Notice of Application

To: Adjacent Property Owners
Applicant

From: Scott Turnbull, Planner II
Community Development Services

Date: June 4, 2008.

Subject: Notice of Application (OS-08-06), Hyak 1, 2, 3-Open Space Application

Catherine Dunn, authorized agent for James K. Schuler & Associates, landowner, submitted a complete application for an Open Space Classification of 23.64 acres located in the Forest & Range zoning district. The property is located off Hyak Drive, Snoqualmie Pass, WA 98068, in a portion of Section 15, T 22N, R11E, WM. Assessor’s map numbers 22-11-15033-0001 & 22-11-15032-0003 & 22-11-15032-0004.

Please send any comments regarding this application by June 30, 2008 at 5:00 p.m. Please address comments to Scott Turnbull, Staff Planner, Kittitas County Community Development Services, 411 North Ruby Street, Suite 2, Ellensburg WA 98926, or by e-mail at: Scott.Turnbull@co.kittitas.wa.us.

An open record hearing is tentatively scheduled before the Kittitas County Planning Commission on November 17, 2008, at 6:30 p.m. in the Commissioner’s Auditorium, Kittitas County Courthouse. Written and oral testimony will be considered by the Planning Commission at said public hearing. Inquiries should be directed to Scott Turnbull at the CDS office at (509)962-7506.
CHECKLIST FOR OPEN SPACE/TIMBER LAND APPLICATION

☐ 1. Per RCW 84.34 and Kittitas County Resolution 2002-99 as they currently exist or may be hereafter revised:

A.) All applications for Open Space shall clearly state how the change in classification shall maintain, preserve, conserve and otherwise continue open space lands for the welfare and benefit of the general public per RCW 84.34.020 (1). Open Space criteria must conform to one or more classifications listed on Paragraph Six of the application and be accompanied by a detailed description as to confirmation in that category. Notarized easement for public use may be required from applicant, upon acceptance, if legislative authority requires public access as a condition of approval.

Kittitas County is in the process of establishing a Public Benefit Rating System for Open Space Applications. Once such a system has been adopted, Kittitas County will revisit each application approved prior to the adoption. The applications will then be rated on a point system. Point totals will establish the percentage of reduction from market value for which the property will benefit due to open space.

B.) All applications for Timber Land must be five or more acres of land only in any contiguous same ownership which is primarily devoted to and used for growing and harvesting timber per RCW 84.34.020 (3). A timber management plan prepared by a professional forester must be included with the application. Guidelines for such a plan are available from the Assessor’s Office.

☐ 2. Within platted subdivisions, only those parcels that prohibit residential structures shall be eligible for Open Space or Timberland Classification per Kittitas County Resolution 2002-99.

☐ 3. All parcels per application must be in same contiguous ownership.

☐ 4. Owner(s) name, address and telephone number must be on application.

☐ 5. Property location must be completed.

☐ 6. Note interest in property (fee owner, contract purchaser, other-describe).

☐ 7. Complete Assessor’s Parcel Numbers must be listed on application.

☐ 8. Complete legal description is required. Attach separately, if necessary. Identify improvement site(s) that do not qualify for classification at the time of application or future site(s) that applicant desires to be excluded from application. Such site(s) must be a minimum size of one acre and must be created by completing a Segregation Form, which is available from the Assessor’s Office.

☐ 9. Note classification being sought. A single application may be made for both Open Space and Timberland but a separate legal description must be provided for each area of classification.

☐ 10. List total acres in application. Separate acreages required if applying for Open Space and Timber Land.

☐ 11. All owners must sign application.

☐ 12. Non-refundable application fee of $300.00 is payable to Kittitas County Treasurer. Complete application and copy of receipt must be submitted in triplicate to Kittitas County Commissioners Office.

For further information, please contact Kittitas County Commissioners, phone (509) 962-7508 or Kittitas County Assessor, phone (509) 962-7633, both located at 205 West Fifth, Ellensburg, Washington.
APPLICATION FOR CLASSIFICATION OR RECLASSIFICATION AS OPEN SPACE LAND OR TIMBER LAND FOR CURRENT USE ASSESSMENT UNDER CHAPTER 84.34 RCW

Name of Applicant: James & Schuler Assoc. Phone No.: 509-857-2044
Address: PO Box 808 Cle Elum WA 98922
Property Location: Hyak WA

1. Interest in property: ☑ Fee owner □ Contract purchaser □ Other (Describe)
2. Assessor's Parcel or Account Number: 848354 198335 - 22-11-15020-0001
   Legal description of land to be classified:

3. Land classification that is being sought: ☑ Open Space □ Timber Land

   NOTE: A single application may be made for both open space and timber land, but a separate legal description must be furnished for each area that classification is being sought.

4. Total acres in application: 22.38 acres

5. OPEN SPACE CLASSIFICATION
   Number of acres: 22.38 acres

6. Indicate what category of open space this land will qualify for: (see reverse side for definitions)
   ☑ Conserve and enhance natural or scenic resources
   ☑ Protect streams or water supply
   ☑ Promote conservation of soils, wetlands, beaches or tidal marshes
   ☑ Enhance public recreation opportunities
   ☑ Enhance value to public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space
   ☑ Preserve historic sites
   ☑ Preserve visual quality along highway, road, and street corridors or scenic vistas
   ☐ Retain in natural state tracts of one (1) or more acres in urban areas and open to public use as reasonably required by granting authority.
   ☐ Farm and agricultural conservation land as defined in RCW 84.34.020(8)

7. TIMBER LAND CLASSIFICATION
   Number of acres:

   Definition: "Timber land" means any parcel of land that is five or more acres or multiple parcels of land that are contiguous and total five or more acres which is or are devoted primarily to the growth and harvest of forest crops for commercial purposes. "Timber land" means land only.

   A timber management plan shall be filed with the county legislative authority either (a) when an application for classification as timber land pursuant to this chapter is submitted; (b) when a sale or transfer of timber land occurs and a notice of classification continuance is signed; or (c) within sixty days of the date the application for reclassification under this chapter is received. The application for reclassification will be accepted but not processed until the timber management plan is received. If the timber management plan is not received within sixty days of the date the application for reclassification is received, the application for reclassification shall be denied. If circumstances require it, the county assessor may allow in writing an extension of time for submitting a timber management plan when an application for classification or reclassification or notice of continuance is filed. When the assessor approves an extension of time for filing the timber management plan, the county legislative authority may delay processing an application until the timber management plan is received. If the timber management plan is not received by the date set by the assessor, the application or the notice of continuance shall be denied.

REV 64-0021-1 (9/1/02)
8. Submit a copy of your timber management plan with this application. A timber management plan will include the following elements:
   a) a legal description of, or assessor’s parcel numbers for, all land the applicant desires to be classified or reclassified as timber land,
   b) date or dates of acquisition of the land,
   c) a brief description of timber, or if harvested, the owners plan for restocking,
   d) whether there is a forest management plan for the land,
   e) if so, the nature and extent of implementation of the plan,
   f) if land is used for grazing,
   g) whether the land has been subdivided or a plat filed with respect to the land,
   h) whether land and applicant are in compliance with restocking, forest management, fire protection, insect and disease control, etc.,
   i) whether land is subject to forest fire protection assessments pursuant to RCW 76.04.610,
   j) whether land is subject to a lease, option, or other right that permits it to be used for a purpose other than growing and harvesting timber,
   k) a summary of past experience and activity of the applicant in growing and harvesting timber,
   l) a summary of current and continuing activity of the applicant in growing and harvesting timber,
   m) a statement that the applicant is aware of the potential tax liability involved when the land ceases to be classified as timber land.

9. Describe the present improvements on this property (buildings, etc.).

10. Is this land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☑ No
   If yes, attach a copy of the lease agreement.

NOTICE: The assessor may require owners to submit pertinent data regarding the use of classified land.

OPEN SPACE LAND MEANS:
(a) Any land area so designated by a comprehensive land use plan adopted by a city or county authority, or
(b) Any land area, in which the preservation in its present use would:
   (i) Conserve and enhance natural or scenic resources,
   (ii) Protect streams or water supply,
   (iii) Promote conservation of soils, wetlands, beaches or tidal marshes,
   (iv) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space,
   (v) Enhance recreation opportunities,
   (vi) Preserve historic sites,
   (vii) Preserve visual quality along highway, road, and street corridor or scenic vistas, or
   (viii) Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority.
(c) Or, any land meeting the definition of “farm and agricultural conservation land”.

STATEMENT OF ADDITIONAL TAX, INTEREST, AND PENALTY DUE UPON REMOVAL OF CLASSIFICATION
1. Upon removal of classification, an additional tax shall be imposed which shall be due and payable to the county treasurer 30 days after removal or upon sale or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of the following:
   (a) The difference between the property tax paid as “Open Space Land” or “Timber Land” and the amount of property tax otherwise due and payable for the last seven years had the land not been so classified; plus
   (b) Interest upon the amounts of the difference (a), paid at the same statutory rate charged on delinquent property taxes.
   (c) A penalty of 20% shall be applied to the additional tax if the classified land is applied to some other use except through compliance with the property owner’s request for withdrawal process, or except as a result of those conditions listed in 2) below.

REV 64-0021-2 (9/1/02)
2. The additional tax, interest, and penalty specified in (1) above shall not be imposed if removal resulted solely from:
   (a) Transfer to a government entity in exchange for other land located within the State of Washington.
   (b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power.
   (c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
   (d) Official action by an agency of the State of Washington or by the county or city where the land is located disallowing the present use of such land.
   (e) Transfer of land to a church when such land would qualify for property tax exemption pursuant to RCW 84.36.020.
   (f) Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108 (6)(f).
   (g) Removal of land classification as farm & agricultural land under RCW 84.34.020(2)(e) (farm homesite).
   (h) Removal of land from classification after enactment of statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification.
   (i) The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.13.120.
   (j) The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.
   (k) The sale or transfer of the land within two years after the death of the owner of at least fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993;
   (l) The sale or transfer of land after the death of the owner of at least fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993 and the sale or transfer takes place within two years after July 22, 2001, and the death of the owner occurred after January 1, 1991, or;
   (m) The date of death shown on a death certificate is the date used.

AFFIRMATION

As owner(s) of the land described in this application, I hereby indicate by my signature that I am aware of the potential tax liability involved when the land ceases to be classified under provisions of Chapter 84.34 RCW. I also declare under the penalties for false swearing that this application and any accompanying documents have been examined by me and to the best of my knowledge it is true, correct, and complete statement.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070).

Signatures of all Owner(s) or Contract Purchaser(s):

[Signature]

All owners and purchasers must sign.

Date application received: ____________________________

Amount of processing fee collected $ ____________________________

Transmitted to: ____________________________ Date: ____________________________

[Signature]

Date received:

☐ Application approved ☐ Approved in part ☐ Denied

Owner notified of denial on: ____________________________

Mailed on: ____________________________

For tax assistance, visit http://dor.wa.gov or call (800) 647-7706. To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 486-2342. Teletype (TTY) users may call (800) 431-7982.
SUBDIVISION GUARANTEE

Office File Number : 0104427
Guarantee Number : 48 0035 72030 6728
Dated : May 11, 2007, at 8:00am
Liability Amount : $ 1,000.00
Premium : $ 200.00
Tax : $ 15.40
Your Reference : SCHULER
Name of Assured: ENCOMPASS ENGINEERING & TERRA DESIGN GROUP

The assurances referred to on the face page are:

That, according to those public records with, under the recording laws, impart constructive notice of matters relative to the following described real property:

PARCEL 1:

That portion of Section 15, Township 22 North, Range 11 East, W.M., in the County of Kittitas, State of Washington, described as follows:

Commencing at the Northeast corner of Lot 1 in the Plat of Hyak Estates No. 1, recorded in Volume 4 of Plats, pages 36 and 37, records of said county; thence South 88°37’21” East along the Southerly margin of the Chicago, Milwaukee, St. Paul, & Pacific Railroad Company’s tunnel of right of way, parallel with and 100.00 feet Southerly of the centerline of said right of way, a distance of 199.49 feet to the East line of the Southwest Quarter of the Northwest Quarter of said section; thence South 0°29’48” West along said East line 50.01 feet to said railroad right of way, here parallel with and 150.00 feet Southerly of said centerline, and the point of beginning; thence South 14°15’13” East 150.00 feet; thence due East 200.00 feet; thence North 13°16’24” East 123.55 feet to intersect said railroad right of way, here parallel with and 150.00 feet Southerly of said centerline; thence Westerly along said right-of-way margin 275.00 feet, more or less, to the Point of Beginning.

