

Jeff Watson

To: Dave Nelson
Subject: SP-06-00083 Clear View Acres

SP-06-00083 Clear View Acres

Hi Dave,

I don't know how long this has been rolling around or why; found the mylars with "needs soil logs 6/12/2007". CPA was addressed to you. Let me know if you can shed some light, otherwise I'll try to contact applicant.

Thanks,

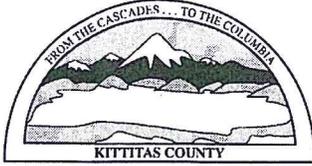
Jeff Watson
Planner I

Kittitas County Community Development
Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926
jeff.watson@co.kittitas.wa.us
P: 509.933.8274
F: 509.962.7682



"Building Partnerships-Building Communities"

All e-mail sent to this address will be received by the Kittitas County e-mail system and may be subject to Public Disclosure under RCW Chapter 42.56 and is subject to archiving and review by someone other than the recipient.



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

November 2, 2006

Encompass Engineering & Surveying
108 East 2nd Street
Cle Elum, WA 98922

RE: Clear View Acres Short Plat (SP-06-83)

Dear Dave Nelson:

The Kittitas County Community Development Services Department has determined that the Clear View Acres Short Plat is a complete application and hereby grants **conditional** preliminary approval subject to the following conditions:

1. Both sheets shall reflect the short plat number SP-06-86.
2. Lot A does contain some moderately steep slopes. Slope design engineering may be required for any future residential development on this lot.
3. Attached you will find comments and conditions from Kittitas County Public Works. Any questions regarding these conditions can be directed to either me or to Randy Carbary in Public Works.
4. Attached you will find comments from Kittitas County Environmental Health. Please see those documents for required plat notes and information on issues needing completion before final approval of this short plat.

Approval of the Clear View Acres Short Plat may be appealed to the County Commissioners upon request of any aggrieved party within 15 calendar days, and shall accordingly be eligible for final administrative approval after November 13, 2006. Administratively approved short plats must be recorded with the County Auditor and shall not be deemed approved until so filed. If you have any questions, please do not hesitate to contact our office.

Sincerely,

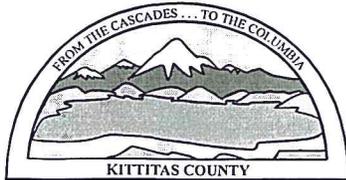
Noah Goodrich,
Staff Planner
Kittitas County Community Development Services Department
(509) 962-7024

CC: Required parties (KCC 15A)

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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



KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS



MEMORANDUM

TO: Community Development Services
FROM: Randy Carbary, Development Review, Planner II *RC*
DATE: Oct 30, 2006
SUBJECT: Clear View Acres Short Plat

Our department has reviewed the Plat application and has the following comments:

- "Preliminary Approval" has been granted, based on the information provided.
- "Conditional Preliminary Approval" has been granted, based on the information provided; see below for conditions of preliminary approval.
- "Additional Information Requested"**. Prior to continuing the approval process for the submitted development, additional information is requested for analysis.

The proposed access for this subdivision now exceeds 40 lots. Current Kittitas County Road Standards 12.01.095 requires: *At least two ingress-egress routes which are interconnected are required for all roads serving more than 40 lots. A second access shall be required.*

The following information is requested prior to continuing the approval process:

The applicant shall submit road plans showing an engineer design road that meets or exceeds AASHTO and/or WSDOT standards for 40+ High Density lots and identifies at least two separate connections to County maintained roads, for review by our department prior to preliminary approval.

The following shall be conditions of preliminary approval:

1. Second Access: The second access road shall be constructed as a High-Density Private Road serving more than 40 tax parcels. This requires an engineer design per AASHTO and/or WSDOT standards for 40+ High Density lots. The applicant shall submit engineered plans and profiles for review by our department prior to preliminary approval.
2. Timing of Improvements: This application was received by our department on 8/29/06; therefore, it is subject to the latest revision of the Kittitas County Road Standards, as

adopted 9/6/05. The following conditions apply and must be constructed or bonded prior to the issuance of a Building Permit for any of the residences within this Plat. A Performance Bond or acceptable financial guarantee may be used, in lieu of the required improvements, per the conditions outlined in the current Kittitas County Road Standards.

3. Whisper Creek Drive: Whisper Creek Drive appears to meet or exceed the minimum conditions for a private road as previous required for past development applications. These conditions are as follows:

Low Density Private Roads and serve 3 – 40+ parcels as long as the average parcel size remains 5.01 and greater. When the average parcel size falls under the 5.01-acre minimum, High Density Private Road Standards will be triggered. All parcels being served by access road/roads shall be considered in determining this 5.01-acre minimum. (See current Kittitas County Road Standards).

