

Kittitas County Community Development Services

Darryl Piercy, Director

NOTIFICATION CHECKLIST FOR PLANNING ISSUES

(to be filled out and kept in the files at all times)

PROPOSAL NAME: Ellensburg - Hungry Junction SP-08-00025
conditional Preliminary Approval

NOTIFICATION MAIL DATE:

July 11, 2008

Mailer: In addition to attaching the items for mailing, please attach a copy of the names and addresses of those to whom mailed and the public hearing notice sent to the newspapers.

State of Washington
County of Kittitas

I certify that the acts of notification of SEPA and other actions described in this document have occurred or have been performed.



Signature

Subscribed and sworn to before me this 18 day of July, 20 08.



Notary Public for the State of Washington residing
in Ellensburg.
My appointment expires January 9, 20 10.



ELLENSBURG HUNGRY JUNCTION LLC
1516 MAGNOLIA BLVD W
SEATTLE, WA 98199

CRUSE & ASSOCIATES

Kittitas County Environmental Health

Kittitas County Public Works

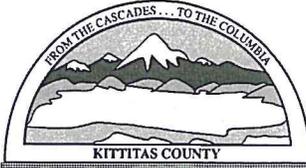
Kittitas Valley Fire & Rescue
2020 Vantage Highway
Ellensburg, WA 98926

Cascade Irrigation
8063 Hwy 10
Ellensburg, WA 98926

Washington Dept. of Ecology
Gwen Clear
15 W. Yakima Ave. Ste. 200
Yakima, WA 98902-3401

Bonneville Power Administration
Lesli Olson
2410 E Hawthorne Road
Mead, WA 99021





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"

July 14, 2008

Cruse & Associates
PO Box 959
Ellensburg, WA 98926

RE: Ellensburg-Hungry Junction Short Plat (SP-08-00025)

Dear Mr. Cruse:

The Kittitas County Community Development Services Department has determined that the Ellensburg-Hungry Junction Short Plat (SP-08-00025) is a complete application and hereby grants **conditional preliminary approval** subject to the following conditions:

1. Both sheets of the final mylars shall reflect short plat number SP-08-00025 and an accurate legal description shall be shown on the face of the final plat.
2. Full year's taxes must be paid on all tax parcel numbers per requirement of the Kittitas County Treasurer's Office.
3. The Palustrine Emergent Saturated (PEMB) wetlands located on all lots shall be clearly delineated on the final mylars.
4. The following plat notes shall be recorded on the final mylar drawings:
 - All development must comply with International Fire Code.
 - The subject property is within or near existing agricultural or other natural resource areas on which a variety of activities may occur that are not compatible with residential development for certain periods of varying duration. Agricultural or other natural resource activities performance in accordance with county, state and federal laws are not subject to legal action as public nuisances. Kittitas County has adopted the right to farm provisions contained in Section 17.74 of the Kittitas County Zoning Code.
 - All four lots of the Ellensburg-Hungry Junction Short Plat SP-08-00025 shall share a single ground water withdrawal of no more than 5,000 gallons per day. No more than ½ acre of lawn and garden shall be irrigated from this ground water withdrawal.
 - Palustrine Emergent Saturated (PEMB) wetlands are shown to exist within the boundaries of all lots. Any construction near a wetland may require a wetlands delineation at time of building permit.
5. Property owners may be required to demonstrate by metering or other means compliance with the single project withdrawal limitation of 5,000 gallons to be shared between the four lots.
6. Withdrawals of groundwater on the subject property are subject to the rules and regulations adopted and administered by the Washington State Department of Ecology. This includes the use of water for irrigation.
7. Per Kittitas County Environmental Health, soil logs need to be performed and proof of water availability is needed. Evidence of both shall be provided to Community Development Services prior to final approval.
8. This property is within the Cascade Irrigation District boundaries. Proof that all Cascade Irrigation District General Guidelines have been met for all newly created lots shall be provided to Community Development Services prior to final approval.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

9. The addresses shall be clearly visible from both directions at the County Road for all properties.
10. The Fire Department access road shall be capable of supporting 75,000 lbs in all weather, be 20' wide, provide 13'6" vertical clearance and provide for adequate turn-around for fire department apparatus.
11. Please see the attached comments from Kittitas County Department of Public Works for plat notes and further issues that must be addressed prior to final approval.

Approval of the Ellensburg-Hungry Junction Short Plat may be appealed to the Kittitas County Board of Commissioners upon request of any aggrieved party within 10 working days, and shall accordingly be eligible for final administrative approval after July 28, 2008. Administratively approved short plats must be recorded with the County Auditor and shall not be deemed approved until so filed. If you have any questions, please do not hesitate to contact our office.

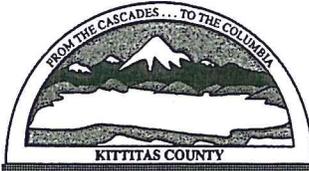
You may appeal this determination pursuant to KCC 15A.07.010 by submitting specific factual objections and a fee of \$500 to the Kittitas County Board of Commissioners (205 W. 5th, Room 108) by July 28, 2008 at 5:00p.m.

Sincerely,



Trudie Pettit
Staff Planner

CC: Applicant
Required parties (KCC 15A)



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"

July 3, 2008

Cruse & Associates
PO Box 959
Ellensburg, WA 98926

RE: Transmittal of Comments – Ellensburg-Hungry Junction Short Plat (SP-08-25)

Dear Mr. Cruse:

Enclosed are the comments I received regarding the Early Short Plat during the comment period:

| | |
|---------------|--|
| May 16, 2008 | Bonneville Power Administration |
| June 20, 2008 | Kittitas County Public Health – Holly Meyers |
| June 18, 2008 | Kittitas Valley Fire & Rescue |
| May 07, 2008 | Kittitas County Department of Public Works |

Please review all comments and notify me of any questions. I will be issuing the Conditional Preliminary Approval based on the comments received.

Sincerely,

Trudie Pettit
Staff Planner

cc: Ellensburg Hungry Junction LLC

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION



RECEIVED

JUN 19 2008

STATE OF WASHINGTON KITTITAS COUNTY
DEPARTMENT OF ECOLOGY CDS

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

June 18, 2008

Trudie Pettit
Kittitas County Community Development
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

Dear Ms. Pettit:

Thank you for the opportunity to comment on the short plat of approximately 12.02 acres of Hungry Junction into 4 lots, proposed by Ellensburg Hungry Junction LLC [SP-08-00025]. We have reviewed the application and have the following comments.

Water Resources

Any ground water withdrawals in excess of 5,000 gallons per day or for the irrigation of more than ½ acre of lawn or noncommercial garden will require a permit from the Department of Ecology.

Chapter 173-150 WAC provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water. If water supply in your area becomes limited your use could be curtailed by those with senior water rights.

The Attorney General's Opinion, (AGO 1997 No. 6) regarding the status of exempt ground water withdrawals, states that a group of wells drilled by the same person or group of persons, at or about the same time, in the same area, for the same purpose or project should be considered a single withdrawal and would not be exempt from the permitting requirement contained in RCW 90.44.050, if the total amount withdrawn for domestic use exceeds 5,000 gallons per day or if a total of more than .5 acre of lawn and garden are irrigated.

The Attorney General's opinion suggests that caution should be used in finding developments to be exempt from needing a water right permit if the possibility exists that the development of the project will result in the ultimate withdrawal of water in excess of 5,000 gallons per day or the irrigation of more that .5 acre of lawn and garden.

It appears Ellensburg Hungry Junction, LLC, owns adjacent parcels. If Ellensburg Hungry Junction, LLC has intentions on developing these other properties know that they too would likely share the groundwater exemption with parcel no. 1818150400005.



There is a concern about irrigation with a single groundwater exemption, which only allows up to ½ acres. With the proposed lot size, irrigation could easily be over 0.5 acres. If irrigation water is available through an irrigation district, know that the water purveyor is responsible for ensuring that the proposed use(s) are within the limitations of its water rights. If the proposal's actions are different than the existing water right (source, purpose, the place of use, or period of use), then it is subject to approval from the Department of Ecology pursuant to Sections 90.03.380 RCW and 90.44.100 RCW.

