

# **Kaycee Hathaway**

From: Claudia A Gowan <claudia@cagowanlaw.com>
Sent: Wednesday, November 26, 2014 5:20 PM

**To:** Kaycee Hathaway **Cc:** Jeff Watson

**Subject:** FW: BL-14-00022 Curry: Additional Information Request

**Attachments:** 20141126 Modified Site Plan Reflecting Current Boundary lines.pdf

This email may contain confidential attorney/client communications and may be legally privileged. If you are not the intended recipient or addressee, please notify me by reply email and destroy the original message & any attachments. Thank you.

Dear Ms. Hathaway, I attach a revision to the site plan submitted with our existing application reflecting the current boundary lines. This revision should supplement the plan reflecting the boundary lines as to be adjusted.

Please let me know if this will meet your purposes. I would like to keep this moving forward for the Curry family.

Thank you and best wishes for your Thanksgiving Holiday.

Claudia Gowan

### Claudia A. Gowan

Claudia A. Gowan, PLLC Market Place One, Suite 330 2003 Western Avenue Seattle, WA 98121 (206) 443-2733 (T) (206) 448-2252 (F) claudia@cagowanlaw.com

# www.seattletrustsandestates.com

Pursuant to Circular 230 and unless otherwise expressly indicated, any federal tax advice contained in this communication is not intended or written to be used, and may not be used, for the purpose of avoiding tax-related penalties or promoting, marketing or recommending to another party any tax related matters addressed herein.

From: Claudia A Gowan

**Sent:** Thursday, November 20, 2014 3:42 PM **To:** kaycee.hathaway@co.kittitas.wa.us

**Cc:** jeff.watson@co.kittitas.wa.us; wescottpeterson@comcast.net **Subject:** Re: BL-14-00022 Curry: Additional Information Request

Good afternoon Ms Hathaway, my understanding of your original email attaching the letter was that the information that you were requesting was the location of wells and septic systems, so I addressed those issues under my response. But your subsequent voicemail identified that you want

a site plan of the existing lot lines. Both of these lines are depicted on the map submitted with our application on page 8. The existing lot lines are depicted with a broken line and the proposed lot line is depicted with a solid line. The proposed lot line runs from north to south on the submitted map and makes a right angle running from west to east.

The existing line also runs from north to south as a dotted line (you will see it running through the eastern portion of the drainfields just west of the residence.)

The existing line then turns to the east as depicted by the dotted line immediately south of the structure labeled "the old machine shed."

You might want to check with Mr. Watson as he thought the map should be sufficient but for the question about wells, of which there are none.

Again, please feel free to let me know of any remaining questions,

Best, Claudia

----- Original message----- **From:** Kaycee Hathaway

Date: Thu, Nov 20, 2014 10:21 AM

To: Claudia A Gowan;

Subject: RE: BL-14-00022 Curry: Additional Information Request

Dear Ms. Gowan,

The additional information letter is in regard to the fact that you did not submit a site plan showing the *existing* configurations of the subject parcels. You did submit a site plan of the *proposed* configuration of the parcels, but as it states directly on the BLA application a site plan of the existing parcels/ lot lines needs to be submitted for a complete application.

For further questions or concerns please feel free to contact me.

Kaycee K Hathaway Kittitas County

Community Development Services/ Planner I

Phone: (509) 962-7079

Email: kaycee.hathaway@co.kittitas.wa.us

From: Claudia A Gowan [mailto:claudia@cagowanlaw.com]

Sent: Thursday, November 20, 2014 11:22 AM

**To:** Kaycee Hathaway

Subject: RE: BL-14-00022 Curry: Additional Information Request

Dear Ms. Hathaway:

Thank you for your inquiry regarding the location of any wells or septic systems on the Curry properties for which we seek a boundary line adjustment. As I stated in a 10/31 email to Mr. Jeff Watson, there are no wells on the property. I will include a copy of the substance of that email below because it also describes how water is provided to the property.

But, to directly answer the request for information under your email below:

- 1. There are no wells on either of the parcels owned by the Curry estate for which a boundary line adjustment is requested;
- 2. The septic system drainfields are clearly delineated on the survey map drawn by Mr. Bailey that was submitted with the original application. I attach a copy for your ease of reference; please see page 8 of the application for the referenced map. As you will see, the septic system/drainfields are located immediately west of the residence and north of the structure labeled "mobil home."
  - a. Note 1 of Mr. Bailey's notes on the map reflect that no wells or septic systems are located within 150 feet of the adjusted boundary lines.
  - b. Note 3 of Mr. Bailey's notes on the map describes the location of the water source for the property

I sincerely hope that this email resolves any lingering questions about wells or drainfields on the properties, and please don't hesitate to contact me if you need further clarification. I am only too happy to help in order to move the Estate matters forward.

Ms. Hathaway, will you also please advise by return email if you need a more formal letter from me or if this email will suffice? (I am on vacation and am responding remotely in order to expedite your request.) Thank you very much for your considerate attention to this matter.

Best, Claudia

# Claudia A. Gowan

Claudia A. Gowan, PLLC Market Place One, Suite 330 2003 Western Avenue Seattle, WA 98121 (206) 443-2733 (T) (206) 448-2252 (F) claudia@cagowanlaw.com

## www.seattletrustsandestates.com

## Text of 10/31/2014 email from and to Mr. Jeff Watson:

Jeff, thank you.