PARCEL 2:

The Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., lying Westerly of the Westerly margin of the Chicago, Milwaukee, St. Paul and Pacific Railroad as now established; AND

That portion of the Northwest Quarter of Section 15 lying South of the Southerly margin of the Chicago, Milwaukee, St. Paul and Pacific Railroad as now established, within Kittitas County, State of Washington;

EXCEPT from all of the above following described property:

1. All of Hyak Estates as recorded in Volume 4 of Plats, pages 36 and 37, records of Kittitas County, State of Washington;
2. All of Hyak Estates Division Number 2, recorded in Volume 4 of Plats, pages 44 and 45, records of Kittitas County, State of Washington;
3. All of Hyak Estates, Division Number 3, as recorded in Volume 4 of Plats, pages 63, 64 and 65, records of Kittitas County, State of Washington;
4. All of Hyak Estates, Division Number 4, as recorded in Volume 5 of Plats, pages 18 and 19, records of Kittitas County, State of Washington;
5. That portion of the Southwest Quarter of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington described as follows:

Commencing at the Southwest corner of said section; thence South 89°18'35" East along the South line of said section 1637.78 feet to intersect the Southwesterly margin of Rampart Drive West, as shown on Sheet 2 of 2 sheets of the Plat of Hyak Estates No. 4, recorded in Volume 5 of Plats, pages 18 and 19, records of said county, at a point on a curve from which the center lines South 74°40'46" West, 431.59 feet; thence Northwesterly along said road margin and along said curve to the left through a central angle of 32°29'21" an arc distance of 244.73 feet to a point of tangency; thence North 47°48'35" West along said road margin, 368.08 feet to the point of beginning; thence continuing North 47°48'35" West along said road margin, 131.94 feet; thence South 57°41'25" West, 73.11 feet; thence South 33°48'45" East, 133.60 feet; thence North 54°14'25" East, 105.06 feet to the point of beginning;

6. That portion of the Northwest Quarter of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:

Commencing at the West Quarter corner of said section, as shown on Sheet 2 of 2 Sheets of the Plat of Hyak Estates, recorded in Volume 4 of Plats, page 37, records of said county; thence South 0°39'46" West, along the West line of said subdivision and along the West boundary of said plat 898.28 feet to an angle point on said plat boundary, said angle point being the point of beginning; thence South 39°51'21" East, along the Southwesterly boundary of said plat, 384.10 feet; thence North 39°20'14" West, 249.54 feet to the West line of said subdivision; thence North 0°39'46" East, 292.00 feet to the point of beginning;

7. That portion of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:

Commencing at the Northeast corner of Lot 1 in the Plat of Hyak Estates Number 1, recorded in Volume 4 of Plats, page 36 and 37, records of said county; thence South 88°37'21" East, along the Southerly margin of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company's tunnel right of way parallel with and 100.00 feet Southerly of the centerline of said right of way, a distance of 199.49 feet to the East line of the Northwest Quarter of the Northwest Quarter of said section; thence South 0°29'48" West along said East line 50.01 feet to said railroad right of way, here parallel with and 150.00 feet Southerly of said centerline; thence South 14°15'13" East, 494.84 feet to the point of beginning; thence continuing South 14°15'13" East, 500.00 feet; thence North 75°44'47" East, 337.03 feet; thence North 14°42'21" West, 87.34 feet to a point of curve to the left, having a radius of 75.00 feet; thence Northwesterly along the arc of said curve through a central angle of 48°17'39" an arc distance of 63.22 feet to a point of tangency; thence North 63°00'00" West, 149.25 feet to the beginning of a curve to the right, having a radius of 100.00 feet; thence Northerly along the arc of said curve through a central angle of 48°17'39" an arc distance of 84.29 feet to a point of tangency; thence North 14°42'21" West, 122.40 feet to a point of curve to the left, having a radius of 20.00 feet; thence Northerly and Northwesterly along the arc of a curve through a central angle of 68°49'54" an arc distance of 24.03 feet to a point of compound curvature, whose center lines South 6°27'45" West distance 740.00 feet; thence continuing Westerly along said curve through a central angle 6°27'45" an arc distance of 83.47 feet to a point of tangency; thence due West 73.33 feet to the point of beginning;
(SCHEDULE A continued)

File No. 0104427

Guarantee Number: 48 0035 72030 6728

LEGAL DESCRIPTION CONTINUED

8. That portion of the Southeast Quarter of the Southwest Quarter and of the Southwest Quarter of the Southeast Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
   Beginning at the South Quarter Section corner of said Section 15; thence North 89°18'35" West along the South line of the Southeast Quarter of the Southwest Quarter of said Section a distance of 272.49 feet to the Southeast corner of Lot 28, Hyak Estates, Division Number 4, as recorded in Volume 5 of Plats, pages 18 and 19, records of said county; thence North 14°42'21" West along the Easterly line of said Division Number 4, a distance of 684.57 feet; thence South 89°18'35" East, 342.28 feet to the West margin of Hyak Drive East, as platted in Hyak Estates Division Number 3, recorded in Volume 4 of Plats, pages 83, 64 and 65, records of said county; thence South 14°42'21" East along said right of way 684.32 feet to the South line of the Southwest Quarter of the South Quarter of the Southeast Quarter of said section; thence North 89°30'25" West along the South line of said Southwest Quarter of the Southeast Quarter a distance of 69.72 feet to the point of beginning;

9. That portion of the West Half of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
   Commencing at the Southern most corner of Lot 123, Hyak Estates Division Number 1, as recorded in Volume 4 of Plats, pages 36 and 37, records of said county; thence South 18°02'00" East along the Easterly prolongation of said Lot 123, a distance of 210.00 feet; thence North 71°58'00" East, 14.00 feet to the point of beginning; thence continuing North 71°58'00" East, 83.00 feet; thence South 18°02'00" East, 200.00 feet; thence South 71°58'00" West, 83.00 feet; thence North 18°02'00" West to the point of beginning;
   (being the Plat of Sundance, a condominium)

10. That portion of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
   Commencing at the Northeast corner of Lot 1 in the Plat of Hyak Estates Number 1, recorded in Volume 4 of Plats, pages 36 and 37, records of said county; thence South 88°37'21" East along the Southerly margin of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company's tunnel right of way parallel with and 100.00 feet Southerly of the centerline of said right of way, a distance of 199.49 feet to the East line of the Southwest Quarter of the Northwest Quarter of said section; thence South 0°29'48" West along said East line 50.01 feet to said railroad right of way, here parallel with and 150.00 feet Southerly to said centerline and the point of beginning; thence North 14°15'13" East, 150.00 feet; thence due East 200.00 feet; thence North 13°16'24" East, 123.55 feet to intersect said railroad right of way, here parallel with and 150.00 feet Southerly of said centerline; thence Westerly along said right of way margin 275.00 feet, more or less, to the point of beginning;

11. That portion of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
   Beginning at the Southeast corner of said Southwest Quarter; thence North 89°18'35" West, along the South line thereof 272.49 feet; thence North 14°42'21" West, 297.24 feet; thence South 75°19'39" West, 98.50 feet; thence North 48°58'51" West, 371.80 feet; thence North 36°59'51" West, 318.00 feet; thence North 9°47'51" West, 238.40 feet; thence North 29°08'39" West, 160.50 feet; thence North 47°09'26" West, 117.35 feet; thence North 56°44'55" West, 88.88 feet; thence North 17°47'09" West, 172.00 feet to the true point of beginning; thence continuing North 17°47'09" West, 173.00 feet; thence North 72°12'51" East, 105.66 feet; thence South 12°17'09" East, 173.80 feet; thence South 72°12'51" West, 89.00 feet to the true point of beginning;
   (being the Plat of Suncrest, a condominium)
12. That portion of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington as shown and described on the record of survey drawing prepared by Western Pacific Engineering, Inc., dated November 1991 and as described as follows:

Beginning at a found 3 inch U.S. Forest Service aluminum cap monument marking the Southwest corner of the Southwest Quarter of said Section 15;

Thence North 00°39'46" East, coincident with the West boundary line of the Southwest Quarter of said Section 15, a distance of 1444.15 feet to the Southwest corner of the parcel described in the legal description as found in Volume 16 of Deeds, page 19, as found under the Kittitas County Auditor’s File No. 364213, and to a point that bears South 00°39'46" West, coincident with the West boundary line of the Southwest Quarter of said Section 15 a distance of 291.99 feet from the Southwest corner of the plat known as Hyak Estates as recorded in Volume 4 of Plats, pages 36 and 37, as found under the Kittitas County Auditor’s File No. 341703, said point bears South 00°39'46" West, coincident with the West boundary line of the Southwest Quarter of said Section 15, and the West boundary line of said Hyak Estates, a distance of 1190.27 feet from a found ½ inch iron pin monument marking the Northwest corner of the Southwest Quarter of said Section 15; thence South 89°20'14" East, coincident with the South boundary line of said parcel, a distance of 249.55 feet to the Southwest boundary line of said Hyak Estates Plat and to the Southeast corner of said parcel, said point bears South 39°51'21" East, coincident with the Southwest boundary line of said Hyak Estates Plat, a distance of 384.10 feet from the Southwest corner of the Hyak Estates Plat; thence on the following two courses, coincident with the Southwest and the South boundary line of said Hyak Estates Plat:

1. South 39°51'21" East, a distance of 115.80 feet;
2. South 90°00'00" East, a distance of 395.00 feet;

Thence North 81°38'14" East, a distance of 640.86 feet to the Southwest corner of the Plat of Sundance a Condominium, as found in Book 6 of Plats, pages 44 through 49, as found under the Kittitas County Auditor’s File No. 387137; thence North 71°58'00" East, coincident with the South boundary line of said Sundance Condominium Plat, a distance of 83.00 feet to the Southeast corner of said Sundance Condominium Plat;

Thence North 71°58'00" East, a distance of 49.28 feet;

Thence South 08°41'37" East, a distance of 129.67 feet;

Thence South 18°04'38" East, a distance of 125.00 feet;

Thence North 71°55'22" East, a distance of 90.00 feet;

Thence South 18°04'38" East, a distance of 44.61 feet;

Thence South 46°50'56" East, a distance of 54.87 feet;

Thence South 47°09'26" East, a distance of 117.35 feet;

Thence North 88°39'19" East, a distance of 220.65 feet;

Thence South 34°13'41" East, a distance of 46.69 feet;

Thence South 72°07'32" West, a distance of 347.69 feet;

Thence South 86°24'10" West, a distance of 243.11 feet to a point that lies 10.00 feet Southwesterly of the centerline of the chair lift designated as chair lift number 1; thence South 46°09'49" West a distance of 1381.86 feet to the South boundary line of the Southwest Quarter of said Section 15, said course being parallel with and 10.00 feet Southwesterly of the centerline of said chair lift number 1; thence North 89°18'35" West, coincident with the South boundary line of the Southwest Quarter of said Section 15, a distance of 403.20 feet to the point of beginning;
(SCHEDULE A continued)

LEGAL DESCRIPTION CONTINUED

13. That portion of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, as shown and described on the record of survey drawing prepared by Western Pacific Engineering, Inc., dated November 1991 and as described as follows:

Commencing at the Northeast corner of Lot 1 in the Plat of Hyak Estates Number 1, recorded in Volume 4 of Plats, on pages 36 and 37, as found under the Kittitas County Auditor’s File NO. 341703; Thence South 88°37’21” East, coincident with the South right of way boundary line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company’s tunnel, a distance of 199.49 feet to the East boundary line of the Southwest Quarter of the Northwest Quarter of said Section 15, said course being parallel with and 100.00 feet Southerly of the centerline of the right of way for said railroad; thence South 00°29’48” West, coincident with the Southerly right of way boundary line of said railroad, a distance of 50.01 feet to an angle point in said right of way boundary line that is 150.00 feet Southerly of the centerline of the right of way of said railroad; thence South 14°15’13” East, a distance of 494.84 feet to the point of beginning, to the Northwest corner of the parcel described in the legal description as found in Book 27 of official records, on page 364, as found under the Kittitas County Auditor’s File No. 372986, to the South right of way boundary line of the county road known as Hyak Drive East, and to the South boundary line of the plat known as Hyak Estates No. 3 as per plat recorded in Volume 4 of Plats, on pages 63 through 65, as found under the Kittitas County Auditor’s File No. 350174; thence North 90°00’00” West, coincident with the South right of way boundary of said Hyak Drive East and the South boundary line of said Hyak Estates No. 3 Plat, a distance of 123.17 feet to a point that lies on the Southerly extension of the Northeasterly right of way boundary line of Hyak Drive East going Northeasterly; thence South 14°14’05” East a distance of 727.30 feet to the Northwest corner of the Plat of Suncrest, a Condominium, as described in deed recorded in Book 219 of official records, on page 439, as found under the Kittitas County Auditor’s File No. 485441; thence on the following 2 courses, coincident with the Northeasterly, and the Northeasterly boundary line of said Suncrest Plat:

1. North 72°12’51” East, a distance of 105.66 feet;
2. South 12°17’09” East, a distance of 173.80 feet to the Southeast corner of said Suncrest Plat;

Thence North 72°12’51” East, a distance of 124.77 feet; thence South 31°22’16” East, a distance of 324.21 feet; thence North 88°39’19” East, a distance of 146.42 feet to the Southwest right of way boundary line of the county road known as Keechelus Drive, and to the Southwest boundary line of the plat known as Hyak Estates No. 3 as per plat recorded in Volume 4 of Plats, pages 63 through 65, as found under the Kittitas County Auditor’s File No. 350174; thence North 14°42’21” West, coincident with the Southwest right of way boundary line of said Keechelus Road and the Southwest boundary line of said Hyak Estates No. 3 Plat, a distance of 699.05 feet to the Southeast corner of the parcel described in the legal description as found in Book 27 of official records, on page 364, as found under the Kittitas County Auditor’s File No. 372986; thence on the following 2 courses, coincident with the Southeast boundary line and the Southwest boundary line of the parcel described in the legal description as found in Book 27 of official records, on page 364, as found under the Kittitas County Auditor’s File No. 372986:

