

WILLIAMS & WILLIAMS^{PSC}

A T T O R N E Y S A T L A W

REPRESENTING THE PACIFIC NORTHWEST SINCE 1953

KINNON W. WILLIAMS

MANAGING PARTNER

email: kww@williamspsc.com

PRACTICE AREAS

Municipal Work: My practice focuses on the representation of government. I have extensive experience representing Boards and Commissions on matters involving real estate acquisitions, public works projects, taxation, impact fees, and financing issues. Additionally, I advise municipal clients regarding the State's Open Public Meeting Act, Open Public Records Act, Tort Claims Act, as well as labor and employment matters. I am also often called upon to act as a negotiator and facilitator in actions between municipalities, or local governments and their constituencies. In addition, I have served as chair of the Local Government Committee of the Washington State Bar Administrative Law Section.

Eminent Domain: On behalf of both public and private clients, I have defended and prosecuted eminent domain actions related to a wide variety of public works projects. In these projects, I have coordinated with federal, state, and local authorities on a host of issues ranging from hazardous materials mitigation to the definitions of wetlands. While these issues generally have a common thread, each is unique in their use and potential uses of the property and location. This area of practice has also required me to gain a certain degree of expertise in the valuation of property and its various components, such as: parking stalls; circulation patterns; water retention; grade change; land use and development patterns; and the impact and effect of various forms of easements. In related activities, I co-authored the Washington State Bar Association Real Property Deskbook's chapter on eminent domain; have authored articles and spoken on the subject at regional and national seminars, and have participated in an American Bar Association conference on eminent domain law.

Real Estate: I work with clients on a variety of real estate matters, including drafting of easements, leases, joint parking and access agreements, acquisitions, special and conditional use permitting, variances, and joint development agreements.

GENERAL TRIAL PRACTICE

I began my career in 1986 as a criminal prosecutor for Pierce County; since then I have successfully tried numerous jury and bench trials. Since entering private practice, I have represented clients in a wide range of civil and criminal matters from discrimination and wrongful discharge suits to condemnation and other real estate cases.

ADMINISTRATIVE PRACTICE

I have also represented municipal clients in administrative hearings on land use, local improvement district and employment matters.

REPRESENTATIVE CASES AND RESULTS

Arthur T. Lane, et al. v. The City of Seattle, Washington State Supreme Court Decision, No. 80204-1 October 16, 2008. Successfully litigated in Washington State Supreme Court on behalf of King Fire Protection Districts 2, 4, 11, 16 and 20, to establish that hydrant costs cannot be imbedded in water utility rates; those costs are the responsibility of the general municipal government. This was a 9-0 decision.

City of Lynnwood v. Video Only, Inc. 118 Wn. App. 674, 77 P.3d 378 (2003), *review denied* January 7, 2004. Successfully argued in a challenge to public use and necessity in an eminent domain action that the project must be considered as a whole and not be limited to the single property named in the suit);

Currin v. Raff, No. 50557-2-I, April 21, 2003, Unpublished Decision. Successful defense of restraining order against neighbor preventing trespass and summary judgment quieting title against neighbor's claims of adverse possession.

Peterson v. Rayfield, No. 49527-5-I, September 3, 2002, Unpublished Decision. Successful defense of verdict in favor of our interpretation of roadway maintenance agreement which interpretation did not restrict development of client's property.

Sattler v. Northwest Tissue Center, 110 Wn. App. 689, 42 P.3d 440, No. 48157-6-I March 18, 2002, *review denied* October 29, 2002. Reversal of trial court dismissal on summary judgment – case involves the Uniform Anatomical Gifts Act.

Gaylord v. Snohomish County et al., No. 46663-1-I, November 26, 2001 Unpublished Decision. Successful defense against attorneys fee claim by Snohomish County under Land Use Petition Act.

Faulkner v. Racquetwood Village Condominium Association, et al., 106 Wn. App. 483, 23 P.3d 1135, June 4, 2001, *review denied* December 2001. Successful defense of condominium unit owner against claim by crime victim and homeowners association for damages from a crime which originated in common area of condominium.

King County Fire Protection Districts Nos. 16, 36, and 40 v. The Housing Authority of King County, 123 Wn. 2d 819, 1994. A 9-0 decision in which the Supreme Court held that benefit charges imposed by Fire Protection Districts are not taxes and that the Housing Authority must contract with Fire Protection Districts for fire protection services.

RELATED EXPERIENCE & ACTIVITIES

ADVISORY
BOARDS

Washington State Bar Association, Solo and Small Practice
Division Board, 2007-present

King County Bar Association Judicial Evaluation
Committee, 2008-present

ELECTED
POSITIONS

Northshore Utility District, North King County, WA.
Commissioner, 1993 to 2007

CERTIFICATIONS

National Institute of Trial Advocacy, Graduate, June 2001
Washington State Licensed Real Estate Instructor

SIGNIFICANT
PUBLICATIONS

Washington State Bar Association Real Property Deskbook,
co-author of chapter on eminent domain, publication date
2009

“Taking Fear Out of Land Acquisition,” Fire Chiefs
Magazine, Denver, CO., May 2007

LEOFF II Disability Supplement Procedural Manual,
Copyright 1989

Hand in Hand, Mano en Mano, with the Peace Corps Latin
American Caribbean Region, Government Printing Office,
1981

SIGNIFICANT
SEMINARS

Speaker, Rubic, LLC “Succeeding in Tough Times,” March
2009

Speaker, International Right of Way Annual Conference,
Las Vegas, NV, “Relax... You’re Just Testifying,” January
2009

Speaker, National Business Institute, “Road and Access
Law: Researching and Resolving Common Disputes,”
December 2008

Co-Chair, Law Seminars International, Relocation Issues in
Eminent Domain Conference, December 2008

Speaker, National Business Institute, “Road and Access Law: Successfully Handling Disputes,” August 2008

Speaker, Washington State Bar Association, “Winning Strategies: Success in the Practice of Law,” January 2008

Co-Chair & Speaker, Law Seminars International, Government Takings: A Comprehensive One-day Workshop, December 2007

Speaker, International Right of Way Association Region 4, “Valuation of Critical Areas Following *Citizens Alliance and Futurewise*,” September 2007

Speaker, Fire Chiefs Station Style Conference, Denver, Co., “Taking the Fear Out of Land Acquisition,” April 2007

Speaker, Washington State Bar Association, “You Asked For It: The Essential Guide For Solo and Small Firm Practitioners,” February 2007

Co-Chair & Speaker, Law Seminars International, Government Takings Conference; spoke on “The New Face of Public-Private Partnerships: Navigating Tepid Waters Following Kelo and the ‘Sinking Ship’ Decision,” and “Litigating the Eminent Domain Case: Discovery through Verdict,” December 2006

Co-Chair & Speaker, Law Seminars International, Government Takings: The Latest on Eminent Domain and “In Effect” Takings Law Conference; spoke on “Smartening up of Government: Trend Toward Taking Limited Usage Rights Rather Than the Entire Property,” December 2005

Speaker, Washington Association of Sewer & Water Districts, City District Relationships, Spring 2002

Speaker, Washington State Bar Association, “Administrative Hearings: What Judges Really Want to Hear,” November 1998

Speaker and Program Chair, Advising and Defending Public Officials, December 1996

PROFESSIONAL
MEMBERSHIPS

United States Court of Appeals for the Ninth Circuit

United States District Court for the Western District of
Washington

United States District Court for the Eastern District of
Washington

Washington State Bar Association, admitted October 1986

American Bar Association

Washington State Trial Lawyers Association

King County Bar Association