There is no well on either property. Mr. Bailey also made a note of that on his drawing. The primary source of water for the house is from a spring on a property south & slightly east of these properties. Access is protected through an easement supporting access for purposes of the water right.

I am so pleased that these will work. Let me know if you have any further questions about the fact that there is no well.

What will the next step be - will the County send notice of approval?

Thanks for all the help.

Best,

Claudia

----- Original message-----

From: Jeff Watson

Date: Fri, Oct 31, 2014 3:08 PM

**To:** Claudia A Gowan; **Subject:**RE: 3rd page

The only thing I don't see is the location of any well on either parcel. Otherwise these will work fine.

Jeffrey A. Watson
Planner II
Kittitas County Public Works/Community Development Services
411 North Ruby
Ellensburg WA 98926
jeff.watson@co.kittitas.wa.us
509-933-8274

Pursuant to Circular 230 and unless otherwise expressly indicated, any federal tax advice contained in this communication is not intended or written to be used, and may not be used, for the purpose of avoiding tax-related penalties or promoting, marketing or recommending to another party any tax related matters addressed herein.

From: Kaycee Hathaway [mailto:kaycee.hathaway@co.kittitas.wa.us]

Sent: Thursday, November 20, 2014 9:53 AM

To: Claudia A Gowan

Cc: 'wescottpeterson@comcast.com'

Subject: BL-14-00022 Curry: Additional Information Request

Dear Applicant,

Please review the attached document. A hard copy is being sent to you via the US Postal Service. If you have any further questions please feel free to contact me.

Thank you,

Kaycee K Hathaway
Kittitas County
Community Development Services/ Planner I

Phone: (509) 962-7079

Email: kaycee.hathaway@co.kittitas.wa.us

message id: 38eb45916c6dcbdac24bb8719d004a14

# KITTITAS COUNTY

# KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926 CDS@CO.KITTITAS.WA.US Office (509) 962-7506 Fax (509) 962-7682

"Building Partnerships - Building Communities"

November 20, 2014

Claudia A. Gowan 2003 Western Avenue, Suite 330 Seattle, WA 98121

Subject: Curry Boundary Line Adjustment (BL-14-00022)

Dear Applicant,

In order for the County to continue processing this application, additional information is required. The following information is due to the County by *May 19, 2015*.

 Location of Septic and Wells on all parcels associated with Boundary Line Adjustment on an existing site plan.

When the County receives this information, staff will send relevant materials to interested agencies for an opportunity to comment.

If you have any questions regarding this matter, please feel free to contact me at (509)962-7079 or by email at Kaycee.hathaway@co.kittitas.wa.us