1. South 75°44’47” West, a distance of 337.03 feet;
2. North 14°15’13” West, a distance of 500.00 feet to the point of beginning;
(SCHEDULE A continued)

LEGAL DESCRIPTION CONTINUED

14. That portion of the Southeast Quarter of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, as shown and described on the record survey drawing prepared by Western Pacific Engineering, Inc., dated November 1991 and as described as follows:
Commencing at the Northeast corner of Lot 52 in the Plat of Hyak Estates No. 4, recorded in Volume 5 of Plats, pages 18 and 19, found under the Kittitas County Auditor's File No. 354007; thence North 14°42'21" West, coincident with the Southwest right of way boundary line of the county road known as Keechelus Drive West and a Southwest boundary line of said Hyak Estates No. 4 Plat, a distance of 91.07 feet to a point that lies 87.80 feet Northwesterly of the North boundary line of Lots 50 through 52 of said Hyak Estates No. 4 Plat and the North boundary line of said Hyak Estates No. 4 Plat and to the point of beginning; thence continuing North 14°42'21" West, coincident with the Southwest right of way boundary line of the county road known as Keechelus Drive West and a Southwest boundary line of said Hyak Estates No. 4 Plat, a distance of 145.53 feet; thence South 75°17'39" West, a distance of 138.81 feet; thence South 56°16'25" West, a distance of 91.91 feet to a point that lies 120.00 feet Northwesterly of the Northeast right of way boundary line of the county road known as Rampart Drive East and a North boundary line of said Hyak Estates No. 4 Plat; thence South 33°43'35" East, a distance of 62.50 feet to a point that bears North 33°43'35" West, a distance of 106.43 feet from the Northeast corner of Lot 47 of said Hyak Estates No. 4 Plat and to a point that lies 87.80 feet Northerly of the North boundary line of Lots 50 through 52 of said Hyak Estates No. 4 Plat and the North boundary line of said Hyak Estates No. 4 Plat extended Westerly, said course being parallel with and 120 feet Northerly of the Northeast right of way boundary line of the county road known as Rampart Drive East and a North boundary line of said Hyak Estates No. 4 Plat; thence North 89°18'39" East, a distance of 212.77 feet to the point of beginning, said course being parallel with and 87.80 feet Northerly of the North boundary line of Lots 50 through 52 of said Hyak Estates No. 4 Plat and the North boundary line of said Hyak Estates No. 4 Plat.

15. A track of land situated in the West Half of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, being 60 feet in width, 30 feet on each side of the following described line.

Beginning at the intersection of the centerline of Hyak Drive East and the South line of the C.M.ST.P.&P. R.R. Co. right of way, as shown on the Hyak Estates No. 3 Plat, Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, thence South 14°45'13" West 325.22 feet to the beginning of a 250 foot radius curve to the left; thence along said curve through a central angle of 75°44'47" an arc distance of 330.50 feet; thence East 40.65 feet to the beginning of a curve as shown on the above described Hyak Estates No. 3 Plat, and the terminus of this centerline description. EXCEPT That portion of Hyak Drive East Right of Way previously dedicated to Kittitas County on the Hyak Estates No. 3 plat, recorded September 30, 1968, under Auditor’s File No. 350174.
(SCHEDULE A continued)

LEGAL DESCRIPTION CONTINUED

16. That portion of the North Half of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, being described as follows:

Commencing at the Easterly centerline terminus of Snoqualmie Drive as shown on the Plat of Hyak Estates, as per plat recorded in Volume 4 of Plats on pages 36 and 37, records of said county; thence South 14°15'13" East along the centerline of Hyak Drive East 168.25 feet to a point hereafter to be known as Point "A" thence North 75°44'47" East 30.00 feet to the Easterly right of way margin of Hyak Drive East and the true point of beginning; thence South 14°15'13" East along said Easterly margin 45.32 feet to a point of curve to the left; thence Southeasterly along said curve to the left having a radius of 220.00 feet through a central angle of 40°20'19", an arc length of 154.89 feet to a point on a curve whose radius point bears North 48°37'46" East 120.00 feet; thence Northwesterly along said curve to the right through a central angle of 6°54'49", an arc length of 14.48 feet; thence North 34°27'25" West 88.55 feet to a point curve to the right; thence Northwesterly along said curve to the right having a radius of 270.00 feet through a central angle of 20°12'12", an arc length of 95.21 feet to the true point of beginning.

And also commencing at said Point "A"; thence South 14°15'13" East along the centerline of Hyak Drive East 45.32 feet to a point of curve to the left; thence Southeasterly along said curve to the left having a radius of 250.00 feet through a central angle of 75°44'47", an arc length of 330.51 feet; thence South 00°00'00" East 30.00 feet to the Southerly right of way margin of Hyak Drive East and the true point of beginning; thence Westerly along said Southerly right of way margin along a curve to the right whose radius point bears North 00°00'00" East 280.00 feet, through a central angle of 36°46'12", an arc length of 179.69 feet to a point on a curve whose radius point bears North 46°19'45" East 180.00 feet; thence Southeasterly along said curve to the left through a central angle of 46°19'45", an arc length of 145.55 feet; thence North 90°00'00" East 37.41 feet to the true point of beginning.

17. That portion of the Southwest Quarter of the Northwest Quarter and that portion of the North Half of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, described as follows:

Beginning at the Northeast corner of Lot 138 Hyak Estates as per plat thereof filed in Volume 4 of Plats, pages 36 and 37, records of Kittitas County, State of Washington; thence Southerly along the East line of said Lot 136, a distance of 68.44 feet, to the Southeast corner of said Lot 136; thence Westerly along the South line of said Lot 136, a distance of 88 feet, the Southwest corner of said Lot 136, and the intersection with the Easterly line of Lot 134 of said plat; thence South 18°02'00" East along the Easterly lines of Lots 134, 133, 132, 131, 130 and 129 of said plat, a distance of 325.97 feet; thence North 72°09'27" East, a distance of 273.56 feet to the intersection with the Southwesterly line Hyak Drive, as revised by warranty deeds recorded under Auditor's File Nos. 1997033000020, 199604010002 and 199604020001; thence Northwesterly and Westerly along the Southwesterly and Southerly line of said Hyak Drive and Snoqualmie Drive to the Northeast corner of said Lot 136 and the point of beginning.
(SCHEDULE A continued)

File No. 0104427

LEGAL DESCRIPTION CONTINUED

PARCEL 3:

That portion of the North Half of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, being described as follows:

Commencing at the Easterly centerline terminus of Snoqualmie Drive as shown on the Plat of Hyak Estates, as per plat recorded in Volume 4 of Plats on pages 36 and 37, records of said county; thence South 14°15'13" East along the centerline of Hyak Drive East 168.25 feet to a point hereafter to be known as Point "A"; thence South 75°44'47" West 30.00 feet to the Westerly right of way margin of Hyak Drive East and the true point of beginning; thence South 14°15'13" East along said Easterly margin 45.32 feet to a point of curve to the left; thence Southeasterly along said curve to the left having a radius of 260.00 feet through a central angle of 38°58'38", an arc length of 190.47 feet to a point on a curve whose radius point bears North 46°19'45" East 180.00 feet; thence Northwesterly along said curve to the right through a central angle of 9°12'50", an arc length of 28.95 feet; thence North 34°27'25" West 88.55 feet to a point of curve to the right; thence Northwesterly along said curve to the right having a radius of 330.00 feet through a central angle of 20°12'12", an arc length of 116.36 feet to the true point of beginning.

And also commencing at said Point "A"; thence South 14°15'13" East along the centerline of Hyak Drive East 45.32 feet to a point of curve to the left; thence Southeasterly along said curve to the left having a radius of 250.00 feet through a central angle of 75°44'47", an arc length of 330.51 feet; thence North 00°00'00" East 30.00 feet to the Northerly right of way margin of Hyak Drive East, and the true point of beginning; thence Westerly along said Northerly right of way margin along a curve to the right whose radius point bears North 00°00'00" East 220.00 feet through a central angle of 35°24'28", an arc length of 135.96 feet to a point on a curve whose radius bears North 48°37'46" East 120.00 feet; thence Southeasterly along said curve to the left through a central angle of 48°37'46", an arc length of 101.85 feet; thence North 90°00'00" East 37.41 feet to the true point of beginning.

PARCEL 4:

A tract of land situated in the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, being described as follows:

Commencing at the Southwest corner of Lot 46 of Hyak Estates No. 3, Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, to the beginning of a curve to the left, said curve having a central angle of 4°47'14" and an arc distance of 66.84 feet to the true point of beginning; thence South 00°00'00" East for 60.00 feet; thence North 90°00'00" West for 242.86 feet to the beginning of a curve to the right, said curve having central angle of 75°44'47", radius 20.00 feet, chord bearing North 52°07'36" West and chord distance 24.56 feet, along the said curve for an arc distance of 26.44 feet; thence North 14°15'13" West, 355.78 feet; thence North 75°44'47" East 30.00 feet; thence North 75°44'47" East 30.00 feet; thence South 14°15'13" East 309.12 feet to the beginning of a curve to the left, said curve having central angle of 75°44'47", radius 20.00 feet, chord bearing South 52°07'36" East and chord distance of 24.56 feet, along said curve for an arc distance of 26.44 feet; thence North 90°00'00" East for 196.19 feet to the true point of beginning.

EXCEPT: That portion of Hyak Drive right of way as shown on construction plans located in the County Engineer's office and described on the Statutory Warranty Deed from James K. Schuler & Associates to Kittitas County dated March 18, 1997 and recorded on March 20, 1997, under Auditor's File Number 199703200020.
CHECKLIST FOR OPEN SPACE/TIMBER LAND APPLICATION

☐ 1. Per RCW 84.34 and Kittitas County Resolution 2002-99 as they currently exist or may be hereafter revised:

A.) All applications for Open Space shall clearly state how the change in classification shall maintain, preserve, conserve and otherwise continue open space lands for the welfare and benefit of the general public per RCW 84.34.020 (1). Open Space criteria must conform to one or more classifications listed on Paragraph Six of the application and be accompanied by a detailed description as to confirmation in that category. Notarized easement for public use may be required from applicant, upon acceptance, if legislative authority requires public access as a condition of approval.

Kittitas County is in the process of establishing a Public Benefit Rating System for Open Space Applications. Once such a system has been adopted, Kittitas County will revisit each application approved prior to the adoption. The applications will then be rated on a point system. Point totals will establish the percentage of reduction from market value for which the property will benefit due to open space.

B.) All applications for Timber Land must be five or more acres of land only in any contiguous same ownership which is primarily devoted to and used for growing and harvesting timber per RCW 84.34.020 (3). A timber management plan prepared by a professional forester must be included with the application. Guidelines for such a plan are available from the Assessor’s Office.

☐ 2. Within platted subdivisions, only those parcels that prohibit residential structures shall be eligible for Open Space or Timberland Classification per Kittitas County Resolution 2002-99.

☐ 3. All parcels per application must be in same contiguous ownership.

☐ 4. Owner(s) name, address and telephone number must be on application.

☐ 5. Property location must be completed.

☐ 6. Note interest in property (fee owner, contract purchaser, other-describe).

☐ 7. Complete Assessor’s Parcel Numbers must be listed on application.

☐ 8. Complete legal description is required. Attach separately, if necessary. Identify improvement site(s) that do not qualify for classification at the time of application or future site(s) that applicant desires to be excluded from application. Such site(s) must be a minimum size of one acre and must be created by completing a Segregation Form, which is available from the Assessor’s Office.

☐ 9. Note classification being sought. A single application may be made for both Open Space and Timberland but a separate legal description must be provided for each area of classification.

☐ 10. List total acres in application. Separate acreages required if applying for Open Space and Timber Land.

☐ 11. All owners must sign application.

☐ 12. Non-refundable application fee of $300.00 is payable to Kittitas County Treasurer. Complete application and copy of receipt must be submitted in triplicate to Kittitas County Commissioners Office.

For further information, please contact Kittitas County Commissioners, phone (509) 962-7508 or Kittitas County Assessor, phone (509) 962-7633, both located at 205 West Fifth, Ellensburg, Washington.
APPLICATION FOR CLASSIFICATION OR RECLASSIFICATION AS OPEN SPACE LAND OR TIMBER LAND FOR CURRENT USE ASSESSMENT UNDER CHAPTER 84.34 RCW

File With The County Legislative Authority

Name of Applicant: James K. Schuler & Assoc. 
Address: PO Box 808, Cle Elum, WA 98922 
Phone No.: 857-2044 
Property Location: Kiona, WA 

1. Interest in property: □ Fee owner □ Contract purchaser □ Other (Describe) 
2. Assessor’s Parcel or Account Number: 198335-22-11-15033-0001 
   Legal description of land to be classified: 18835-09-11-15032-0003 

3. Land classification that is being sought: □ Open Space □ Timber Land 
   NOTE: A single application may be made for both open space and timber land, but a separate legal description must be furnished for each area that classification is being sought. 
4. Total acres in application: 23.35 acres

5. OPEN SPACE CLASSIFICATION 
   Number of acres: 5 acres
   6. Indicate what category of open space this land will qualify for: (see reverse side for definitions) 
      □ Conserve and enhance natural or scenic resources 
      □ Protect streams or water supply 
      □ Promote conservation of soils, wetlands, beaches or tidal marshes 
      □ Enhance public recreation opportunities 
      □ Enhance value to public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space 
      □ Preserve historic sites 
      □ Preserve visual quality along highway, road, and street corridors or scenic vistas 
      □ Retain in natural state tracts of one (1) or more acres in urban areas and open to public use as reasonably required by granting authority 
      □ Farm and agricultural conservation land as defined in RCW 84.34.020(8) 

7. TIMBER LAND CLASSIFICATION 
   Number of acres: 
   Definition: “Timber land” means any parcel of land that is five or more acres or multiple parcels of land that are contiguous and total five or more acres which is or are devoted primarily to the growth and harvest of forest crops for commercial purposes. “Timber land” means land only.

