

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

MEMORANDUM

TO:

WA State Dept. Ecology SEPA Registrar
WA State Dept. Ecology, Yakima
WA State Dept. Fish & Wildlife, Ellensburg
WA State Dept. of Transportation- Yakima
WA State Dept. of Community, Trade, and
Economic Development*
Yakama Nation
Yakama Nation – Department of Natural
Resources
Kittitas Co. Board of Commissioners
Kittitas Co. Life Safety- Fire Marshal

Kittitas Co. Environmental Health
Kittitas Co. Fire District No. 2
City of Ellensburg Fire
Kittitas Co. Public Works
Kittitas Co. Solid Waste
Kittitas Co. Sheriff's Office
Ellensburg School District
Ellensburg Water Co.
Cascade Irrigation
Adjacent Property Owners
Applicant

FROM:

Joanna Valencia, Staff Planner *JV*

DATE:

June 14, 2006

SUBJECT:

Notice of Application: Axtman Rezone (Z-06-18) and Preliminary Plat (P-06-22)

Application for the following: 1. Axtman Rezone, Z-06-15, from Agriculture-3 to Planned Unit Development (PUD) and 2. Axtman Preliminary Plat, P-06-22, which is a 375-lot subdivision. Proponent: Gabriel Oh, authorized agent for SSHI, LLC dba D.R. Horton, landowner. The subject property is approximately 73.34 acres and is located east of Reecer Creek Drive and north of Bender Rd at 1406 West Bender Rd, Ellensburg, WA 98926 in Section 27, T18N., R18E., W.M. in Kittitas County. Parcel number 18-18-27010-0002.

Enclosed please find a Notice of Application, Rezone Application, Long Plat Application, SEPA Environmental Checklist, and related documents for the referenced application. Please retain these items for future reference. Interested parties may obtain copies of related file documents by contacting our office. The full project file is available for review at the CDS office.

Written comments from the public on environmental impacts may be submitted to the Kittitas County Community Development Services Department (CDS) no later than **July 17, 2006 @ 5:00 p.m.**, after which a SEPA threshold determination will be issued pursuant to 43.21CRCW (State Environmental Policy Act) and WAC 197-11-355 (Optional DNS Process). This may be the only opportunity to comment on the environmental impacts of this proposal pursuant to SEPA, as a Determination of Non-Significance, (DNS), is expected to be issued. A copy of this subsequent threshold determination will be available to the public upon request.

This proposal may include, incorporate or require mitigation measures under applicable codes regardless of whether a determination of Significance (DS) is issued and subsequent Environmental Impact Statement (EIS) is prepared. Written comments may be submitted to Kittitas County Community Development Services, 411 N. Ruby St. Suite 2, Ellensburg, WA 98926.

An open record hearing is tentatively scheduled before the Kittitas County Planning Commission on August 8, 2006 at 6:30 p.m. in the Commissioner's Auditorium, Kittitas County Courthouse. If you have any questions please do not hesitate to contact us. Interested persons are encouraged to verify with CDS prior to attending by calling 509-962-7506

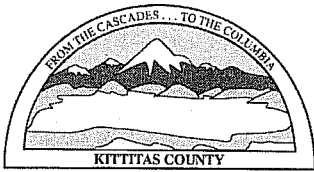
WRITTEN COMMENTS ON ENVIRONMENTAL IMPACTS AND THE OVERALL APPLICATION MUST BE SUBMITTED NO LATER THAN July 17, 2006 @ 5:00 p.m.

*This constitutes the required 60-day filing notification to the Department of Community Trade and Economic Development as required by law.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS



KITITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITITITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

Notice of Application Axtman Rezone and Preliminary Plat

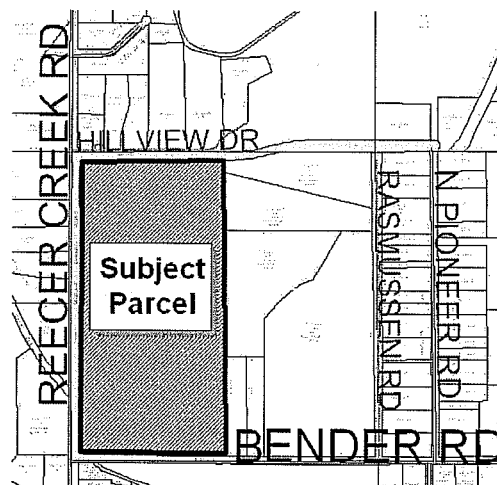
Pursuant to 15A.03 K.C.C., NOTICE IS HEREBY GIVEN that Kittitas County did on June 12, 2006 deem complete an application for the following: 1. Axtman Rezone, Z-06-15, from Agriculture-3 to Planned Unit Development (PUD) and 2. Axtman Preliminary Plat, P-06-22, which is a 375-lot subdivision. Proponent: Gabriel Oh, authorized agent for SSHI, LLC dba D.R. Horton, landowner. The subject property is approximately 73.34 acres and is located east of Reecer Creek Drive and north of Bender Rd at 1406 West Bender Rd, Ellensburg, WA 98926 in Section 27, T18N., R18E., W.M. in Kittitas County. Parcel number 18-18-27010-0002.

Any person desiring to express his /her 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 CDS office between 8:00 A.M. and 5:00 P.M. at 411 N. Ruby St., Ellensburg, WA 98926. Phone (509) 962-7506. Staff Planner: Joanna Valencia.

Written comments from the public may be submitted to Kittitas County CDS no later than July 17, 2006 @ 5:00 p.m., after which a SEPA threshold determination will be issued pursuant to 43.21C RCW (State Environmental Policy Act) and WAC 197-11-355 (Optional DNS Process). This may be the only opportunity to comment on the environmental impacts of this proposal pursuant to SEPA, as a Determination of Non-Significance, (DNS), is expected to be issued. A copy of this subsequent threshold determination will be available to the public upon request. This proposal may include, incorporate or require mitigation measures under applicable codes regardless of whether a Determination of Significance (DS) is issued and subsequent Environmental Impact Statement (EIS) is prepared.

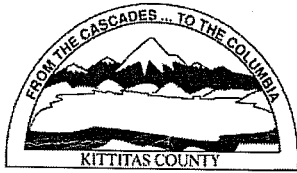
An open record hearing is tentatively scheduled to go forward before the Kittitas County Planning Commission on Tuesday, August 8th, 2006 @ 6:30 P.M., Commissioners' Auditorium, County Courthouse. Written and oral testimony will be considered by the Planning Commission at said public hearing. Interested persons are encouraged to verify by contacting CDS prior to attending.

Dated: June 14, 2006, Publish: June 16, 2006 Daily Record



DARRYL PIERCY, DIRECTOR
ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS



**KITTITAS COUNTY
COMMUNITY DEVELOPMENT SERVICES**

REZONE APPLICATION

(To change from the existing zone to another zone)

KITTITAS COUNTY ENCOURAGES THE USE OF PRE-APPLICATION MEETINGS. PLEASE CALL THE DEPARTMENT IF YOU WOULD LIKE TO SET UP A MEETING TO DISCUSS YOUR PROJECT. INCOMPLETE APPLICATIONS WILL **NOT** BE ACCEPTED.

PLEASE TYPE OR PRINT CLEARLY IN INK. ATTACH ADDITIONAL SHEETS AS NECESSARY. THE FOLLOWING ITEMS MUST BE ATTACHED TO THIS APPLICATION PACKET:

REQUIRED ATTACHMENTS

- ADDRESS LIST OF ALL LANDOWNERS WITHIN 300 FEET OF THE SITE'S TAX PARCEL. IF ADJOINING PARCELS ARE OWNED BY THE APPLICANT, THE 300 FEET EXTENDS FROM THE FARTHEST PARCEL. IF THE PARCEL IS WITHIN A SUBDIVISION WITH A HOMEOWNERS OR ROAD ASSOCIATION, PLEASE INCLUDE THE ADDRESS OF THE ASSOCIATION.
- SITE PLAN OF THE PROPERTY WITH ALL PROPOSED: BUILDINGS; POINTS OF ACCESS, ROADS, AND PARKING AREAS; SEPTIC TANK AND DRAINFIELD AND REPLACEMENT AREA; AREAS TO BE CUT AND/OR FILLED; AND, NATURAL FEATURES SUCH AS CONTOURS, STREAMS, GULLIES, CLIFFS, ETC.
- SEPA CHECKLIST

FEE:

\$1100.00 (\$900 Rezone + \$200 SEPA) to Kittitas County Community Development Services Department

FOR STAFF USE ONLY

I CERTIFY THAT I RECEIVED THIS APPLICATION AND IT IS COMPLETE.

SIGNATURE:

DATE:

RECEIPT #

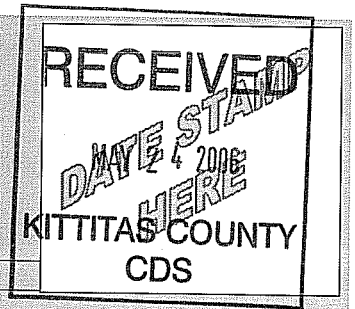
MRice

5.24.06

04640

NOTES:

SEPA w/ Long Plat Axtman



9. What is the present zoning district?
AG-3
10. What is the zoning district requested?
FUD
11. Applicant for rezone must demonstrate that the following criteria are met (attach additional sheets as necessary):
- A. The proposed amendment is compatible with the comprehensive plan.
yes, compatible located within Ellensburg
UGA
- B. The proposed amendment bears a substantial relation to the public health, safety or welfare.
N/A
- C. The proposed amendment has merit and value for Kittitas County or a sub-area of the county.
value for city of Ellensburg
- D. The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.
appropriate for development for subject
property and Ellensburg Growth
Management Act.
- E. The subject property is suitable for development in general conformance with zoning standards for the proposed zone.
proposed development is per FUD code
- F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.
No detriment to the use of vicinity properties

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

Name: SSH1, LLC dba D.R. Horton
Mailing Address: 12931 NE 126th PI
City/State/ZIP: Kirkland, WA 98034
Day Time Phone: 425-821-3400

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

Agent Name: Gabriel Oh
Mailing Address: 12931 NE 126th PI
City/State/ZIP: Kirkland, WA 98034
Day Time Phone: 425-821-3400 ext. 223

3. Contact person for application (select one):

Owner of record Authorized agent

All verbal and written contact regarding this application will be made only with the contact person.

4. Street address of property:

Address: 1400 West Bender Road
City/State/ZIP: Ellensburg, WA 98926

5. Legal description of property:

See Attached

6. Tax parcel number:

431033 / 18-18-27010-0002

7. Property size:

73.34 acres

8. 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):

See Attached

G. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.

No impact on irrigation

12. 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.

13. Are there any other pending applications associated with the property associated with this application? Yes No

Signature of Authorized Agent:

Date:

X _____

Signature of Land Owner of Record
(Required for application submittal):

Date:

X [Signature]
Director of Land Entitlements
D.R. Horton

5-15-06

LEGAL DESCRIPTION

THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTRY OF KITTITAS, STATE OF WASHINGTON;

EXCEPT

RIGHT OF WAY FOR REECER CREEK COUNTRY ROAD AND BENDER COUNTRY ROAD;

AND EXCEPT

A PARCEL OF LAND LAYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M. COMMENCING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION THENCE 30.0 FEET ALONG THE NORTH LINE OF SAID QUARTER TO THE EAST RIGHT OF WAY LINE OF REECER CREEK ROAD AND THE TRUE POINT OF BEGINNING. THENCE 10.0 FEET ALONG THE NORTH LINE OF SAID QUARTER, THENCE SOUTHERLY AND PARALLEL WITH THE EAST RIGHT OF LINE OF REECER CREEK ROAD 2,139.26 FEET, THENCE NORTHWESTERLY 17.10 FEET TO A POINT ON THE EAST RIGHT OF LINE FOR REECER CREEK ROAD RIGHT OF WAY, THENCE NORTHERLY 2,125.5 FEET TO THE TRUE POINT OF BEGINNING;

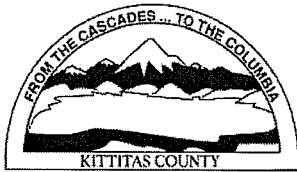
AND EXCEPT

A PARCEL OF LAND LAYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M.. COMMENCING AT THE SOUTHWEST CORNER OF SAID QUARTER, THENCE NORTH 00°09'12" EAST 29.92 FEET ALONG THE WEST LINE OF SAID QUARTER, THENCE SOUTH 89°50'48" EAST, 18.05 FEET TO THE INTERSECTION OF THE RIGHT OF WAYS FOR REECER CREEK ROAD AND BENDER ROAD AND THE TRUE POINT OF BEGINNING. THENCE SOUTH 89°35'18" EAST, 47.69 FEET ALONG THE NORTH RIGHT OF WAY LINE OF BENDER ROAD TO THE BEGINNING OF A CURVE TO THE RIGHT, A CORD BEARING NORTH 44°53'31" WEST, A CORD LENGTH OF 67.80 FEET, A CURVE LENGTH OF 75.199 FEET TO THE END OF THE CURVE, THENCE SOUTH 00°11'44" EAST 47.69 FEET ALONG THE EAST RIGHT OF WAY FOR REECER CREEK ROAD AND THE TRUE POINT OF BEGINNING;

AND EXCEPT

THE PORTION CONVEYED TO KITTITAS COUNTY, STATE OF WASHINGTON, BY DEED RECORDED MARCH 1, 2005, UNDER AUDITORS FILE NO. 200503010021.

8. **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):
- The proposal is a 375 lot subdivision on a 73.34 acre parcel of land situated at the north east corner of the intersection of West Bender Road and Reecer Creek Road. The 375 lots would be accessed by a proposed public internal road system with connection to both West Bender Road and Reecer Creek Road. Road stubs for future connection would be located along the north and east property boundaries. Water and sewer would be provided by the City of Ellensburg.



