

**From:** [Arden Thomas](#)  
**To:** [Kelly Bacon \(CD\)](#)  
**Cc:** [Candie Leader](#); [Mark Cook](#)  
**Subject:** RE: Hein Short Plat / Proposed Conservation Easement  
**Date:** Wednesday, October 28, 2020 5:18:12 PM

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Kelly – In order to address KCC 13.35 requirements, Public Works requires that this easement be recorded before final plat approval. Please let me know if you need anything else from me.

Thank you,  
Arden

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**From:** Paul Dempsey <pdempsey@hnw.law>  
**Sent:** Tuesday, October 27, 2020 11:25 AM  
**To:** Arden Thomas <arden.thomas@co.kittitas.wa.us>  
**Cc:** Marc Kirkpatrick <mkirkpatrick@encompasses.net>; Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>; Rhondda Dietrich <rdietrich@hnw.law>  
**Subject:** RE: Hein Short Plat / Proposed Conservation Easement

Arden – perfect. Counsel’s additionally proposed changes are fine.

Thanks to you and your colleagues at the Prosecutor’s Office for making this a priority.

I’ve accepted the additional changes and saved as a “nearly” final document, subject to adding the necessary legals for Exhibit “A.” (And again, since the recording of this document is to be a condition on final plat approval, I imagine the County would prefer the legals to describe specified “portions” of the pre-SP parcels. Marc, you’re taking care of that item, right?)

Best,

Paul Dempsey



Paul C. Dempsey, Attorney

p. 509.248.6030 f. 509.453.6880

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**From:** Arden Thomas <[arden.thomas@co.kittitas.wa.us](mailto:arden.thomas@co.kittitas.wa.us)>  
**Sent:** Monday, October 26, 2020 5:11 PM  
**To:** Paul Dempsey <[pdempsey@hnw.law](mailto:pdempsey@hnw.law)>  
**Cc:** Marc Kirkpatrick <[mkirkpatrick@encompasses.net](mailto:mkirkpatrick@encompasses.net)>; Rhondda Dietrich <[rdietrich@hnw.law](mailto:rdietrich@hnw.law)>  
**Subject:** RE: Hein Short Plat / Proposed Conservation Easement

Hi Paul –

I was out of the office on Friday, but your timing is good in that we received comments back from our prosecutor today and I touched base internally about the process moving forward.

The only change that we require on the conservation easement is some additional language on item 4. Please see attached.

If the attached agreement works for you, then I will notice that CDS that PW's requires that recording the attached conservation easement be a condition of final plat approval.

As for County signature, we can take care of that at any Board of County Commissioner agenda session (held the first and third Tuesday of each month). I just need a week's notice to get in on the agenda.

- Arden

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**From:** Paul Dempsey <[pdempsey@hnw.law](mailto:pdempsey@hnw.law)>  
**Sent:** Monday, October 26, 2020 4:44 PM  
**To:** Arden Thomas <[arden.thomas@co.kittitas.wa.us](mailto:arden.thomas@co.kittitas.wa.us)>  
**Cc:** Marc Kirkpatrick <[mkirkpatrick@encompasses.net](mailto:mkirkpatrick@encompasses.net)>; Rhondda Dietrich <[rdietrich@hnw.law](mailto:rdietrich@hnw.law)>  
**Subject:** Hein Short Plat / Proposed Conservation Easement

Good afternoon, Arden.

Follow-up to my voice mail check-in with you last week regarding our "collaborative" draft Conservation Easement document for the pending SP application.

Understanding that everyone is busy and working around pandemic issues to one degree or another, I'm hoping you can jump back into the County internal conversation with counsel concerning their review of the draft document. At this point, the Applicant has addressed or has committed to address all other,

outstanding items/comments provided to CDS from other agencies, which means we are hoping to move toward administrative preliminary plat determination very soon; we need only to tie down remaining details under the Conservation Easement.

Many thanks in advance! I'll stand by at this end...

Best,

Paul



Paul C. Dempsey, Attorney

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