4. Whisper Creek Drive Private Road Improvements: The primary access to this proposed development is via Whisper Creek Drive. It appears that with the submittal of this development application Whisper Creek Drive would now serve a total of 24 lots with an average lot size of less than 5.0 acres. This shall require Whisper Creek Drive to meet or exceed the High-Density Private Road Standard. The following are the specific conditions for this requirement:

- a. The roadway width shall be 22', with 1' shoulders = 24' total width. Access easement(s) shall be a minimum of 60'.
- b. All easements shall provide for AASHTO radius at the intersection with a County Road.
- c. Minimum centerline radius shall be 60'.
- d. Surface requirement BST/ACP.
- e. Maximum grade is 8% flat, or 12% rolling or mountainous.
- f. Stopping site distance, reference AASHTO.
- g. Entering site distance, reference AASHTO.
- h. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
- i. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
- j. All roads located within this development and/or providing access to this development shall be constructed to current county road standards. Any other maintenance agreements, forest service road easements or state easements may require higher road standards. The higher of the road standards shall apply.

7. Private Road Improvements Lots A thru D: Access shall be constructed as a High-Density Private Road and serve no more than 14 tax parcels. (Per current Kittitas County Road Standards).

- a. Access Easements shall be improved to a minimum of 40'. The roadway width shall be 20', with 1' shoulders = 22' total width.
 - b. All easements shall provide for AASHTO radius at the intersection with a County Road.
 - c. Minimum centerline radius will be 60'.
 - d. Surface requirement 6" gravel surface.
 - e. Maximum Grade 8% flat, 12% rolling or mountainous.
 - f. Stopping Site Distance, reference AASHTO.
 - g. Entering Site Distance, reference AASHTO.
 - h. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - i. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
 - j. All roads located within this development and/or providing access to this development shall be constructed to current county road standards. Any other maintenance agreements, forest service road easements or state easements may require higher road standards. The higher of the road standards shall apply.
 - k. A paved apron shall be constructed at the intersection of the proposed private intersection and Whisper Creek Drive.
8. Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with current Kittitas County Road Standards. Kittitas County Public Works shall require this road certification to be completed, prior to the issuance of a building permit for any of the residences within the proposed Plat. (See current Kittitas County Road Standards).
9. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre- established or required Private Road Maintenance Agreements.
10. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
11. Addressing: Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
12. Fire Protection: Contact the Kittitas County Fire Marshall regarding any additional access requirements for emergency response.

The following requirements are from Chapter 12 of the Current Kittitas County Road Standards, as adopted 9/6/05.

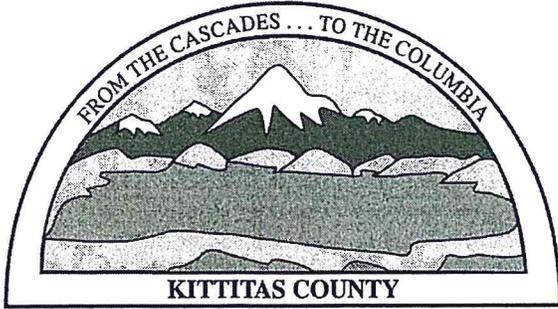
Chapter 12 – PRIVATE ROADS

12.12.010 General

Private roads shall meet the following conditions:

1. Private roads shall meet the minimum access requirements of Section 902 – FIRE DEPARTMENT ACCESS – of the International Fire Code as adopted by the County, and
2. Shall be designed and constructed in conformance with AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT< 400) 2001, as now exists or hereafter amended, and
3. Shall be inspected and certified by a licensed professional engineer for conformance with the above referenced standards. In the alternative, an applicant may request the private roadway to be inspected and subject to the approval of the Public Works Director. If certification by the public Works Director/County Engineer is desired, submission of road plans and necessary testing documentation that confirms compliance with Kittitas County Road Standards is required, and services will be performed on a reimbursable basis, and
4. Permanently established by an easement recorded with the Kittitas County Auditor or Right-of-way, providing legal access to each affected lot, dwelling unit, or business, and
5. Will not result in land locking of existing or proposed parcels, and
6. Maintained by the developer or legally responsible owner or homeowners' association or other legal entity made up of all benefited property owners, under the provisions of an acceptable and recorded "Private Road Maintenance Agreement," and
7. Clearly described on the face of the plat, short plat, or other development authorization and clearly signed at street location as a private street or road, for the maintenance of which Kittitas County is not responsible and a disclosure statement of the same is filed with the County Auditor, and
8. The following note shall be placed on the face of the plat, short plat, or other development authorization:

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



PUBLIC HEALTH DEPARTMENT

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

Administration
Community Health Services
Health Promotion Services
507 N. Nanum Street, Ste 102
Ellensburg, WA 98926
Phone: (509) 962-7515
Fax: (509) 962-7581

Environmental Health
411 N. Ruby Street, Ste. 3
Ellensburg, WA 98926
Phone: (509) 962-7698
Fax: (509) 962-7052

August 28, 2006

Encompass
108 E 2nd St
Cle Elum, WA 98922

Dear Mr. Nelson,

We have received the proposed Clear View Acres Short Plat, located in Section 01, Township 19N, Range 14E, off of Stone Ridge Drive. We have also received the \$240.00 plat submission fee (receipt #047951).

For plat approval both sewage and water availability must be satisfactorily addressed.

For sewage disposal you have two options:

1. **PUBLIC UTILITY SEWER**

Submit a signed letter of agreement between the responsible public utility official and the developer/owner or other documentation that provides proof of connection to public sewer.