A timber management plan shall be filed with the county legislative authority either (a) when an application for classification as timber land pursuant to this chapter is submitted; (b) when a sale or transfer of timber land occurs and a notice of classification continuance is signed; or (c) within sixty days of the date the application for reclassification under this chapter is received. The application for reclassification will be accepted but not processed until the timber management plan is received. If the timber management plan is not received within sixty days of the date the application for reclassification is received, the application for reclassification shall be denied. If circumstances require it, the county assessor may allow in writing an extension of time for submitting a timber management plan when an application for classification or reclassification notice of continuance is filed. When the assessor approves an extension of time for filing the timber management plan, the county legislative authority may delay processing an application until the timber management plan is received. If the timber management plan is not received by the date set by the assessor, the application or the notice of continuance shall be denied.

REV 64-0021-1 (9/1/02)
8. Submit a copy of your timber management plan with this application. 
A timber management plan will include the following elements:
   a) a legal description of, or assessor's parcel numbers for, all land the applicant desires to be classified or reclassified as timber land,
   b) date or dates of acquisition of the land,
   c) a brief description of timber, or if harvested, the owners plan for restocking,
   d) whether there is a forest management plan for the land,
   e) if so, the nature and extent of implementation of the plan,
   f) if land is used for grazing,
   g) whether the land has been subdivided or a plat filed with respect to the land,
   h) whether land and applicant are in compliance with restocking, forest management, fire protection, insect and disease control, etc.,
   i) whether land is subject to forest fire protection assessments pursuant to RCW 76.04.610,
   j) whether land is subject to a lease, option, or other right that permits it to be used for a purpose other than growing and harvesting timber,
   k) a summary of past experience and activity of the applicant in growing and harvesting timber,
   l) a summary of current and continuing activity of the applicant in growing and harvesting timber,
   m) a statement that the applicant is aware of the potential tax liability involved when the land ceases to be classified as timber land.

9. Describe the present improvements on this property (buildings, etc.).  

10. Is this land subject to a lease or agreement which permits any other use than its present use?  □ Yes □ No
    If yes, attach a copy of the lease agreement.

NOTICE: The assessor may require owners to submit pertinent data regarding the use of classified land.

OPEN SPACE LAND MEANS:
(a) Any land area so designated by a comprehensive land use plan adopted by a city or county authority, or
(b) Any land area, in which the preservation in its present use would:
   (i) Conserve and enhance natural or scenic resources,
   (ii) Protect streams or water supply,
   (iii) Promote conservation of soils, wetlands, beaches or tidal marshes,
   (iv) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space,
   (v) Enhance recreation opportunities,
   (vi) Preserve historic sites,
   (vii) Preserve visual quality along highway, road, and street corridor or scenic vistas, or
   (viii) Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority,
(c) Or, any land meeting the definition of "farm and agricultural conservation land".

STATEMENT OF ADDITIONAL TAX, INTEREST, AND PENALTY DUE UPON REMOVAL OF CLASSIFICATION
1. Upon removal of classification, an additional tax shall be imposed which shall be due and payable to the county treasurer 30 days after removal or upon sale or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of the following:
   (a) The difference between the property tax paid as "Open Space Land" or "Timber Land" and the amount of property tax otherwise due and payable for the last seven years had the land not been so classified; plus
   (b) Interest upon the amounts of the difference (a), paid at the same statutory rate charged on delinquent property taxes.
   (c) A penalty of 20% shall be applied to the additional tax if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal process, or except as a result of those conditions listed in 2) below.

REV 64-0021-2 (9/1/02)
2. The additional tax, interest, and penalty specified in (1) above shall not be imposed if removal resulted solely from:
   (a) Transfer to a government entity in exchange for other land located within the State of Washington.
   (b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power.
   (c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
   (d) Official action by an agency of the State of Washington or by the county or city where the land is located disallowing the present use of such land.
   (e) Transfer of land to a church when such land would qualify for property tax exemption pursuant to RCW 84.36.020.
   (f) Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108 (6)(f).
   (g) Removal of land classification as farm & agricultural land under RCW 84.34.020(2)(c) (farm homesite).
   (h) Removal of land from classification after enactment of statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification.
   (i) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120.
   (j) The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.
   (k) The sale or transfer of the land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993;
   (l) The sale or transfer of land after the death of the owner of at least fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993 and the sale or transfer takes place within two years after July 22, 2001, and the death of the owner occurred after January 1, 1991, or;
   (m) The date of death shown on a death certificate is the date used.

AFFIRMATION

As owner(s) of the land described in this application, I hereby indicate by my signature that I am aware of the potential tax liability involved when the land ceases to be classified under provisions of Chapter 84.34 RCW. I also declare under the penalties for false swearing that this application and any accompanying documents have been examined by me and to the best of my knowledge it is a true, correct, and complete statement.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at anytime by the Legislature (RCW 84.34.070).

Signatures of all Owner(s) or Contract Purchaser(s):

[Signature]

All owners and purchasers must sign.

Date application received: 
By: 
Amount of processing fee collected $ 
Transmitted to: 
Date: 

Date received: 

[ ] Application approved [ ] Approved in part [ ] Denied

Agreement executed on: 
By: 
Owner notified of denial on:
Mailed on:

For tax assistance, visit http://dor.wa.gov or call (800) 647-7706. To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 486-2342. Teletype (TTY) users may call (800) 451-7985.

REV 64-0021-3 (9/1/02)
SUBDIVISION GUARANTEE

Office File Number : 0104427
Guarantee Number : 48 0035 72030 6728
Dated : May 11, 2007, at 8:00am
Liability Amount : $ 1,000.00
Premium : $ 200.00
Tax : $ 15.40

Your Reference : SCHULER

Name of Assured: ENCOMPASS ENGINEERING & TERRA DESIGN GROUP

The assurances referred to on the face page are:

That, according to those public records with, under the recording laws, impart constructive notice of matters relative to the following described real property:

PARCEL 1:

That portion of Section 15, Township 22 North, Range 11 East, W.M., in the County of Kittitas, State of Washington, described as follows:

Commencing at the Northeast corner of Lot 1 in the Plat of Hyak Estates No. 1, recorded in Volume 4 of Plats, pages 36 and 37, records of said county; thence South 88°37'21" East along the Southerly margin of the Chicago, Milwaukee, St. Paul, & Pacific Railroad Company's tunnel of right of way, parallel with and 100.00 feet Southerly of the centerline of said right of way, a distance of 199.49 feet to the East line of the Southwest Quarter of the Northwest Quarter of said section; thence South 0°29'48" West along said East line 50.01 feet to said railroad right of way, here parallel with and 150.00 feet Southerly of said centerline, and the point of beginning; thence South 14°15'13" East 150.00 feet; thence due East 200.00 feet; thence North 13°16'24" East 123.55 feet to intersect said railroad right of way, here parallel with and 150.00 feet Southerly of said centerline; thence Westerly along said right-of-way margin 275.00 feet more or less, to the Point of Beginning.

PARCEL 2:

The Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., lying Westerly of the Westerly margin of the Chicago, Milwaukee, St. Paul and Pacific Railroad as now established; AND

That portion of the Northwest Quarter of Section 15 lying South of the Southerly margin of the Chicago, Milwaukee, St. Paul and Pacific Railroad as now established, within Kittitas County, State of Washington;

EXCEPT from all of the above following described property:

1. All of Hyak Estates as recorded in Volume 4 of Plats, pages 36 and 37, records of Kittitas County, State of Washington;
2. All of Hyak Estates Division Number 2, recorded in Volume 4 of Plats, pages 44 and 45, records of Kittitas County, State of Washington;
3. All of Hyak Estates, Division Number 3, as recorded in Volume 4 of Plats, pages 63, 64 and 65, records of Kittitas County, State of Washington;
4. All of Hyak Estates, Division Number 4, as recorded in Volume 5 of Plats, pages 18 and 19, records of Kittitas County, State of Washington;
5. That portion of the Southwest Quarter of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington described as follows:
   Commencing at the Southwest corner of said section; thence South 89°18'35" East along the South line of said section 1637.78 feet to intersect the Southwesterly margin of Rampart Drive West, as shown on Sheet 2 of 2 sheets of the Plat of Hyak Estates No. 4, recorded in Volume 5 of Plats, pages 18 and 19, records of said county, at a point on a curve from which the center lines South 74°40'46" West, 431.59 feet; thence Northwesterly along said road margin and along said curve to the left through a central angle of 32°29'21" an arc distance of 244.73 feet to a point of tangency; thence North 47°48'35" West along said road margin, 368.08 feet to the point of beginning; thence continuing North 47°48'35" West along said road margin, 131.94 feet; thence South 57°41'25" West, 73.11 feet; thence South 33°48'45" East, 133.60 feet; thence North 54°11'25" East, 105.06 feet to the point of beginning;

6. That portion of the Northwest Quarter of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
   Commencing at the West Quarter corner of said section, as shown on Sheet 2 of 2 Sheets of the Plat of Hyak Estates, recorded in Volume 4 of Plats, page 37, records of said county; thence South 0°39'46" West, along the West line of said subdivision and along the West boundary of said plat 898.28 feet to an angle point on said plat boundary, said angle point being the point of beginning; thence South 39°51'21" East, along the Southwesterly boundary of said plat, 384.10 feet; thence North 39°20'14" West, 249.54 feet to the West line of said subdivision; thence North 0°39'46" East, 292.00 feet to the point of beginning;

7. That portion of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
   Commencing at the Northeast corner of Lot 1 in the Plat of Hyak Estates Number 1, recorded in Volume 4 of Plats, page 36 and 37, records of said county; thence South 88°37'21" East, along the Southerly margin of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company's tunnel right of way parallel with and 100.00 feet Southerly of the centerline of said right of way, a distance of 199.49 feet to the East line of the Southwest Quarter of the Northeast Quarter of said section; thence South 0°29'48" West along said East line 50.01 feet to said railroad right of way, here parallel with and 150.00 feet Southerly of said centerline; thence South 14°15'13" East, 494.84 feet to the point of beginning; thence continuing South 14°15'13" East, 500.00 feet; thence North 75°44'47" East, 337.03 feet; thence North 14°42'21" West, 87.34 feet to a point of curve to the left, having a radius of 75.00 feet; thence Northwesterly along the arc of said curve through a central angle of 48°17'39" an arc distance of 63.22 feet to a point of tangency; thence North 63°00'00" West, 149.25 feet to the beginning of a curve to the right, having a radius of 100.00 feet; thence Northerly along the arc of said curve through a central angle of 48°17'39" an arc distance of 84.29 feet to a point of tangency; thence North 14°42'21" West, 122.40 feet to a point of curve to the left, having a radius of 20.00 feet; thence Northerly and Northwesterly along the arc of a curve through a central angle of 68°49'54" an arc distance of 24.03 feet to a point of compound curvature, whose center lines South 6°27'45" West distance 740.00 feet; thence continuing Westerly along said curve through a central angle 6°27'45" an arc distance of 83.47 feet to a point of tangency; thence due West 73.33 feet to the point of beginning;
LEGAL DESCRIPTION CONTINUED

8. That portion of the Southeast Quarter of the Southwest Quarter and of the Southwest Quarter of the Southeast Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
   Beginning at the South Quarter Section corner of said Section 15; thence North 89°18'35" West along the South line of the Southeast Quarter of the Southwest Quarter of said Section a distance of 272.49 feet to the Southeast corner of Lot 28, Hyak Estates, Division Number 4, as recorded in Volume 5 of Plats, pages 18 and 19, records of said county; thence North 14°42'24" West along the Easterly line of said Division Number 4, a distance of 684.57 feet; thence South 89°18'35" East, 342.28 feet to the West margin of Hyak Drive East, as platted in Hyak Estates Division Number 3, recorded in Volume 4 of Plats, pages 63, 64 and 65, records of said county; thence South 14°42'24" East along said right of way 684.32 feet to the South line of the Southwest Quarter of the Southwest Quarter of said section; thence North 89°30'25" West along the South line of said Southwest Quarter of the Southeast Quarter a distance of 69.72 feet to the point of beginning;

9. That portion of the West Half of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
   Commencing at the Southern most corner of Lot 123, Hyak Estates Division Number 1, as recorded in Volume 4 of Plats, pages 36 and 37, records of said county; thence South 18°02'00" East along the Easterly prolongation of said Lot 123, a distance of 210.00 feet; thence North 71°58'00" East, 14.00 feet to the point of beginning; thence continuing North 71°58'00" East, 83.00 feet; thence South 18°02'00" East, 200.00 feet; thence South 71°58'00" West, 83.00 feet; thence North 18°02'00" West to the point of beginning;
   (being the Plat of Sundance, a condominium)