**KITTITAS COUNTY
COMMUNITY DEVELOPMENT SERVICES**

LONG PLAT APPLICATION

(To divide lot into 5 or more lots)

KITTITAS COUNTY ENCOURAGES THE USE OF PRE-APPLICATION MEETINGS. PLEASE CALL THE DEPARTMENT IF YOU WOULD LIKE TO SET UP A MEETING TO DISCUSS YOUR PROJECT. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

PLEASE TYPE OR PRINT CLEARLY IN INK. ATTACH ADDITIONAL SHEETS AS NECESSARY. THE FOLLOWING ITEMS MUST BE ATTACHED TO THIS APPLICATION PACKET:

REQUIRED ATTACHMENTS

- Ten large copies of plat with all preliminary drawing requirements complete (reference KCC Title 16 Subdivision Code for plat drawing requirements) and one small 8.5" x 11" copy
- Certificate of Title (Title Report)
- Computer lot closures
- Address list of all landowners within 300 feet of the site's tax parcel. If adjoining parcels are owned by the applicant, the 300 feet extends from the farthest parcel. If the parcel is within a subdivision with a Homeowners or Road Association, please include the address of the association.
- SEPA Checklist (Only required if your subdivision consists of 9 lots or more. Please pick up a copy of the Checklist if required)

FEES: (one check payable to KCCDS)

\$200 plus \$10 per lot to Public Works Department;
\$625 plus \$50 per hour over 12.5 hours to Environmental Health Department;
\$800 to Community Development Services Department, PLUS \$200 if SEPA Checklist is required

FOR STAFF USE ONLY

I CERTIFY THAT I RECEIVED THIS APPLICATION AND IT IS COMPLETE.

SIGNATURE:

DATE:

RECEIPT #

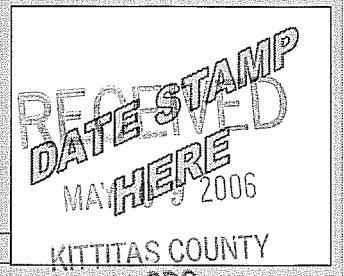
X

5/9/06

046150

NOTES:

Rezone to PUD App Needed



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

Name: SSHI, LLC dba D.R. Horton
Mailing Address: 12931 NE 126th Pl
City/State/ZIP: Kirkland WA 98034
Day Time Phone: 425-821-3400

2. **Name, mailing address and day phone of authorized agent (if different from land owner of record):**

Agent Name: ESM Consulting Engineers, LLC
Mailing Address: 33915 1st Way S, Suite 200
City/State/ZIP: Federal Way WA 98003
Day Time Phone: 253-838-6113

3. **Contact person for application (select one):**

Owner of record Authorized agent

All verbal and written contact regarding this application will be made only with the contact person.

4. **Street address of property:**

Address: 1406 West Bender Road
City/State/ZIP: Ellensburg WA 98926-9488

5. **Legal description of property:**

See Attached

6. **Tax parcel number(s):** 431033

7. **Property size:** 73.34 (acres)

8. **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):

The proposal is a 375 lot subdivision on a 73.34 acre parcel of land situated at the north east corner of the intersection of West Bender Road and Reecer Creek Road. The 375 lots would be accessed by a proposed public internal road system with connection to both West Bender Road and Reecer Creek Road. Road stubs for future connection would be located along the north and east property boundaries. Water and sewer would be provided by the City of Ellensburg.

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

10. What County maintained road(s) will the development be accessing from? Reecer Creek Road and West Bender Road

11. 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.

12. Are there any other pending applications associated with the property associated with this application?
 Yes No

Signature of Authorized Agent:
X _____

Date:

Signature of Land Owner of Record
(Required for application submittal):
X [Signature]
Director of Land Entitlement
D.R. Horton

Date:
4-25-06

LEGAL DESCRIPTION

THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTRY OF KITTITAS, STATE OF WASHINGTON;

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RIGHT OF WAY FOR REECER CREEK COUNTRY ROAD AND BENDER COUNTRY ROAD;

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THE PORTION CONVEYED TO KITTITAS COUNTY, STATE OF WASHINGTON, BY DEED RECORDED MARCH 1, 2005, UNDER AUDITORS FILE NO. 200503010021.

Axtman Property

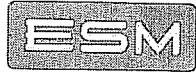
<u>Parcel</u>	<u>Owner</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>
18-18-22040-0009	Daniel Buchanan	491 Hillview Dr	Ellensburg	WA	98926
18-18-22040-0010	Strand Family LTD	610 W Bender Rd	Ellensburg	WA	98926
18-18-27010-0001	Bradley Campbell	661 Rassmusen	Ellensburg	WA	98926
18-18-27010-0008	Bradley Campbell	661 Rassmusen	Ellensburg	WA	98926
18-18-27010-0009	Oenone Kimman	1113 W Bender Rd	Ellensburg	WA	98926
18-18-27010-0007	John Woods	1206 W Bender Rd	Ellensburg	WA	98926
18-18-27010-0006	Oenone Kimman	1113 W Bender Rd	Ellensburg	WA	98926
18-18-27010-0005	Oenone Kimman	1113 W Bender Rd	Ellensburg	WA	98926
18-18-22040-0004	Keith Wilant	3230 Reecer Creek Rd	Ellensburg	WA	98926
18-18-22040-0005	Claude Johnson	41 Hillview Dr	Ellensburg	WA	98926
18-18-22040-0013	Claude Johnson	41 Hillview Dr	Ellensburg	WA	98926
18-18-22040-0007	Stephen Wells	200 Tyler Rd	Ellensburg	WA	98926
18-18-22040-0008	Donald Nelson	411 Hillview Dr	Ellensburg	WA	98926
18-18-22030-0008	Lorraine Spurling	3251 Reecer Creek Rd	Ellensburg	WA	98926
18-18-22030-0007	Lanaya Herr	3101 Reecer Creek Rd	Ellensburg	WA	98926
18-18-22030-0012	Lanaya Herr	3101 Reecer Creek Rd	Ellensburg	WA	98926
18-18-27020-0001	Ronnie Axtman	1406 W Bender Rd	Ellensburg	WA	98926
18-18-27020-0003	Mark Greene	2516 W Dry Creek Rd	Ellensburg	WA	98926
18-18-27055-0001	Ronald Kuhn	2941 Reecer Creek Rd	Ellensburg	WA	98926
18-18-27055-0002	Sandra Keaton	2821 Reecer Creek Rd	Ellensburg	WA	98926
18-18-27055-0003	Oliver Bivens	2761 Reecer Creek Rd	Ellensburg	WA	98926
18-18-27055-0004	Williams Hosko	2661 Reecer Creek Rd	Ellensburg	WA	98926
18-18-27020-0008	Robert Basterrechea	323 W 3rd	Ellensburg	WA	98926
18-18-27020-0016	Cle Elum Pines East	1890 Nelson Siding Rd	Cle Elum	WA	98922

RECEIVED
MAY 09 2006
KITITAS COUNTY
CDS

RECEIVED

MAY 9 - 2006

**KITTITAS COUNTY
CDS**



CONSULTING ENGINEERS LLC



May 9, 2006

Job No. 410-028-005

Kittitas County
Community Development Services
411 N Ruby St, Suite 2
Ellensburg WA 98926

**RE: Formal Planned Unit Development (PUD) Submittal to Subdivide a
75-Acre Site with in the City of Ellensburg UGA**

Dear Staff:

On behalf of the SSHI, LLC dba D.R. Horton, ESM Consulting Engineers, LLC, is formally submitting an application for a Long Subdivision on a 75-acre site located at 1406 West Bender Road, Ellensburg, Washington, 98926. As proposed, the project is a three hundred and seventy five (375) lot residential subdivision. The Assessor's Parcel Number for the property is: 431033. **(Note:** The land is within Section 27, Township 18 North, Range 18 Kittitas County, Washington.)

PROJECT DESCRIPTION

The proposal is a 375-lot subdivision utilizing the City of Ellensburg's future Residential Suburban zoning. The development concept is illustrated on the enclosed Preliminary Site Plan.

The existing farm house and associated outbuildings would be removed as part of the proposed development. The existing well and septic drainfield would be decommissioned in accordance to all applicable Kittitas County and Washington State regulations. The 375 proposed new lots would be located on a new public road system, connecting to both West Bender Road and Reecer Creek Road. The connection to Reecer Creek Road would be located centrally on the western boundary of the property. The connection to West Bender Road would be located centrally on the southern property boundary. Road stubs would be provided for future connections to adjacent properties to the north and the east. Proposed lots would range in size from approximately 2700 to 7750 square feet. An open storm drainage pond would be provided in accordance with Kittitas County requirements. Each of the proposed lots would be served by City of Ellensburg Water and Sewer. Water Connection would be made approximately 5000 ft to the east of the south east corner of the property. Sewer connection would be made approximately 5000 ft south of the property.

33915 1st Way South
Suite 200
Federal Way, WA 98003

Tel (253) 838 6113
Fax (253) 838 7104
Toll Free (800) 345 5694

Bothell (425) 415 6144
www.esmcivil.com

Civil Engineering
Project Management
Land Surveying

Land Planning
Public Works
Landscape Architecture

The following is the name and address of the property owner/applicant, and consultant involved with this project.

- Owner/Applicant: SSHI, LLC dba D.R. Horton
12931 NE 126th Place
Kirkland, WA 98034
(425) 821-3400
Contact: Jennifer Steig
- Planner/Engineer/Surveyor: ESM Consulting Engineers, LLC
331915 1st Way South, #200
Federal Way, WA 98003
(253) 838-6113
Contact: Steve Kelly

The following information is being submitted for a complete application and review of this project (date of signature/document is in parentheses):

Cover Letter	
Land Use Application	original
PUD	original
Certificate of Title	10 full size + 1 reduced + 1 letter
Computer Lot Closures	1 copy
Addresses of land owners within 300 feet	1 copy
SEPA Checklist	1 copy
Traffic Study	2 copies
Critical Areas Letter	(to be completed)
Submittal Fees	1 copy
	\$5,575

We appreciate your time and effort in reviewing this matter. If there are any questions, please feel free to contact me at (253) 838-6113.

Sincerely,

ESM CONSULTING ENGINEERS, LLC



Andy Shepherd
Project Planner

Enclosures: Listed Above

CC: Jennifer Steig

\\esm-jobs\410\028\document\letter-001.doc



RECEIVED
JUN 12 2006
KITITAS COUNTY
CDS



CONSULTING ENGINEERS LLC



June 9, 2006

Job No. 410-028-005

Ms. Joanna Valencia
Kittitas County
Community Development Services
411 N Ruby Street Suite 2
Ellensburg, WA 98926

RE: Formal Planned Unit Development (PUD) Submittal to Subdivide a 75-Acre Site with in the City of Ellensburg UGA

Dear Ms. Valencia:

It has come to our attention that some of the requirements pursuant to KCC (17.36.030) were not met by our submittal on May 9, 2006. On behalf of the SSHI, LLC dba D.R. Horton, ESM Consulting Engineers, LLC, is formally submitting the remaining material required for a complete application and Long Subdivision on a 75-acre site located at 1406 West Bender Road, Ellensburg, Washington, 98926. As proposed, the project is a three hundred and seventy five (375) lot residential subdivision.

As Required Per KCC (17.36.030)

A statement relating the development plan to adjacent development and natural areas.

The properties which surround the proposal are primarily farm land and pasture. Residential houses exist on all four sides most of which are related to farm activity. Other than Whiskey Creek to the east, which will be protected by buffer, there are no natural areas adjacent to this proposal.

A statement of the developer's intent with regard to providing landscaping and retention of open spaces.

Approximately 13.5 acres of landscape/open space buffer has been provided around the entire proposal. Approximately 5 acres of usable open space would be provided centrally on the site. The retention pond would be designed as a water feature at the main entrance of the site off West Bender Road.

A statement outlining future land ownership patterns within the development including homeowners associations if planned.

33915 1st Way South
Suite 200
Federal Way, WA 98003

Tel (253) 838 6113
Fax (253) 838 7104
Toll Free (800) 345 5694

Bothell (425) 415 6144
www.esmcivil.com

Civil Engineering
Project Management
Land Surveying

Land Planning
Public Works
Landscape Architecture

Ms. Joanna Valencia
June 9, 2006
Page Two

All of the proposed new lots will be fee simple. A homeowners association would be in charge of maintaining all of the perimeter landscaping and common open space. All of the proposed new streets would be public and maintained by the County until the property is annexed into the City of Ellensburg.

Statement of planned residential (housing) densities expressed in terms of living units per building and per net acre (total acreage minus dedicated rights-of-way). (Ord. 90-6 (part), 1990; Res. 83-10, 1983).

The gross site area for this proposal is 75 acres. Approximately 14.5 acres of roads would be constructed leaving a net 60.5 acres of developable land. 365 single-family lots are proposed on that 60.5 acres leading to a density of 6 DU per acre.

We appreciate your time and effort in reviewing this matter, and anticipate the information contained in this letter is sufficient to deem the Axtman application complete. If there are any questions, please feel free to contact me at (253) 838-6113.

Sincerely,

ESM CONSULTING ENGINEERS, LLC



ANDY SHEPHERD
Project Planner

cc: Gabriel Y Oh, D.R. Horton

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RECEIVED

JUN - 8 2006

KITTITAS COUNTY
CDS

**KITTITAS COUNTY
ENVIRONMENTAL CHECKLIST
Axtman PUD**

Prepared by:

ESM CONSULTING ENGINEERS, LLC
For
Kittitas County

Project: Axtman PUD
Applicant: SSHI, LLC dba DR Horton
Attn.: Jennifer Steig
12931 N.E. 126th Place
Kirkland, Washington 98034
Phone: (425) 821-3400

Representative: ESM CONSULTING ENGINEERS, LLC
Attn.: Steve Kelly
33915 1st Way South, #200
Federal Way, WA 98003
Phone: (253) 838-6113

Date: 5/9/06

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Appendix A -- Legal Description
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ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. Name of proposed project, if applicable:

Axtman PUD

2. Name of applicant:

SSHI, LLC dba. DR Horton

3. Address and phone number of applicant and contact person:

Applicant Contact:

SSHI, LLC dba DR Horton

Attn.: Jennifer Steig

12931 N.E. 126th Place

Kirkland, Washington 98034

Phone: (425) 821-3400

Representative:

ESM CONSULTING ENGINEERS, LLC

Attn.: Steve Kelly

33915 1st Way South, #200

Federal Way, WA 98003

Phone: (253) 838-6113

4. Date checklist prepared: 5/9/06

5. Agency requesting checklist:

Kittitas County

6. Proposed timing or Schedule (including phasing, if applicable):

Construction would start upon receipt of all necessary development permits and approvals. This is estimated to occur in late 2006 or early 2007. The project may be developed in phases; however, the exact phasing will not be determined until final engineering.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

There are no plans for future expansion at this time.