Sincerely,

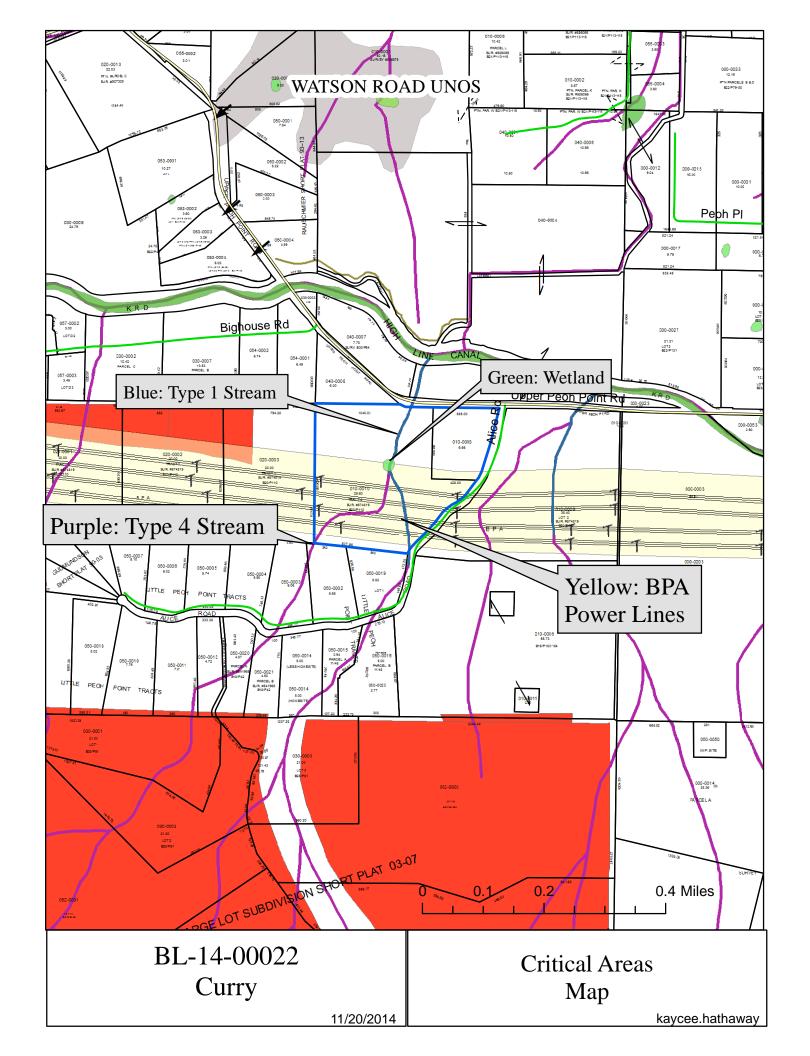
Kaycee K Hathaway

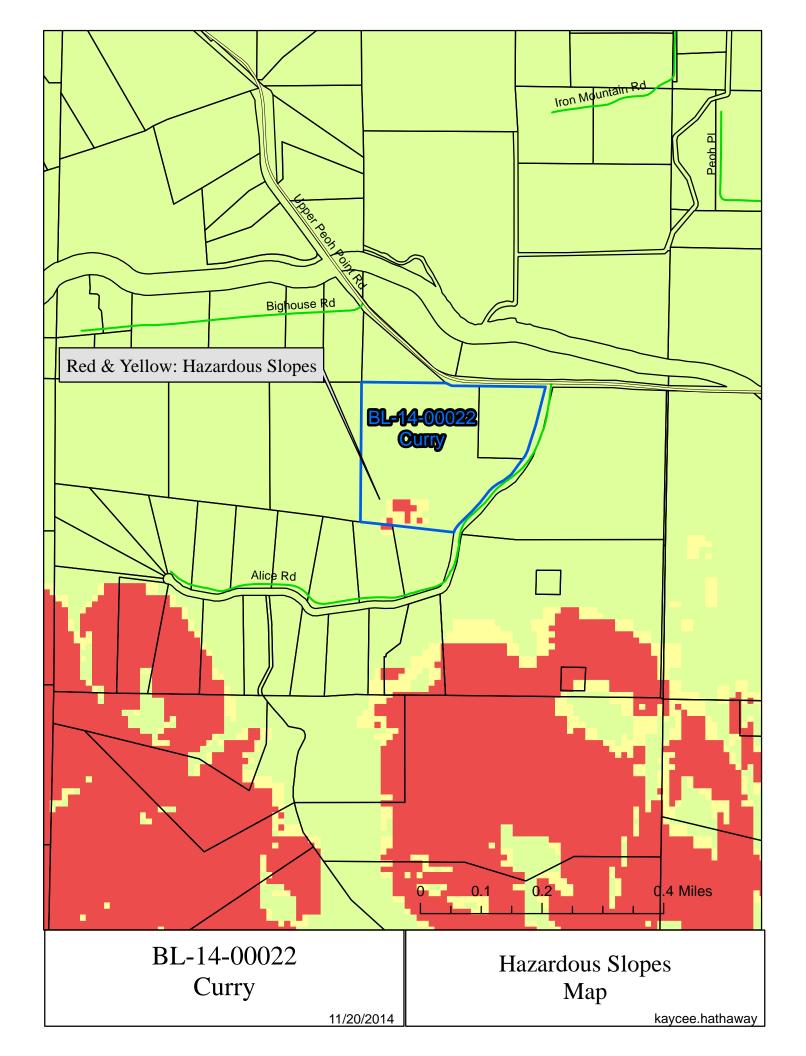
Staff Planner

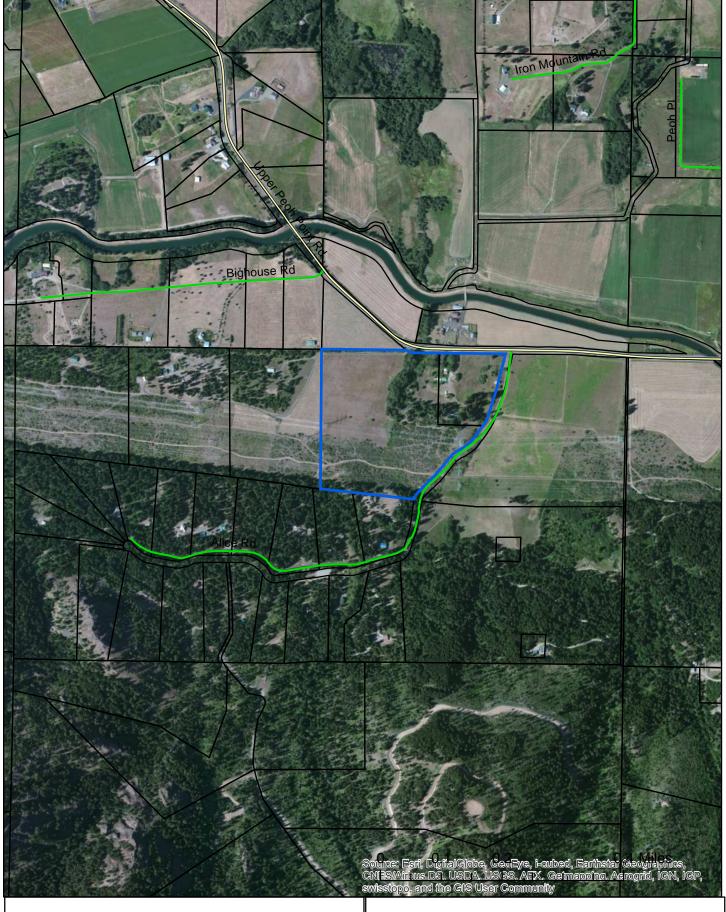
# Critical Areas Checklist

Thursday, November 20, 2014 Application File Number BL-14-00022 м Planner Kaycee Hathaway ✓ No □ Yes Is SEPA required ☐ Yes ✓ No Is Parcel History required? What is the Zoning? Forest and Range H<sub>/</sub>  $\square$  No ✓ Yes Is Project inside a Fire District? If so, which one? Fire District 7  $\square$  Yes ✓ No Is the project inside an Irrigation District? If so, which one? □ Yes ✓ No Does project have Irrigation Approval? Which School District? Cle Elum-Roslyn ✓ No □ Yes Is the project inside a UGA? If so which one? ✓ No ☐ Yes Is there FIRM floodplain on the project's parcel? If so which zone? What is the FIRM Panel Number? ✓ No  $\square$  Yes Is the Project parcel in the Floodway? ✓ No If so what is the Water Body? What is the designation? ✓ Yes  $\square$  No Does the project parcel contain a Classified Stream? If so what is the Classification? Type 2 & 4 ✓ Yes  $\square$  No Does the project parcel contain a wetland? If so what type is it? PUBHx; Freshwater Pond  $\square$  Yes ✓ No Does the project parcel intersect a PHS designation? If so, what is the Site Name?  $\square$  No If so, what type? 0-41%

Does the project parcel abut a DOT road?				
If so, which one?				
Does the project parcel abut a Forest Service road? ☐ Yes ✓ No				
If so, which one?				
Does the project parcel intersect an Airport overlay zone ? $\square$ Yes $\stackrel{lackbox{\checkmark}}{}$ No				
If so, which Zone is it in?				
Does the project parcel intersect a BPA right of way or line?   ✓ Yes   ✓ No				
If so, which one? Olympia-Grand Coulee No 1, Line NameSch				
Is the project parcel in or near a Mineral Resource Land? ✓ Yes ☐ No				
If so, which one?				
Is the project parcel in or near a DNR Landslide area? ✓ Yes ☐ No				
If so, which one?				
Is the project parcel in or near a Coal Mine area? ☐ Yes ✓ No				
What is the Seismic Designation? D1				
Does the Project Application have a Title Report Attached? $\hfill\Box$				
Does the Project Application have a Recorded Survey Attached? $\ \Box$				
Have the Current Years Taxes been paid? $\Box$				