10. That portion of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
    Commencing at the Northeast corner of Lot 1 in the Plat of Hyak Estates Number 1, recorded in Volume 4 of Plats, pages 36 and 37, records of said county; thence South 88°37'24" East along the Southerly margin of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company's tunnel right of way parallel with and 100.00 feet Southerly of the centerline of said right of way, a distance of 199.49 feet to the East line of the Southwest Quarter of the Northwest Quarter of said section; thence South 0°28'48" West along said East line 50.01 feet to said railroad right of way, here parallel with and 150.00 feet Southerly to said centerline and the point of beginning; thence South 14°15'13" East, 150.00 feet; thence due East 200.00 feet; thence North 13°16'24" East, 123.55 feet to intersect said railroad right of way, here parallel with and 150.00 feet Southerly of said centerline; thence Westerly along said right of way margin 275.00 feet, more or less, to the point of beginning;

11. That portion of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
    Beginning at the Southeast corner of said Southwest Quarter; thence North 89°18'35" West, along the South line thereof 272.49 feet; thence North 14°42'21" West, 297.24 feet; thence South 75°19'39" West, 98.50 feet; thence North 48°58'51" West, 371.80 feet; thence North 36°59'51" West, 318.90 feet; thence North 9°47'51" West, 238.40 feet; thence North 29°08'39" East, 160.50 feet; thence North 47°09'26" West, 117.35 feet; thence North 56°44'55" West, 89.88 feet; thence North 17°47'09" West, 172.00 feet to the true point of beginning; thence continuing North 17°47'09" West, 173.00 feet; thence North 72°12'51" East, 105.66 feet; thence South 12°17'09" East, 173.80 feet; thence South 72°12'51" West, 89.00 feet to the true point of beginning;
   (being the Plat of Suncrest, a condominium)
LEGAL DESCRIPTION CONTINUED

12. That portion of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington as shown and described on the record of survey drawing prepared by Western Pacific Engineering, Inc., dated November 1991 and as described as follows:

Beginning at a found 3 inch U.S. Forest Service aluminum cap monument marking the Southwest corner of the Southwest Quarter of said Section 15;
Thence North 00°39'46" East, coincident with the West boundary line of the Southwest Quarter of said Section 15, a distance of 1444.15 feet to the Southwest corner of the parcel described in the legal description as found in Volume 16 of Deeds, page 19, as found under the Kittitas County Auditor's File No. 364213, and to a point that bears South 00°39'46" West, coincident with the West boundary line of the Southwest Quarter of said Section 15 a distance of 291.99 feet from the Southwest corner of the plat known as Hyak Estates as recorded in Volume 4 of Plats, pages 36 and 37, as found under the Kittitas County Auditor's File No. 341703, said point bears South 00°39'46" West, coincident with the West boundary line of the Southwest Quarter of said Section 15, and the West boundary line of said Hyak Estates, a distance of 1190.27 feet from a found ½ inch iron pin monument marking the Northwest corner of the Southwest Quarter of said Section 15; thence South 89°20'14" East, coincident with the South boundary line of said parcel, a distance of 249.35 feet to the Southwest boundary line of said Hyak Estates Plat and to the Southeast corner of said parcel, said point bears South 39°51'21" East, coincident with the Southwest boundary line of said Hyak Estates Plat, a distance of 384.10 feet from the Southwest corner of the Hyak Estates Plat; thence on the following two courses, coincident with the Southwest and the South boundary line of said Hyak Estates Plat:

1. South 39°51'21" East, a distance of 115.80 feet;
2. South 90°00'00" East, a distance of 395.00 feet;

Thence North 81°38'14" East, a distance of 640.86 feet to the Southwest corner of the Plat of Sundance a Condominium, as found in Book 6 of Plats, pages 44 through 49, as found under the Kittitas County Auditor's File No. 387137; thence North 71°58'00" East, coincident with the South boundary line of said Sundance Condominium Plat, a distance of 83.00 feet to the Southeast corner of said Sundance Condominium Plat;
Thence North 71°58'00" East, a distance of 49.29 feet;
Thence South 08°41'37" East, a distance of 129.67 feet;
Thence South 18°04'38" East, a distance of 125.00 feet;
Thence North 71°55'22" East, a distance of 90.00 feet;
Thence South 18°04'38" East, a distance of 44.61 feet;
Thence South 46°50'56" East, a distance of 54.87 feet;
Thence South 47°09'26" East, a distance of 117.35 feet;
Thence North 88°39'19" East, a distance of 220.65 feet;
Thence South 34°13'41" East, a distance of 46.69 feet;
Thence South 72°07'32" West, a distance of 347.69 feet;
Thence South 86°24'10" West, a distance of 243.11 feet to a point that lies 10.00 feet Southeasterly of the centerline of the chair lift designated as chair lift number 1; thence South 46°09'49" West a distance of 1381.86 feet to the South boundary line of the Southwest Quarter of said Section 15, said course being parallel with and 10.00 feet Southeasterly of the centerline of said chair lift number 1; thence North 89°18'35" West, coincident with the South boundary line of the Southwest Quarter of said Section 15, a distance of 403.20 feet to the point of beginning;
LEGAL DESCRIPTION CONTINUED

13. That portion of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, as shown and described on the record of survey drawing prepared by Western Pacific Engineering, Inc., dated November 1991 and as described as follows:

Commencing at the Northeast corner of Lot 1 in the Plat of Hyak Estates Number 1, recorded in Volume 4 of Plats, on pages 36 and 37, as found under the Kittitas County Auditor's File NO. 341703; Thence South 88°37'21" East, coincident with the South right of way boundary line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company's tunnel, a distance of 199.49 feet to the East boundary line of the Southwest Quarter of the Northwest Quarter of said Section 15, said course being parallel with and 100.00 feet Southerly of the centerline of the right of way for said railroad; thence South 00°29'48" West, coincident with the Southerly right of way boundary line of said railroad, a distance of 50.01 feet to an angle point in said right of way boundary line that is 150.00 feet Southerly of the centerline of the right of way of said railroad; thence South 14°15'13" East, a distance of 494.84 feet to the point of beginning, to the Northwest corner of the parcel described in the legal description as found in Book 27 of official records, on page 364, as found under the Kittitas County Auditor's File No. 372986, to the South right of way boundary line of the county road known as Hyak Drive East, and to the South boundary line of the plat known as Hyak Estates No. 3 as per plat recorded in Volume 4 of Plats, on pages 63 through 65, as found under the Kittitas County Auditor's File No. 350174; thence North 90°00'00" West, coincident with the South right of way boundary of said Hyak Drive East and the South boundary line of said Hyak Estates No. 3 Plat, a distance of 123.17 feet to a point that lies on the Southerly extension of the Northeasterly right of way boundary line of Hyak Drive East going Northwesterly; thence South 14°14'05" East a distance of 727.30 feet to the Northwest corner of the Plat of Suncrest, a Condominium, as described in deed recorded in Book 219 of official records, on page 439, as found under the Kittitas County Auditor's File No. 485441; thence on the following 2 courses, coincident with the Northwesterly, and the Northeasterly boundary line of said Suncrest Plat:

1. North 72°12'51" East, a distance of 105.66 feet;
2. South 12°17'09" East, a distance of 173.80 feet to the Southeast corner of said Suncrest Plat;

Thence North 72°12'51" East, a distance of 124.77 feet; thence South 31°22'16" East, a distance of 324.21 feet; thence North 88°39'19" East, a distance of 146.42 feet to the Southwest right of way boundary line of the county road known as Kechelus Drive, and to the Southwest boundary line of the plat known as Hyak Estates No. 3 as per plat recorded in Volume 4 of Plats, pages 63 through 65, as found under the Kittitas County Auditor's File No. 350174; thence North 14°42'21" West, coincident with the Southwest right of way boundary line of said Kechelus Road and the Southwest boundary line of said Hyak Estates No. 3 Plat, a distance of 699.05 feet to the Southeast corner of the parcel described in the legal description as found in Book 27 of official records, on page 364, as found under the Kittitas County Auditor's File No. 372986; thence on the following 2 courses, coincident with the Southeast boundary line and the Southwest boundary line of the parcel described in the legal description as found in Book 27 of official records, on page 364, as found under the Kittitas County Auditor's File No. 372986:

1. South 75°44'47" West, a distance of 337.03 feet;
2. North 14°15'13" West, a distance of 500.00 feet to the point of beginning;
14. That portion of the Southeast Quarter of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, as shown and described on the record survey drawing prepared by Western Pacific Engineering, Inc., dated November 1991 and as described as follows:
Commencing at the Northeast corner of Lot 52 in the Plat of Hyak Estates No. 4, recorded in Volume 5 of Plats, pages 18 and 19, found under the Kittitas County Auditor's File No. 354007; thence North 14°42'21" West, coincident with the Southwest right of way boundary line of the county road known as Kechelas Drive West and a Southwest boundary line of said Hyak Estates No. 4 Plat, a distance of 91.07 feet to a point that lies 87.80 feet Northwesterly of the North boundary line of Lots 50 through 52 of said Hyak Estates No. 4 Plat and the North boundary line of said Hyak Estates No. 4 Plat and to the point of beginning; thence continuing North 14°42'21" West, coincident with the Southwest right of way boundary line of the county road known as Kechelas Drive West and a Southwest boundary line of said Hyak Estates No. 4 Plat, a distance of 145.53 feet; thence South 75°17'39" West, a distance of 138.61 feet; thence South 56°16'25" West, a distance of 91.91 feet to a point that lies 120.00 feet Northeasterly of the Northeast right of way boundary line of the county road known as Rampart Drive East and a North boundary line of said Hyak Estates No. 4 Plat; thence South 33°43'35" East, a distance of 62.50 feet to a point that bears North 33°43'35" West, a distance of 106.43 feet from the Northeast corner of Lot 47 of said Hyak Estates No. 4 Plat and to a point that lies 87.80 feet Northerly of the North boundary line of Lots 50 through 52 of said Hyak Estates No. 4 Plat and the North boundary line of said Hyak Estates No. 4 Plat extended Westerly, said course being parallel with and 120 feet Northeasterly of the Northeast right of way boundary line of the county road known as Rampart Drive East and a North boundary line of said Hyak Estates No. 4 Plat; thence North 89°18'35" East, a distance of 212.77 feet to the point of beginning, said course being parallel with and 87.80 feet Northerly of the North boundary line of Lots 50 through 52 of said Hyak Estates No. 4 Plat and the North boundary line of said Hyak Estates No. 4 Plat.

15. A track of land situated in the West Half of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, being 60 feet in width, 30 feet on each side of the following described line.

Beginning at the intersection of the centerline of Hyak Drive East and the South line of the C.M.ST.P.&P. R.R. Co. right of way, as shown on the Hyak Estates No. 3 Plat, Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, thence South 14°15'13" West 325.22 feet to the beginning of a 250 foot radius curve to the left; thence along said curve through a central angle of 75°44'47" an arc distance of 330.50 feet; thence East 40.65 feet to the beginning of a curve as shown on the above described Hyak Estates No. 3 Plat, and the terminus of this centerline description. EXCEPT That portion of Hyak Drive East Right of Way previously dedicated to Kittitas County on the Hyak Estates No. 3 plat, recorded September 30, 1968, under Auditor's File No. 350174.
(SCHEDULE A continued)

LEGAL DESCRIPTION CONTINUED

16. That portion of the North Half of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, being described as follows:

Commencing at the Easterly centerline terminus of Snoqualmie Drive as shown on the Plat of Hyak Estates, as per plat recorded in Volume 4 of Plats on pages 36 and 37, records of said county; thence South 14°15'13" East along the centerline of Hyak Drive East 168.25 feet to a point hereafter to be known as Point "A" thence North 75°44'47" East 30.00 feet to the Easterly right of way margin of Hyak Drive East and the true point of beginning; thence South 14°15'13" East along said Easterly margin 45.32 feet to a point of curve to the left; thence Southeasterly along said curve to the left having a radius of 220.00 feet through a central angle of 40°20'19", an arc length of 154.89 feet to a point on a curve whose radius point bears North 48°37'46" East 120.00 feet; thence Northwesterly along said curve to the right through a central angle of 6°54'49", an arc length of 14.48 feet; thence North 34°27'25" West 88.55 feet to a point curve to the right; thence Northwesterly along said curve to the right having a radius of 270.00 feet through a central angle of 20°12'12", an arc length of 95.21 feet to the true point of beginning.

And also commencing at said Point "A"; thence South 14°15'13" East along the centerline of Hyak Drive East 45.32 feet to a point of curve to the left; thence Southeasterly along said curve to the left having a radius of 250.00 feet through a central angle of 75°44'47", an arc length of 330.51 feet; thence South 00°00'00" East 30.00 feet to the Southerly right of way margin of Hyak Drive East and the true point of beginning; thence Westerly along said Southerly right of way margin along a curve to the right whose radius point bears North 00°00'00" East 280.00 feet, through a central angle of 36°46'12", an arc length of 179.69 feet to a point on a curve whose radius point bears North 46°19'45" East 180.00 feet; thence Southeasterly along said curve to the left through a central angle of 46°19'45", an arc length of 145.55 feet; thence North 90°00'00" East 37.41 feet to the true point of beginning.