8. List any environmental information you know about that has been prepared, or would be prepared, directly related to this proposal.

Critical Areas Letter (12/13/05).....Sewall Wetland Consulting
Traffic Impact Analysis (To be Prepared)Gibson Traffic
Geotech Report (4/10/06)Terra Associates, Inc.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

The entire project area is awaiting annexation into the City of Ellensburg.

10. List any government approvals or permits that would be needed for your proposal, if known.

Demolition Permits.....	Kittitas County
Residential Building Permits.....	Kittitas County
Preliminary & Final Plat Approval.....	Kittitas County
SEPA Determination.....	Kittitas County
Grading Permit.....	Kittitas County
Utility Permits	City of Ellensburg

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

The proposal is a 375-lot subdivision utilizing the City of Ellensburg's Residential Suburban zoning. The development concept is illustrated on the enclosed preliminary site plan.

The existing farm house and associated outbuildings would be removed as part of the proposed development. The existing well and septic drainfield would be decommissioned in accordance to all applicable Kittitas County and Washington State regulations. The 375 proposed new lots would be located on a new public road system, connecting to both West Bender Road and Reecer Creek Road. The connection to Reecer Creek Road would be located centrally on the western boundary of the property. The connection to West Bender Road would be located centrally on the southern property boundary. Road stubs would be provided for future connections to adjacent properties to the north and the east. Proposed lots would range in size from approximately 2700 to 7750 square feet. An open storm drainage pond would be provided in accordance with Kittitas County requirements. Each of the proposed lots would be served by extensions to the City of Ellensburg Water and Sewer. Water Connection would be made approximately 5000 ft to the east of the south east corner of the property. Sewer connection would be made approximately 5000 ft south of the property.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to

duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The property located within the City of Ellensburg's UGA in unincorporated Kittitas County. Specifically, the site is in a portion of Section 27, Township 18, and Range 18. It lies to the north of West Bender Road, and to the east of Reecer Creek Road. The property is also known as Kittitas County parcel number 431033. The site is 75 acres, and has an existing driveway access on Bender Road.

B. ENVIRONMENTAL ELEMENTS

1. EARTH

- a. **General description of the site (circle one):** Flat, rolling, hilly, steep slopes, mountainous, other.
- b. **What is the steepest slope on the site (approximate percent slope)?**

The steepest slope on the property is less than 10 percent.

Vicinity and Zoning Map

- c. **What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**

The subject property contains a variety of Coarse Grained Soils and Fine Grained Soils. It appears that the subject property was previously used for farming/agriculture purposes. Please refer to the geotech report prepared by Terra Associates for further detail.

- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

None have been observed.

- e. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**

Approximately 15,000 CY each of cut and fill from the site will be distributed. Up to 4,000 CY of stripping materials may be hauled from the site to an approved and permitted Kittitas County fill site if necessary.

Also, CKD (cement kiln dust) may be utilized to achieve soil compaction and cement may be used for soil stabilization prior to paving.

- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

A temporary erosion and sedimentation control plan (TESCP) will be prepared. Necessary measures to limit erosion will be implemented before clearing and integrated with any grading activity on the project in accordance with Kittitas County and Department of Ecology requirements. Depending on the specific site and construction conditions, typical temporary measures employed during construction could include placement of straw cover, placement of riprap check dams, silt fences and sediment traps to control turbidity, and the use of chitosan for removing sediment from water.

Following construction, permanent erosion/sedimentation control measures will include a pond and a controlled discharge into the existing drainage system.

- g. **About what percent of the site would be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

Approximately 65 percent of the site would be covered with impervious surfaces after project construction.

- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

Erosion control BMP's would include leaving as much existing vegetation as practical around the site. Temporary cover and/or surface roughening to exposed areas (mulching, plastic, etc.) would be provided. Measures to limit the level of sediment leaving the site could include rock construction entrances, silt fences and temporary interceptor swales.

2. AIR

- a. **What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

Short-term emissions to air from construction could occur. Suspended particles would be generated by dust emissions from construction activities and vehicle emissions from automobiles and construction equipment. Dust could occur during grading/construction operations. These impacts should be minimal. Long-term emissions to air would be typical of current conditions and are not anticipated to have an impact to the area.

- b. **Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

There are no off-site emissions or odors that affect the site. The vicinity is primarily vacant and agricultural in nature. As a result, pollutants are mainly particulates (from wood stoves, fire places, outdoor burning, and roads) and vehicle traffic.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

All applicable EPA & DOE standards governing air quality relative to construction will be followed during project construction.

3. WATER

a. Surface:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

See critical areas letter from B12/Sewall dated December 2005. We will also continue to monitor the wet areas on the site and determine if wetlands exist on the site after spring/summer growing season is done and flood irrigation has ceased.

- 2) Would the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

The project would require work within 200 feet of Whisky Creek and Town Ditch. No encroachment to prescribed buffers is proposed.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

None proposed at this time.

- 4) Would the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**

None proposed at this time.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

No

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

None proposed at this time.

b. Ground:

- 1) Would ground water be withdrawn, or would water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No ground water would be withdrawn as a result of this project.

- 2) Describe waste material that would be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

No waste materials would be discharged into the ground as a result of this project.

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where would this water flow? Would this water flow into other waters? If so, describe.

Storm drainage from roads and rooftops would be directed to catch basins and underground pipes, then conveyed to a storm water detention pond on the east side of the property. Water release rates from the pond would be at pre-development rates.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Any development introduces a potential increase in pollutants from storm water runoff due to home sites, roads, lawn fertilization and other development oriented activities. Oils, grease and other pollutants from the additional paved areas could potentially enter the ground or downstream surface waters through surface water runoff. The proposed plans for storm water and runoff control are expected to minimize or eliminate entry of waste materials or pollutants to ground water and surface waters.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

All proposed development on-site would satisfy the requirements of Kittitas County and Washington State Department of Ecology. Temporary and permanent drainage facilities would provide protection of water quality of surface runoff during construction and after development. Storm water would be detained, then released at pre-development rates, maintaining the natural hydrology of the site.

4. PLANTS**a. Check or circle types of vegetation found on the site:**

- deciduous tree: alder, maple, aspen, other: _____
- evergreen tree: fir, cedar, pine, other: _____
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other: _____
- water plants: water lily, eelgrass, milfoil, other: _____
- other types of vegetation

b. What kind and amount of vegetation would be removed or altered?

Most vegetation on the developed portion of the site would be removed. The site is currently composed of mostly pasture vegetation and tilled fields with a few stands of both coniferous and deciduous trees.

c. List threatened or endangered species known to be on or near the site, if any:

None are known.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

A landscaping buffer would be placed along West Bender Road and Reecer Creek Road. It is also anticipated that future homeowners would provide ornamental landscaping on individual lots. All critical areas and associated buffers would be planted with native species and preserved as a NGPA.

5. ANIMALS

- a. **Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:**

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other: small rodents
fish: bass, salmon, trout, herring, shellfish, other:

- b. **List any threatened or endangered species known to be on or near the site.**

None are known at this time.

- c. **Is the site part of a migration route? If so, explain.**

Kittitas County, as well as the rest of eastern Washington, is in the migration path of a wide variety of neo-tropical songbirds, waterfowl and other species of birds

- d. **Proposed measures to preserve or enhance wildlife, if any:**

All of the critical areas and associated buffers would be protected by NGPA as part of the project proposal. Landscaping and ornamental plantings would also provide some habitat for song birds and small rodents.

6. ENERGY AND NATURAL RESOURCES

- a. **What kinds of energy (electric, natural gas, oil, wood stove, solar) would be used to meet the completed project's energy needs? Describe whether it would be used for heating, manufacturing, etc.**

Electricity and natural gas would be the primary energy source for residential heating and cooking. Wood stoves, solar and alternative energy sources could also be utilized to supplement individual homeowners' energy needs. All wood stoves incorporated into the new housing units would comply with local and State regulations.

- b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

The project would not affect the use of solar energy.

- c. **What kinds of energy conservation features are included in the plans of this proposal? List of other proposed measures to reduce or control energy impacts, if any:**

The requirements of the Washington State Energy Code and the Uniform Building Code would be satisfied in the construction of buildings. Energy conserving materials are encouraged in all new construction.

7. ENVIRONMENTAL HEALTH

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so describe.**

The project does not include nor is it expected to generate any environmental health hazards.

- 1) Describe special emergency services that might be required.**

No special emergency services would be required.

- 2) Proposed measures to reduce or control environmental health hazards, if any:**

There are no known health hazards that would be associated with development of this site, therefore, no measures for the reduction or control of environmental health hazards are proposed.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, aircraft, other)?**

Traffic on existing roads would be audible.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**

Short-term impacts would result from the use of construction equipment during site development. Construction would occur primarily during the daylight hours, and in compliance with all applicable codes. Heavy equipment, hand tools, and the transporting of construction equipment generate construction noise. At 200 feet from the construction, Leq would be approximately the following:

<u>Activity</u>	<u>Leq</u> _____ <u>(in</u> <u>decibels)</u>
Clearing	71-72
Excavation	59-77
Foundations	65
Building Erection	60-72
Finishing	62-77

Long-term impacts would be those associated with the increase in site users. Additional traffic would be generated by future uses. The increase in noise would be typical of a single-family residential development of this size and would be considered minimal. Sound levels for various noise sources include:

<u>Noise Sources</u>	<u>Sound Level at</u> <u>100 feet (dBA)</u>
Automobile Starting	50-55
Closing Car Door	50-55
Loud Voices	50
Automobile/Truck Traffic	50

3) Proposed measures to reduce or control noise impacts, if any:

Construction activities would be performed during normal daytime working hours, and would comply with noise regulations contained in Kittitas County Code. The proposed use is expected to generate typical residential noise levels.

8. LAND AND SHORELINE USE

a. What is the current use of the site and adjacent properties?

There is currently a single-family dwelling on site and a couple of associated outbuildings on the property. The majority of the land in the vicinity has historically been used for farming/agricultural purposes. Adjacent properties are for the most part rural and residential.

b. Has the site been used for agriculture? If so, describe.

The majority of the site has been used historically as crop land.

c. Describe any structures on the site.

There is one existing house and associated outbuildings on the property.

d. Would any structures be demolished? If so, what?

The outbuildings and the existing house would be demolished as part of this proposal.

e. What is the current zoning classification of the site?

The property is currently zoned AG-3.

f. What is the current comprehensive plan designation of the site?

The property has a City of Ellensburg comprehensive plan designation of Urban Land use.

g. If applicable, what is the current shoreline master program designation of the site?

Not Applicable.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

See critical areas letter from B12/Sewall dated Dec '05. We will also continue to monitor the wet areas on site and determine if wetlands exist on the site after the spring/summer growing season is done and flood irrigation has ceased.

i. Approximately how many people would reside or work in the completed project?

Based on an average of three persons per residence, the completed project would house approximately 1125 people.

j. Approximately how many people would the completed project displace?

The completed project would displace the current residence of the farm house.

k. Proposed measures to avoid or reduce displacement impacts, if any:

None

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The project would comply with the comprehensive plan designation of Urban Land use.

9. HOUSING

a. Approximately how many units would be provided, if any?

There would be 375 new units constructed as a result of this proposal.

- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

One middle income unit would be eliminated as a result of this proposal.

- c. **Proposed measures to reduce or control housing impacts, if any:**

None proposed

10. AESTHETICS

- a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

The proposed development would meet the bulk requirements of the Residential Suburban zone. House exteriors would be constructed, of natural looking materials, including wood and masonry.

- b. **What views in the immediate vicinity would be altered or obstructed?**

No view would be altered or obstructed as a result of this proposal.

- c. **Proposed measures to reduce or control aesthetic impacts, if any:**

An internal park and open space area has been proposed. (Please see attached PUD map).

11. LIGHT AND GLARE

- a. **What type of light or glare would the proposal produce? What time of day would it mainly occur?**

Exterior and interior residential lighting during evening hours, as well as vehicle headlights, would produce light and glare.

- b. **Could light or glare from the finished project be a safety hazard or interfere with views?**

Light from the finished project would not interfere with views or cause hazards. Exterior lighting would be typical of a residential neighborhood.

- c. **What existing off-site sources of light or glare may affect your proposal?**

The primary off-site source of light would be from vehicles traveling along roads in the vicinity.

- d. **Proposed measures to reduce or control light and glare impacts, if any:**

None are being proposed.

12. RECREATION

- a. **What designated and informal recreational opportunities are in the immediate vicinity?**

Currently none exist in the immediate vicinity of the proposed project.

- b. **Would the proposed project displace any existing recreational uses? If so, describe.**

The proposal would not displace any existing recreational uses.

- c. **Proposed measures to reduce or control impacts on recreation, including opportunities to be provided by the project or applicant, if any:**

None are being proposed.

13. HISTORIC AND CULTURAL PRESERVATION

- a. **Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**

None are known to exist at this time.

- b. **Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site?**

None in the vicinity.

- c. **Proposed measures to reduce or control impacts, if any:**

Although it is unlikely that significant archaeological or historic evidence or artifacts remain on the site. However, in the event that such evidence is found during site development, construction would cease in that area and the items would be inventoried by a qualified archaeologist in accordance with State regulations.

14. TRANSPORTATION

- a. **Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**

Receer Creek Road and West Bender Road serve the site.

- b. **Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**

The site is not currently served by public transportation.

- c. **How many parking spaces would the completed project have? How many would the project eliminate?**

The proposal would eliminate a few informal parking spaces and would create up to 4 new spaces on the proposed 375 new lots. This would generate a net gain of 1500 new parking spaces.

- d. **Would the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**

All 375 new lots would take access from a new internal road system connecting to Receer Creek Road and West Bender Road. The road system would be constructed to City of Ellensburg standards within a 60' right-of-way for main access points and a 50' right-of-way for all other internal roads.

- e. **Would the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

No this site is not within the immediate vicinity of water, rail, or air transportation.

- f. **How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

The proposed development would generate approximately 3580 average daily trips with 281 Am peak-hour trips (70 inbound/211outbound) and 378 PM peak-hour trips (238 inbound/140 outbound).

