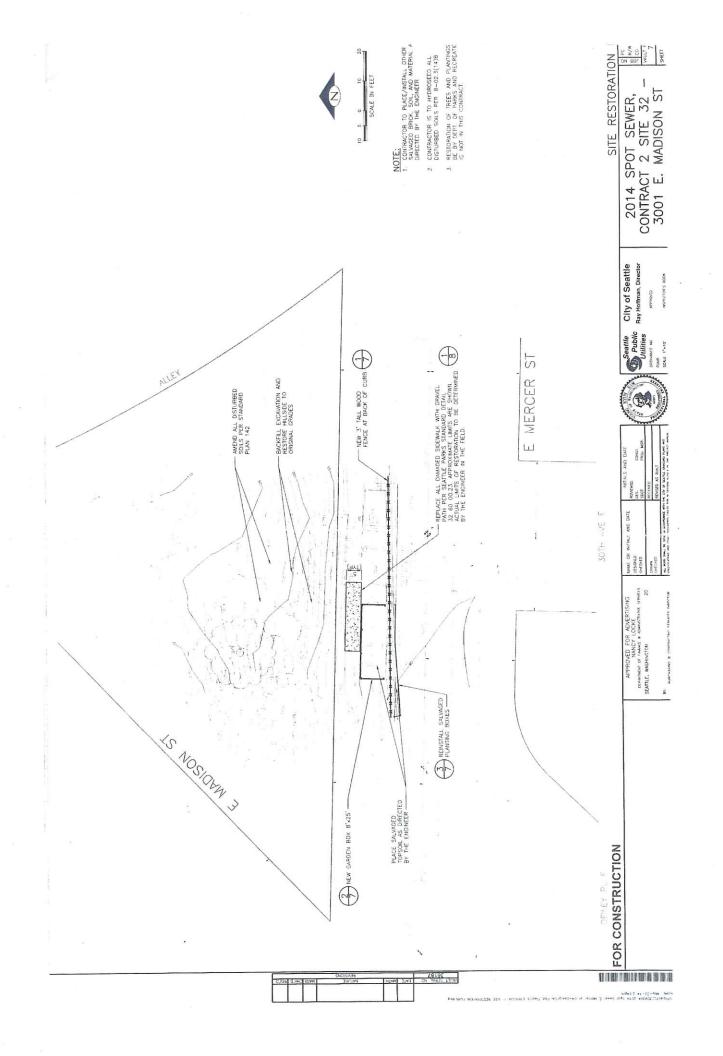
1329 43 (3 1-300 CE, MERCEP

Seci E, Madisen = parkland Address

4306 mad

lecsy max 2012-#43 MAD P

Bolz Declaration Exhibit C



Bolz Declaration Exhibit D

2015 - #43 Mad

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Bolz Declaration Exhibit E

Jessica Ludders 4315 Scott/ Margot Case COMMUNITY SPACE 4314 Audrey/ Charlie Crissman Lori Stamper 4306 Mike Connachan 4305 Shane/ Kristin Burnett 4313 Ω 4304 Kerri Lauman 4312 Wallis FOOD BANK* O 4303 Pat Fallon/ Dan Coleman Holly Marklyn 4311 4302 Andrew Kirsh Heather 4310 "PERSONAL" SPACE EAST MERCER STREET 4301 Jerry 4308 Sara Thaves pays **ENTRY** 4300B 4300A Gene/ Sylvia Liz Brandzel **JABAT** 4317 4316
Paula Ladd/ Jina
Hunter
Robbins Preschool

4318
Alex/
Chris

Liz Brandzel/ Kerri Lauman

 $\mathsf{LOOD}\ \mathsf{BPNK} \to$

 $COMPOST \rightarrow$

3 . AVE , E

DEMEX br. E.

* Food Bank
A. Holly Marklyn
B. Paula Laddrithnter Robbins
C. Audrey/Charle Crissman
D. Alex/Chris Jeegar

May 14, 2016

Bolz Declaration Exhibit F

P-PATCH COMMUNITY GARDENING PROGRAM 2019 ANNUAL APPLICATION

Note to Gardener:
GARDEN INFORMATION (garden fee is based upon the size and type of gardening space)
Site Name: Mad P Plot Name/Square Footage: 4300A / 150 ft. ²
CONTACT INFORMATION (official correspondence will be sent to primary gardener only)
It is your responsibility to update the Department of Neighborhoods if your information changes.
Gardener's Name: Gene & Liz Brandzel
Address: Zip: 98112
Phone: Cell: Email:
Co-Gardener's Name:
Co-Gardener's Phone: Co-Gardener's Email:
LANGUAGE PREFERENCE
Preferred language for communicating with the P-Patch Program:
If you have limited English language ability, please provide the name and contact information of a family member or friend that you trust to be the primary contact with the P-Patch Program.
Name: Relationship:
Phone: Email:



P-PATCH COMMUNITY GARDENING PROGRAM

Your 2019 Fee \$54.50 Plot Fee Assistance-is available. Before you submit your payment contact your Garden Coordinator Lisa Uemoto, 206-684-0303, lisa.uemoto@seattle.gov to see if you qualify. TOTAL FEE ENCLOSED \$

REFUND POLICY

Full refund granted within one month of application, no refund thereafter.