However if irrigation water is not available through an irrigation district, Ecology encourages the use of covenants to help property owners stay within the groundwater exemption criteria until a valid water right is obtained for irrigation. For metering information, please contact Ken Schuster at (509) 454-4263. **The key element will be to obtain valid irrigation rights.**

The Department of Ecology encourages the development of public water supply systems, whether publicly or privately owned, to provide water to regional areas and developments.

If you have any questions concerning the Water Resources comments, please contact Breean Zimmerman at (509) 454-7647.

Water Quality

Dividing or platting of a piece of property is often the first step in a proposed development. If a subsequent individual or common plan of development exceeds 1 acre of disturbed ground in size an NPDES Construction Stormwater Permit may be required. Ground disturbance includes all utility placements and building or upgrading existing roads. The process requires going through SEPA, developing a stormwater pollution prevention plan, submitting an application and a 30 day public notice process. This may take 45-60 days. A permit and a stormwater plan are required prior to beginning ground-breaking activities. Please contact Bryan Neet with the Department of Ecology, (509) 575-2808, with questions about this permit

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012



To Protect and Promote the Health and the Environment of the People of Kittitas County

June 20, 2008

Trudie Pettit
Community Development Services

RECEIVED
JUN 20 2008
KITTITAS COUNTY
CDS

Dear Trudie:

Thank you for the opportunity to comment on Ellensburg-Hungry Junction Short Plat, #SP-08-00025. In order to meet the requirements set forth by Kittitas County Public Health's Environmental Health Division the following items must be submitted:

- Soil logs for each lot where installation of a septic system is intended
- Well log for the existing well on the property, or a hydro geological report if no well exists.

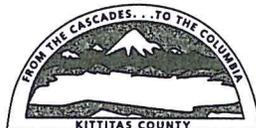
I look forward to assisting you if you have further questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Holly Myers", is written over the typed name.

Holly Myers
Environmental Health Director
Kittitas County Public Health
(509)962-7584

Kittitas County
Public Health Department
507 N. Nanum Street, Suite 102
Ellensburg, WA 98926
T: 509.962.7515
F: 509.962.7581



www.co.kittitas.wa.us/health/

Environmental
Health Services
411 North Ruby Street, Suite 3
Ellensburg, WA 98926
T: 509.962.7698
F: 509.962.7052

Trudie Pettit

From: Olson,Lesli D - TERR-BELL-1 [ldolson@bpa.gov]
Sent: Monday, June 16, 2008 8:17 AM
To: Trudie Pettit
Subject: Hungry Junction Short Plat, SP-08-00025

Trudie,

The Bonneville Power Administration (BPA) has had the opportunity to review the above Short Plat. A check of our records indicates that this proposal will not impact our transmission line corridor in that location so BPA has no objections to the approval of this request.

Thank you for the opportunity to review this application.

Respectfully,

Lesli Olson
Realty Tech.
Bonneville Power Administration
(509) 358-7437



KITTITAS VALLEY FIRE & RESCUE

PO Box 218 • Ellensburg, WA 98926 • (509) 933-7235 • Fax (509) 962-7254 • elliotttr@kvfr.org

RECEIVED

JUN 25 2008

June 24, 2008

Trudie Pettit, Staff Planner
Kittitas County Community Development Services
411 N Ruby St
Ellensburg, WA 98926

KITTITAS COUNTY
CBS

Trudie:

I have reviewed the application for the Hungry Junction, Mr. Rogers, Strange Road, and Tilton Short Plats (SP-08-25, 23, 16 and 24 respectively). This information is provided for informational purposes to the developer. During development, the following issues will need to be addressed:

1. The addresses need to be clearly visible from both directions at the county road for all properties.
2. The fire department access road needs to be capable of supporting 75,000lbs in all weather, be 20' wide, provide 13'6" vertical clearance and provide for adequate turn-around for fire department apparatus in accordance with IFC 2006 – Appendix D.

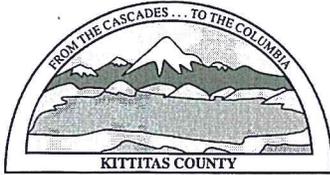
Thank you for your time and consideration in these matters.

Respectfully,

A handwritten signature in black ink, appearing to read "Rich Elliott".

Rich Elliott – Deputy Fire Chief
Kittitas County Fire District 2

CC – Kittitas County Fire Marshal



KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Trudie Pettit, Community Development Services
FROM: Christina Wollman, Planner II *CW*
DATE: June 30, 2008
SUBJECT: Ellensburg-Hungry Junction Short Plat SP-08-25

RECEIVED
JUN 30 2008
KITITITAS COUNTY
GDS

Our department has reviewed the short plat application and has the following comments:

- “Conditional Preliminary Approval”** is recommended based on the information provided. See below for conditions of preliminary approval.
- “Additional Information Requested”. Prior to continuing the approval process for the submitted development, additional information is requested for analysis.

The following shall be conditions of preliminary approval:

1. Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with current Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed prior to the issuance of a building permit for any of the structures within the proposed plat.
2. Temporary Cul-de-Sac: A temporary cul-de-sac turn-around having an outside right-of-way easement diameter of at least 110 feet shall be shown within the subject property on the final plat. When constructed, the driving surface shall be at least 96 feet in diameter. The temporary easement may be abandoned when the road is extended. Cul-de-sacs must also conform to the requirements specified by the 2006 International Fire Code. Contact the Fire Marshal regarding any additional cul-de-sac requirements.
3. Private Road Improvements: Access from Hungry Junction Road to the temporary cul-de-sac shall be constructed to meet or exceed the requirements of a High-Density Private Road that serves 3-14 tax parcels. No direct access to Hungry Junction Road will be allowed. See Kittitas County Road Standards, 9/6/05 edition.
 - a. Access easements shall be a minimum of 40' wide. The roadway shall have a minimum width of 20', with 1' shoulders, for a total width of 22'.
 - b. Minimum centerline radius will be 60'.
 - c. Surface requirement is for a minimum gravel surface depth of 6".

Page 1 of 3

- d. Maximum grade 8% flat, 12% rolling or mountainous.
 - e. Stopping site distance, reference AASHTO.
 - f. Entering site distance, reference AASHTO.
 - g. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - h. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 - i. All roads located within this development or roads that provide access to this development shall be constructed to current county road standards unless any other maintenance agreements, forest service road easements or state easements require higher road standards. The higher of the road standards shall apply.
 - j. All easements shall provide for AASHTO radius at the intersection with a county road.
 - k. A paved apron shall be constructed at the intersection of the proposed private intersection and the county road.
4. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
5. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
6. Access Permit: An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.
7. Addressing: Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
8. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
9. Mailbox Placement: The U.S. Postal Service requires that private roads with 6 or more residences install USPS approved Cluster Box Units (CBUs) at a safe location at the mouth of the private road. Contact your local Post Office for location and additional design requirements before beginning construction.

Current Kittitas County Road Standards, as adopted 9/6/05.

Chapter 12 – PRIVATE ROADS

12.12.010 General

Private roads shall meet the following conditions:

1. Private roads shall meet the minimum access requirements of the International Fire Code as adopted by the County, and
2. Shall be designed and constructed in conformance with AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT < 400) 2001, as now exists or hereafter amended, and
3. Shall be inspected and certified by a licensed professional engineer for conformance with the above referenced standards. In the alternative, an applicant may request the private roadway to be inspected and subject to the approval of the Public Works Director. If certification by the public Works Director/County Engineer is desired, submission of road plans and necessary testing documentation that confirms compliance with Kittitas County Road Standards is required, and services will be performed on a reimbursable basis, and
4. Permanently established by an easement recorded with the Kittitas County Auditor or right-of-way, providing legal access to each affected lot, dwelling unit, or business, and
5. Will not result in land locking of existing or proposed parcels, and
6. Maintained by the developer or legally responsible owner or homeowners' association or other legal entity made up of all benefited property owners, under the provisions of an acceptable and recorded "Private Road Maintenance Agreement", and
7. Clearly described on the face of the plat, short plat, or other development authorization and clearly signed at street location as a private street or road, for the maintenance of which Kittitas County is not responsible and a disclosure statement of the same is filed with the County Auditor, and
8. The following note shall be placed on the face of the plat, short plat, or other development authorization:

"Kittitas County will not accept private roads for maintenance as public streets or roads until such streets or roads are brought into conformance with current County Road Standards. This requirement will include the hard surface paving of any street or road surfaced originally with gravel."