- g. **Proposed measures to reduce or control transportation impacts, if any:**

The developer would be required to pay traffic mitigation fees to Kittitas County, and construct frontage improvements along Receer Creek Rd and West Bender Road..

15. PUBLIC SERVICES

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe:**

The project would result in an increased need for public services (fire, police, schools, etc.) typical of a residential development of this nature. Ellensburg School District No 401 serves the area. Fire District No. 2 provides fire services. The property lies within the jurisdiction of the Kittitas County Sheriffs Department, but would be served by Ellensburg police upon annexation.

- b. **Proposed measures to reduce or control direct impacts on public services, if any.**

In addition to payment of yearly property taxes by each homeowner, direct impacts of the proposal would be mitigated in accordance with all adopted County regulations. Mitigation fees in accordance with County requirements would be paid to the Ellensburg School District No 401.

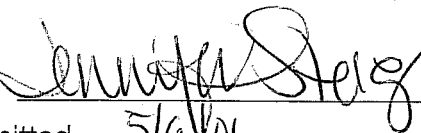
16. UTILITIES

- a. **Circle utilities currently available at the site:** electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:
- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

Electricity.....City of Ellensburg
 Water.....City of Ellensburg
 Telephone.....City of Ellensburg
 Sewer.....City of Ellensburg
 Refuse Removal.....Waste Management

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 
 Date submitted: 5/9/06

LEGAL DESCRIPTION

(PER TITLE REPORT PROVIDED BY AMERITITLE ORDER NO. 0099130-E, EFFECTIVE OCTOBER 25, 2005)

THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON;

EXCEPT

RIGHT OF WAY FOR REECER CREEK COUNTRY ROAD AND BENDER COUNTRY ROAD;

AND EXCEPT

A PARCEL OF LAND LAYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M. COMMENCING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION THENCE 30.0 FEET ALONG THE NORTH LINE OF SAID QUARTER TO THE EAST RIGHT OF WAY LINE OF REECER CREEK ROAD AND THE TRUE POINT OF BEGINNING.

THENCE 10.0 FEET ALONG THE NORTH LINE OF SAID QUARTER, THENCE SOUTHERLY AND PARALLEL WITH THE EAST RIGHT OF WAY LINE OF REECER CREEK ROAD 2,139.26 FEET, THENCE NORTHWESTERLY 17.10 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE FOR REECER CREEK ROAD RIGHT OF WAY, THENCE NORTHERLY 2,125.5 FEET TO THE TRUE POINT OF BEGINNING;

AND EXCEPT

A PARCEL OF LAND LAYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 18 EAST, W.M..

COMMENCING AT THE SOUTHWEST CORNER OF SAID QUARTER, THENCE NORTH 00°09'12" EAST 29.92 FEET ALONG THE WEST LINE OF SAID QUARTER, THENCE SOUTH 89°50'48" EAST, 18.05 FEET TO THE INTERSECTION OF THE RIGHT OF WAYS FOR REECER CREEK ROAD AND BENDER ROAD AND THE TRUE POINT OF BEGINNING. THENCE SOUTH 89°35'18" EAST, 47.69 FEET ALONG THE NORTH RIGHT OF WAY LINE OF BENDER ROAD TO THE BEGINNING OF A CURVE TO THE RIGHT, A CHORD BEARING NORTH 44°53'31" WEST, A CHORD LENGTH OF 67.80 FEET, A CURVE LENGTH OF 75.199 FEET TO THE END OF THE CURVE, THENCE SOUTH 00°11'44" EAST 47.69 FEET ALONG THE EAST RIGHT OF WAY FOR REECER CREEK ROAD AND THE TRUE POINT OF BEGINNING;

AND EXCEPT

THE PORTION CONVEYED TO KITTITAS COUNTY, STATE OF WASHINGTON, BY DEED RECORDED MARCH 1, 2005, UNDER AUDITOR'S FILE NO. 200503010021.


B-12 Wetland Consulting, Inc.

 1103 W. Meeker St.
 Kent, WA 98032-5751

 (V) 253-859-0515
 (F) 253-852-4732

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MAY 09 2006

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Post-it® Fax Note	7671	Date: 4/3/06	# of pages ▶ 6
To	Rebecca Denny	From	Ed Sewall
Co./Dept.	DR: Harker	Co.	B-12 Wetland Cons.
Phone #		Phone #	
Fax #	425-821-3390	Fax #	

December 13, 2005

 Chad Bala
 Terra Design Group
 PO Box 462
 Roslyn, Washington 98941

 RE: Wetland Stream Analysis – Axtman Property, Ellensburg,
 Washington
 B-12 Wetland Consulting Job #A5-339

Dear Chad,

At your request we have conducted an inspection of the Axtman property located in unincorporated Kittitas County, Washington, at the northeast quadrant of the intersection of Bender Road and Reecer Creek Road. This rectangular shaped 73 acre property is managed as a timothy hay farm. The entire site is in planted in timothy with the exception of the southwest corner of the site which includes the existing farm buildings and residential structure. The Town Canal also crosses the southwest corner of the site and Whisky Creek borders the south half of the east property line flowing in a southerly direction.

The purpose of our investigation was to determine the approximate size and location of any jurisdictional wetlands, streams or buffers on the site.

1.0 METHODOLOGY

B-12 Wetland Consulting, Inc. investigated the site in November of 2005, using methodology described in the **Washington State Wetlands Identification Manual** (WADOE, March 1997). This is the methodology currently recognized by Kittitas County and the City of Ellensburg for

wetland determinations and delineations. Soil colors were identified using the 1990 Edited and Revised Edition of the **Munsell Soil Color Charts** (Kollmorgen Instruments Corp. 1990).

The *Washington State Wetlands Identification and Delineation Manual* and the *Corps of Engineers Wetlands Delineation Manual* both requires the use of the three-parameter approach in identifying and delineating wetlands. A wetland should support a predominance of hydrophytic vegetation, have hydric soils and display wetland hydrology. To be considered hydrophytic vegetation, over 50% of the dominant species in an area must have an indicator status of facultative (FAC), facultative wetland (FACW), or obligate wetland (OBL), according to the National List of Plant Species That Occur in Wetlands: Northwest (Region 9) (Reed, 1988). A hydric soil is "a soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part". Anaerobic conditions are indicated in the field by soils with low chromas (2 or less), as determined by using the Munsell Soil Color Charts; iron oxide mottles; hydrogen sulfide odor and other indicators. Generally, wetland hydrology is defined by inundation or saturation to the surface for a consecutive period of 12.5% or greater of the growing season. Areas that contain indicators of wetland hydrology between 5%-12.5% of the growing season may or may not be wetlands depending upon other indicators. Field indicators include visual observation of soil inundation, saturation, oxidized rhizospheres, water marks on trees or other fixed objects, drift lines, etc. Under normal circumstances, indicators of all three parameters will be present in wetland areas.

NOTE: The Ellensburg area has unique hydrologic conditions that make wetland delineation and identification difficult without cessation of site irrigation practices, and monitoring of the hydrology through the growing season (mid April through October 1). Generally, irrigated fields in this area have been flood irrigated for decades, and in many cases, over 100 years. This long term irrigation practice creates soils profiles that have hydric or wetland characteristics, as well as allows the growth of plants typically found in wetland areas. On many sites, only through shutting off the irrigation and monitoring the sites hydrology can it be determined if natural wetland conditions exist. If no evidence of inundation or saturation of the upper 12" of soil is found within the growing season, the area is not wetland regardless of the fact there may be wetland plants and hydric soils. This determination is made more complicated by the regional rise in the water table through the irrigation

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season, often peaking near in the mid-late summer. This regional rise, although itself created by the local use of irrigation (an artificial hydrology source), is considered to be a "natural" phenomenon and treated as a natural water source by the regulatory authorities such as the Corps of Engineers as well as Washington Department of Ecology. As a result, in order to make a definitive determination of the actual presence of wetland in the area of the site, the sites irrigation must be shut off prior to the start of the irrigation season, and the site will need to be monitored for soil inundation or saturation within 12" of the surface through the entire growing season. It is our experience in this region that this is the only acceptable way to disprove areas that contain wetland soils and plants from being considered wetland.

2.0 OBSERVATIONS



The site is generally comprised of timothy fields with the exception of several agricultural outbuildings near the south end of the site bordering the Town Canal. Whisky Creek flows south along the southeast side of the site, although it was dry during our site visit. Numerous irrigation ditches, pipes, and diversions are found along the property leading from the Town Canal as well as both creeks. The property owner informed me that the irrigation system on the north and east sides of the site was recently re-built and relocated changing the way irrigation water gets to

and is used on the site. This was required because the County road will shortly be extended along the north side of his property and the existing drainage features which provided irrigation water to the north end of the site were being removed.

Additionally, he informed me a large gravel French drain is located along the east property line to intercept flood irrigation water from the neighbor to the east and direct it south to Whisky Creek. Mr. Axtman also has switched to wheel irrigation on the north side of the site, an area formerly flood irrigated.

As previously described, the majority of the site is planted and cropped in timothy hay (*Phleum pratense*). Timothy although a planted species on this site, is also considered a facultative wetland plant.

The southeast side of the site west of the home/farm and north of the Town Canal has an area that does meet the criteria to be wetland. This area is vegetated with a mix of hydrophytic vegetation including sedges (*Carex* spp.), cattail (*Typha latifolia*) and meadow foxtail (*Alopecurus geniculatus*). Soils are dark hydric soils with soil saturation present during our site visit.

Soil pits excavated throughout the remainder of the site in portions of the areas identified in the Ellensburg UGA inventory as wetland did reveal clay loam soils with hydric (wetland) characteristics including dark (10YR 2/1) and the presence of redoximorphic concentrations. Contrasting to these areas, other portions of the site have slightly higher chroma soils (10YR 2/1.5) with less clay and no redoximorphic features.

The site is currently under a mixed flood and wheel irrigation program. Irrigation covers the entire site and can create artificial wetland conditions.

The wetlands on the site appears to be a Category 3 or 4 rating, which in Kittitas County, currently have buffers that can range between a simple structure setback of less than 25' up to 80'. These will depend upon the proposed land use, potential for enhancement, slope and presence of any listed species. The buffer areas on site should lend themselves for minimum widths with potential enhancement as a trade off. Any wetlands that are filled will need to be mitigated at a ratio of 1:1-1.5:1.

However, due to the long term irrigation practices which mask the natural hydrologic condition of the site on the site, and our short term observations of the site, it is very difficult at this time to separate out natural hydrology supported wetlands and artificial irrigation supported wetlands. Only through a detailed monitoring program as described in Section 1.0 and cessation of the irrigation and tail water features can the actual presence of regulated wetlands on this site be determined.

Whisky Creek

Whisky Creek borders the east side of the site. Whisky Creek is dry much of the year north of the Town Canal, including the portion ordering the site. South of the site and Bender Road, the Town Canal has a diversion which keeps water within the channel south of this area.

Whisky Creek does contain some fish in the portions south of the site. We do not know at this time if fish utilize the reach along the eastside of the site. However, assuming fish can migrate into the sites channel during higher flows, this stream would be considered a Type 3 water under Kittitas County Code. In Kittitas County, Type 3 streams typically have a 20'-50' buffer measured from the ordinary high water mark of the streams. As with wetlands, the width of the buffer depends upon the intensity of land use, the use of enhancement as a way to reduce buffer width, slope and the presence of any listed species. The sites buffers, slopes and vegetation present a good opportunity to reduce buffer widths to minimums with the use of enhancement plantings.

3.0 REGULATIONS

In addition to the wetland regulations previously described for wetlands and streams, certain activities (filling and dredging) within "waters of the United States" may fall under the jurisdiction of the US Army Corps of Engineers (ACOE). The ACOE regulates all discharges into "waters of the United States" (wetlands) under Section 404(b) of the Clean Water Act.

Discharges (fills) into isolated and headwater wetlands up to 0.5 (1/2) acre are permitted under the Nationwide 39 Permit (NWP 39). However, discharges that result in over 0.1 (1/10th) acre of fill (and less than 0.5 acres) will require "Notification" and mitigation at a ratio of 1:1 (minimum). Washington State Department of Ecology has placed

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Regional Conditions on the Nationwide 39 permit that are more restrictive than the national regulations. The limits of fill can be modified if the agencies conclude that ESA fisheries could be impacted by the proposed wetland or stream fill activities.

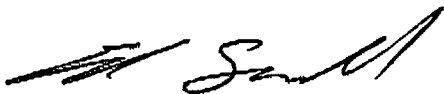
Due to the increasing emphasis on Endangered Species Act compliance for all fills of Waters of the United State and Waters of the State, both the Corps of Engineers and Washington Department of Ecology should be contacted regarding permit conditions, compliance, and processing prior to commitment to any fill of wetlands or streams.

Further Study Requirements

The site currently contains several areas that appear to meet wetland criteria. In order to break out the upland from the wetland on this site a detailed monitoring study as described in Section 1 of this report will be needed. All irrigation will need to cease for the duration of the monitoring period (April-Oct). This is the only way to definitively determine which portions of the site currently displaying wetland characteristics are truly natural wetland, or are artificial and only supported by irrigation, and as such, would not be regulated as wetlands.

If you have any questions in regards to this report or need additional information, please feel free to contact me at (253) 859-0515 or at ed@b12assoc.com.

Sincerely,
B-12 Wetland Consulting, Inc.



Ed Sewall
Senior Wetlands Ecologist (PWS #212)



TERRA ASSOCIATES, Inc.

Consultants in Geotechnical Engineering, Geology
and
Environmental Earth Sciences

April 10, 2006
Project No. T-5889

Ms. Jennifer Steig
D.R. Horton
12931 NE 126th Place, Bldg B1
Kirkland, Washington 98034

Subject: Preliminary Geotechnical Report
Axtman Property
Bender Road and Reecer Creek Road
Ellensburg, Washington

Dear Ms. Steig:

As requested, we have conducted a preliminary geotechnical engineering study for the subject project. The attached report presents our findings and recommendations for the geotechnical aspects of project design and construction.