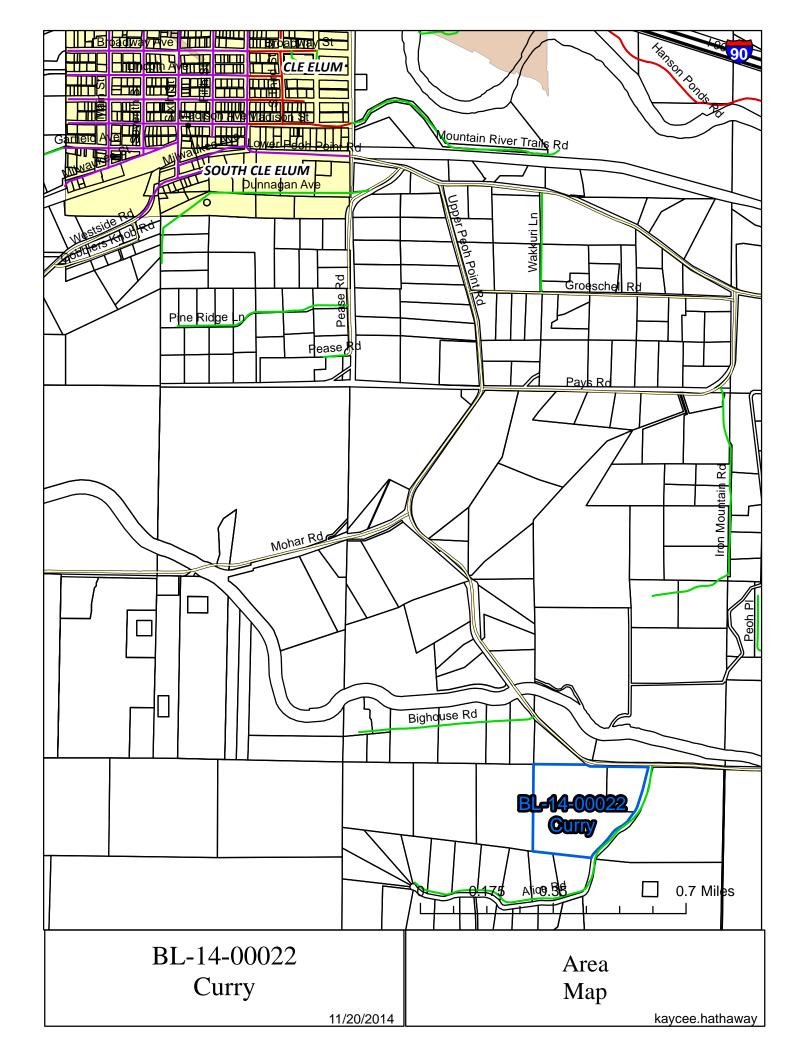


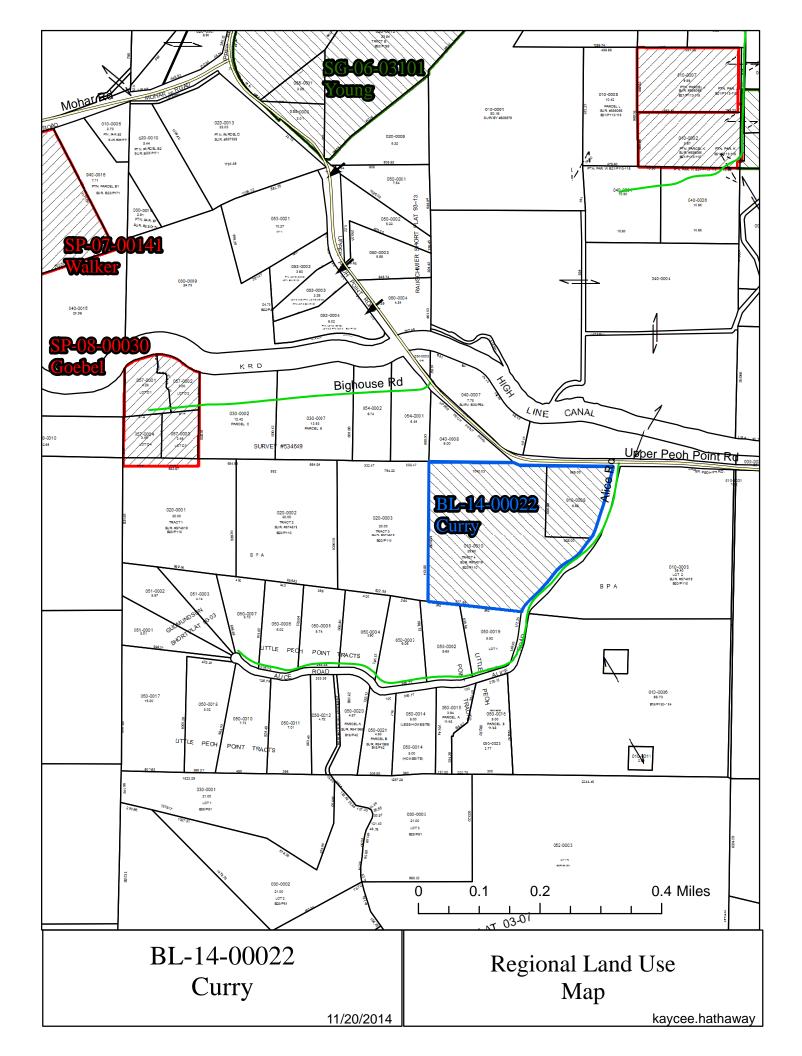
BL-14-00022 Curry

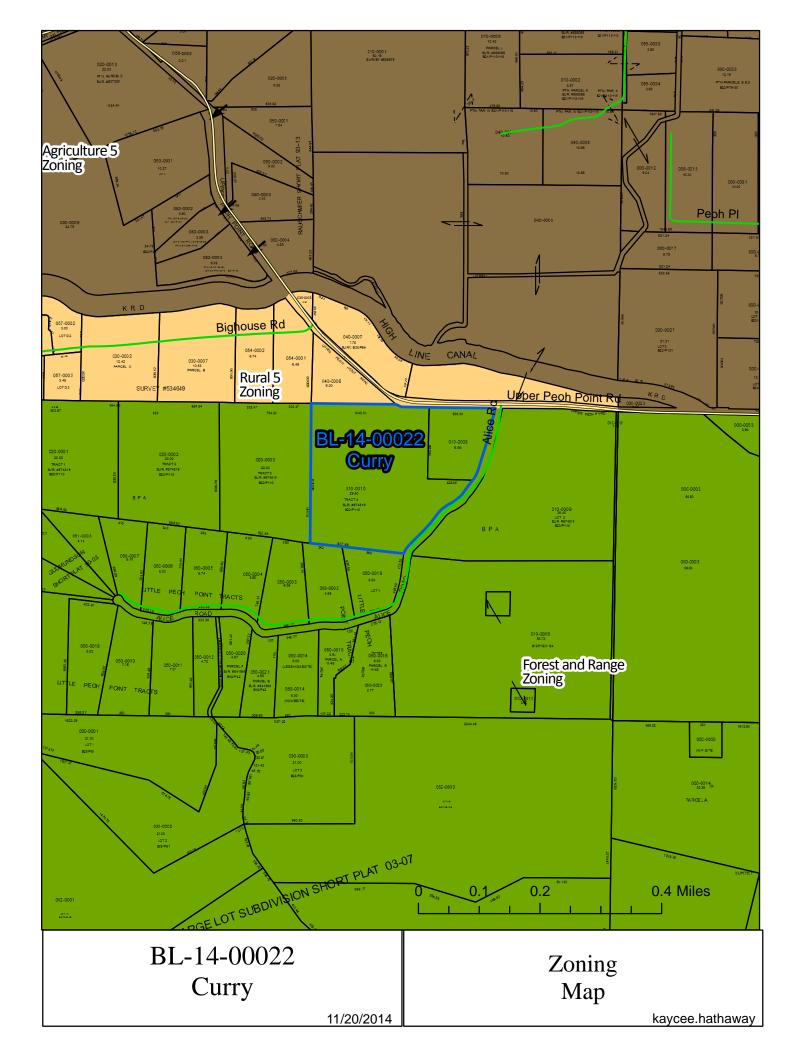
11/20/2014

Air Photo Vertical

kaycee.hathaway







# Claudia A. Gowan, PLIC

### A PROFESSIONAL LIMITED LIABILITY COMPANY

Market Place One, Suite 330
2003 Western Avenue
Seattle, Washington 98121
(206) 443-2733
claudia@cagowanlaw.com
www.seattletrustsandestates.com

October 22, 2014



Mr. Jeff Watson Kittitas County Community Development Services 411 N. Ruby St. Suite 2 Ellensburg, WA 98926

Re: Estate of Douglas D. Curry

Application for Boundary Line Adjustment

Parcels #145734, #104636

3032 Upper Peoh Point Road and 3030 Upper Peoh Point Road

Dear Jeff:

I am writing to forward the application for a boundary line adjustment submitted by Wescott W. Peterson, Personal Representative of the Estate of Douglas D. Curry. I represent Scott and the Estate for purposes of this matter.