Please let me know if you have any questions or need further information.

AFFIDAVIT OF PUBLICATION

State of Washington, County of Kittitas, ss: Diane Ewing being first duly sworn on oath, deposes and says: That she is the Office Manager of the Daily Record, a daily newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a newspaper in Ellensburg, Kittitas County, Washington, and it is now and during all of said time printed in an true copy of

NOTICE OF APPLICATION Hungry Junction Short Plat (SP-08-00025)

As is published in regular issues (and not in supplement form) of said newspaper once a week for a period of 1 consecutive week(s), commencing on the following days.

JUNE 6, 2088

All dates inclusive and that such newspaper were regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$ 77.33 rate of \$5.10 per column inch for each insertion.

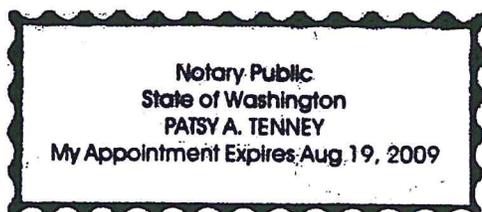
Diane Ewing

Subscribed to me this 9 day of June, 2008.

Patsy A Tenney

PATSY A TENNEY

Notary Public in and for
The State of Washington
Residing at Ellensburg,
Washington (SEAL)



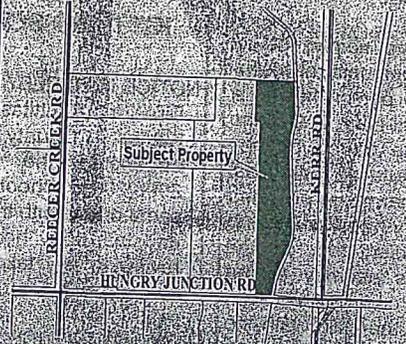
RECEIVED

JUN 12 2008

KITTITAS COUNTY
CDS

**Notice of Application
Hungry Junction Short Plat
(SP-08-00025)**

NOTICE IS HEREBY given that Chuck Cruse of Cruse and Associates, authorized agent for Ellensburg Hungry Junction LLC landowner, submitted a complete application on May 9, 2008 for a 4 lot Short Plat pursuant to Kittitas County Code 16.32 of approximately 12.02 acres of land that is zoned Agriculture-3. The subject property is located north of the City of Ellensburg, west of Reecer Creek Road, east of Kerr Road on Hungry Junction Road, Ellensburg, WA 98926 and is located in a portion of Section 15, T18N, R18E, WM, in Kittitas County. Assessor's map number 18-18-15040-0005.



Any person desiring to express their views or to be notified of the action taken on this application should contact Kittitas County Community Development Services (CDS), 411 N. Ruby Street, Suite 2, Ellensburg, WA 98926, or on the CDS website at <http://www.co.kittitas.wa.us/cds/current/>

at the Community Development Services office between 8:00 am and 5:00 pm at 411 N. Ruby Street, Suite 2, Ellensburg, WA 98926, or on the CDS website at <http://www.co.kittitas.wa.us/cds/current/>

Please send any comments regarding this application prior to June 23, 2008 at 5:00 pm to Kittitas County Community Development Services, 411 N Ruby, Suite 2, Ellensburg, WA. Attention: Trudie Pettit, Staff Planner.

Dated: June 4, 2008
Publish: June 6, 2008, Daily Record

| | | | |
|--------------------------|---------|--------------|----------|
| 03522667 INVOICE | | MAKE CHECKS | |
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| Cust # 20104728 | | AD TAKER | |
| (509) 962-75PHONE | | | |
| NOTE LINE of Application | | | |
| START DATE | 08 | STOP DATE | 08 |

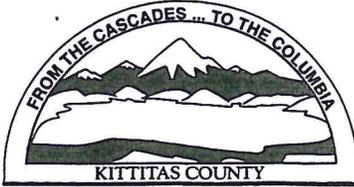
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DAILY RECORD

401 N. Main St. • Ellensburg, WA 98926 • (509) 925-1414

20104728 - 03522667
Kittitas County Community
Development Services
411 N. Ruby St, Suite 2
ELLensburg, WA 98926

INVOICES ARE DUE IN 10 DAYS



Kittitas County Community Development Services

Darryl Piercy, Director

NOTIFICATION CHECKLIST FOR PLANNING ISSUES (to be filled out and kept in the files at all times)

PROPOSAL NAME: Hungry Junction SP-08-0005
Notice of Application

NOTIFICATION MAIL DATE: June 6 2008

Mailer: In addition to attaching the items for mailing, please attach a copy of the names and addresses of those to whom mailed and the public hearing notice sent to the newspapers.

State of Washington
County of Kittitas

I certify that the acts of notification of SEPA and other actions described in this document have occurred or have been performed.



Signature

Subscribed and sworn to before me this 17 day of June, 20 08


Amanda J. Weed

Notary Public for the State of Washington residing
in Ellensburg.

My appointment expires January 2010.



VAN DE GRAAF, R.R.& R.D.
1691 MIDVALE RD
SUNNYSIDE WA 98944

KITTITAS CO PUD #1
1400 E VANTAGE HIGHWAY
ELLENSBURG WA 98926-

VAN DE GRAAF RANCHES, INC.
1691 MIDVALE RD
SUNNYSIDE WA 98944-

HABERMAN NORTHSIDE LLC
2730 HUNGRY JUNCTION RD
ELLENSBURG WA 98926-

NO 9 HAY LLC
HABERMAN, BILL, BOB & BRAD
2550 HUNGRY JUNCTION RD
ELLENSBURG WA 98926

PERSSON, LISA A ETVIR
3170 HUNGRY JUNCTION RD
ELLENSBURG WA 98926

BARRETT, DANIEL J JR ETUX
3590 HUNGRY JUNCTION RD
ELLENSBURG WA 98926

HABERMAN, WILLIAM E
2730 HUNGRY JUNCTION RD
ELLENSBURG WA 98926

ELLENSBURG HUNGRY
JUNCTION LLC
1516 MAGNOLIA BLVD W
SEATTLE, WA 98199

CRUSE & ASSOCIATES

WILLIAM BAILEY
3350 HUNGRY JUNCTION RD
ELLENSBURG, WA 98926

CURT NESMITH
3620 HUNGRY JUNCTION RD
ELLENSBURG, WA 98926

Cascade Irrigation
8063 Hwy 10
Ellensburg, WA 98926

ELLENSBURG SCHOOL DISTRICT 401
ADMINISTRATION OFFICE
1300 E 3RD AVE
ELLENSBURG, WA 98926

Kittitas Valley Fire & Rescue
2020 Vantage Highway
Ellensburg, WA 98926

Kittitas County Public Works

Washington Dept. of Ecology
Derek Sandison, Regional Director
15 W. Yakima Ave. Ste. 200
Yakima, WA 98902-3401

Cindy Preston
DNR Aquatic Land Manager
713 E Bowers Road
Ellensburg, WA 98926

Kittitas County Code Enforcement

Kittitas County Sheriff's Department

Kittitas County Environmental Health

Sean Northrop
206 West 1st
Cle Elum, WA 98922

Tom Justus
WA State Department of Health
Eastern Regional Office
1500 West Fourth Avenue Suite 305
Spokane, Washington 99201

Fairpoint Communications
Tom Stevens
208 W. Third
Ellensburg, WA 98926

Kittitas County Fire Marshal

Kittitas County Solid Waste

Bonneville Power Administration
Lesli Olson
2410 E Hawthorne Road
Mead, WA 99021

WA Dept. Fish & Wildlife
Brent Renfrow/Mark Teske
201 N Pearl
Ellensburg, WA 98926



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

NOTICE OF APPLICATION

To: Interested Departments and Agencies with Jurisdiction
Adjacent Property Owners
Applicant

From: Trudie Pettit, Staff Planner 

Date: June 5, 2008

Subject: **Hungry Junction Short Plat, SP-08-00025**

Please find enclosed a Notice of Application and related documents for the referenced project. Chuck Cruse of Cruse and Associates, authorized agent for Ellensburg Hungry Junction LLC, landowner, submitted a complete application on May 9, 2008 for a 4 lot Short Plat pursuant to Kittitas County Code 16.32 on approximately 12.02 acres of land that is zoned Agriculture-3. The subject property is located north of the City of Ellensburg, west of Reecer Creek Road, east of Kerr Road on Hungry Junction Road, Ellensburg, WA 98926, and is located in a portion of Section 15, T18N, R18E, WM, in Kittitas County. Assessor's map number 18-18-15040-0005.