Our field exploration indicates the site is generally underlain at shallow depths by soft organic silt over dense gravel with sand. In all of the test pits, moderate to heavy groundwater seepage was observed at depths of 5.5 to 9 feet. Temporary and/or permanent dewatering systems may be required if site grades require excavations extending below these depths. In our opinion, the native inorganic soils on the site will be suitable for the proposed development, provided the recommendations presented in this report are incorporated into project design and construction.

We trust the information presented is sufficient for your current needs. If you have any questions or require additional information, please call.

Sincerely yours,
TERRA ASSOCIATES, INC.

David R. Horton
David R. Horton, L.E.C.
Engineering Geologist
Theodore P. Schepfer
Theodore P. Schepfer, P.E.
Principal

EXPRES 6/18/07

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Preliminary Geotechnical Report Axtman Property Bender Road and Reecer Creek Road Ellensburg, Washington

1.0 PROJECT DESCRIPTION

The project will consist of developing the approximately 73-acre parcel with single-family residential building lots along with associated access roads and utilities. Access and utility hookups for the project will be provided from the west, off Reecer Creek Road, and from the south, off Bender Road. Future access connections will extend from the north and east sides. Grading plans showing design lot and roadway elevations have not yet been developed. However, based on existing topography, we expect cuts and fills to establish lot and roadway grades will be minor, generally less than two to three feet. Design concepts for stormwater management are currently not available. However, the conceptual development plan shows a lake or pond feature is planned in the south-central vicinity of the site.

Based on our experience with similar projects, we expect the single-family residential structures will be one to two-story, wood-framed buildings supported on a system of bearing walls and isolated columns. Structural loads will be approximately 1 to 2 kips per foot for bearing walls and 20 kips for interior columns. The main floors will be framed over a crawl space, with garage floors constructed at grade.

The recommendations contained in the following sections of this report are based on our understanding of the design features. If actual features vary or changes are made, we should review them in order to modify our recommendations, as required. We should review final design drawings and specifications to verify that our recommendations have been properly interpreted and incorporated into project design.

2.0 SCOPE OF WORK

On March 1, 2006, we excavated 13 test pits to depths ranging from 8 to 11 feet below existing surface grades. Using the information obtained from the subsurface explorations, we developed geotechnical recommendations for project design and construction. Specifically, this report addresses the following:

- Soil and groundwater conditions
- Geologic hazards
- Site preparation and grading
- Excavations
- Foundations
- Slabs-on-grade
- Stormwater facilities
- Drainage
- Utilities
- Pavements

It should be noted that recommendations outlined in this report regarding drainage are associated with soil strength, design earth pressures, erosion, and stability. Design and performance issues with respect to moisture as it relates to the structure environment (i.e., humidity, mildew, mold) is beyond Terra Associates' purview. A building envelope specialist or contactor should be consulted to address these issues, as needed.

3.0 SITE CONDITIONS

3.1 Surface

The approximate location of the site is shown on Figure 1. We were provided with a site plan for the development prepared by ESM Consulting Engineers, dated March 2006. Figure 2 is based on this site plan.

The rectangular site comprises approximately 73 acres and is generally located in a rural/agricultural area just north of the City of Ellensburg, Washington. A single-family home, a large barn, and a few detached storage structures currently exist in the southwestern portion of the property. Fenced horse and mule pens are also located in the southern portion of the site. The remaining area of the site is farmed with crops produced including wheat and timothy. An open drainage canal crosses the southwestern corner of the property and Whiskey Creek flows along the southern one-third of eastern site boundary. A new road is currently under construction along the north perimeter of the property. The site slopes uniformly to the west-southwest with local elevation relief of approximately 32 feet carried over gradients of less than 2 percent.

3.2 Subsurface

The top 12 to 24 inches of most of the site has been tilled and farmed for agricultural purposes. These soils were observed as dark brown to black organic silt with some gravel in a soft and wet condition. Underlying the tilled soils, in a few of the test pits, we observed a thin layer of a sandy silt to sandy clayey silt along with some gravel and organic inclusions also in a soft and wet condition. In all the test pits, underlying these surface soils, gray to grayish-brown silty sandy gravel to gravel with sand was observed to the termination depth of our test pits. This soil layer was observed to be in a dense condition with gravel sizes ranging from fine to coarse with large amounts of cobble and small boulders. The gravels were generally moist to wet when first encountered becoming wet to saturated with depth.

The preceding discussion is intended to be a brief review of the soil conditions encountered on the site. More detailed descriptions are presented on the Test Pit Logs in Appendix A.

3.3 Groundwater

We observed moderate to rapid groundwater seepage at depths of 5.5 to 9 feet in all of our test pits. Based on the depth to groundwater we observed, the groundwater flow gradient matches the surface topography. The groundwater levels are influenced by seasonal changes as well as by flows in the southwestern irrigation canal. The current property owner indicated that once the irrigation canal is filled with water for summer irrigation, the groundwater table will rise even higher.

4.0 GEOLOGIC HAZARDS

4.1 Seismic

The Eastern Washington area falls within Seismic Zone 2B, as classified by the Uniform Building Code (UBC). Based on the soil conditions encountered and the local geology, Table 16-J of the UBC indicates that a site coefficient of S_C should be used in design.

Liquefaction is a phenomenon where there is a reduction or complete loss of soil strength due to an increase in water pressure induced by vibrations. Liquefaction mainly affects geologically recent deposits of fine-grained sands that are below the groundwater table. Soils of this nature derive their strength from intergranular friction. The generated water pressure, or pore pressure, essentially separates the soil grains and eliminates this intergranular friction; thus, eliminating the soil's strength.

The predominant gravel layer observed below the groundwater table exhibits high permeability that will allow for the dissipation of pore water pressures that may be generated during a seismic event. Given this characteristic and the layers dense relative density, in our opinion, the risk for soil liquefaction to occur at this site and its associated hazard is low.

5.0 DISCUSSION AND RECOMMENDATIONS

5.1 General

Based on our observations, it is our opinion that the soil and groundwater conditions on the site are suitable for residential development. However, the near-surface tilled soils at the site are sensitive to moisture variation and will be easily disturbed from normal construction activity while in a wet condition. To avoid costs associated with stabilizing disturbed surfaces, site grading and utility installation should be completed during the normally dry summer to early fall months. Home building, including foundation construction, could occur during the wet spring/summer months. However, to mitigate disturbance to foundation soils, overexcavating foundation subgrade a minimum depth of six inches and restoring grade using crushed rock, such as railroad ballast or lean concrete mix, may be necessary. Protecting the subgrade in this manner will provide a working surface for construction workers and would avoid disturbing foundation soils and impacting foundation support.

Road subgrade preparation will be difficult without amending or excessive removal and replacement. We suggest three alternatives to prepare the road subgrade:

1. Overexcavate the near-surface organic silt the full depth and replace with a granular structural fill.
2. Overexcavate a minimum of 18 inches, place a geotextile reinforcing fabric, restore subgrade using 1¼-inch size crushed rock.
3. Leave the organic silt in the road subgrade and amend with Portland cement.

The following sections provide detailed recommendations regarding these issues and other geotechnical design considerations. These recommendations should be incorporated into the final design drawings and construction specifications.

5.2 Site Preparation and Grading

To prepare the site for construction, all vegetation, and other deleterious materials should be stripped and removed from the site. Based on conditions we observed at the test pits, an average surface stripping depth of about three inches should be expected to remove remnant vegetation and topsoil. In the developed portions of the site, demolition of the existing structures should include removal of existing foundations, floor slabs, underground septic systems, and other buried utilities. Underground irrigation pipes should also be removed and replaced with structural fill.

When clearing and grubbing operations are complete, cuts and fills can be made to establish desired finish grades. Prior to placing fill, we recommend proofrolling all exposed surfaces to determine if any isolated soft and yielding areas are present. Cut areas that will provide direct support for new construction should also be proofrolled. If excessively yielding areas are observed and cannot be stabilized in place by compaction, the affected soils should be removed to firm bearing and grade restored with structural fill. If the depth of excavation to remove unstable native soils is excessive, the use of geotextile fabric, such as Mirafi 500X or equivalent in conjunction with clean granular structural fill, can be considered to limit the depth of removal. In general, experience has shown that a minimum of 18 inches of clean granular structural fill over the geotextile fabric should establish a stable bearing surface. A representative of Terra Associates, Inc. should observe all proofrolling operations to verify the subgrade is stable and suitable for support of new fill or construction.

Existing organic silt will not be suitable for use as structural fill. Also, our study indicates that the near-surface native soils are wet and contain a significant amount of fines (silt and clay size particles). These soils will be difficult to compact as structural fill when too wet or too dry. Accordingly, the ability to use native soils from site excavations as structural fill will depend on their moisture content and the prevailing weather conditions at the time site grading activities take place. Soils will likely be wet of optimum when excavated and direct reuse of the native soils as structural fill will likely require drying by aeration or treatment with cement kiln dust (CKD), cement, or lime. If additives are used, additional Best Management Practices (BMPs) will need to be implemented to mitigate potential impacts to construction stormwater runoff.

If grading activities are planned during the wet winter months, or if they are initiated during the summer and extend into fall and winter, the contractor should be prepared to treat/amend soil as necessary to facilitate compaction or import wet weather structural fill. We recommend importing wet weather structural fill that meets the grading requirements for gravel borrow outlined in Section 9-03.14(1) of the Washington State Department of Transportation (WSDOT) 2004 Standard Specifications for road, bridge, and municipal construction, modified to allow a maximum aggregate size of 6 inches and a maximum fines content (minus No. 200 sieve) of 5 percent based on the 3/4-inch aggregate fraction. Prior to use, Terra Associates, Inc. should examine and test all materials planned to be imported to the site for use as structural fill.

Structural fill is defined as fill material that will support new construction or will form embankments. This includes lot and road fill that will support buildings and pavements and utility trench and wall backfill.

Structural fill should be placed in uniform loose layers not exceeding 12 inches and compacted to a minimum of 95 percent of the soil's maximum dry density, as determined by American Society for Testing and Materials (ASTM) Test Designation D-698 (Standard Proctor). The moisture content of the soil at the time of compaction should be within two percent of its optimum, as determined by this ASTM standard. In nonstructural areas or for backfill in utility trenches below a depth of 4 feet, the degree of compaction can be reduced to 90 percent.

5.3 Excavations

All excavations at the site associated with confined spaces, such as utility trenches, must be completed in accordance with local, state, or federal requirements. Based on current Occupational Safety and Health Administration (OSHA) regulations, soils observed at the site are classified as Group C soils.

Accordingly, for excavations more than 4 feet but less than 20 feet deep, the side slopes should be laid back at a minimum slope inclination of 1.5:1 (Horizontal:Vertical). If there is insufficient room to complete the excavations in this manner, or if excavations greater than 20 feet deep are planned, the use of temporary shoring to support the excavations will be required. During our test pit exploration, caving of the test pits occurred easily and should be expected in excavations that extend below a depth of four feet.

Groundwater flow into excavations extending to depths of greater than five feet below current site grades should be expected. The volume of water and rate of flow into the excavation will be dependant on the excavation depth below the seepage elevation. Excavations that extend only one to two feet below the seepage level could be dewatered using conventional sump-pumping procedures, along with a system of collection trenches, if necessary. However, deeper excavations will require predraining the excavation site using well points or deeper pumped wells. The contractor must be prepared to dewater the excavations as required to maintain excavation stability and relatively dry working conditions. This condition will likely be encountered during tie-ins to the deeper sewer main line.

This information is provided solely for the benefit of the owner and other design consultants, and should not be construed to imply that Terra Associates, Inc. assumes responsibility for job site safety. It is understood that job site safety is the sole responsibility of the project contractor.

5.4 Foundations

Spread Footings

Residential structures may be supported on conventional spread footing foundations bearing on competent native soils or on structural fills placed above competent native soils. Foundation subgrades should be prepared as recommended in Section 5.2 of this report. Footings exposed to the weather should extend a minimum depth of 18 inches below the lowest adjacent finish grade.

For bearing on competent native soils or on structural fill, we recommend designing foundations for a net allowable bearing capacity of 2,000 pounds per square foot (psf). For short-term loads, such as wind and seismic, a one-third increase in this allowable capacity can be used. With the anticipated loads and these bearing stresses applied, the estimated total foundation settlement should be less than one-half inch.

For designing foundations to resist lateral loads, a base friction coefficient of 0.35 can be used. Passive earth pressures acting on the sides of the footings can also be considered. We recommend calculating this lateral resistance using an equivalent fluid weight of 300 pounds per cubic foot (pcf). We recommend not including the upper 12 inches of soil in this computation because it can be affected by weather or disturbed by future grading activity. This value assumes the foundations will be constructed neat against competent native soil or backfilled with structural fill, as described in Section 5.2 of this report. The friction and passive values recommended include a safety factor of 1.5.

5.5 Slabs-on-Grade

Slabs-on-grade may be supported on the subgrade prepared as recommended in Section 5.2 of this report. Immediately below the floor slab, we recommend placing a four-inch thick capillary break layer composed of clean, coarse sand or fine gravel that has less than three percent passing the No. 200 sieve. This material will reduce the potential for upward capillary movement of water through the underlying soil and subsequent wetting of the floor slab.

The capillary break layer will not prevent moisture intrusion through the slab caused by water vapor transmission. Where moisture by vapor transmission is undesirable, such as covered floor areas, a common practice is to place a durable plastic membrane on the capillary break layer and then cover the membrane with a layer of clean sand or fine gravel to protect it from damage during construction, and aid in uniform curing of the concrete slab. It should be noted that if the sand or gravel layer overlying the membrane is saturated prior to pouring the slab, it will be ineffective in assisting in uniform curing of the slab and can actually serve as a water supply for moisture bleeding through the slab and affecting floor coverings. Therefore, in our opinion, covering the membrane with a layer of sand or gravel should be avoided if floor slab construction occurs during the wet winter months and the layer cannot be effectively drained.

Other methods are available for preventing or reducing water vapor transmission through the slab. We recommend consulting with building envelope specialist or contractor for additional assistance regarding this issue.

5.6 Stormwater Facilities

Based on proposed site development, stormwater facilities will likely be required. A lake/pond is proposed for the south-central portion of the site. Design concepts for stormwater management are currently not available.

Our field exploration indicates that the soil condition should consist of soft organic to sandy clayey silt over dense gravel with sand. We observed moderate to heavy groundwater seepage at depths of 5.5 to 9 feet during our test pit exploration.

