

The Honorable Michael Heavey  
Trial Date: Monday, June 27, 2011, 9:00 a.m.

SUPERIOR COURT OF WASHINGTON IN AND FOR KING COUNTY

BALLARD PRESERVATION ASSOCIATION, )  
LLC, a Washington Limited Liability Company )  
[a.k.a. "Ballard Preservation Association"]; )  
DALE JECH; and DENNIS MASHEK, )

Petitioners / Plaintiffs, )

v. )

THE CITY OF SEATTLE, a Washington )  
municipal corporation; COMPASS CENTER )  
BALLARD LLC, a Washington Limited )  
Liability Company [a.k.a. "Compass Center"]; )  
and RONDI SUSORT, )

Respondents / Defendants. )

No. 11-2-04829-2SEA

ORDER DENYING LUPA  
PETITION

This matter comes before the Court on the Land Use Petition Act (LUPA) Petition & Declaratory Judgment Complaint filed on January 27, 2011, (the "LUPA Petition"), pursuant to Chapter 36.70C RCW by Petitioners Ballard Preservation Association, Dale Jech, and Dennis Mashek (collectively, the "Petitioners").

The Court having considered the pleadings and files herein, and having heard oral argument of the parties and being thus and otherwise fully advised of the premises hereof, IT IS HEREBY ORDERED, JUDGED, AND DECREED that:

ORDER DENYING LUPA PETITION - 1

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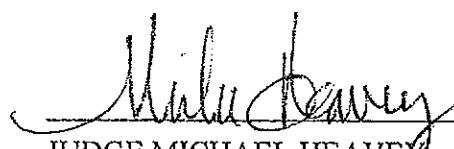
**GordonDerr**

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- 1. Petitioners' LUPA Petition is DENIED, and the City's decisions shall be and hereby are AFFIRMED. All of the claims raised in Petitioners' LUPA Petition and shall be and hereby are dismissed with prejudice.
- 2. Judgment is hereby entered in favor of Respondent/Defendant City of Seattle and Respondent/Defendant Compass Center Ballard LLC and against Petitioners, consistent with this Order.

DONE IN OPEN COURT this 5<sup>th</sup> day of July, 2011.

  
 \_\_\_\_\_  
 JUDGE MICHAEL HEAVEY

**Presented by:**

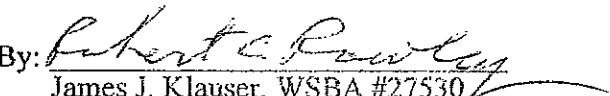
GORDONDERR LLP

By:   
 \_\_\_\_\_  
 Brent Carson, WSBA #16240  
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 Attorneys for Respondent/Defendant  
 Compass Center Ballard LLC

*City of Seattle*  
  
 \_\_\_\_\_  
 by Patricia Downs #25276

**Copy Received; Approved for Entry;**

ROWLEY & KLAUSER LLP

By:   
 \_\_\_\_\_  
 James J. Klauser, WSBA #27530  
 Robert C. Rowley, WSBA #4765  
 Attorneys for Petitioners/Plaintiffs

ORDER DENYING LUPA PETITION - 2

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