The submitted application and related filed documents may be examined by the public at the Community Development Services office between 8:00 am and 5:00 pm at 411 N Ruby Street, Suite 2, Ellensburg, WA 98926, or on the Community Development Services website at www.co.kittitas.wa.us/cds/current/.

Comments on the overall application may be submitted to the Kittitas County Community Development Services Office, 411 N Ruby Street, Suite 2, Ellensburg, WA 98926, on or before **June 23, 2008 at 5:00 pm.** Staff Planner: Trudie Pettit

If you have any questions, please contact Community Development Services at (509) 962-7506.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

Notice of Application Hungry Junction Short Plat (SP-08-00025)

NOTICE IS HEREBY given that Chuck Cruse of Cruse and Associates, authorized agent for Ellensburg Hungry Junction LLC, landowner, submitted a complete application on May 9, 2008 for a 4 lot Short Plat pursuant to Kittitas County Code 16.32 on approximately 12.02 acres of land that is zoned Agriculture-3. The subject property is located north of the City of Ellensburg, west of Reecer Creek Road, east of Kerr Road on Hungry Junction Road, Ellensburg, WA 98926, and is located in a portion of Section 15, T18N, R18E, WM, in Kittitas County. Assessor's map number 18-18-15040-0005.

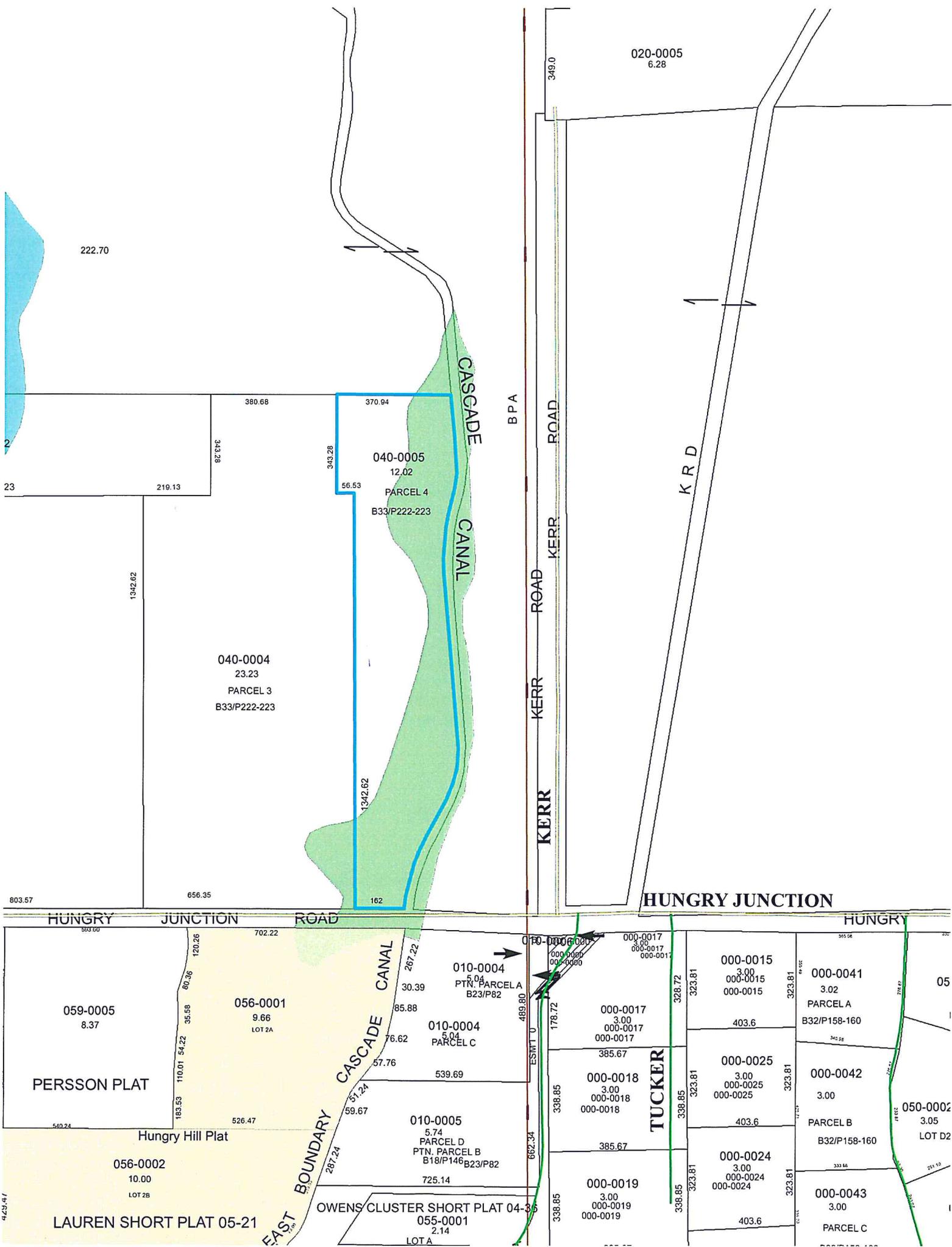
Any person desiring to express their views or to be notified of the action taken on this application should contact Kittitas County Community Development Services (CDS). The submitted application and related filed documents may be examined by the public at the Community Development Services office between 8:00 am and 5:00 pm at 411 N. Ruby Street, Suite 2, Ellensburg, WA 98926, or on the CDS website at <http://www.co.kittitas.wa.us/cds/current/>.

Please send any comments regarding this application prior to **June 23, 2008 at 5:00 pm** to Kittitas County Community Development Services, 411 N Ruby, Suite 2, Ellensburg, WA. Attention: Trudie Pettit, Staff Planner

Dated: June 4, 2008

Publish: June 6, 2008, Daily Record





222.70

020-0005
6.28

23 219.13

803.57

040-0004
23.23
PARCEL 3
B33/P222-223

040-0005
12.02
PARCEL 4
B33/P222-223

HUNGRY JUNCTION ROAD

059-0005
8.37
PERSSON PLAT

056-0001
9.66
LOT 2A

010-0004
5.04
PTN. PARCELA
B23/P82

010-0004
5.04
PARCEL C

010-0005
5.74
PARCEL D
PTN. PARCEL B
B18/P146 B23/P82

056-0002
10.00
LOT 2B
LAUREN SHORT PLAT 05-21

055-0001
2.14
LOTA
OWENS CLUSTER SHORT PLAT 04-36

000-0017
3.00
000-0017
000-0017

000-0015
3.00
000-0015
000-0015

000-0041
3.02
PARCELA
B32/P158-160

000-0017
3.00
000-0017
000-0017

000-0025
3.00
000-0025
000-0025

000-0042
3.00
PARCEL B
B32/P158-160

000-0018
3.00
000-0018
000-0018

000-0024
3.00
000-0024
000-0024

000-0043
3.00
PARCEL C

000-0019
3.00
000-0019
000-0019

05

050-0002
3.05
LOT D2

4,423.41

EAST BOUNDARY

CASCADE CANAL

CASCADE CANAL

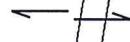
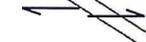
KERR ROAD

KERR ROAD

HUNGRY JUNCTION

TUCKER

KRD



Preliminary Submittal Requirements:

Review Date:

Tax Parcel: 18-18-15040-0005

Date Received: 5/16/08

File Number: Hungry Junction SP-08-25

Date Project Completed

Planner

send notice to Fish & Wildlife

- Fee Collected
- Second page of application turned in (landowner contact info page)
- Address list of all landowners within 300' of the site's tax parcel
- Large Preliminary Plat Maps (blue lines)
- 8.5x11.5" Copy of plat map
- Certificate of Title
- Computer Closures
- Parcel History (required for CA & Ag 20) Date Requested: _____ Date Completed: _____

Subdivision conforms to the county comprehensive plan and all zoning regulations in effect at the time the preliminary plat is submitted.