P-PATCH PRIVACY POLICY

By registering with the P-Patch program you acknowledge:

- Your name, phone number, email address, and physical address may be shared with P-Patch Program volunteers and <u>GROW</u> (nonprofit community gardening advocacy and service organization) who are authorized by P-Patch staff to contact you about activities related to the P-Patch gardens for which you are registering.
- This information may be subject to public disclosure.
- For more information on the City's privacy policy, go to http://www.seattle.gov/tech/initiatives/privacy.

CERTIFICATION

I certify all the information provided in this form and conveyed to Seattle Department of Neighborhoods staff regarding my participation in the P-Patch Community Gardening Program is true and accurate to the best of my knowledge. By signing below, I acknowledge that I have read and agree to comply with the RULES FOR P-PATCH PARTICIPANTS and the P-PATCH CODE OF CONDUCT, including completing the required community hours and maintaining an active and organic garden. I also understand that failure to comply with these rules, including engaging in the destruction of P-Patch property or the harassment of any gardener or staff, may result in the cancellation of my application and/or loss of my plot without refund of my fee. I understand that any person assisting me with my plot is also required to comply with the rules of the P-Patch Program.

Gardener's Signature	4 -	Date	

APPLICATION DUE DATE: January 21, 2019

Please Make Checks Payable to: P-Patch Program

Print, Sign, and Return Your Application & Payment to:

Seattle Department of Neighborhoods P-Patch Community Gardening Program PO Box 94649 Seattle, WA 98124-4649

FOR OFFICE USE ONLY
Fee processed on:
Track #
Plot Fee Assistance \$
Plot Fee Paid \$
Payment Plan

P-PATCH COMMUNITY GARDENING PROGRAM 2019 ANNUAL APPLICATION

Note to Gardener:
CARDEN INFORMATION (comba for in board on a first in a
GARDEN INFORMATION (garden fee is based upon the size and type of gardening space)
Site Name: Mad P Plot Name/Square Footage: 4316 / 100 ft. 2
CONTACT INFORMATION (official correspondence will be sent to primary gardener only)
It is your responsibility to update the Department of Neighborhoods if your information changes.
Gardener's Name: Sawyer Coleman
Address: Zip: 98102
Phone: Cell: Email:
Co-Gardener's Name:
Co-Gardener's Phone: Co-Gardener's Email:
LANGUAGE PREFERENCE
Preferred language for communicating with the P-Patch Program:
If you have limited English language ability, please provide the name and contact information of a family member or friend that you trust to be the primary contact with the P-Patch Program.
Name: Relationship:
Phone: Email:



P-PATCH COMMUNITY GARDENING PROGRAM

Your 2019 Fee \$47.00 Plot Fee Assistance-is available. Before you submit your payment contact your Garden Coordinator Lisa Uemoto, 206-684-0303, lisa.uemoto@seattle.gov to see if you qualify. TOTAL FEE ENCLOSED \$

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P-PATCH COMMUNITY GARDENING PROGRAM 2019 ANNUAL APPLICATION

Note to Gardener:	
GARDEN INFORMATION (gar	rden fee is based upon the size and type of gardening space)
Site Name: Mad P	Plot Name/Square Footage: 4317 / 100 ft. ²
CONTACT INFORMATION (of	fficial correspondence will be sent to primary gardener only)
It is your responsibility to update the l	Department of Neighborhoods if your information changes.
Gardener's Name: Paula Ladd &	Hunter Robbins
Address:	Zip: 98112
Phone: Cel	ll: Email:
Co-Gardener's Name:	
Co-Gardener's Phone:	Co-Gardener's Email:
LANGUAGE PREFERENCE	
Preferred language for communication	ating with the P-Patch Program:
that you trust to be the primary conta	
Name:	Relationship:
Phone: Ema	ail:



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FOR OFFICE	USE ONLY
Fee processed on:	
Track #	
Plot Fee Assistance \$	
Plot Fee Paid \$	
Payment Plan	

P-PATCH COMMUNITY GARDENING PROGRAM 2019 ANNUAL APPLICATION

Note to Gardener:
SARDEN INFORMATION (garden fee is based upon the size and type of gardening space)
ite Name: Mad P Plot Name/Square Footage: 4318 / 100 ft. ²
ONTACT INFORMATION (official correspondence will be sent to primary gardener only)
is your responsibility to update the Department of Neighborhoods if your information changes.
ardener's Name: Alexandria Jaeger
ddress <u>: Zip: 98112</u>
hone: Cell: Email:
o-Gardener's Name:
o-Gardener's Phone: Co-Gardener's Email:
ANGUAGE PREFERENCE
referred language for communicating with the P-Patch Program:
you have limited English language ability, please provide the name and contact information of a family member or friend at you trust to be the primary contact with the P-Patch Program.
ame: Relationship:
hone: Email:



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FOR OFFICE USE ONLY	
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Track #	_
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Payment Plan	