We recommend that all interior pond slopes be constructed with a gradient of 3:1. All fill material used to construct perimeter berms must be placed and compacted structurally, as recommended in Section 5.2 of this report. Exterior slopes should be graded at 2:1.

Once stormwater design details have been established, they should be submitted to us for review and development of supplementary recommendations, if required.

5.7 Drainage

Surface

Final exterior grades should promote free and positive drainage away from the site at all times. Water must not be allowed to pond or collect adjacent to foundations or within the immediate building areas. We recommend providing a gradient of at least three percent for a minimum distance of ten feet from the building perimeters. If this gradient cannot be provided, surface water should be collected adjacent to the structures and disposed to appropriate storm facilities.

Subsurface

We recommend installing perimeter foundation drains. Roof and foundation drains should be tightlined separately to the storm drains. Subsurface drains must be laid with a gradient sufficient to promote positive flow to a controlled point of approved discharge. All drains should be provided with cleanouts at easily accessible locations.

5.8 Utilities

Utility pipes should be bedded and backfilled in accordance with American Public Works Association (APWA), or Section 7-08.3(3) of the WSDOT 2004 Standard Specifications. As a minimum, trench backfill should be placed and compacted as structural fill, as described in Section 5.2 of this report. As noted, it is likely that most native soils excavated on the site will be too wet when excavated to reuse directly as backfill without some drying back or treatment. If utility construction takes place during the wet winter months, it may be necessary to import suitable wet weather fill for utility trench backfilling. Also, the large amount of cobble and small boulders will create issues with bedding and backfill of utilities. Aggregates with nominal diameters of six inches or greater should be screened out from the native soils prior to any reuse for utility trench backfill.

For any structure installed below a depth of five feet, buoyancy effects must be considered. Buoyancy or uplift will be resisted by the weight of the structure and the weight of the soil overlying its foundation or cover. For backfill placed as structural fill, a soil unit weight of 120 pcf can be used.

Buoyancy, or an unbalanced hydrostatic head, may also impact the trench bottom stability. Where an unbalanced hydrostatic head exists in the trench excavation, the trench bottom can heave and, subsequently, become unstable causing installed utility pipes to settle when overburdened stresses from utility trench backfill are replaced. Dewatering to lower the groundwater table below the bottom elevation of the trench will prevent this potential trench instability. If an unstable trench bottom develops, the affected soils should be removed and replaced with additional depth of bedding aggregate or crushed rock to re-establish a stable pipe foundation.

5.9 Pavements

As described earlier, the near-surface silt observed to depths of 2 to 3 ½ feet will be difficult to stabilize for support of the pavement. Even if compacted to a firm and unyielding condition the soils will provide limited support requiring a more substantial pavement section. Therefore, to establish suitable support for pavement, where these soils are exposed at the design subgrade elevation, they should be removed and replaced with granular structural fill. As described in the Site Grading and Preparation Section, to limit the depth of removal, geotextile reinforcing/separation fabric or geogrid can be used in conjunction with clean gravel or crushed rock base material. Gravel or crushed rock base material over the fabric should have a minimum thickness of 12 to 18 inches.

As an alternative to excavation and replacement, consideration can also be given to strengthening the soils in place by amending with Portland cement. For this procedure, Portland cement would be blended uniformly with the subgrade soil to a minimum depth of 12 inches, moisture conditioned, as needed and compacted. Additional testing to determine the required cement application rate will be required if this alternative is selected. For planning purposes, based on our experience, because of the soils organic content, a cement application rate of 10 to 15 percent by dry weight will likely be required.

The pavement design section is dependent not only on the supporting capability of the subgrade soils, but also the traffic conditions to which it will be subjected. We expect traffic at the development will consist of cars and light trucks, along with heavy traffic in the form of occasional moving vehicles, school buses, and garbage trucks. For design considerations, we have assumed traffic will consist of car/light truck, and access pavements areas can be represented by an 18-kip Equivalent Single Axle Loading (ESAL) of 100,000 over a 20-year design life.

With a stable subgrade established with gravel or crushed rock base or cement amended native soils, we recommend the following pavement section be used:

- Two inches of asphalt concrete (AC) over four inches of crushed rock base (CRB)
- Two inches of AC over three inches of asphalt-treated base (ATB)

The AC should meet the requirements of a ½-inch HMA class as outlined in the 2004 WSDOT standard specifications. ATB and CRB should also conform to WSDOT requirements.

Long-term pavement performance will depend on surface drainage. A poorly-drained pavement section will be subject to premature failure as a result of surface water infiltrating into the subgrade soils and reducing their supporting capability. For optimum pavement performance, we recommend surface drainage gradients of at least two percent. Some degree of longitudinal and transverse cracking of the pavement surface should be expected over time. Regular maintenance should be planned to seal cracks when they occur.

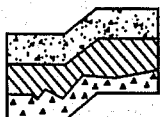
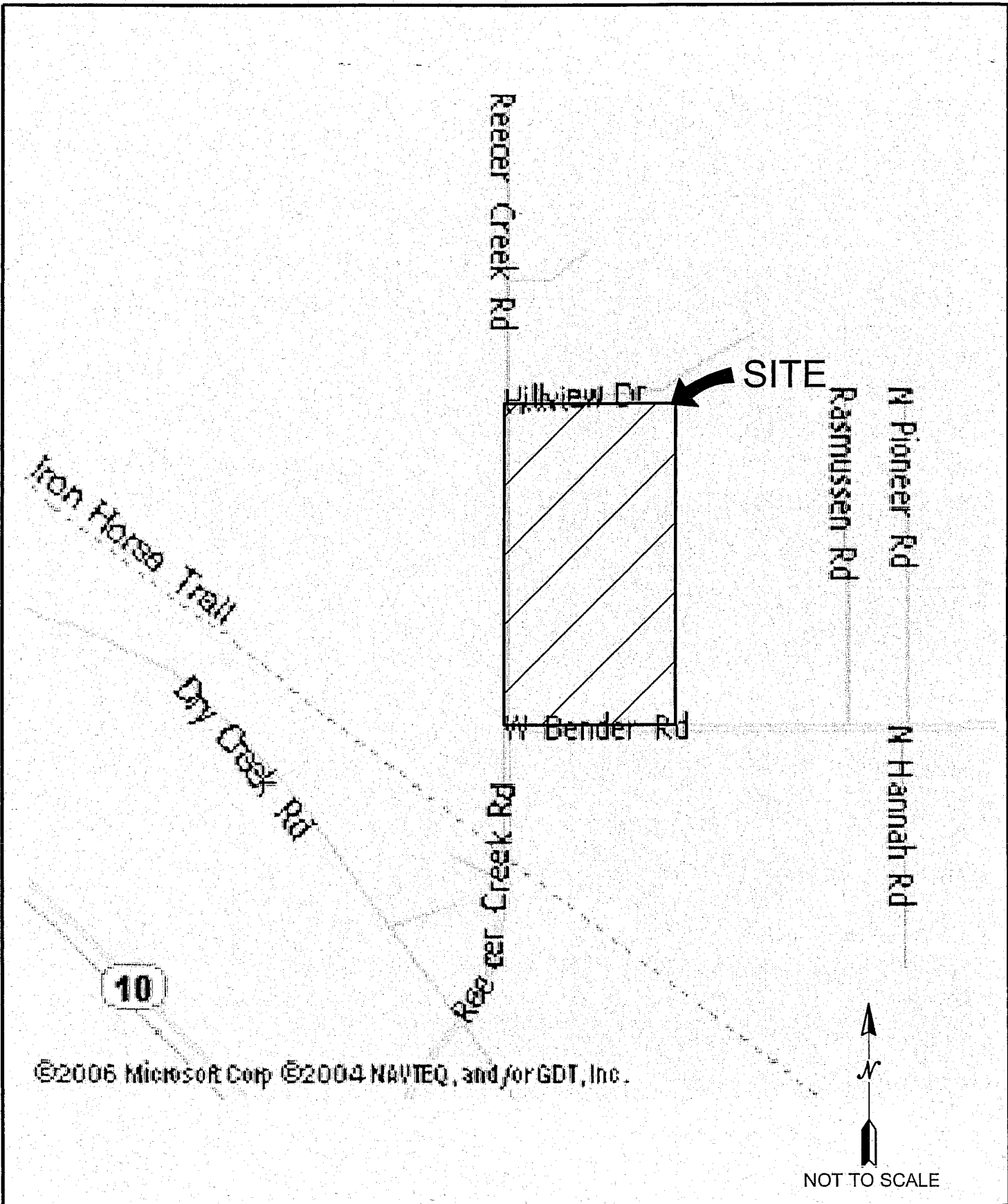
6.0 ADDITIONAL SERVICES

Terra Associates, Inc. should review the final design drawings and specifications in order to verify that earthwork and foundation recommendations have been properly interpreted and implemented in project design. We should also provide geotechnical services during construction to observe compliance with our design concepts, specifications, and recommendations. This will allow for design changes if subsurface conditions differ from those anticipated prior to the start of construction.

7.0 LIMITATIONS

We prepared this report in accordance with generally accepted geotechnical engineering practices. No other warranty, expressed or implied, is made. This report is the copyrighted property of Terra Associates, Inc. and is intended for specific application to the Axtman Property project. This report is for the exclusive use of D.R. Horton and its authorized representatives.

The analyses and recommendations presented in this report are based on data obtained from the test pits excavated on the site. Variations in soil conditions can occur, the nature and extent of which may not become evident until construction. If variations appear evident, Terra Associates, Inc. should be requested to reevaluate the recommendations in this report prior to proceeding with construction.



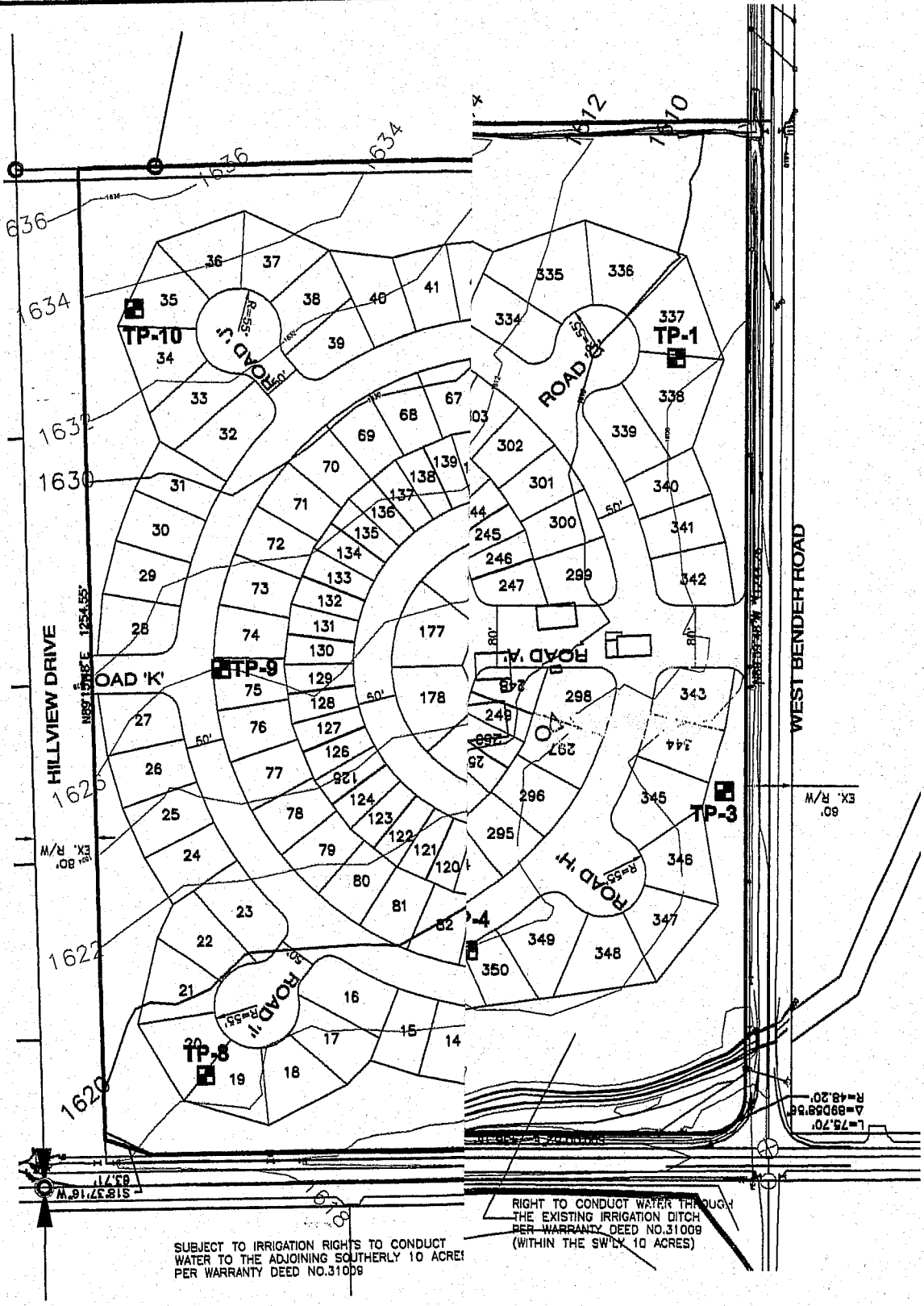
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 Geology and Environmental Earth Sciences

VICINITY MAP
 AXTMAN PROPERTY
 ELLENSBURG, WASHINGTON

Proj. No. T-5889

Date APR 2006

Figure 1



NOTE:

THIS SITE PLAN IS SCHEMATIC. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE. IT IS INTENDED FOR REFERENCE ONLY AND SHOULD NOT BE USED FOR DESIGN OR CONSTRUCTION PURPOSES.