- Located within Fire District # 2
- Located within Irrigation District: Cascade Letter sent to Irrigation District Date: _____
- School District: Ellensburg
- UGA No
- UGN No
- Rezone
- Adjacent Subdivisions

Hungry Hill Plat across Hungry Junction Rd.

Critical Areas Check

Date _____ Planner Signature: _____

Zoning: Ag-3
Lot Size: 2.02 acres
Required Setbacks: F S R

Y N

- Does SEPA Apply to proposed use?(More than 8 lots or if required by a rezone)
- Variance Required?
- Conditional Use Permit Required?
- Within Shoreline? Shoreline Environment?
- Frequently Flooded Area? Panel#: 530095 0 Zone: _____
- Fish & Wildlife Conservation Area? Type of Habitat: _____ Water Type: _____

- edge of Ellensburg Mule Deer Winter Range

Wetland? Buffer requirement: PEMB Palustrine Emergent Saturated

Geologic Hazard Areas:

- Seismic
- Landslide
- Erosion
- Mine
- Steep Slope

Aquifer Recharge Area: Does this involve Hazardous Materials? (If no, then project is exempt)
 Hazardous Materials containment required if checked

Airport Zone? Zone: Inner turning zone about 1,100 feet away

Forest Service Roads? Road: _____

BPA Easement Located on Property? Letter Sent to BPA Date: _____

Additional Approvals Required? Type _____

CRITICAL AREA NOTES:

Existing structures

Preliminary Plat Drawing Requirements:

General Information (KCC 16.12.020)

- Submitted on 18"x24" sheet
- Names of proposed subdivision, all sheets
- Location of subdivision by section, township, range, county, and state, all sheets
- Legal Description of Land contained within subdivision
- Name(s), and address of the owner(s), subdivider(s), surveyor, engineer, and date of survey
- Registered Land Surveyor: Name, address, phone and Seal of the registered land surveyor who made, or under whose supervision was made, a survey of the proposed plat (License still valid?)
- Scale (1"=200', or greater), sheet one
- North Arrow, sheet one
- Date, sheet one
- Vicinity map showing the boundaries and other information that will assist the Auditor in locating the proposed plat
- Proposed platted boundary line
- A statement regarding the contents of the proposed subdivision.
- Names and addresses of all abutting property owners
- All access easements.
- All irrigation ditch easements or other easements
- Approval Blocks: To include County Auditor (including any recording information) and Treasurer's, Assessor's only applicable

- Put wetland plat note from
Bardiane SP

Existing Conditions (KCC 16.12.020)

- Contour lines at intervals of one percent, and ten feet for slopes over one percent
- Location, width and type of all roads, streets, alleys, easements, and rights-of-way on and adjacent to the proposed subdivision.
- Location of all existing ditches apparent or of record, marshes, areas subject to flooding, and the direction of flow of all water courses, as required by KCC 17A.05.015.
- Existing uses of the property, including the location and nature of all acreage, fences and/or other structures.
- Any additional information deemed necessary by Kittitas County.
- The total acreage and number of lots included within the subdivision shall be indicated on the face of the plat.

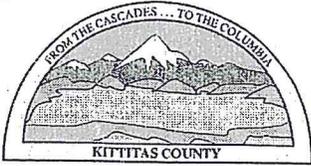
Other

- Review Final Plat Requirements Checklist to determine other requirements/conditions
- Wellhead protection areas (17A.08.020). ALL non-community wells must be placed a minimum of 50 feet from property lines.
- Right to Farm Ordinance applies to ALL permits on or within 1000' of land zoned Ag-3, Ag-20, Commercial Agriculture, or Forest and Range
- AIRPORT OVERLAY ZONE** Subdivision. When any division of land including short plats, plats, cluster subdivision, and planned unit developments, occur on any land within the airport overlay zoning district safety zones 1 through 6, a note located on the first page of the plat, shall be recorded with the county auditor as follows:
This property is located within the Airport Overlay Zoning District in which a variety of airport aviation activities occur. Such airport aviation activities may impact the use of your property.
- Does the parcel contain lands less than 3 acres? If so, include memo from Environmental Health regarding that current lot configurations are not guaranteed until septic and water approvals.
- By Kittitas County Ordinance, only sprinkler or drip irrigation is allowed for lots 3 acres or less in size.
- For Short Plats and Plats containing BPA easements, start requiring this plat note:**
Plat note: "Bonneville Power Administration (BPA) imposes certain conditions on the use of properties encumbered by high voltage transmission line right-of-ways. There can be no structures built on BPA right-of-ways. Proposed uses of the right-of-way must be reviewed, approved and permitted by BPA prior to installation. BPA Real Estate Field Services can be contacted at 1-800-836-6619."

The BPA layers are on the Critical Area, remember they have around a 100' – 200' easement around these wires. We will hopefully get this easement layer soon, but for now we have the line locations. When BPA lines are identified in proximity to a proposed structure, a note on the critical area should inform the applicant and should include the phone number of the BPA real estate service member (Michelle Doiron, Realty Specialist 1800-836-6619). There is an application they have fill out for any work within a BPA easement they can get from her. So we won't hold up critical areas for this, but should make sure applicants are aware of the BPA issues on the property by putting clearly in the "note section" or any other way you can think of making sure applicants are aware of the possible easement issue.

NOTES:

- Review Final Plat Requirements Checklist to determine other requirements/conditions
- The Final plat shall be drawn on polyester film in a neat and legible manner.
- Drawn on 18" x 24" sized paper.
- The Perimeter of the subdivision shall be depicted with heavier lines than appear elsewhere on the plat.
- A Marginal line shall be drawn completely around each sheet, leaving an entirely blank margin on one inches on the sides.
- The scale shall be 1" = 200', or greater, unless otherwise approved by the director.
- All lettering shall be printed with permanent ink.
- Each sheet of the final plat shall contain the subdivisions name at the top of the sheet in large letters followed underneath with the section, township, range, county and state. The space for recording the receiving number is in the upper right hand corner, sheet numbers at the bottom of the sheets.
- It shall show all courses and distances necessary to re-stake any portion of said plat.
- Required monuments shall be shown together with a legend of monuments on the face of each plat sheet. (Ord. 2005-31, 2005)



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

SP-08-002

SHORT PLAT APPLICATION

(To divide lot into 2-4 lots)

KITTTITAS COUNTY ENCOURAGES THE USE OF PRE-APPLICATION MEETINGS. PLEASE CONTACT COMMUNITY DEVELOPMENT SERVICES TO SET UP A PRE-APPLICATION MEETING TO DISCUSS A PROPOSED PROJECT.

PLEASE TYPE OR PRINT CLEARLY IN INK. ATTACH ADDITIONAL SHEETS AS NECESSARY. PURSUANT TO KCC 15A.03.030, 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

- Five large copies of short plat with all preliminary drawing requirements complete (reference KCC Title 16 Subdivision Code for plat drawing requirements) and one small 8.5"x11" copy.
- Address list of all landowners within 500 feet of the subject parcel(s). If adjoining parcels are owned by the applicant, then the 500 foot area shall extend from the farthest parcel. If the parcel is within a subdivision with a Homeowners' or Road Association, then please include the mailing address of the association.

