

From: [Justin Turnbull](#)
To: [Chris Cruse](#); [Jeremiah Cromie](#)
Cc: [Arden Thomas](#); [John Schultz](#); [Dan Carlson](#)
Subject: Re: BL-22-00020 Schultz - Request for Updated Survey/Clarification
Date: Saturday, November 19, 2022 12:47:15 AM

Chris and Jeremiah,
The proposed note by Mr. Cruse addresses my concerns.

Thanks,

Justin Turnbull, PLS
Kittitas County Surveyor
Kittitas County Public Works Main Phone (509)962-7523
411 N. Ruby St., Suite 1 Direct Line (509)933-8251
Ellensburg, WA 98926 justin.turnbull@co.kittitas.wa.us

From: Chris Cruse <chris@cruseandassoc.com>
Sent: Friday, November 18, 2022 9:02:42 AM
To: Justin Turnbull; Jeremiah Cromie
Cc: Arden Thomas; John Schultz; Dan Carlson
Subject: RE: BL-22-00020 Schultz - Request for Updated Survey/Clarification

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Justin – Assessor is working on updating the tax map to match the section line but may take a week. Attached is a quick exhibit that will hopefully get this survey recorded. I do not agree with “gap in ownership” as someone owns the property. I do agree with gap between the described boundary of this property and the platted boundary to the east. Does the redlined note address your concerns and we can proceed with recording?

Thanks,
Chris Cruse P.L.S.
Cruse and Associates
217 East 4th Ave.
P.O. Box 959
Ellensburg, WA 98926
(509) 962-8242 Office
Chris@Cruseandassoc.com

From: Chris Cruse
Sent: Wednesday, November 16, 2022 2:31 PM
To: Justin Turnbull <justin.turnbull@co.kittitas.wa.us>; Jeremiah Cromie

<jeremiah.cromie@co.kittitas.wa.us>

Cc: Arden Thomas <arden.thomas@co.kittitas.wa.us>; John Schultz <john57schultz@gmail.com>; Dan Carlson <dan.carlson@co.kittitas.wa.us>

Subject: RE: BL-22-00020 Schultz - Request for Updated Survey/Clarification

There is no ownership gap or ambiguity. Gordon the landowner to the east stated he owns the property within section 25 which exactly matches this survey and title report. The COMPAS map is not correct and can ask the Assessor about it.

Thanks,
Chris Cruse P.L.S.
Cruse and Associates
217 East 4th Ave.
P.O. Box 959
Ellensburg, WA 98926
(509) 962-8242 Office
Chris@Cruseandassoc.com

From: Justin Turnbull <justin.turnbull@co.kittitas.wa.us>

Sent: Wednesday, November 16, 2022 2:10 PM

To: Chris Cruse <chris@cruseandassoc.com>; Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>

Cc: Arden Thomas <arden.thomas@co.kittitas.wa.us>; John Schultz <john57schultz@gmail.com>;

Dan Carlson <dan.carlson@co.kittitas.wa.us>

Subject: RE: BL-22-00020 Schultz - Request for Updated Survey/Clarification

Chris (and Jeremiah),

WAC 332-130-050 states as follows:

The following requirements apply to land boundary survey maps and plans, records of surveys, plats, short plats, boundary line adjustments, and binding site plans required by law to be filed or recorded with the county.

(1) All such documents filed or recorded shall conform to the following:

(f) For the intelligent interpretation of the various items shown, including the location of points, lines and areas, they shall:

(vi) Identify any ambiguities, hiatuses, and/or overlapping boundaries;

(vii) Give the location and identification of any visible physical appurtenances such as fences or structures which may indicate encroachment, lines of possession, or conflict of title.

I interpret this as (at a minimum) the potential discrepancy must be identified and shown on the face of the map. I would propose that the note added by Mr. Cruse has not completed this requirement. Adding language such as "Potential ownership gap", "This portion identified in prior surveys as part of Parcel X" or any similar such language would meet the State's survey map requirements.