I spoke with Mr. Bob Bailey, who prepared the legal descriptions that are enclosed with the application on the Estate's behalf. He indicated that he believed that the drawings that we are submitting along with the legal descriptions should be sufficient for identifying the issues raised for purposes of the Unified Site Plan. For this reason, I am taking your advice and submitting the application, trusting that if you need additional information, you will advise me.

Jeff, thank you very much for your assistance. I greatly appreciate it.

Best regards,

Claudia A. Gowan

Enc.

cc: Wescott W. Peterson

# KITTITAS COUNTY

# KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926 CDS@CO.KITTITAS.WA.US Office (509) 962-7506 Fax (509) 962-7682

"Building Partnerships - Building Communities"

# **BOUNDARY LINE ADJUSTMENT**

(Adjustment of lot lines resulting in no new lots, as defined by KCC 16.08.055)

NOTE: If this Boundary Line Adjustment is between multiple property owners, seek legal advice for conveyance of property. This form does not legally convey property.

Please type or print clearly in ink. Attach additional sheets as necessary. Pursuant to KCC 15A.03.040, a complete application is determined within 28 days of receipt of the application submittal packet and fee. The following items must be attached to the application packet.

## **REQUIRED ATTACHMENTS**

Note: a separate application must be filed for each boundary line adjustment request.

- Unified Site Plan of existing lot lines and proposed lot lines with distances of all existing structures, access points, well heads and septic drainfields.
- Signatures of all property owners.
- Narrative project description (include as attachment): Please include at minimum the following information in your description: describe project size, location, water supply, sewage disposal and all qualitative features of the proposal; include every element of the proposal in the description.
- For <u>preliminary approval</u>, please submit a sketch containing the following elements.
  - 1. Identify the boundary of the segregation:
    - a. The boundary lines and dimensions
    - b. Sub-Parcel identification (i.e. Parcels A, B, C or Lots 1, 2, 3, etc.)
  - 2. Show all existing buildings, well heads and drain fields and indicate their distances from the original exterior property lines AND from the proposed property lines. If you have a copy of an original survey, please attach. A new survey will not be needed until preliminary approval has been granted.
  - 3. Provide legal descriptions for each proposed tax parcel and identify by letter or number use on the map. Example: Parcel
  - 4. A The North 75 feet of the West 400 feet of the Southwest quarter of the Southwest quarter of the Southwest quarter of Section 02; Township 20 North; Range 16 East; W.M.; Except the West 30 feet thereof for roads.
- For <u>final approval</u> (not required for initial application): Legal descriptions of the proposed lots, or a recorded survey.

### APPLICATION FEES:

\$225.00	Kittitas County Community Development Services (KCCDS)
\$90.00	Kittitas County Department of Public Works
\$65.00	Kittitas County Fire Marshal
\$215.00	Kittitas County Public Health Department Environmental Health
\$595.00	Total fees due for this application (One check made payable to KCCDS)

# FOR STAFF USE ONLY

Applica	tion Received By (CDS Staff Signature):	DATE:	RECEIPT #	The second of the second
			4. <del></del>	OCT 2 8 2014
				KITTITAS COUNTY
				DATE STAMP IN BOX

☐ Assessor COMPAS Information about the parcels.

## GENERAL APPLICATION INFORMATION

1. Name, mailing address and day phone of land owner(s) of record:

Landowner(s) signature(s) required on application form

Name: Douglas D. Curry, by Wescott W. Peterson, Personal Representative, Estate of Douglas D. Curry

Mailing Address: c/o: Claudia A. Gowan, PLLC, 2003 Western Avenue, Suite 330

City/State/ZIP: Seattle, WA 98121

Day Time Phone: (206) 669-3795

Email Address: wescottpeterson@comcast.net

2. Name, mailing address and day phone of authorized agent, if different from landowner of record:

If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.

Agent Name: Claudia A. Gowan, Claudia A. Gowan, PLLC

Mailing Address: 2003 Western Avenue, Suite 330

City/State/ZIP: Seattle, WA 98121

Day Time Phone: (206) 443-2733

Email Address: Claudia@cagowanlaw.com

- 3. Name, mailing address and day phone of other contact person: NA
- 4. Street address of property:

Address: 3032 Upper Peoh Point Road, 03030 Upper Peoh Point Rd.

City/State/Zip: Cle Elum, WA 99922

5. Legal description of property (attach additional sheets as necessary):

See, attachments.