OPTIONAL ATTACHMENTS

(Optional at submittal, required at the time of final submittal)

- Certificate of Title (Title Report)
- Computer lot closures

APPLICATION FEES:

\$190 plus \$10 per lot for Public Works Department;
\$380 plus \$75/hr. over 4 hrs. for Environmental Health Department;
\$630 for Community Development Services Department
(One check made payable to KCCDS)

RECEIVED

MAY 09 2008

Kittitas County
CDS

FOR STAFF USE ONLY

APPLICATION RECEIVED BY:
(CDS STAFF SIGNATURE)

X Kat Brijl

DATE:

5/9/08

RECEIPT #

1031

RECEIVED
DATE STAMP
HERE
MAY 09 2008

NOTES:

Kittitas County
CDS

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

1. Name, mailing address and day phone of land owner(s) of record:
Landowner(s) signature(s) required on application form.

Name: Ellensburg Hungry Junction LLC
Mailing Address: 1516 Magnolia Blvd. W
City/State/ZIP: Seattle, WA 98199
Day Time Phone: (206) 283-7121
Email Address: _____

2. Name, mailing address and day phone of authorized agent (if different from land owner of record):
If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.

Agent Name: Chuck Cruise / Cruise & Assoc.
Mailing Address: P.O. Box 959
City/State/ZIP: Ellensburg, WA 98926
Day Time Phone: 962-8242
Email Address: _____

3. Street address of property:

Address: Hungry Junction Rd
City/State/ZIP: Ellensburg, WA 98926

4. Legal description of property: Parcel 4, Bk 33 of Survey,
pgs 222-223

5. Tax parcel number(s): 18-18-15040-0005

6. Property size: 12.02 Ac. (acres)

7. Narrative project description: Please include 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 (be specific, attach additional sheets as necessary):

4 lot short plat w/ individual wells
& septic systems

8. Are Forest Service roads/easements involved with accessing your development?
Yes No (Circle) If yes, explain: _____

9. What County maintained road(s) will the development be accessing from?

Fraser Junction Road

10. 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.

All correspondence and notices will be mailed to the Land Owner of Record and copies sent to the authorized agent.

Signature of Authorized Agent
(REQUIRED if indicated on application)

Date:

x Charles A. Cruse, Jr.

5-9-08

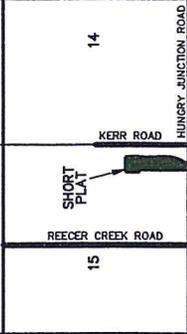
Signature of Land Owner of Record
(REQUIRED for application submitted)

Date:

x [Signature]

1/29/08

VICINITY MAP



APPROVALS

KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS
 EXAMINED AND APPROVED THIS _____ DAY OF _____ A.D., 200__

KITTITAS COUNTY ENGINEER

KITTITAS COUNTY HEALTH DEPARTMENT
 PRELIMINARY INSPECTION INDICATED SOIL CONDITIONS
 MAY ALLOW USE OF SEPTIC TANKS AS A TEMPORARY
 MEANS OF SEWAGE DISPOSAL FOR SOME BUT NOT
 NECESSARILY ALL BUILDING SITES WITHIN THIS SHORT
 PLAT. PROSPECTIVE PURCHASERS OF LOTS ARE URGED
 TO MAKE INQUIRIES AT THE COUNTY HEALTH
 DEPARTMENT ABOUT ISSUANCE OF SEPTIC TANK
 PERMITS FOR LOTS.

DATED THIS _____ DAY OF _____ A.D., 200__

KITTITAS COUNTY HEALTH OFFICER

CERTIFICATE OF COUNTY PLANNING DIRECTOR

I HEREBY CERTIFY THAT THE ELLENSBURG-HUNGRY
 JUNCTION SHORT PLAT HAS BEEN EXAMINED BY ME
 AND FIND THAT IT CONFORMS TO THE COMPREHENSIVE
 PLAN OF THE KITTITAS COUNTY PLANNING COMMISSION.

DATED THIS _____ DAY OF _____ A.D., 200__

KITTITAS COUNTY PLANNING DIRECTOR

CERTIFICATE OF KITTITAS COUNTY TREASURER

I HEREBY CERTIFY THAT THE TAXES AND ASSESSMENTS
 ARE PAID FOR THE PRECEDING YEARS AND FOR THIS
 YEAR IN WHICH THE PLAT IS NOW TO BE FILED.
 PARCEL NO. 18-18-15040-0005

DATED THIS _____ DAY OF _____ A.D., 200__

KITTITAS COUNTY TREASURER

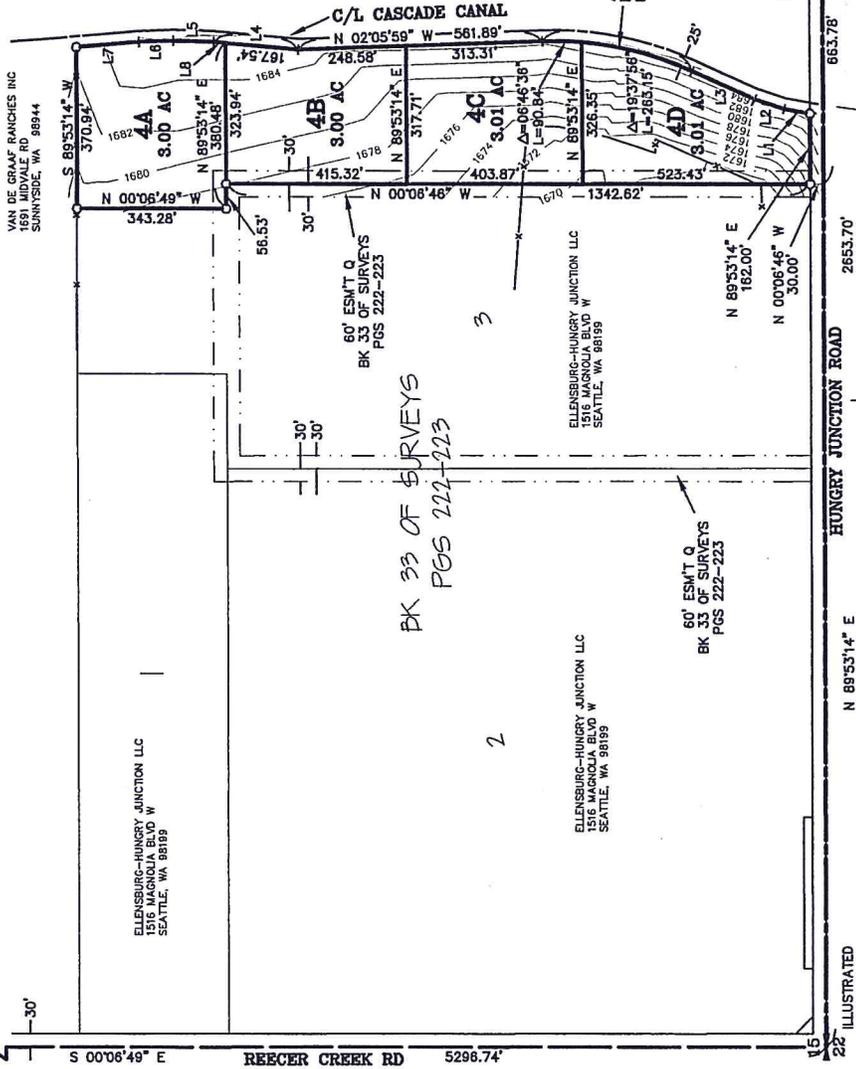
NAME AND ADDRESS - ORIGINAL TRACT OWNERS
 NAME: ELLENSBURG HUNGRY-JUNCTION LLC
 ADDRESS: 1516 MAGNOLIA BLVD W SEATTLE, WA 98199
 PHONE: (206) 285-7121

EXISTING ZONE: AG-3
 SOURCE OF WATER: INDIVIDUAL WELLS
 SEWER SYSTEM: SEPTIC TANKS
 STORM WATER: NO IMPROVEMENTS PER THIS APP.
 WIDTH AND TYPE OF ACCESS: COUNTY ROAD R/W & 60' PRIVATE ACCESS ESM'T
 NO. OF SHORT PLAT LOTS: FOUR (4)
 SCALE: 1" = 200'

