

Schroader, Kathy



From: Orjiako, Oliver
Sent: Monday, September 14, 2015 10:17 AM
To: Euler, Gordon; Alvarez, Jose
Cc: Schroader, Kathy
Subject: FW: Essential nexus - Rough proportionality For the Public Record and the DSEIS Review

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FYI, and for the record. Thanks.

From: Carol Levanen [mailto:cnldental@yahoo.com]
Sent: Saturday, September 12, 2015 10:03 PM
To: Stewart, Jeanne; Mielke, Tom; Madore, David; Orjiako, Oliver
Subject: Essential nexus - Rough proportionality For the Public Record and the DSEIS Review

146 Wn.2d 685, Benchmark Land Co. v. City of Battle Ground

[No. 70659-0. En Banc.]

Argued September 13, 2001. Decided July 11, 2002.

THE BENCHMARK LAND COMPANY, Respondent, v. THE CITY OF BATTLE GROUND, Petitioner.

686 Benchmark Land Co. v. City of Battle Ground July 2002
146 Wn.2d 685

JOHNSON, J., concurs in the result only; SANDERS, J., concurs by separate opinion.

July 2002 Benchmark Land Co. v. City of Battle Ground 687
146 Wn.2d 685

W. Dale Kamerrer (of Law, Lyman, Daniel, Kamerrer & Bogdanovich), for petitioner.

Le Anne M. Bremer (of Miller Nash, L.L.P.) and Ronald A. Franz, for respondent.

Bob C. Sterbankon behalf of Washington Association of Washington Attorneys and Washington State Association of Municipal Attorneys, amici curiae.

Brent D. Boger, Timothy M. Harris, Robin L. Rivett, and Russell C. Brookson behalf of Pacific Legal Foundation, amicus curiae.

Greg Overstreet, Jodi C. Slavik, John M. Groen, and Charles A. Klingeon behalf of Building Industry Association of Washington, amicus curiae.

Pamela B. Loginskyon behalf of Washington Association of Prosecuting Attorneys, amicus curiae.

Roger D. Wynne, and Douglas T. Kendall on behalf of Association of Washington Cities, amicus curiae.

IRELAND, J. - The City of Battle Ground sought review of the Court of Appeals' decision that the City unconstitutionally took property belonging to Benchmark Land Company

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by requiring Benchmark to make improvements to an existing street bordering its proposed subdivision as a condition to approving its plat application.