17. That portion of the Southwest Quarter of the Northwest Quarter and that portion of the North Half of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, described as follows:

Beginning at the Northeast corner of Lot 136 Hyak Estates as per plat thereof filed in Volume 4 of Plats, pages 36 and 37, records of Kittitas County, State of Washington; thence Southerly along the East line of said Lot 136, a distance of 68.44 feet, to the Southeast corner of said Lot 136; thence Westerly along the South line of said Lot 136, a distance of 88 feet, the Southwest corner of said Lot 136, and the intersection with the Easterly line of Lot 134 of said plat; thence South 18°02'00" East along the Easterly lines of Lots 134, 133, 132, 131, 130 and 129 of said plat, a distance of 325.97 feet; thence North 72°09'27" East, a distance of 273.56 feet to the intersection with the Southwesterly line Hyak Drive, as revised by warranty deeds recorded under Auditor's File Nos. 1997032000020, 199804010002 and 199804020001; thence Northwesterly and Westerly along the Southwesterly and Southerly line of said Hyak Drive and Snoqualmie Drive to the Northeast corner of said Lot 136 and the point of beginning.
LEGAL DESCRIPTION CONTINUED

PARCEL 3:

That portion of the North Half of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, being described as follows:

Commencing at the Easterly centerline terminus of Snoqualmie Drive as shown on the Plat of Hyak Estates, as per plat recorded in Volume 4 of Plats on pages 36 and 37, records of said county; thence South 14°15'13" East along the centerline of Hyak Drive East 166.25 feet to a point hereafter to be known as Point "A"; thence South 75°44'47" West 30.00 feet to the Westerly right of way margin of Hyak Drive East and the true point of beginning; thence South 14°15'13" East along said Easterly margin 45.32 feet to a point of curve to the left; thence Southeasterly along said curve to the left having a radius of 280.00 feet through a central angle of 38°58'35", an arc length of 190.47 feet to a point on a curve whose radius point bears North 46°19'45" East 180.00 feet; thence Northwesterly along said curve to the right through a central angle of 9°12'50", an arc length of 28.95 feet; thence North 34°27'25" West 86.55 feet to a point of curve to the right; thence Northwesterly along said curve to the right having a radius of 330.00 feet through a central angle of 20°12'12", an arc length of 116.36 feet to the true point of beginning.

And also commencing at said Point "A"; thence South 14°15'13" East along the centerline of Hyak Drive East 45.32 feet to a point of curve to the left; thence Southeasterly along said curve to the left having a radius of 250.00 feet through a central angle of 75°44'47", an arc length of 330.51 feet; thence North 00°00'00" East 30.00 feet to the Northerly right of way margin of Hyak Drive East, and the true point of beginning; thence Westerly along said Northerly right of way margin along a curve to the right whose radius point bears North 00°00'00" East 220.00 feet through a central angle of 35°24'28", an arc length of 135.95 feet to a point on a curve whose radius bears North 48°37'46" East 120.00 feet; thence Southeasterly along said curve to the left through a central angle of 48°37'46", an arc length of 101.85 feet; thence North 90°00'00" East 37.41 feet to the true point of beginning.

PARCEL 4:

A tract of land situated in the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, being described as follows:

Commencing at the Southwest corner of Lot 46 of Hyak Estates No. 3, Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, to the beginning of a curve to the left, said curve having a central angle of 4°47'14" and an arc distance of 66.84 feet to the true point of beginning; thence South 00°00'00" East for 60.00 feet; thence North 90°00'00" West for 242.86 feet to the beginning of a curve to the right, said curve having central angle of 75°44'47", radius 20.00 feet, chord bearing North 52°07'36" West and chord distance 24.56 feet, along the said curve for an arc distance of 26.44 feet; thence North 14°15'13" West, 355.78 feet; thence North 75°44'47" East 30.00 feet; thence North 75°44'47" East 30.00 feet; thence South 14°15'13" East 309.12 feet to the beginning of a curve to the left, said curve having central angle of 75°44'47", radius 20.00 feet, chord bearing South 52°07'36" East and chord distance of 24.56 feet, along said curve for an arc distance of 26.44 feet; thence North 90°00'00" East for 196.19 feet to the true point of beginning.

EXCEPT: That portion of Hyak Drive right of way as shown on construction plans located in the County Engineer's office and described on the Statutory Warranty Deed from James K. Schuler & Associates to Kittitas County dated March 18, 1997 and recorded on March 20, 1997, under Auditor's File Number 199703200020.
CHECKLIST FOR OPEN SPACE/TIMBER LAND APPLICATION

☐ 1. Per RCW 84.34 and Kittitas County Resolution 2002-99 as they currently exist or may be hereafter revised:

A.) All applications for Open Space shall clearly state how the change in classification shall maintain, preserve, conserve and otherwise continue open space lands for the welfare and benefit of the general public per RCW 84.34.020 (1). Open Space criteria must conform to one or more classifications listed on Paragraph Six of the application and be accompanied by a detailed description as to confirmation in that category. Notarized easement for public use may be required from applicant, upon acceptance, if legislative authority requires public access as a condition of approval.

Kittitas County is in the process of establishing a Public Benefit Rating System for Open Space Applications. Once such a system has been adopted, Kittitas County will revisit each application approved prior to the adoption. The applications will then be rated on a point system. Point totals will establish the percentage of reduction from market value for which the property will benefit due to open space.

B.) All applications for Timber Land must be five or more acres of land only in any contiguous same ownership which is primarily devoted to and used for growing and harvesting timber per RCW 84.34.020 (3). A timber management plan prepared by a professional forester must be included with the application. Guidelines for such a plan are available from the Assessor’s Office.

☐ 2. Within platted subdivisions, only those parcels that prohibit residential structures shall be eligible for Open Space or Timberland Classification per Kittitas County Resolution 2002-99.

☐ 3. All parcels per application must be in same contiguous ownership.

☐ 4. Owner(s) name, address and telephone number must be on application.

☐ 5. Property location must be completed.

☐ 6. Note interest in property (see owner, contract purchaser, other-describe).

☐ 7. Complete Assessor's Parcel Numbers must be listed on application.

☐ 8. Complete legal description is required. Attach separately, if necessary. Identify improvement site(s) that do not qualify for classification at the time of application or future site(s) that applicant desires to be excluded from application. Such site(s) must be a minimum size of one acre and must be created by completing a Segregation Form, which is available from the Assessor's Office.

☐ 9. Note classification being sought. A single application may be made for both Open Space and Timberland but a separate legal description must be provided for each area of classification.

☐ 10. List total acres in application. Separate acreages required if applying for Open Space and Timber Land.

☐ 11. All owners must sign application.

☐ 12. Non-refundable application fee of $300.00 is payable to Kittitas County Treasurer. Complete application and copy of receipt must be submitted in triplicate to Kittitas County Commissioners Office.

For further information, please contact Kittitas County Commissioners, phone (509) 962-7508 or Kittitas County Assessor, phone (509) 962-7633, both located at 205 West Fifth, Ellensburg, Washington.
APPLICATION FOR CLASSIFICATION OR RECLASSIFICATION AS
OPEN SPACE LAND OR TIMBER LAND FOR CURRENT USE
ASSESSMENT UNDER CHAPTER 84.34 RCW

File With the County Legislative Authority

Name of Applicant: James K. Schuler & Assoc. Phone No.: 857-2044
Address: PO Box 808. Cle Elum. WA 98922
Property Location: Nyal. DI

1. Interest in property: □ Fee owner □ Contract purchaser □ Other (Describe)
2. Assessor's Parcel or Account Number: 198335 - 22-11- 15033 - 0001
   Legal description of land to be classified:
   
3. Land classification that is being sought: □ Open Space □ Timber Land
   NOTE: A single application may be made for both open space and timber land, but a separate legal description must
   be furnished for each area that classification is being sought.
4. Total acres in application: 16.00

5. OPEN SPACE CLASSIFICATION
   Number of acres: 16.00
   Category of open space:
   □ Conserve and enhance natural or scenic resources
   □ Protect streams or water supply
   □ Protect or preserve wilderness
   □ Promote conservation of soils, wetlands, beaches or tidal marshes
   □ Support recreation opportunities
   □ Enhance value to public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or
   sanctuaries or other open space
   □ Preserve historic sites
   □ Preserve visual quality along highway, road, and street corridors or scenic vistas
   □ Retain in natural state tracts of one (1) or more acres in urban areas and open to public use as reasonably required by
   granting authority
   □ Farm and agricultural conservation land as defined in RCW 84.34.020(8)

6. Indicate what category of open space this land will qualify for: (see reverse side for definitions)
   □ Conserve and enhance natural or scenic resources
   □ Protect streams or water supply
   □ Promote conservation of soils, wetlands, beaches or tidal marshes
   □ Enhance public recreation opportunities
   □ Enhance value to public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or
   sanctuaries or other open space
   □ Preserve historic sites
   □ Preserve visual quality along highway, road, and street corridors or scenic vistas
   □ Retain in natural state tracts of one (1) or more acres in urban areas and open to public use as reasonably required by
   granting authority
   □ Farm and agricultural conservation land as defined in RCW 84.34.020(8)

7. TIMBER LAND CLASSIFICATION
   Number of acres:
   Definition: "Timber land" means any parcel of land that is five or more acres or multiple parcels of land that are
   contiguous and total five or more acres which is or are devoted primarily to the growth and harvest of forest crops
   for commercial purposes. "Timber land" means land only.
   A timber management plan shall be filed with the county legislative authority either (a) when an application for
   classification as timber land pursuant to this chapter is submitted; (b) when a sale or transfer of timber land occurs
   and a notice of classification continuance is signed; or (c) within sixty days of the date the application for reclassification
   under this chapter is received. The application for reclassification will be accepted but not processed until the timber
   management plan is received. If the timber management plan is not received within sixty days of the date the application
   for reclassification is received, the application for reclassification shall be denied. If circumstances require it, the county
   assessor may allow in writing an extension of time for submitting a timber management plan when an application for
   classification or reclassification or notice of continuance is filed. When the assessor approves an extension of time for
   filing the timber management plan, the county legislative authority may delay processing an application until the timber
   management plan is received. If the timber management plan is not received by the date set by the assessor, the application
   or the notice of continuance shall be denied.
8. Submit a copy of your timber management plan with this application. A timber management plan will include the following elements:
   a) a legal description of, or assessor’s parcel numbers for, all land the applicant desires to be classified or reclassified as timber land,
   b) date or dates of acquisition of the land,
   c) a brief description of timber, or if harvested, the owners plan for restocking,
   d) whether there is a forest management plan for the land,
   e) if so, the nature and extent of implementation of the plan,
   f) if land is used for grazing,
   g) whether the land has been subdivided or a plat filed with respect to the land,
   h) whether land and applicant are in compliance with restocking, forest management, fire protection, insect and disease control, etc.,
   i) whether land is subject to forest fire protection assessments pursuant to RCW 76.04.610,
   j) whether land is subject to a lease, option, or other right that permits it to be used for a purpose other than growing and harvesting timber,
   k) a summary of past experience and activity of the applicant in growing and harvesting timber,
   l) a summary of current and continuing activity of the applicant in growing and harvesting timber,
   m) a statement that the applicant is aware of the potential tax liability involved when the land ceases to be classified as timber land.

9. Describe the present improvements on this property (buildings, etc.). None

10. Is this land subject to a lease or agreement which permits any other use than its present use? □ Yes □ No
    If yes, attach a copy of the lease agreement.

NOTICE: The assessor may require owners to submit pertinent data regarding the use of classified land.

OPEN SPACE LAND MEANS:
(a) Any land area so designated by a comprehensive land use plan adopted by a city or county authority, or
(b) Any land area, in which the preservation in its present use would:
   (i) Conserve and enhance natural or scenic resources,
   (ii) Protect streams or water supply,
   (iii) Promote conservation of soils, wetlands, beaches or tidal marshes,
   (iv) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space,
   (v) Enhance recreation opportunities,
   (vi) Preserve historic sites,
   (vii) Preserve visual quality along highway, road, and street corridor or scenic vistas, or
   (viii) Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority.
(c) Or, any land meeting the definition of "farm and agricultural conservation land".

STATEMENT OF ADDITIONAL TAX, INTEREST, AND PENALTY DUE UPON REMOVAL OF CLASSIFICATION
1. Upon removal of classification, an additional tax shall be imposed which shall be due and payable to the county treasurer 30 days after removal or upon sale or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of the following:
   (a) The difference between the property tax paid as "Open Space Land" or "Timber Land" and the amount of property tax otherwise due and payable for the last seven years had the land not been so classified; plus
   (b) Interest upon the amounts of the difference (a), paid at the same statutory rate charged on delinquent property taxes.
   (c) A penalty of 20% shall be applied to the additional tax if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal process, or except as a result of those conditions listed in 2) below.

REV 64-0021-2 (9/1/02)
2. The additional tax, interest, and penalty specified in (1) above shall not be imposed if removal resulted solely from:
   (a) Transfer to a government entity in exchange for other land located within the State of Washington.
   (b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent
domain in anticipation of the exercise of such power.
   (c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the
landowner changing the use of such property.
   (d) Official action by an agency of the State of Washington or by the county or city where the land is located disallowing the
   present use of such land.
   (e) Transfer of land to a church when such land would qualify for property tax exemption pursuant to RCW 84.36.020.
   (f) Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130
   (See RCW 84.34.108 (6)(f).
   (g) Removal of land classification as farm & agricultural land under RCW 84.34.020(2)(c) (farm homesite).
   (h) Removal of land from classification after enactment of statutory exemption that qualifies the land for exemption and receipt of
notice from the owner to remove the land from classification.
   (i) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120.
   (j) The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW
76.09.040.
   (k) The sale or transfer of the land within two years after the death of the owner of at least a fifty percent interest in the land if the
land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34
RCW continuously since 1993;
   (l) The sale or transfer of land after the death of the owner of at least fifty percent interest in the land if the land has been assessed
and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since
1993 and the sale or transfer takes place within two years after July 22, 2001, and the death of the owner occurred after January
1, 1991, or;
   (m) The date of death shown on a death certificate is the date used.