SUBMITTED ON _____
 AUTOMATIC APPROVAL DATE: _____
 RETURNED FOR CAUSE ON: _____

**ELLENSBURG-HUNGRY JUNCTION SHORT PLAT
 PART OF SECTION 15, T. 18 N., R. 18 E., W.M.
 KITTITAS COUNTY, WASHINGTON**

10
 7/6 ILLUSTRATED
 NOT VISITED



15
 2/2 ILLUSTRATED
 NOT VISITED

USA A BERSON ETUX
 3170 HUNGRY JUNCTION RD
 ELLENSBURG, WA 98926
 BK II OF PLATS
 PGS 131-132

WILLIAM E BAILEY ETUX
 3125 HUNGRY JUNCTION RD
 ELLENSBURG, WA 98926

DANIEL J BARRETT JR ETUX
 3590 HUNGRY JUNCTION RD
 ELLENSBURG, WA 98926

ILLUSTRATED
 NOT VISITED

KITITAS COUNTY PLD #1
 100 LEVANTAGE HWY
 ELLENSBURG, WA 98926

AUDITOR'S CERTIFICATE
 Filed for record this _____ day of _____
 2008, at _____ M., in Book J of Short Plats
 at page(s) _____

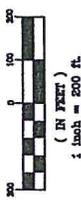


SURVEYOR'S CERTIFICATE
 This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of ELLENSBURG-HUNGRY JUNCTION LLC in SEPTEMBER of 2007.
Charles A. Cruse, Jr.
 CHARLES A. CRUSE, JR.
 Professional Land Surveyor
 DATE: 5-9-08
 License No. 18078

RECEIVING NO. _____



SP-08-



LEGEND
 SET 5/8" REBAR W/ YELLOW CAP - CRUISE 18078
 FOUND PIN & CAP
 FENCE

| LINE | DIRECTION | DISTANCE |
|------|---------------|----------|
| L1 | N 08°47'57" E | 70.30' |
| L2 | N 08°47'57" E | 70.80' |
| L3 | N 24°48'33" E | 157.66' |
| L4 | N 04°58'26" E | 194.99' |
| L5 | N 01°27'49" E | 93.63' |
| L6 | N 07°57'35" W | 78.37' |
| L7 | N 04°47'25" W | 144.34' |
| L8 | N 04°58'26" E | 26.65' |

CRUSE & ASSOCIATES
 PROFESSIONAL LAND SURVEYORS
 217 E. Fourth St.
 Ellensburg, WA 98926 (509) 962-8242
 P.O. Box 959
 Ellensburg, WA 98926 (509) 962-8242

| | | |
|--|---|---|
| | X | X |
| | | |
| | | |
| | | |

CHICAGO TITLE INSURANCE COMPANY*a corporation, herein called the Company,***GUARANTEES****Policy No. 72030- 6826**

CRUSE & ASSOCIATES

herein called the Assured, against actual loss not exceeding the liability amount stated above which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

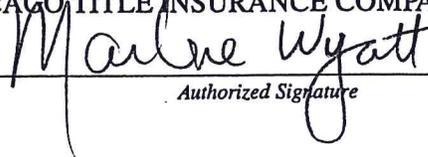
LIABILITY EXCLUSIONS AND LIMITATIONS

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth above.

Dated: September 6, 2007 at 8:00a.m.

CHICAGO TITLE INSURANCE COMPANY

By


Authorized Signature

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the Company for further information as to the availability and cost.

SUBDIVISION GUARANTEE

Office File Number : 0105457
Guarantee Number : 48 0035 72030 6826
Dated : September 6, 2007, at 8:00am
Liability Amount : \$ 1,000.00
Premium : \$ 200.00
Tax : \$ 15.40

Your Reference : ELLENSBURG HUNGRY JUCTION, LLC

Name of Assured: CRUSE & ASSOCIATES

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 4 of that certain Survey as recorded February 8, 2007, in Book 33 of Surveys, pages 222 and 223, under Auditor's File No. 200702080009, records of Kittitas County, Washington; being a portion of the Southeast Quarter of Section 15, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington.

Title to said real property is vested in:

ELLENSBURG HUNGRY-JUNCTION LLC, A WASHINGTON LIMITED LIABILITY COMPANY

END OF SCHEDULE A

(SCHEDULE B)

File No. 0105457

Guarantee Number: 48 0035 72030 6826

Subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Unpatented mining claims; reservations or exceptions in the United States Patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
3. Title to any property beyond the lines of the real property expressly described herein, or title to streets, roads, avenues, lanes, ways or waterways on which such real property abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.
4. This property is currently classified under the Open Space Taxation Statute R.C.W. 84.34. Sale of this property without notice of compliance to County Assessor will cause a supplemental assessment, interest, and penalty to be assessed against the seller/transferor.
5. Assessments, maintenance and operating provisions of the Cascade Irrigation District as set forth in Resolution Numbers 01-2006 and 02-2006 recorded February 8, 2006 under Auditor's File Nos. 200602080001 and 200602080002.
6. Possibility of unpaid assessments levied by the Kittitas Reclamation District, notice of which is given by an amendatory contract recorded in Book 82 of Deeds, page 69, under Kittitas County Auditor's File No. 208267, no search having been made therefore.

To obtain assessment information, please contact the Kittitas Reclamation District: 509-925-6158.
7. Easements of the right of ingress to and egress from the canal right of way over the East Half of Section 15 for the purpose of constructing, operating and maintaining the said canal and irrigation works, as conveyed to Cascade Canal Company, a corporation, by deed dated July 22, 1904, recorded in Book 9 of Deeds, page 569, and dated October 31, 1903, recorded in Book 9 of Deeds, page 572.
8. Amendatory Contract, governing reclamation and irrigation matters:
Parties : The United States of America and the Kittitas Reclamation District
Dated : January 20, 1949
Recorded : May 25, 1949, in Volume 82 of Deeds, page 69
Auditor's File No. : 208267
Affects : Said premises and other lands within the said irrigation district. Said contract governs construction, charges, protection of water rights, irrigation rights, obligations, responsibilities and all related matters.

(SCHEDULE B continued)

File No. 0105457

Guarantee Number: 48 0035 72030 6826

9. Pendency of Yakima County Superior Court Cause No. 77-2-01484-5, State of Washington, Department of Ecology, Plaintiff, vs. James J. Acquavella, et al, Defendants; notice of which is given by Lis Pendens recorded on October 14, 1977, in Volume 90, page 589, under Kittitas County recording number 417302, and supplemental notice of Lis Pendens recorded June 4, 1980, in Volume 131, page 63, under Auditor's File No. 442263; being an action for the determination of the rights to divert, withdraw, or otherwise make use of the surface waters of the Yakima River Drainage Basin, in accordance with the provisions of Chapters 90.03 and 90.44 Revised Code of Washington. (Attorney for Plaintiff: Charles B. Roe, Jr., Senior Assistant Attorney General)
10. Matters disclosed and/or delineated on that certain Survey recorded February 8, 2007, Book 33 of Surveys, Pages 222 and 223, under Auditor's File No. 200702080009, as follows:
 - a) Easement "Q," 60 feet in width, affecting the West 30 feet of said Parcel 4 and other land;
 - b) Location of fence line in relation to property boundaries.

END OF EXCEPTIONS

Notes:

1. General taxes and assessments for the year 2007 have been paid.

| | | |
|----------------|---|---------------------------|
| Amount | : | \$42.85 |
| Tax Parcel No. | : | 18-18-15040-0005 (952261) |
2. Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

NOTE: In the event any contracts, liens, mortgages, judgments, etc. which may be set forth herein are not paid off and released in full, prior to or immediately following the recording of the forthcoming plat (short plat), this Company will require any parties holding the beneficial interest in any such matters to join in on the platting and dedication provisions of the said plat (short plat) to guarantee the insurability of any lots or parcels created thereon. We are unwilling to assume the risk involved created by the possibility that any matters dedicated to the public, or the plat (short plat) in its entirety, could be rendered void by a foreclosure action of any such underlying matter if said beneficial party has not joined in on the plat (short plat).