6. Property size: <u>6.28</u> (acres), <u>29.16</u> (acres)

**7. Land Use Information:** Zoning: Forest/Range. Comp Plan Land Use Designation: Rural Working Forest/Range. Comp Plan Land Use Designation: Rural Working

Page 2 of 3

# 8. Existing and Proposed Lot Information Original Parcel Number(s) & Acreage New Acreage (1 parcel number per line) (Survey Vol. Bk 33, Pg119) 145734 Current 6.28 (acs) Proposed: 15.18 (acres) 104636 Current 29.16 (acs) Proposed: 20.26 (acres) APPLICANT IS: XXX OWNER PURCHASER LESSEE OTHER **AUTHORIZATION** 9. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work. NOTICE: Kittitas County does not guarantee a buildable site, legal access, available water or septic areas, for parcel receiving approval for a Boundary Line Adjustment. All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable. Signature of Authorized Agent: Signature of Land Owner of Record (REQUIRED if indicated op application) (Required for application submittal): Lower Went (date) 10/21/14

THIS FORM MUST BE SIGNED BY COMMUNITY DEVELOPMENT SERVICES AND THE TREASURER'S OFFICE PRIOR TO SUBMITTAL TO THE ASSESSOR'S OFFICE.

TREASURER'S OFFICE REVIEW

Tax Status:	ax Status: By: Date:		Date:			
( ) This BLA mee				NT SERVICES REVI		
Deed Recording V	ol	Page	Date	**Survey Re	quired: Yes	No
Card #:			Parcel Crea	ation Date:		
Last Split Date:			Current Zo	oning District:		
Preliminary Approval Date:				By:		
Final Approval Da	te:		·	By:		

# NARRATIVE PROJECT DESCRIPTION

Wescott W. Peterson, Personal Representative and Executor of the Estate of Douglas D. Curry, Kittitas County Superior Court, Cause # 04-4-00058-1, is requesting a boundary line adjustment expanding the property line on the western and southern boundaries of parcel no. 145734 for the purpose of 1) protecting drainage fields and seasonal water sources close to the western edge of the current property line, which are alternate water sources to the water rights associated with 145734, and to include such alternate water sources within the boundaries of 145734, and, for maintaining a right of way on a dirt utility access which provides access to the remaining portions of the existing property. The main water source is situated approximately 3000 feet horizontally uphill from the residence and is not affected under this BLA. Note: while a mobile home will also be encompassed under the BLA, the mobile home is not in use and serves as storage.

Under the project, the Estate is simply taking 8.9 acres from 104636. Such acres are in excess of the minimum required acreage for 104636 and are being tacked on to 145734 to accomplish the Estate's purposes. Both parcels 145734 and 104636 are owned by the Estate.



# PARCEL 145734 Description from 2006 Survey AFN200611140022; Bk 33 of Surveys, Pg 119

That portion of the NE4, Section 11, T19N R15E WM in the County of Kittitas, State of Washington described as follows:

Beginning at the N ¼ sec cor of said section 11; Thence S89°16′16″E along the north line of said NE4, 1040.24′ to the True Point-of-Beginning; Thence continuing S89°16′16″E along said north line 555.44′ to intersect with the west boundary of the easement description in AFN450900; Thence SOUTH along said boundary 74.08′; Thence S15°W along said boundary 195.26′; Thence S18°W along said boundary 294.19′; Thence S37°W along said boundary, 5.47′; Thence N89°16′16″W parallel with the north line of said section 417.70′; thence N00°43′44″E, 549.03′ to the True Point-of-Beginning, Containing 6.28 Acres.

# NEW DESCRIPTION from the BLA for PARCEL 145734

That portion of the NE4, Section 11, T19N R15E WM in the County of Kittitas, State of Washington described as follows:

Beginning at the N ¼ sec cor of said section 11; Thence S89°16'16"E along the north line of said NE4, 566.71' to the True Point-of-Beginning; Thence continuing S89°16'16"E along said north line 1028.97' to intersect with the west boundary of the easement description in AFN450900; Thence SOUTH along said boundary 74.08'; Thence S15°W along said boundary 195.26'; Thence S18°W along said boundary 294.19'; Thence S37°W along said boundary, 193.67'; Thence N89°16'16"W parallel with the north line of said section 779.88'; thence N00°43'44"E, 701.10' to the True Point-of-Beginning, Containing 15.18 Acres.



808's LLC PROFESSIONAL LAND SURVEYING 4201 HWY 970, CLE ELUM, WA 98922 509 674 5551

10/12/14

# PARCEL 104636 Description from 2006 Survey; AFN200611140022; Bk 33 of Surveys, Pg 119

That portion of the NE4, Sec 11, T19N R15E WM shown as tract 4, Record of Survey, Book 20, Page 110, AFN574819 all situated in the County of Kittitas, State of Washington more particularly described as follows:

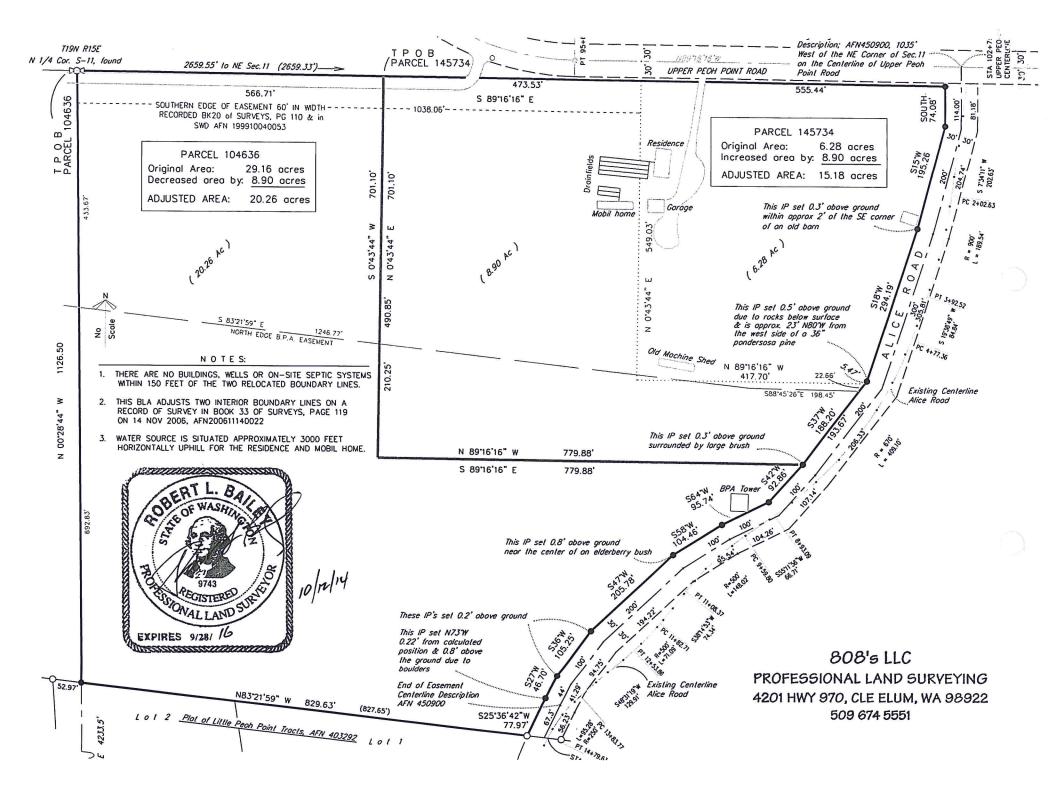
Beginning at the N 1/4 sec cor of said Section 11 which is also the True Point-of-Beginning; Thence S89°16′16″E along the north line of said NE4, 1040.24′ to the NW corner of Tax Parcel 19-15-11010-0008; Thence S0°43′44″W, 549.03′ to the SW corner of said Tax Parcel; Thence S89°16′16″E, 417.70′ to intersect with the west boundary of the easement description in AFN450900; Thence S37°W along said boundary, 188.20′; Thence S42°W along said boundary, 92.86′; Thence S64°W along said boundary, 95.74′; Thence S58°W along said boundary, 104.46′; Thence S47°W along said boundary, 205.78′; Thence S36°W along said boundary, 105.25′; Thence S27°W along said boundary, 46.70′; Thence S25°36′42″W, 77.97′ to the NE corner of Lot 1, Plat of Little Peoh Point Tracts; Thence N83°21′59″W along the north line of said Plat of Little Peoh Point Tracts, 829.63′ (827.65′) to intersect with the west line of said NE4; Thence N0°28′44″W along said west line, 1126.50′ to the True Point-of-Beginning; Containing 29.16 Acres.

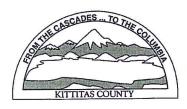
### NEW DESCRIPTION from the BLA for PARCEL 104636

That portion of the NE4, Sec 11, T19N R15E WM shown as tract 4, Record of Survey, Book 20, Page 110, AFN574819 all situated in the County of Kittitas, State of Washington more particularly described as follows:

Beginning at the N 1/4 sec cor of said Section 11 which is also the True Point-of-Beginning; Thence S89°16′16″E along the north line of said NE4, 566.71′ to the NW corner of Parcel 145734; Thence S0°43′44″W, 701.10′ to the SW corner of last said Parcel; Thence S89°16′16″E, 779.88′ to intersect with the west boundary of the easement description in AFN450900; Thence S42°W along said boundary, 92.86′; Thence S64°W along said boundary, 95.74′; Thence S58°W along said boundary, 104.46′; Thence S47°W along said boundary, 205.78′; Thence S36°W along said boundary, 105.25′; Thence S27°W along said boundary, 46.70′; Thence S25°36′42″W, 77.97′ to the NE corner of Lot 1, Plat of Little Peoh Point Tracts; Thence N83°21′59″W along the north line of said Plat of Little Peoh Point Tracts, 829.63′ (827.65′) to intersect with the west line of said NE4; Thence N0°28′44″W along said west line, 1126.50′ to the True Point-of-Beginning; Containing 20.26 Acres.

808's LLC PROFESSIONAL LAND SURVEYING 4201 HWY 970, CLE ELUM, WA 98922 509 674 5551





# KITTITAS COUNTY PERMIT CENTER 411 N. RUBY STREET, ELLENSBURG, WA 98926

RECEIPT NO.:

00023455

COMMUNITY DEVELOPMENT SERVICES

PUBLIC HEALTH DEPARTMENT

DEPARTMENT OF PUBLIC WORKS

(509) 962-7506

(509) 962-7698

(509) 962-7523

Account name:

012545

Date: 10/28/2014

Applicant:

DOUG CURRY ESTATE

Type:

check

# 2170843

Permit Number	Fee Description	Amount
BL-14-00022	BOUNDARY LINE ADJUSTMENT MAJOR	225.00
BL-14-00022	BLA MAJOR FM FEE	65.00
BL-14-00022	PUBLIC WORKS BLA	90.00
BL-14-00022	ENVIRONMENTAL HEALTH BLA	215.00
	Total:	595.00