REFERENCE:

SITE PLAN PROVIDED BY ESM CONSULTING ENGINEERS LLC

**EXPLORATION LOCATION PLAN
AXTMAN PROPERTY
ELLENSBURG, WASHINGTON**

Proj. No. T-5889	Date APR 2006	Figure 2
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APPENDIX A
FIELD EXPLORATION AND LABORATORY TESTING

Axtman Property
Ellensburg, Washington

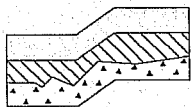
On March 1, 2006, we performed our field explorations using a large trackhoe. We explored subsurface soil conditions at the site by excavating 13 test pits to a maximum depth of 11 feet below existing surface grades. The test pit locations are shown on Figure 2. The test pit locations were approximately determined by measurements from existing site features. The Test Pit Logs are presented on Figures A-2 through A-8. An engineering geologist from our office conducted the field exploration, classified the soil conditions encountered, maintained a log of each test pit, obtained representative soil samples, and observed pertinent site features. All soil samples were visually classified in accordance with the Unified Soil Classification System (USCS) described on Figure A-1.

Representative soil samples obtained from the test pits were placed in closed containers and taken to our laboratory for further examination and testing. The moisture content of each sample was measured and is reported on the Test Pit Logs. We performed grain size analyses on four of the samples from our exploration. The results are shown on Figures A-9 and A-10.

MAJOR DIVISIONS			LETTER SYMBOL	TYPICAL DESCRIPTION
COARSE GRAINED SOILS More than 50% material larger than No. 200 sieve size	GRAVELS More than 50% of coarse fraction is larger than No. 4 sieve	Clean Gravels (less than 5% fines)	GW	Well-graded gravels, gravel-sand mixtures, little or no fines.
		Gravels with fines	GP	Poorly-graded gravels, gravel-sand mixtures, little or no fines.
			GM	Silty gravels, gravel-sand-silt mixtures, non-plastic fines.
			GC	Clayey gravels, gravel-sand-clay mixtures, plastic fines.
	SANDS More than 50% of coarse fraction is smaller than No. 4 sieve	Clean Sands (less than 5% fines)	SW	Well-graded sands, gravelly sands, little or no fines.
		Sands with fines	SP	Poorly-graded sands or gravelly sands, little or no fines.
			SM	Silty sands, sand-silt mixtures, non-plastic fines.
			SC	Clayey sands, sand-clay mixtures, plastic fines.
FINE GRAINED SOILS More than 50% material smaller than No. 200 sieve size	SILTS AND CLAYS Liquid limit is less than 50%		ML	Inorganic silts, rock flour, clayey silts with slight plasticity.
	SILTS AND CLAYS Liquid limit is greater than 50%		CL	Inorganic clays of low to medium plasticity, (lean clay).
			OL	Organic silts and organic clays of low plasticity.
			MH	Inorganic silts, elastic.
	SILTS AND CLAYS Liquid limit is greater than 50%		CH	Inorganic clays of high plasticity, fat clays.
			OH	Organic clays of high plasticity.
HIGHLY ORGANIC SOILS			PT	Peat.

DEFINITION OF TERMS AND SYMBOLS

COHESIONLESS	<u>Density</u>	<u>Standard Penetration Resistance in Blows/Foot</u>	I 2" OUTSIDE DIAMETER SPLIT SPOON SAMPLER II 2.4" INSIDE DIAMETER RING SAMPLER OR SHELBY TUBE SAMPLER ▼ WATER LEVEL (DATE) Tr TORVANE READINGS, tsf Pp PENETROMETER READING, tsf DD DRY DENSITY, pounds per cubic foot LL LIQUID LIMIT, percent PI PLASTIC INDEX N STANDARD PENETRATION, blows per foot
	Very loose 0-4 Loose 4-10 Medium dense 10-30 Dense 30-50 Very dense >50		
COHESIVE	<u>Consistency</u>	<u>Standard Penetration Resistance in Blows/Foot</u>	
	Very soft 0-2 Soft 2-4 Medium stiff 4-8 Stiff 8-16 Very stiff 16-32 Hard >32		



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UNIFIED SOIL CLASSIFICATION SYSTEM
AXTMAN PROPERTY
ELLENSBURG, WASHINGTON

Proj. No. T-5889

Date APR 2006

Figure A-1

Test Pit No. TP-1

Logged by: DPL

Approximate Elev. 1609

Date: 3/1/06

Depth (ft.)	Soil Description	Moisture Content (%)	
0	24 inches dark brown organic SILT with some gravel, soft, wet.	26.5	▼
5	Gray GRAVEL with sand, fine to coarse grained, cobbles to small boulders, dense, wet to saturated. (GP)	12.8	
10	Test pit terminated at 10 feet. Heavy groundwater seepage observed at 6.5 feet. Some test pit sidewall caving.	8.7	
15			

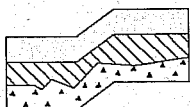
Test Pit No. TP-2

Logged by: DPL

Approximate Elev. 1617

Date: 3/1/06

Depth (ft.)	Soil Description	Moisture Content (%)	
0	18 inches dark brown organic SILT with some gravel, soft, wet.	28.1	▼
5	Reddish-brown sandy SILT with some gravel, soft, wet.		
10	Gray GRAVEL with some sand, fine to coarse grained, cobbles to small boulders, dense to very dense, wet to saturated. (GP)	8.7	
15	Test pit terminated at 10 feet. Heavy groundwater seepage observed at 5.5 feet. Some test pit sidewall caving.		



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TEST PIT LOGS
 AXTMAN PROPERTY
 ELLENSBURG, WASHINGTON

Proj. No. T-5889

Date APR 2006

Figure A-2

Test Pit No. TP-3

Logged by: DPL

Approximate Elev. 1605

Date: 3/1/06

Depth (ft.)	Soil Description	Moisture Content (%)	
0	24 inches dark brown to black organic SILT with some gravel, very soft, wet.	27.2	
5	Brown to gray GRAVEL with sand, fine to coarse grained, cobbles to small boulders, medium dense to dense, moist to wet. (GP)	14.0	▼
10	Test pit terminated at 10 feet. Moderate groundwater seepage observed at 6 feet. Test pit sidewalls easily caved.		
15			

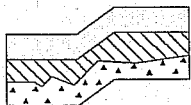
Test Pit No. TP-4

Logged by: DPL

Approximate Elev. 1608

Date: 3/1/06

Depth (ft.)	Soil Description	Moisture Content (%)	
0	18 to 24 inches dark brown to brown organic SILT with some gravel, soft, wet.		
	Reddish-brown clayey SILT with gravel, medium stiff, wet. (ML)	26.9	
5	Reddish-brown to brown silty sandy GRAVEL, fine to coarse grained, some cobbles, dense to very dense, moist to wet. (GM)	8.7	▼
	Heavy iron staining below 7 feet.	15.7	
10	Test pit terminated at 11 feet. Slight groundwater seepage observed at 6 feet.		
15			



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Date APR 2006

Figure A-3

Test Pit No. TP-5

Logged by: DPL

Approximate Elev. 1606

Date: 3/1/06

Depth (ft.)	Soil Description	Moisture Content (%)	
0	12 inches black organic SILT with some gravel, soft, wet.		
	Reddish-brown sandy clayey SILT with some gravel and organics, soft, wet. (ML)	29.4	
		33.4	
5	Gray GRAVEL with sand, fine to coarse grained, cobbles to small boulders, dense, wet. (GP)	10.5	▼
10	Test pit terminated at 9.5 feet. Moderate groundwater seepage observed at 7 feet.		
15			

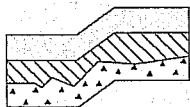
Test Pit No. TP-6

Logged by: DPL

Approximate Elev. 1610

Date: 3/1/06

Depth (ft.)	Soil Description	Moisture Content (%)	
0	18 inches black organic SILT with some gravel, very soft, wet.		
		21.9	
5	Grayish-brown GRAVEL with sand, fine to coarse grained, cobbles to small boulders, dense to very dense, moist to wet. (GP)		▼
		10.5	
10	Test pit terminated at 10 feet. Moderate groundwater seepage observed at 6.5 feet.		
15			



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Proj. No. T-5889

Date APR 2006

Figure A-4

Test Pit No. TP-7

Logged by: DPL

Approximate Elev. 1614

Date: 3/1/06

Depth (ft.)	Soil Description	Moisture Content (%)	
0	12 inches SOD with black organic SILT, soft, wet.	13.5	▼
	Reddish-brown sandy clayey SILT with some gravel, soft, wet.		
5	Grayish-brown silty sandy GRAVEL to GRAVEL with sand and silt, fine to coarse grained, cobbles to small boulders, dense to very dense, wet. (GM/GP)		
10	Test pit terminated at 8 feet. Moderate groundwater seepage observed at 7 feet.		
15			

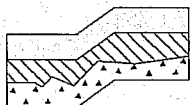
Test Pit No. TP-8

Logged by: DPL

Approximate Elev. 1619

Date: 3/1/06

Depth (ft.)	Soil Description	Moisture Content (%)	
0	12 inches black organic SILT with gravel, soft, wet.	9.9	▼
5	Reddish-brown to grayish-brown silty sandy GRAVEL, fine to coarse grained, cobbles to small boulders, dense to very dense, moist to wet. (GM)		
10		11.8	▼
15	Test pit terminated at 10.5 feet. Moderate groundwater seepage observed at 9 feet.		



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TEST PIT LOGS
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Figure A-5

Test Pit No. TP-9

Logged by: DPL

Approximate Elev. 1626

Date: 3/1/06

Depth (ft.)	Soil Description	Moisture Content (%)	
0	16 inches black organic SILT with gravel, cobbles, soft to medium stiff, wet.		
5	Light brown to grayish-brown silty sandy GRAVEL, fine to coarse grained, cobbles to small boulders, dense, moist to wet. (GM)	17.5	▼
10	Test pit terminated at 10 feet. Moderate groundwater seepage observed at 6 feet.		
15			

Test Pit No. TP-10

Logged by: DPL

Approximate Elev. 1634

Date: 3/1/06

Depth (ft.)	Soil Description	Moisture Content (%)	
0	12 to 18 inches black organic SILT with gravel, very soft, wet.	29.5	
5	Grayish-brown silty sandy GRAVEL, fine to coarse grained, cobbles to small boulders, dense to very dense, wet to saturated. (GM)	9.9	▼
10	Test pit terminated at 10 feet. Moderate groundwater seepage observed at 6 feet.		
15			



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TEST PIT LOGS
 AXTMAN PROPERTY
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Figure A-6

Test Pit No. TP-11

Logged by: DPL

Approximate Elev. 1626

Date: 3/1/06

Depth (ft.)	Soil Description	Moisture Content (%)	
0	6 to 12 inches black organic SILT with gravel, soft, wet.		
5	Grayish-brown silty sandy GRAVEL, fine to coarse grained, cobbles to small boulders, dense, wet. (GM)	10.1	▼
10	Test pit terminated at 10 feet. Slight to moderate groundwater seepage observed at 7 feet.		
15			

Test Pit No. TP-12

Logged by: DPL

Approximate Elev. 1617

Date: 3/1/06

Depth (ft.)	Soil Description	Moisture Content (%)	
0	6 to 12 inches black organic SILT with gravel, soft, wet.		
5	Reddish-brown to grayish-brown silty sandy GRAVEL, fine to coarse grained, cobbles to small boulders, dense to very dense, wet to saturated. (GM)	8.6	▼
10	Test pit terminated at 9 feet. Heavy groundwater seepage observed at 5.5 feet. Some test pit sidewall caving.		
15			



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Figure A-7

Test Pit No. TP-13

Logged by: DPL

Approximate Elev. 1614

Date: 3/1/06

Depth (ft.)	Soil Description	Moisture Content (%)	
0	18 inches black organic SILT with some gravel, very soft, wet.	30.5	▼
	Reddish-brown clayey SILT, soft, wet. (ML)		
5	Grayish-brown silty sandy GRAVEL, fine to coarse grained, cobbles to small boulders, dense, wet to saturated. (GM)	11.6	▼
10	Test pit terminated at 10 feet. Moderate to heavy groundwater seepage observed at 5.5 feet.		
15			



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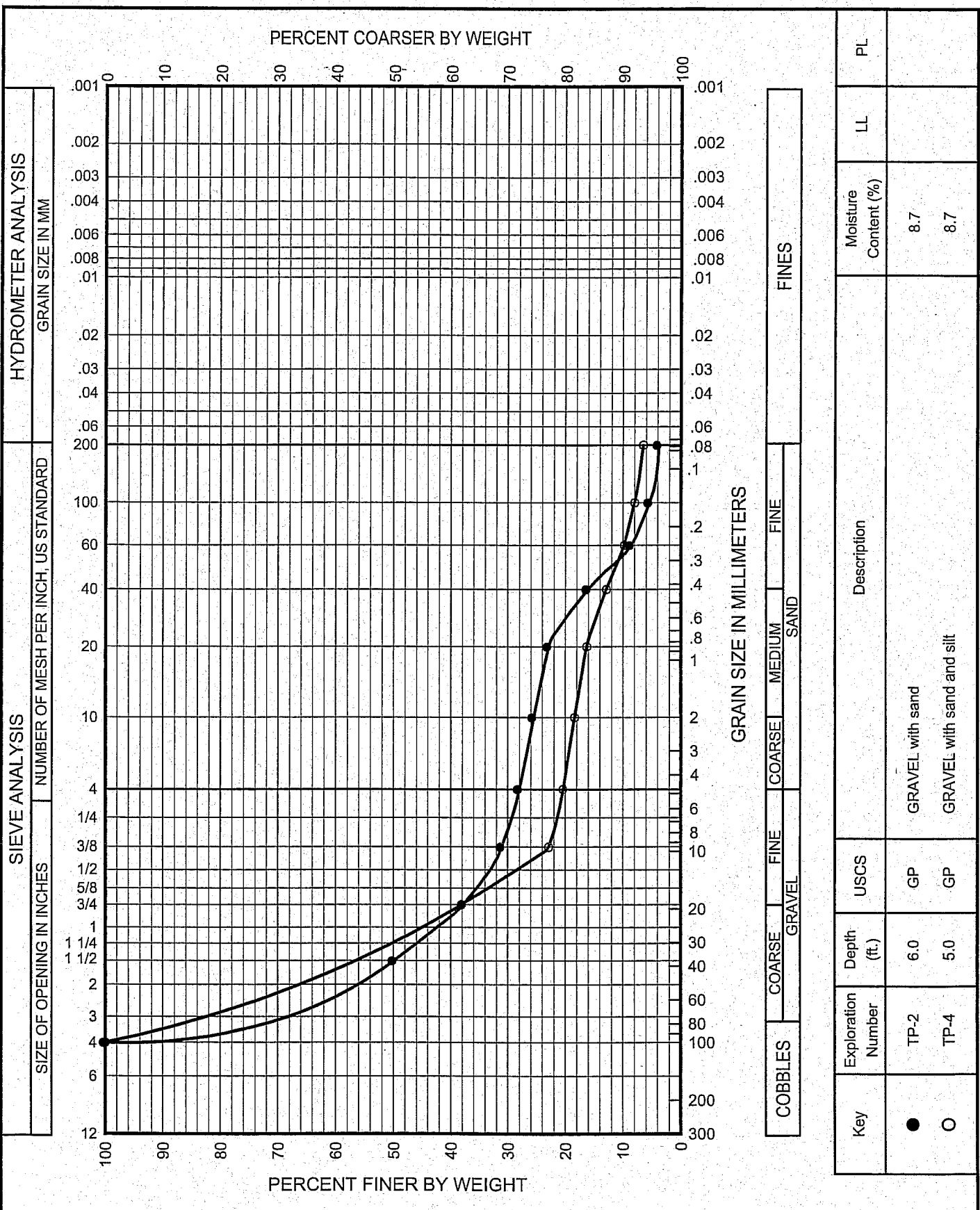
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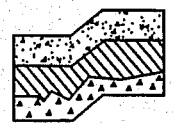
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Figure A-8