END OF GUARANTEE

MW/lam

Total

| FROM | | ANGLE | | DIST | | NORTH | | EAST | | TO |
|---------------|--------|-------|----------|------|---------|------------|--|------------|--|-----|
| ===== | | | | | | | | | | |
| PT/PT INVERSE | | | | | | | | | | |
| ***** | START | | | | | 25216.7259 | | 84349.9420 | | 694 |
| 694 | INV | S | 0 06 49 | E | 343.28 | 24873.4466 | | 84350.6219 | | 695 |
| 695 | INV | N | 89 53 14 | E | 56.53 | 24873.5578 | | 84407.1553 | | 696 |
| 696 | INV | S | 0 06 46 | E | 1342.62 | 23530.9404 | | 84409.7980 | | 697 |
| 697 | INV | N | 89 53 14 | E | 162.00 | 23531.2593 | | 84571.7993 | | 683 |
| 683 | INV | N | 9 42 57 | E | 60.30 | 23590.6941 | | 84581.9756 | | 684 |
| 684 | INV | N | 18 41 37 | E | 70.82 | 23657.7821 | | 84604.6752 | | 685 |
| 685 | INV | N | 24 18 33 | E | 157.68 | 23801.4777 | | 84669.5838 | | 686 |
| | RADIAL | S | 65 41 27 | E | | | | | | |
| | DELTA | | 26 24 32 | LT | | | | | | |
| | RADIUS | | | | | 768.00 | | | | |
| | TAN | | | | | 180.20 | | | | |
| | L-ARC | | | | | 353.99 | | | | |
| | RADIAL | N | 87 54 01 | E | | | | | | |
| | RP | | | | | 24117.6320 | | 83969.6763 | | 687 |
| 686 | CHORD | N | 11 06 17 | E | 350.86 | 24145.7722 | | 84737.1606 | | 688 |
| | TAN@PT | N | 2 05 59 | W | | | | | | |
| 688 | INV | N | 2 05 59 | W | 561.89 | 24707.2828 | | 84716.5725 | | 689 |
| 689 | INV | N | 4 58 26 | E | 194.19 | 24900.7423 | | 84733.4091 | | 690 |
| 690 | INV | N | 1 47 39 | E | 93.63 | 24994.3289 | | 84736.3407 | | 691 |
| 691 | INV | N | 2 27 35 | W | 79.37 | 25073.6221 | | 84732.9344 | | 692 |
| 692 | INV | N | 4 47 25 | W | 144.34 | 25217.4560 | | 84720.8812 | | 693 |
| 693 | INV | S | 89 53 14 | W | 370.94 | 25216.7259 | | 84349.9420 | | 694 |
| ===== | | | | | | | | | | |
| | | | | | | 25216.7259 | | 84349.9420 | | 694 |

NO CLOSURE ERROR Area = 523689.52 sq ft 12.02226 ac
 FROM ANGLE DIST NORTH EAST TO
 =====

| PT/PT INVERSE | | | | | | | | | | |
|---------------|-----|---|----------|---|--------|------------|--|------------|--|-----|
| ***** START | | | | | | | | | | |
| | | | | | | 25216.7259 | | 84349.9420 | | 694 |
| 694 | INV | S | 0 06 49 | E | 343.28 | 24873.4466 | | 84350.6219 | | 695 |
| 695 | INV | N | 89 53 14 | E | 380.48 | 24874.1954 | | 84731.0988 | | 719 |
| 719 | INV | N | 4 58 26 | E | 26.65 | 24900.7423 | | 84733.4091 | | 690 |
| 690 | INV | N | 1 47 39 | E | 93.63 | 24994.3289 | | 84736.3407 | | 691 |
| 691 | INV | N | 2 27 35 | W | 79.37 | 25073.6221 | | 84732.9344 | | 692 |
| 692 | INV | N | 4 47 25 | W | 144.34 | 25217.4560 | | 84720.8812 | | 693 |
| 693 | INV | S | 89 53 14 | W | 370.94 | 25216.7259 | | 84349.9420 | | 694 |
| ===== | | | | | | | | | | |

NO CLOSURE ERROR Area = 130788.82 sq ft 3.00250 ac
 FROM ANGLE DIST NORTH EAST TO
 =====

| PT/PT INVERSE | | | | | | | | | | |
|---------------|-----|---|----------|---|--------|------------|--|------------|--|-----|
| ***** START | | | | | | | | | | |
| | | | | | | 24873.5578 | | 84407.1553 | | 696 |
| 696 | INV | S | 0 06 46 | E | 415.32 | 24458.2418 | | 84407.9728 | | 721 |
| 721 | INV | N | 89 53 14 | E | 317.71 | 24458.8672 | | 84725.6808 | | 720 |
| 720 | INV | N | 2 05 59 | W | 248.58 | 24707.2828 | | 84716.5725 | | 689 |
| 689 | INV | N | 4 58 26 | E | 167.54 | 24874.1954 | | 84731.0988 | | 719 |
| 719 | INV | S | 89 53 14 | W | 323.94 | 24873.5578 | | 84407.1553 | | 696 |
| ===== | | | | | | | | | | |

NO CLOSURE ERROR Area = 130680.15 sq ft 3.00000 ac
 FROM ANGLE DIST NORTH EAST TO
 =====

| PT/PT INVERSE | | | | | | | | | | |
|---------------|--------|---|----------|---|--------|------------|--|------------|--|-----|
| ***** START | | | | | | | | | | |
| | | | | | | 24458.2418 | | 84407.9728 | | 721 |
| 721 | INV | S | 0 06 46 | E | 403.87 | 24054.3694 | | 84408.7677 | | 722 |
| 722 | INV | N | 89 53 14 | E | 326.35 | 24055.0118 | | 84735.1191 | | 723 |
| | RADIAL | S | 85 19 22 | E | | | | | | |

```

=====
NO CLOSURE ERROR          Area = 130680.15 sq ft      3.00000 ac
FROM                      ANGLE          DIST          NORTH          EAST          TO
=====
PT/PT INVERSE          YC
***** START
721  INV      S    0 06 46      E          403.87      24458.2418      84407.9728      721
722  INV      N    89 53 14      E          326.35      24054.3694      84408.7677      722
      RADIAL  S    85 19 23      E
      DELTA          6 46 36      LT
      RADIUS          768.00
      TAN          45.47
      L-ARC          90.84
      RADIAL  N    87 54 01      E
      RP
723  CHORD   N    1 17 19      E          90.78      24117.6320      83969.6763      687
      TAN@PT  N    2 05 59      W          24145.7722      84737.1606      688
688  INV      N    2 05 59      W          313.31      24458.8672      84725.6808      720
720  INV      S    89 53 14      W          317.71      24458.2418      84407.9728      721
=====

```

```

=====
NO CLOSURE ERROR          Area = 130981.24 sq ft      3.00692 ac
FROM                      ANGLE          DIST          NORTH          EAST          TO
=====
PT/PT INVERSE          YD
***** START
722  INV      S    0 06 46      E          523.43      24054.3694      84408.7677      722
697  INV      N    89 53 14      E          162.00      23530.9404      84409.7980      697
683  INV      N    9 42 57      E          60.30      23531.2593      84571.7993      683
684  INV      N    18 41 37     E          70.82      23590.6941      84581.9756      684
685  INV      N    24 18 33     E          70.82      23657.7821      84604.6752      685
      INV      N    24 18 33     E          157.68      23801.4777      84669.5838      686
      RADIAL  S    65 41 27      E
      DELTA          19 37 56      LT
      RADIUS          768.00
      TAN          132.88
      L-ARC          263.15
      RADIAL  S    85 19 23      E
      RP
686  CHORD   N    14 29 35     E          261.87      24117.6320      83969.6763      687
      TAN@PT  N    4 40 37      E          24055.0118      84735.1191      723
723  INV      S    89 53 14      W          326.35      24054.3694      84408.7677      722
=====

```

```

=====
NO CLOSURE ERROR          Area = 131239.31 sq ft      3.01284 ac
FROM                      ANGLE          DIST          NORTH          EAST          TO
=====

```