

Jeff Watson

From: Steve Lathrop <Steve@lwbsd.com>
Sent: Tuesday, May 19, 2015 10:46 AM
To: Jeff Watson
Subject: FW: Vista View Estates (P05-03, and amended by P-07-47)

F. Steven Lathrop, Attorney at Law

Lathrop, Winbauer, Harrel, Slothower & Denison, LLP
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From: Doc Hansen [<mailto:doc.hansen@co.kittitas.wa.us>]
Sent: Thursday, July 10, 2014 4:20 PM
To: Steve Lathrop
Cc: Rhoda Crispin; Lindsey Ozbolt; Larry Hillis (hillis@drctech.biz)
Subject: RE: Vista View Estates (P05-03, and amended by P-07-47)

Steve; Per my email sent you on June 26, 2014, I'd indicated that unless there was documentation that extension had been granted in 2012, the Vista View Plat had expired (as indicated in the highlighted text below). You provided documentation of an email sent to you by Dan Valoff on June 22, 2012 which indicated that the plat had been extended until September 6, 2014.

Because Kittitas County Code requires that it follow RCW 58.17 and because the State law permits extension up to ten (10) years, the plat is extended to September 6, 2015.

Robert "Doc" Hansen
Planning Official

From: Steve Lathrop [<mailto:Steve@lwbsd.com>]
Sent: Friday, June 27, 2014 9:31 AM
To: Doc Hansen
Cc: Rhoda Crispin; Lindsey Ozbolt; Larry Hillis (hillis@drctech.biz)
Subject: RE: Vista View Estates (P05-03, and amended by P-07-47)

Doc: I suggest that the county records are incomplete if not incorrect as is your conclusion. Please find attached two emails that deal directly with the Vista View plat expiration and counter your opinion below. In the first, Dan Valoff clearly confirms the preliminary plat expiration of September 6, 2014. The second is equally important as it is my correspondence to the county pointing out that it would be unconstitutional for the county code to be inconsistent with state statutes. A formal request for an extension of the plat expiration date is not required once the statutory time was changed, as the county code would immediately be required to be consistent obviating the need for any extension

request. However, again only in an abundance of caution and under a reservation of all rights, please accept this request on behalf of Cascade View Inc. to extend the expiration date of the Vista View preliminary plat from September 6, 2014 to September 6, 2015. Also, please confirm in writing that your opinion expressed below is withdrawn and is replaced with one confirming the September, 2015 expiration. Thank you.

F. Steven Lathrop, Attorney at Law

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From: Doc Hansen [<mailto:doc.hansen@co.kittitas.wa.us>]

Sent: Thursday, June 26, 2014 6:24 PM

To: Steve Lathrop

Cc: Rhoda Crispin; Lindsey Ozbolt

Subject: RE: Vista View Estates (P05-03, and amended by P-07-47)

Steve;

KCC 16.12.250, Expiration, states:

A final plat meeting all requirements of this chapter shall be submitted to the board for approval within the timeframe specified by [RCW 58.17.140](#) . Failure to do so will result in the preliminary plat being expired and no longer valid.

Regarding Vista View Estate records show that extension was granted the preliminary plat as indicated from a letter written by Dan Valoff on June 13, 2012 that the plat was still valid and would still be so until September 6, 2012, subject to the time limit then existing in [RCW 58.17.140](#). We have no indication that time extension was requested or granted from the date of this letter to September 6, 2012.

In the 2012-2013 the House and Senate approved HB1074 which extended the time limit to finalize non-expired preliminary plats from seven to ten years. However, because there was no request for extension, and no granted extension in regards to Vista View, it expired before the Bill had passed. Therefore the plat was not subject to the Bill, and cannot be "revived" as a result of it's passage.

Unless you have record that indicates extension was requested and granted before September 6, 2012, Vista View has expired, is no longer valid, and is not subject to the ten-year extension provided by HB 1074.

Robert "Doc" Hansen

Planning Official

From: Steve Lathrop [<mailto:Steve@lwbsd.com>]

Sent: Thursday, June 26, 2014 10:45 AM

To: Doc Hansen

Cc: Rhoda Crispin

Subject: RE: Vista View Estates (P05-03, and amended by P-07-47)

Please confirm by return email our conversation this morning that the county recognizes the changes to RCW 58.17.140 that extends for ten years the term for certain preliminary plat approvals, including the Vista View Plat. Thanks.

F. Steven Lathrop, Attorney at Law

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From: Rhoda Crispin

Sent: Tuesday, April 29, 2014 4:29 PM

To: doc.hansen@co.kittitas.wa.us

Cc: Steve Lathrop

Subject: FW: Vista View Estates (P05-03, and amended by P-07-47)

Hi Doc.

Just following up on the request below...

please advise.

Thank you very much

Rhoda L. Crispin, Legal Assistant for

F. Steven Lathrop, Attorney at Law

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From: Rhoda Crispin

Sent: Tuesday, April 22, 2014 10:09 AM

To: doc.hansen@co.kittitas.wa.us

Cc: Steve Lathrop (steve@lwhsd.com); Dan Valoff (dan.valoff@co.kittitas.wa.us)

Subject: Vista View Estates (P05-03, and amended by P-07-47)

Good morning Doc.

We represent Cascade View Inc, the current owner and now developer of the Vista View Estates property. Vista View Estates received preliminary approval under 2005-118 on September 6, 2005.

We see that RCW 58.17.140 was amended to extend the final plat completion date to 10 years (58-17-140(3)(b)).

Please confirm that the expiration date for the Vista View Estates final plat is now September 6, 2015.

Thank you.

**Rhoda L. Crispin, Legal Assistant for
F. Steven Lathrop, Attorney at Law**

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201 West Seventh Avenue
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