AFFIRMATION

As owner(s) of the land described in this application, I hereby indicate by my signature that I am aware of the potential tax
liability involved when the land ceases to be classified under provisions of Chapter 84.34 RCW. I also declare under the
penalties for false swearing that this application and any accompanying documents have been examined by me and to the
best of my knowledge it is a true, correct, and complete statement.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the
Legislature (RCW 84.34.070).

Signatures of all Owner(s) or Contract Purchaser(s):

__________________________

All owners and purchasers must sign.

Date application received: ____________________________

Amount of processing fee collected: ________________________

Transmitted to: ______________________________________

Date: ____________________________________________

Date received: ______________________________________

☐ Application approved ☐ Approved in part ☐ Denied

Owner notified of denial on: ____________________________

Agreement executed on: _____________________________

Mailed on: __________________________

For tax assistance, visit http://dor.wa.gov or call (800) 647-7706. To inquire about the availability of this document in an alternate format for the
visually impaired, please call (360) 486-2342. Teletype (TTY) users may call (800) 431-7985.
SUBDIVISION GUARANTEE

Office File Number : 0104427
Guarantee Number : 48 0035 72030 6728
Dated : May 11, 2007, at 8:00am
Liability Amount : $ 1,000.00
Premium : $ 200.00
Tax : $ 15.40

Your Reference : SCHULER

Name of Assured: ENCOMPASS ENGINEERING & TERRA DESIGN GROUP

The assurances referred to on the face page are:

That, according to those public records with, under the recording laws, impart constructive notice of matters relative to the following described real property:

PARCEL 1:

That portion of Section 15, Township 22 North, Range 11 East, W.M., in the County of Kittitas, State of Washington, described as follows:

Commencing at the Northeast corner of Lot 1 in the Plat of Hyak Estates No. 1, recorded in Volume 4 of Plats, pages 36 and 37, records of said county; thence South 88°37'21" East along the Southerly margin of the Chicago, Milwaukee, St. Paul, & Pacific Railroad Company's tunnel of right of way, parallel with and 100.00 feet Southerly of the centerline of said right of way, a distance of 199.49 feet to the East line of the Southwest Quarter of the Northwest Quarter of said section; thence South 0°29'48" West along said East line 50.01 feet to said railroad right of way, here parallel with and 150.00 feet Southerly of said centerline, and the point of beginning; thence South 14°15'13" East 150.00 feet; thence due East 200.00 feet; thence North 13°16'24" East 123.55 feet to intersect said railroad right of way, here parallel with and 150.00 feet Southerly of said centerline; thence Westerly along said right-of-way margin 275.00 feet, more or less, to the Point of Beginning.

PARCEL 2:

The Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., lying Westerly of the Westerly margin of the Chicago, Milwaukee, St. Paul and Pacific Railroad as now established; AND

That portion of the Northwest Quarter of Section 15 lying South of the Southerly margin of the Chicago, Milwaukee, St. Paul and Pacific Railroad as now established, within Kittitas County, State of Washington;

EXCEPT from all of the above following described property:

1. All of Hyak Estates as recorded in Volume 4 of Plats, pages 36 and 37, records of Kittitas County, State of Washington;
2. All of Hyak Estates Division Number 2, recorded in Volume 4 of Plats, pages 44 and 45, records of Kittitas County, State of Washington;
3. All of Hyak Estates, Division Number 3, as recorded in Volume 4 of Plats, pages 63, 64 and 65, records of Kittitas County, State of Washington;
4. All of Hyak Estates, Division Number 4, as recorded in Volume 5 of Plats, pages 18 and 19, records of Kittitas County, State of Washington;
(SCHEDULE A continued)

File No. 0104427

Legal Description Continued

5. That portion of the Southwest Quarter of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington described as follows:

Commencing at the Southwest corner of said section; thence South 89°18'35" East along the South line of said section 1637.78 feet to intersect the Southwesterly margin of Rampart Drive West, as shown on Sheet 2 of 2 sheets of the Plat of Hyak Estates No. 4, recorded in Volume 5 of Plats, pages 18 and 19, records of said county, at a point on a curve from which the center lines South 74°40'46" West, 431.59 feet; thence Northwesterly along said road margin and along said curve to the left through a central angle of 32°29'21" an arc distance of 244.73 feet to a point of tangency; thence North 47°48'35" West along said road margin, 368.08 feet to the point of beginning; thence continuing North 47°48'35" West along said road margin, 131.94 feet; thence South 57°41'25" West, 73.11 feet; thence South 33°48'45" East, 133.60 feet; thence North 54°11'25" East, 105.08 feet to the point of beginning;

6. That portion of the Northwest Quarter of the Northwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:

Commencing at the West Quarter corner of said section, as shown on Sheet 2 of 2 Sheets of the Plat of Hyak Estates, recorded in Volume 4 of Plats, page 37, records of said county; thence South 0°39'46" West, along the West line of said subdivision and along the West boundary of said plat 898.28 feet to an angle point on said plat boundary, said angle point being the point of beginning; thence South 38°51'21" East, along the Southwesterly boundary of said plat, 384.10 feet; thence North 39°20'14" West, 249.54 feet to the West line of said subdivision; thence North 0°39'46" East, 292.00 feet to the point of beginning;

7. That portion of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:

Commencing at the Northeast corner of Lot 1 in the Plat of Hyak Estates Number 1, recorded in Volume 4 of Plats, page 36 and 37, records of said county; thence South 88°37'21" East, along the Southerly margin of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company's tunnel right of way parallel with and 100.00 feet Southerly of the centerline of said right of way, a distance of 199.49 feet to the East line of the Southwest Quarter of the Northwest Quarter of said section; thence South 0°29'48" West along said East line 50.01 feet to said railroad right of way, here parallel with and 150.00 feet Southerly of said centerline; thence South 14°15'13" East, 498.84 feet to the point of beginning; thence continuing South 14°15'13" East, 500.00 feet; thence North 75°44'47" East, 337.03 feet; thence North 14°42'21" West, 87.34 feet to a point of curve to the left, having a radius of 75.00 feet; thence Northwesterly along the arc of said curve through a central angle of 48°17'39" an arc distance of 63.22 feet to a point of tangency; thence North 63°00'00" West, 149.25 feet to the beginning of a curve to the right, having a radius of 100.00 feet; thence Northernly along the arc of said curve through a central angle of 48°17'39" an arc distance of 84.29 feet to a point of tangency; thence North 14°42'21" West, 122.40 feet to a point of curve to the left, having a radius of 20.00 feet; thence Northerly and Northwesterly along the arc of a curve through a central angle of 68°49'54" an arc distance of 24.03 feet to a point of compound curvature, whose center lines South 8°27'45" West distance 740.00 feet; thence continuing Westerly along said curve through a central angle 8°27'45" an arc distance of 83.47 feet to a point of tangency; thence due West 73.33 feet to the point of beginning;
8. That portion of the Southeast Quarter of the Southwest Quarter and of the Southwest Quarter of the Southeast Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
Beginning at the South Quarter Section corner of said Section 15; thence North 89°18'35" West along the South line of the South Quarter of the Southwest Quarter of said Section a distance of 272.49 feet to the Southeast corner of Lot 28, Hyak Estates, Division Number 4, as recorded in Volume 5 of Plats, pages 18 and 19, records of said county; thence North 14°42'21" West along the Easterly line of said Division Number 4, a distance of 684.57 feet; thence South 89°18'35" East, 342.28 feet to the West margin of Hyak Drive East, as platted in Hyak Estates Division Number 3, recorded in Volume 4 of Plats, pages 63, 64 and 65, records of said county; thence South 14°42'21" East along said right of way 684.32 feet to the South line of the Southwest Quarter of the Southwest Quarter of said section; thence North 89°30'25" West along the South line of said Southwest Quarter of the Southwest Quarter a distance of 69.72 feet to the point of beginning.

9. That portion of the West Half of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
Commencing at the Southern most corner of Lot 123, Hyak Estates Division Number 1, as recorded in Volume 4 of Plats, pages 36 and 37, records of said county; thence South 18°02'00" East along the Easterly prolongation of said Lot 123, a distance of 210.00 feet; thence North 71°58'00" East, 14.00 feet to the point of beginning; thence continuing North 71°58'00" East, 83.00 feet; thence South 18°02'00" East, 200.00 feet; thence South 71°58'00" West, 83.00 feet; thence North 18°02'00" West to the point of beginning;

(being the Plat of Sundance, a condominium)

10. That portion of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
Commencing at the Northeast corner of Lot 1 in the Plat of Hyak Estates Number 1, recorded in Volume 4 of Plats, pages 36 and 37, records of said county; thence South 88°37'21" East along the Southerly margin of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company's tunnel right of way parallel with and 100.00 feet Southerly of the centerline of said right of way, a distance of 199.49 feet to the East line of the Southwest Quarter of the Northwest Quarter of said section; thence South 0°28'48" West along said East line 50.01 feet to said railroad right of way, here parallel with and 150.00 feet Southerly to said centerline and the point of beginning; thence South 14°15'13" East, 160.00 feet; thence due East 200.00 feet; thence North 13°16'24" East, 123.55 feet to intersect said railroad right of way, here parallel with and 150.00 feet Southerly of said centerline; thence Westerly along said right of way margin 275.00 feet, more or less, to the point of beginning;

11. That portion of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, described as follows:
Beginning at the Southeast corner of said Southwest Quarter; thence North 89°18'35" West, along the South line thereof 272.49 feet; thence North 14°42'21" West, 297.24 feet; thence South 75°19'39" West, 98.50 feet; thence North 48°58'51" West, 371.80 feet; thence North 36°59'51" West, 318.90 feet; thence North 9°47'51" West, 238.40 feet; thence North 29°08'39" East, 160.50 feet; thence North 47°09'26" West, 117.35 feet; thence North 56°44'55" West, 58.88 feet; thence North 17°47'09" West, 172.00 feet to the true point of beginning; thence continuing North 17°47'09" West, 173.00 feet; thence North 72°12'51" East, 108.66 feet; thence South 12°17'09" East, 173.80 feet; thence South 72°12'51" West, 89.00 feet to the true point of beginning;

(being the Plat of Suncrest, a condominium)
12. That portion of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington as shown and described on the record of survey drawing prepared by Western Pacific Engineering, Inc., dated November 1991 and as described as follows:

Beginning at a found 3 inch U.S. Forest Service aluminum cap monument marking the Southwest corner of the Southwest Quarter of said Section 15;

Thence North 00°39'46" East, coincident with the West boundary line of the Southwest Quarter of said Section 15, a distance of 1444.15 feet to the Southwest corner of the parcel described in the legal description as found in Volume 16 of Deeds, page 19, as found under the Kittitas County Auditor's File No. 364213, and to a point that bears South 00°39'46" West, coincident with the West boundary line of the Southwest Quarter of said Section 15 a distance of 291.99 feet from the Southwest corner of the plat known as Hyak Estates as recorded in Volume 4 of Plats, pages 36 and 37, as found under the Kittitas County Auditor's File No. 341703, said point bears South 00°39'46" West,

coincident with the West boundary line of the Southwest Quarter of said Section 15, and the West boundary line of said Hyak Estates, a distance of 1190.27 feet from a found ½ inch iron pin monument marking the Northwest corner of the Southwest Quarter of said Section 15; thence South 89°20'14" East, coincident with the South boundary line of said parcel, a distance of 249.55 feet to the Southwest boundary line of said Hyak Estates Plat and to the Southeast corner of said parcel, said point bears South 39°51'21" East, coincident with the Southwest boundary line of said Hyak Estates Plat, a distance of 384.10 feet from the Southwest corner of the Hyak Estates Plat; thence on the following two courses, coincident with the Southwest and the South boundary line of said Hyak Estates Plat:

1. South 39°51'21" East, a distance of 115.80 feet;

2. South 90°00'00" East, a distance of 395.00 feet;

Thence North 81°38'14" East, a distance of 640.86 feet to the Southwest corner of the Plat of Sundance a Condominium, as found in Book 6 of Plats, pages 44 through 49, as found under the Kittitas County Auditor's File No. 387137; thence North 71°58'00" East, coincident with the South boundary line of said Sundance Condominium Plat, a distance of 83.00 feet to the Southeast corner of said Sundance Condominium Plat;