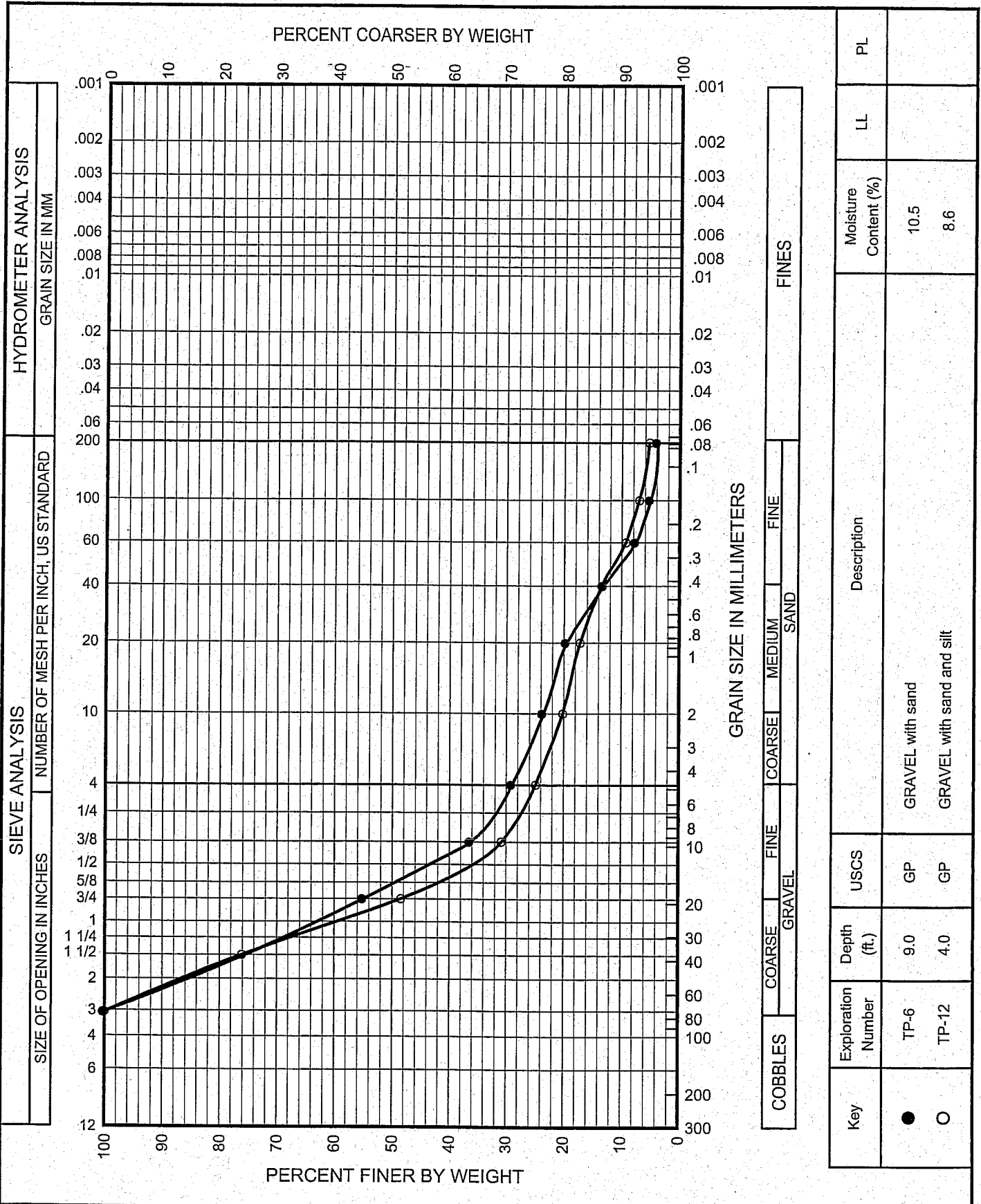


Key	Exploration Number	Depth (ft.)	USCS	Description	Moisture Content (%)	LL	PL
●	TP-2	6.0	GP	GRAVEL with sand	8.7		
○	TP-4	5.0	GP	GRAVEL with sand and silt	8.7		

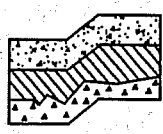


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GRAIN SIZE ANALYSIS
AXTMAN PROPERTY
ELLENSBURG, WASHINGTON



Key	Exploration Number	Depth (ft.)	USCS	Description	Moisture Content (%)	LL	PL
●	TP-6	9.0	GP	GRAVEL with sand	10.5		
○	TP-12	4.0	GP	GRAVEL with sand and silt	8.6		



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**GRAIN SIZE ANALYSIS
 AXTMAN PROPERTY
 ELLENSBURG, WASHINGTON**

Proj. No. T-5889

Date APR 2006

Figure A-10

OUTSIDE UTILITY AGREEMENT, ANNEXATION COVENANT.

THIS AGREEMENT is made between the City of Ellensburg (hereinafter "City") and the undersigned Owner(s), which term excludes an occupant who does not own the real property legally described below, (hereinafter collectively "Owner").

WHEREAS, Owner owns the following-described real property located within Kittitas County, Washington, to wit:

SEE ATTACHED "SCHEDULE A".

RECEIVED

MAY 09 2006

KITTITAS COUNTY
CDS

and,

WHEREAS, the reference to "City Utilities" in this document means the provision of a domestic water supply, collection and treatment of sewage, provision of electric service either individually or in combination with one another, and;

WHEREAS, Owner has applied to the City for City utility service for the above-described real property:

NOW, THEREFORE, in consideration of the furnishing of such City utilities, Owner for himself and on behalf of his heirs, successors and assigns, does hereby promise and agree as follows:

1. Incorporation of Recitals. The foregoing recitals are incorporated herein by reference.
2. Charges and Fees. Owner shall pay to the City of Ellensburg, when due, all connection charges, plant investment fees, and any and all charges and fees required by law to be paid for the utility service hereby applied for. Cost of extension of utility lines or mains shall be assessed according to the City's policies for utility extension in effect at the time actual construction of utilities occurs.

3. Property Alterations and Improvements. Owner promises and agrees to make all alterations, public improvements, and private improvements on and to such property and the buildings, structures, and other improvements thereon as specified on the attachment hereto marked "EXHIBIT A" and by reference made a part hereof.

4. Annexation Covenant. For the purposes of this Agreement, the term "Owner" shall mean all persons who retain a property ownership right in the above described parcel that is subject to this agreement. The Owner has been informed and understands that the City intends to commence annexation proceedings to annex certain property to the City at such time in the future as it deems such advisable and possible, including but not limited to, the parcel legally described above. In consideration and as a condition of such furnishing of utility service, Owner, for himself/herself, and for his/her heirs, successors and assigns, agrees and covenants with the City, and to the present and future owners or any party affected by the furnishing of City utility service to which this covenant relates, that they shall, whenever so requested by the City, sign any letter, notice, petition, documents or other instruments, furthering or accomplishing the annexation of the above described property to the City of Ellensburg. Owner, for himself/herself and his/her heirs, successors and assigns understands and agrees to annexation of the above described parcel to the City of Ellensburg whether or not annexation involves the assumption by the area to be annexed of existing City indebtedness, and further the application to the area to be annexed the City's Comprehensive Land Use Plan. Such annexation proceedings shall be conducted under the rules and policies in place with both the State of Washington and the City of Ellensburg at the time of the annexation request.

The Owner hereby certifies that He/She has carefully read and considered those provisions contained in the above Section 4 Annexation Covenant. Furthermore, the Owner, by signing this particular section below, acknowledges that She/He fully understands the implications of Section 4 Annexation Covenant requirements and fully agrees to abide by those requirements for the provision of City utilities.

Owner *J. Clifton Jr.*, Division President

Date: 4/19/06

5. Development and Land Use Standards. Owner agrees to develop the above described parcel subject to this agreement as outlined in "Exhibit A", and in "Exhibit B" and in conformance with the zoning, subdivision and Comprehensive Plan of Kittitas County, and the utility standards of the City of Ellensburg.

6. Fire Protection Flow Requirements. The City's approval of water service does not guarantee fire protection flow requirements.

7. Litigation; Governing Law. In the event any suit or action is instituted by either party to enforce compliance with or interpret any of the terms, covenants, or conditions of this Agreement, the prevailing party shall be entitled to collect, in addition to necessary court costs, such sums as the court may adjudge as reasonable attorney's fees. The venue for any action to enforce or interpret this Agreement shall lie in the Superior Court of Washington for Kittitas County, Washington. This Agreement shall be governed by the laws of the State of Washington.

8. Enforcement. In the event that any material provision is found unenforceable by a court of competent jurisdiction or the Owner violates or otherwise fails to abide by one of the specific conditions of this Agreement, this Agreement shall be null and void and the City shall have the right to withdraw the utility service provided for under the conditions of this Agreement. Such withdrawal of utility service may be for the whole or a portion of the property covered and provided utility service under this agreement, as to be determined by the City, and the Owner shall make all payments as provided for under the Agreement for services rendered prior to termination of service pursuant to this Agreement.

9. Assignment. This Agreement shall be filed with the Kittitas County Auditor as a covenant running with the land and binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns, and fee simple owners.

DATED this 19th day of April, 2006.

OWNER

CITY OF ELLENSBURG

By: J. C. [Signature], DIV. PRESIDENT

By: _____

By: _____

Authorization No.

STATE OF WASHINGTON)

; ss.

County of ~~Kittitas~~ King)

I certify that I know or have satisfactory evidence that J. Matt Farris acknowledged it to be his/her free and voluntary act for the use and purposes mentioned in the instrument.

DATED this 19th day of April, 2006.



Rebecca Denney
 NOTARY PUBLIC in and for the St. of Washington,
 Residing at
 Commission Expires:

STATE OF WASHINGTON)

: ss.

County of Kittitas)

On this _____ day of _____ 2006 before me personally appeared _____ to me know to be the _____ of the City of Ellensburg that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said City, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

NOTARY PUBLIC in and for the St. of Washington,
residing at
Commission Expires:

EXHIBIT "A"

IMPROVEMENTS, ALTERATIONS AND SITE DEVELOPMENT
TO BE MADE BY OWNER

Proposed Land Use Type Subject to this Agreement

Single Family Residential


Multi-Family Residential

Commercial

Industrial

Other (describe)

Owner agrees that any change in proposed land use as shown in this Agreement will require the agreement of the City and execution of a new Agreement.



DIVISION PRESIDENT

OWNER

EXHIBIT "B"

CITY APPROVAL OF PUBLIC INFRASTRUCTURE REQUIREMENTS AND DESIGN

The Owner hereby agrees that in the case of any future development of the property, to include re-zoning, re-subdivision, conditional use or other development approval in the unincorporated County portion of the UGA, the installation of utility, street and other public improvements shall conform to the standards and specifications approved by the City of Ellensburg. Such development standards shall use the current City development design requirements as the standard for review of such development, subject to City approved modifications based upon the land use type and density of development proposed in the unincorporated portion of the UGA.

Owner has read and agrees with the requirements as set forth in this Exhibit "B".

Owner: *J. Clifton*
DIVISION PRESIDENT

Date: 4/19/06

Owner: _____

Date: _____

SCHEDULE A (Continued)

Order No.: 0100870

Legal Description:

The West Half of the Northeast Quarter of Section 27, Township 18 North, Range 18 East, W.M., in the County of Kittitas, State of Washington;

EXCEPT

Right of way for Reecer Creek County Road and Bender County Road;

AND EXCEPT

A parcel of land laying in the Northeast Quarter of Section 27, Township 18 North, Range 18 East, W.M., commencing at the Northwest corner of said Quarter section thence 30.0 feet along the North line of said Quarter to the East right of way line of Reecer Creek Road and the true point of beginning. Thence 10.0 feet along the North line of said Quarter, thence Southerly and parallel with the East right of line of Reecer Creek Road 2,139.26 feet, thence Northwesterly 17.10 feet to a point on the East right of line for Reecer Creek Road right of way, thence Northerly 2,125.25 feet to the true point of beginning;

AND EXCEPT

A parcel of land laying in the Northeast Quarter of Section 27, Township 18 North, Range 18 East, W.M., Commencing at the Southwest corner of said Quarter, thence North 00°09'12" East 29.92 feet along the West line of said Quarter, thence South 89°50'48" East, 18.05 feet to the intersection of the right of ways for Reecer Creek Road and Bender Road and the true point of beginning. Thence South 89°35'18" East, 47.69 feet along the North right of way line of Bender Road to the beginning of a curve to the right, a cord bearing North 44°53'31" West, a cord length of 67.80 feet, a curve length of 75.199 feet to the end of the curve, thence South 00°11'44" East 47.69 feet along the East right of way for Reecer Creek Road and the true point of beginning;

AND EXCEPT

That portion conveyed to Kittitas County, State of Washington, by Deed recorded March 1, 2005, under Auditor's File No. 200503010021.

END OF SCHEDULE A