Thanks,

Justin Turnbull, PLS, RWP
Kittitas County Surveyor

Kittitas County Public Works Main Phone (509)962-7523

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Ellensburg, WA 98926

Direct Line (509)933-8251
justin.turnbull@co.kittitas.wa.us

From: Chris Cruse <chris@cruseandassoc.com>
Sent: Wednesday, November 16, 2022 1:36 PM
To: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Cc: Arden Thomas <arden.thomas@co.kittitas.wa.us>; Justin Turnbull <justin.turnbull@co.kittitas.wa.us>; John Schultz <john57schultz@gmail.com>; Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: RE: BL-22-00020 Schultz - Request for Updated Survey/Clarification

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See attached updated map. Please review and contact me back with any questions or notice to record.

Thanks,
Chris Cruse P.L.S.
Cruse and Associates
217 East 4th Ave.
P.O. Box 959
Ellensburg, WA 98926
(509) 962-8242 Office
Chris@Cruseandassoc.com

From: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Sent: Monday, November 14, 2022 3:29 PM
To: Chris Cruse <chris@cruseandassoc.com>
Cc: Arden Thomas <arden.thomas@co.kittitas.wa.us>; Justin Turnbull <justin.turnbull@co.kittitas.wa.us>; John Schultz <john57schultz@gmail.com>; Dan Carlson <dan.carlson@co.kittitas.wa.us>
Subject: RE: BL-22-00020 Schultz - Request for Updated Survey/Clarification

Mr. Cruse,

A Boundary Line Adjustment is subject to [KCC 15A.03.030](#) under [KCC 16.10.020](#) (Section about BLA's) that staff can request including streams/ponds. [KCC 16.24.060](#) talks about bodies of water

being required on surveys:

16.24.060 Survey - Property contiguous to natural bodies of water.

1. *If any land in a subdivision is contiguous to a natural body of water, a meander line shall be established along the shore at a safe distance back from the ordinary high-water mark. Property lying beyond the meander line shall be defined by distances along the side property lines extended from the meander line.*
2. *If the thread of a stream lies within a subdivision or forms the boundary of a subdivision, such thread shall be defined by bearings and distances as it exists at the time of the survey. (Ord. 2005-31, 2005)*

After review of the survey and aerial photos (including historical), the county is not requiring any pond to be delineated on this Survey/BLA. Please be aware of streams and ponds for future surveys however.

As for the ownership piece in your questions, it is required under RCW 58.17.255 and WAC 332-130-050 (1)(B)(f)(vi) and WAC 332-130-050(1)(B)(f)(vii). Your previous survey that was included in the application submittal included this triangle piece. Any ambiguities, trespasses or hiatuses (gaps in ownership) need to be noted on the face of the survey (not necessarily corrected).

Please provide an updated Survey showing this along with comments 1, 2, 3 & 5 as you described to continue processing the Boundary Line Application.

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

From: Chris Cruse <chris@cruseandassoc.com>

Sent: Tuesday, November 1, 2022 8:56 AM

To: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>

Cc: Arden Thomas <arden.thomas@co.kittitas.wa.us>; Justin Turnbull <justin.turnbull@co.kittitas.wa.us>; John Schultz <john57schultz@gmail.com>

Subject: RE: BL-22-00020 Schultz - Request for Updated Survey/Clarification

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Jeremiah – I addressed updating comments 1,2,3,&5 in the original email below. While we do locate them for boundaries to my knowledge there is no county code, rcw, or wac requiring “bodies of water” be shown on records of surveys. Section 25 is not included in the tax records or the title report I submitted for this property and I am not including it on this survey. There is no title issue this application is creating. There is no “gap in ownership” as there is always an underlying owner not placing that note on my survey. It is not within the scope of this project and unfair to require this applicant to determine who owns neighboring properties outside of this application.

Please contact me back with what is required for final approval and reference the code that requires me to illustrate bodies of water or research ownership of neighboring properties.