Thence North 71°58'00" East, a distance of 49.29 feet;
Thence South 08°41'37" East, a distance of 129.67 feet;
Thence South 18°04'38" East, a distance of 125.00 feet;
Thence North 71°55'22" East, a distance of 90.00 feet;
Thence South 18°04'38" East, a distance of 44.61 feet;
Thence South 46°50'56" East, a distance of 54.87 feet;
Thence South 47°09'26" East, a distance of 117.35 feet;
Thence North 88°39'19" East, a distance of 220.65 feet;
Thence South 34°13'41" East, a distance of 46.69 feet;
Thence South 72°07'32" West, a distance of 347.69 feet;
Thence South 86°24'10" West, a distance of 243.11 feet to a point that lies 10.00 feet Southeasterly of the centerline of the chair lift designated as chair lift number 1; thence South 46°09'49" West a distance of 1381.88 feet to the South boundary line of the Southwest Quarter of said Section 15, said course being parallel with and 10.00 feet Southeasterly of the centerline of said chair lift number 1; thence North 89°18'36" West, coincident with the South boundary line of the Southwest Quarter of said Section 15, a distance of 403.20 feet to the point of beginning;
13. That portion of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, as shown and described on the record of survey drawing prepared by Western Pacific Engineering, Inc., dated November 1991 and as described as follows:

Commencing at the Northeast corner of Lot 1 in the Plat of Hyak Estates Number 1, recorded in Volume 4 of Plats, on pages 36 and 37, as found under the Kittitas County Auditor’s File NO. 341703; Thence South 88°37’21” East, coincident with the South right of way boundary line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company’s tunnel, a distance of 189.49 feet to the East boundary line of the Southwest Quarter of the Northwest Quarter of said Section 15, said course being parallel with and 100.00 feet Southerly of the centerline of the right of way for said railroad; thence South 00°29’48” West, coincident with the Southerly right of way boundary line of said railroad, a distance of 50.01 feet to an angle point in said right of way boundary line that is 150.00 feet Southerly of the centerline of the right of way of said railroad; thence South 14°15’13” East, a distance of 494.84 feet to the point of beginning, to the Northwest corner of the parcel described in the legal description as found in Book 27 of official records, on page 364, as found under the Kittitas County Auditor’s File No. 372986, to the South right of way boundary line of the county road known as Hyak Drive East, and to the South boundary line of the plat known as Hyak Estates No. 3 as per plat recorded in Volume 4 of Plats, on pages 63 through 65, as found under the Kittitas County Auditor’s File No. 350174; thence North 90°00’00” West, coincident with the South right of way boundary of said Hyak Drive East and the South boundary line of said Hyak Estates No. 3 Plat, a distance of 123.17 feet to a point that lies on the Southerly extension of the Northeasterly right of way boundary line of Hyak Drive East going Northwesterly; thence South 14°14’05” East a distance of 727.30 feet to the Northwest corner of the Plat of Suncrest, a Condominium, as described in deed recorded in Book 219 of official records, on page 439, as found under the Kittitas County Auditor’s File No. 485441; thence on the following 2 courses, coincident with the Northwesterly, and the Northeasterly boundary line of said Suncrest Plat:

1. North 72°12’51” East, a distance of 105.66 feet;
2. South 12°17’09” East, a distance of 173.80 feet to the Southeast corner of said Suncrest Plat;

Thence North 72°12’51” East, a distance of 124.77 feet; thence South 31°22’16” East, a distance of 324.21 feet; thence North 68°39’19” East, a distance of 146.42 feet to the Southwest right of way boundary line of the county road known as Keechelus Drive, and to the Southwest boundary line of the plat known as Hyak Estates No. 3 as per plat recorded in Volume 4 of Plats, pages 63 through 65, as found under the Kittitas County Auditor’s File No. 350174; thence North 14°42’21” West, coincident with the Southwest right of way boundary line of said Keechelus Road and the Southwest boundary line of said Hyak Estates No. 3 Plat, a distance of 699.05 feet to the Southeast corner of the parcel described in the legal description as found in Book 27 of official records, on page 364, as found under the Kittitas County Auditor’s File No. 372986; thence on the following 2 courses, coincident with the Southeast boundary line and the Southwest boundary line of the parcel described in the legal description as found in Book 27 of official records, on page 364, as found under the Kittitas County Auditor’s File No. 372986:

1. South 75°44’47” West, a distance of 337.03 feet;
2. North 14°15’13” West, a distance of 500.00 feet to the point of beginning;
14. That portion of the Southeast Quarter of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., Kittitas County, State of Washington, as shown and described on the record survey drawing prepared by Western Pacific Engineering, Inc., dated November 1991 and as described as follows:
Commencing at the Northeast corner of Lot 52 in the Plat of Hyak Estates No. 4, recorded in Volume 5 of Plats, pages 18 and 19, found under the Kittitas County Auditor’s File No. 354007; thence North 14°42′21″ West, coincident with the Southwest right of way boundary line of the county road known as Keechelus Drive West and a Southwest boundary line of said Hyak Estates No. 4 Plat, a distance of 91.07 feet to a point that lies 87.80 feet Northwesterly of the North boundary line of Lots 50 through 52 of said Hyak Estates No. 4 Plat and the North boundary line of said Hyak Estates No. 4 Plat and to the point of beginning; thence continuing North 14°42′21″ West, coincident with the Southwest right of way boundary line of the county road known as Keechelus Drive West and a Southwest boundary line of said Hyak Estates No. 4 Plat, a distance of 145.53 feet; thence South 75°17′39″ West, a distance of 138.61 feet; thence South 56°16′25″ West, a distance of 91.91 feet to a point that lies 120.00 feet Northeasterly of the Northeast right of way boundary line of the county road known as Rampart Drive East and a North boundary line of said Hyak Estates No. 4 Plat; thence South 33°43′35″ East, a distance of 62.50 feet to a point that bears North 33°43′35″ West, a distance of 106.43 feet from the Northeast corner of Lot 47 of said Hyak Estates No. 4 Plat and to a point that lies 87.80 feet Northerly of the North boundary line of Lots 50 through 52 of said Hyak Estates No. 4 Plat and the North boundary line of said Hyak Estates No. 4 Plat extended Westerly, said course being parallel with and 120 feet Northeasterly of the Northeast right of way boundary line of the county road known as Rampart Drive East and a North boundary line of said Hyak Estates No. 4 Plat; thence North 89°18′35″ East, a distance of 212.77 feet to the point of beginning, said course being parallel with and 87.80 feet Northerly of the North boundary line of Lots 50 through 52 of said Hyak Estates No. 4 Plat and the North boundary line of said Hyak Estates No. 4 Plat.

15. A track of land situated in the West Half of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, being 60 feet in width, 30 feet on each side of the following described line.

Beginning at the intersection of the centerline of Hyak Drive East and the South line of the C.M.ST.P.&P. R.R. Co. right of way, as shown on the Hyak Estates No. 3 Plat, Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, thence South 14°15′13″ West 325.22 feet to the beginning of a 250 foot radius curve to the left; thence along said curve through a central angle of 75°44′47″ an arc distance of 330.50 feet; thence East 40.65 feet to the beginning of a curve as shown on the above described Hyak Estates No. 3 Plat, and the terminus of this centerline description. EXCEPT That portion of Hyak Drive East Right of Way previously dedicated to Kittitas County on the Hyak Estates No. 3 plat, recorded September 30, 1968, under Auditor’s File No. 350174.
16. That portion of the North Half of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, being described as follows:

Commencing at the Easterly centerline terminus of Snoqualmie Drive as shown on the Plat of Hyak Estates, as per plat recorded in Volume 4 of Plats on pages 36 and 37, records of said county; thence South 14°15'13" East along the centerline of Hyak Drive East 168.25 feet to a point hereafter to be known as Point "A" thence North 75°44'47" East 30.00 feet to the Easterly right of way margin of Hyak Drive East and the true point of beginning; thence South 14°15'13" East along said Easterly margin 45.32 feet to a point of curve to the left; thence Southeasterly along said curve to the left having a radius of 220.00 feet through a central angle of 40°20'19", an arc length of 154.89 feet to a point on a curve whose radius point bears North 48°37'46" East 120.00 feet; thence Northwesterly along said curve to the right through a central angle of 6°54'49", an arc length of 14.48 feet; thence North 34°27'25" West 86.55 feet to a point curve to the right; thence Northwesterly along said curve to the right having a radius of 270.00 feet through a central angle of 20°12'12", an arc length of 95.21 feet to the true point of beginning.

And also commencing at said Point "A"; thence South 14°15'13" East along the centerline of Hyak Drive East 45.32 feet to a point of curve to the left; thence Southeasterly along said curve to the left having a radius of 250.00 feet through a central angle of 75°44'47", an arc length of 330.51 feet; thence South 00°00'00" East 30.00 feet to the Southerly right of way margin of Hyak Drive East and the true point of beginning; thence Westerly along said Southerly right of way margin along a curve to the right whose radius point bears North 00°00'00" East 280.00 feet, through a central angle of 36°46'12", an arc length of 179.69 feet to a point on a curve whose radius point bears North 46°19'45" East 180.00 feet; thence Southeasterly along said curve to the left through a central angle of 46°19'45", an arc length of 145.55 feet; thence North 90°00'00" East 37.41 feet to the true point of beginning.

17. That portion of the Southwest Quarter of the Northwest Quarter and that portion of the North Half of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, described as follows:

Beginning at the Northeast corner of Lot 136 Hyak Estates as per plat thereof filed in Volume 4 of Plats, pages 36 and 37, records of Kittitas County, State of Washington; thence Southerly along the East line of said Lot 136, a distance of 68.44 feet, to the Southeast corner of said Lot 136; thence Westerly along the South line of said Lot 136, a distance of 88 feet, the Southwest corner of said Lot 136, and the intersection with the Easterly line of Lot 134 of said plat; thence South 18°02'00" East along the Easterly lines of Lots 134, 133, 132, 131, 130 and 129 of said plat, a distance of 325.97 feet; thence North 72°09'27" East, a distance of 273.56 feet to the intersection with the Southwesterly line of Hyak Drive, as revised by warranty deeds recorded under Auditor's File Nos. 1997032000220, 199804010002 and 199804020001; thence Northwesterly and Westerly along the Southwesterly and Southerly line of said Hyak Drive and Snoqualmie Drive to the Northeast corner of said Lot 136 and the point of beginning.
(SCHEDULE A continued)

File No. 0104427

LEGAL DESCRIPTION CONTINUED

PARCEL 3:

That portion of the North Half of the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, being described as follows:

Commencing at the Easterly centerline terminus of Snoqualmie Drive as shown on the Plat of Hyak Estates, as per plat recorded in Volume 4 of Plats on pages 36 and 37, records of said county; thence South 14°15'13" East along the centerline of Hyak Drive East 168.25 feet to a point hereafter to be known as Point "A"; thence South 75°44'47" West 30.00 feet to the Westerly right of way margin of Hyak Drive East and the true point of beginning; thence South 14°15'13" East along said Easterly margin 45.32 feet to a point of curve to the left; thence Southeasterly along said curve to the left having a radius of 280.00 feet through a central angle of 38°58'35", an arc length of 190.47 feet to a point on a curve whose radius point bears North 46°19'45" East 180.00 feet; thence Northwesterly along said curve to the right through a central angle of 8°12'50", an arc length of 28.95 feet; thence North 34°27'25" West 86.55 feet to a point of curve to the right; thence Northwesterly along said curve to the right having a radius of 330.00 feet through a central angle of 20°12'12", an arc length of 116.36 feet to the true point of beginning.

And also commencing at said Point "A"; thence South 14°15'13" East along the centerline of Hyak Drive East 45.32 feet to a point of curve to the left; thence Southeasterly along said curve to the left having a radius of 250.00 feet through a central angle of 75°44'47", an arc length of 330.51 feet; thence North 00°00'00" East 30.00 feet to the Northerly right of way margin of Hyak Drive East, and the true point of beginning; thence Westerly along said Northerly right of way margin along a curve to the right whose radius point bears North 00°00'00" East 220.00 feet through a central angle of 35°24'28", an arc length of 135.96 feet to a point on a curve whose radius bears North 48°37'46" East 120.00 feet; thence Southeasterly along said curve to the left through a central angle of 48°37'46", an arc length of 101.85 feet; thence North 90°00'00" East 37.41 feet to the true point of beginning.

PARCEL 4:

A tract of land situated in the Southwest Quarter of Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, being described as follows:

Commencing at the Southwest corner of Lot 46 of Hyak Estates No. 3, Section 15, Township 22 North, Range 11 East, W.M., County of Kittitas, State of Washington, to the beginning of a curve to the left, said curve having a central angle of 4°47'14" and an arc distance of 66.84 feet to the true point of beginning; thence South 00°00'00" East for 60.00 feet; thence North 90°00'00" West for 242.86 feet to the beginning of a curve to the right, said curve having central angle of 75°44'47", radius 20.00 feet, chord bearing North 52°07'36" West and chord distance 24.56 feet, along the said curve for an arc distance of 26.44 feet; thence North 14°15'13" West, 355.78 feet; thence North 75°44'47" East 30.00 feet; thence North 75°44'47" East 30.00 feet; thence South 14°15'13" East 309.12 feet to the beginning of a curve to the left, said curve having central angle of 75°44'47", radius 20.00 feet, chord bearing South 52°07'36" East and chord distance of 24.56 feet, along said curve for an arc distance of 26.44 feet; thence North 90°00'00" East for 196.19 feet to the true point of beginning.

EXCEPT: That portion of Hyak Drive right of way as shown on construction plans located in the County Engineer’s office and described on the Statutory Warranty Deed from James K. Schuler & Associates to Kittitas County dated March 18, 1997 and recorded on March 20, 1997, under Auditor’s File Number 199703200020.