Thanks,
Chris Cruse P.L.S.
Cruse and Associates
217 East 4th Ave.
P.O. Box 959
Ellensburg, WA 98926
(509) 962-8242 Office
Chris@Cruseandassoc.com

From: Justin Turnbull <justin.turnbull@co.kittitas.wa.us>
Sent: Monday, October 31, 2022 11:36 AM
To: Chris Cruse <chris@cruseandassoc.com>
Cc: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>; Arden Thomas <arden.thomas@co.kittitas.wa.us>
Subject: RE: BL-22-00020 Schultz - Request for Updated Survey/Clarification

Chris,
Regarding your questions:

1. “Comments-not required” statement

There was a code update to Title 16 that corrected the absence of survey review by County Engineer and County Surveyor. I believe this was actually brought up by you shortly after I started with the county. As the surveyor’s review was not identified within county code, it was for comment only, as I had no purview to make requirements. CDS had and still does have the authority to take any of my comments and make them requirements. Even under the updated code, I may view a comment (such as a seasonal pond) that the applicant MAY want to show it, while CDS could require it to be shown. The Code update is under Ordinance 2022-005 if you wanted to view the changes.

2. “Bodies of Water”

The code citation escapes me at the moment, but it is a requirement to show rivers and bodies of water on surveys. I am uncertain if this is a remnant law from meander line ordinance or if DNR had their hand in things as they were quite aggressive at claiming ownership of aquatic lands in the late

90's. At any rate, I interpret this to only apply to permanent bodies of water. If there is a seasonal pond that shows up on the aerial image, I am inclined to let the applicant know..... but unless I know for certain it is not seasonal, it will be noted as a comment, not a requirement. I would be fine with showing the pond as "Position Approximate" or "position taken from GIS data". Be aware that while I view seasonal streams in the same regard, the county's Water Resource Manager typically wants all streams shown (including seasonal) that appear on the GIS mapping data.

3. Section 25 portion

The portion falling in Section 25 is shown both on the Compass GIS map as well as a prior survey by you (SUR: 40-30), as well as being excluded by prior adjacent survey (SP:A-29). The concern is that unless you or the title company can place the portion correctly to another parcel number, it MAY cloud the title and be perceived as an illegal division of land.

Understandably this MAY be more involved than what you (or your client) are prepared to do. If this is the case, please just note the possible gap in ownership on the face of your survey.

Thanks,

Justin Turnbull, PLS

Kittitas County Surveyor

Kittitas County Public Works Main Phone (509)962-7523
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Ellensburg, WA 98926 justin.turnbull@co.kittitas.wa.us

From: Chris Cruse <chris@cruseandassoc.com>

Sent: Monday, October 31, 2022 10:34 AM

To: Justin Turnbull <justin.turnbull@co.kittitas.wa.us>

Cc: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>

Subject: FW: BL-22-00020 Schultz - Request for Updated Survey/Clarification

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Justin – Going through comments and wanted to follow up. The PW survey comments use to be labeled "comments - not required" and now Jeremiah is asking us to address these requirements for final and not take them as comments to be updated if desired for recording. We try to update all comments but some are not feasible without large additional costs to the applicant.

Items 1, 2, 3 and 5 can be updated as commented.

Item 4 about delineating bodies of water has come up on several applications now and unsure what is requiring or triggering this. In this case the pond is seasonal and only has water after snowmelt but is there code requiring the ponds or waterways on final surveys?

Item 6, as per the submitted title report this ownership does not extend into Section 25. I do not know of any gaps in ownership and appears to simply be a mapping issue on COMPAS. The assessor's summary describes this ownership as not owning anything in section 25. When this BLA is sent to the Assessor I am sure the mapping will be corrected to match this survey and not planning to address for this survey.

Please review and contact me back about items 4/6 and please let both Jeremiah and myself know if these are requirements that must be met for final approval.

Thanks,
Chris Cruse P.L.S.
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From: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Sent: Thursday, October 27, 2022 8:11 AM
To: Chris Cruse <chris@cruseandassoc.com>; Jason Rinehart <jason@cruseandassoc.com>; 'john57schultz@gmail.com' <john57schultz@gmail.com>
Cc: Justin Turnbull <justin.turnbull@co.kittitas.wa.us>
Subject: BL-22-00020 Schultz - Request for Updated Survey/Clarification

Hello,

Please see the attached survey comments from the final preliminary survey for Boundary Line Adjustment application BL-22-00020 Schultz. Can you please provide clarification on items 1, 4-6 in the survey comments memo or provide an updated preliminary final survey? I have also included what was sent for the final preliminary survey and lot sums for this BLA.

Thank you.

Jeremiah Cromie
Planner II
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