2. **ON SITE SEWAGE**

Soil logs will need to be scheduled and dug at a mutually convenient time. The developer/owner shall provide soil logs as per Chapter 246-272 WAC or as amended. The information obtained will be recorded and placed in your plat file for future reference. The information obtained from these soil logs is for plat approval purposes only and do not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.

Prior to receiving final approval for subdivisions (short and long plats) in Kittitas County, applicants shall be required to show the adequacy of potable water supplies proof of potable water supply can be demonstrated four ways:

1. **PUBLIC UTILITY WATER SUPPLY APPLICANTS** – shall submit a signed letter of agreement with the responsible public utility official and the developer/owner, granting delivery of potable water for the entire development.
2. **GROUP "A" PUBLIC WELL** – if you have an existing well and a Department of Ecology issued "water right" for potable usage of the well, the Washington State Department of Health is the regulatory authority for approving Group A systems. Mr. Tom Justus is the Regional Engineer for Kittitas County. His office is located in Spokane, Washington. His number is: (509) 456-2453. We

will require written verification that DOH has approved the system prior to final plat approval. If you have not secured a water right for potable use you must contact the Washington State Department of Ecology (Central Region Office) located in Yakima, Washington to begin the process of obtaining a water right. Their contact number is: (509) 575-2800.

3. GROUP "B" PUBLIC WELLS – the Kittitas County Environmental Health Department must first perform a source site inspection to approve the location of the proposed well or if the well exists to ensure that it meets the criteria for approval. The well must be drilled and/or located within the subdivision boundaries, all infrastructure completed and within the utility corridors, the workbook and all related documentation including testing and satisfactory results must be submitted, reviewed, and approved. Concurrence from the State Department of Health and issuance of a well ID number will complete the requirement.

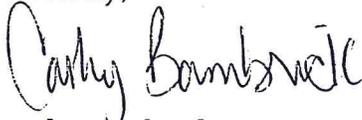
-
4. INDIVIDUAL WELLS – the submittal of well logs or a hydrogeological report with documentation/evidence to support the claim regarding adequate availability of groundwater for the proposed number of potable water wells. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed Hydrogeologist.

All applicants for subdivision (short and long plats) utilizing wells shall have a note placed on the face of the final mylars that states:

"Kittitas County relies on its record that a supply of potable water exists. The approval of this division of land includes no guarantee or assurance that there is a legal right to withdraw groundwater within the land division."

Once we have received and reviewed complete information, we will notify Community Development Services through our EH Checklist that you have satisfactorily addressed health department requirements.

Sincerely,



Cathy Bambrick
Kittitas County Environmental Health Director

cc: Community Development Services
Clear View Land Development Co LLC

19-14-01057-0001
HARFST, GENE A ETUX
2201 KAMBER RD
BELLEVUE WA 98007

19-14-01055-0002
LIND, STEVEN M ETUX
16110 NE 175TH ST
WOODINVILLE WA 9807S

19-14-01055-0001
QUINBY, HAL E ETUX
9909 200TH PL SE
SNOHOMISH WA 98926

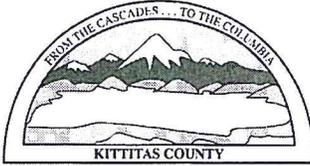
19-14-02010-0013
LAND LLOYD DEVELOPMENT INC
PO BOX 3889
FEDERAL WAY WA 98063

19-14-01000-0014
CLEAR VIEW LAND DEVELOPMENT CO LLC
PO BOX 3889
FEDERAL WAY WA 98063

19-14-01000-0016
BRAY, VAUGHN D. ETUX
14119 111TH AVE NE
KIRKLAND WA 98034

19-14-01000-0005
PASCO, EMIL ETUX
3900 PASCO RD
CLE ELUM WA 98922

19-14-02040-0014
HAHN, GARY M
31710 102ND SE
AUBURN WA 98092



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

To: Kittitas County Sheriff's Dept.
Kittitas County Fire District #7
Kittitas County Environmental Health
Kittitas County Solid Waste Programs
Kittitas County Public Works
Adjacent Property Owners
Applicant

From: Noah Goodrich, Staff Planner
Kittitas County Community Development Services

Date: September 28, 2006

Subject: APPLICATION FOR A 4-LOT SHORT PLAT (SP-06-83):
Dave Nelson, authorized agent for Clear View Land Development Co. LLC., landowner, submitted an application for a 4-lot Short Plat pursuant to Kittitas County Code 16.32 on approximately 20 acres of land that is zoned R-5, located West of the City of Cle Elum, south of Westside Road off of Whisper Creek Drive, Ellensburg, WA 98926 located in the W 1/2 of Section 1, T.19N. R.14E, W.M., in Kittitas County. Tax Parcel number 19-14-01000-0014.

Please find attached the Short Plat application for the above referenced project. The submitted application and related filed documents may be examined by the public at the Kittitas County Community Development Services Department office at 411 N. Ruby Suite 2, Ellensburg, WA. 98926. Phone (509) 962-7506.

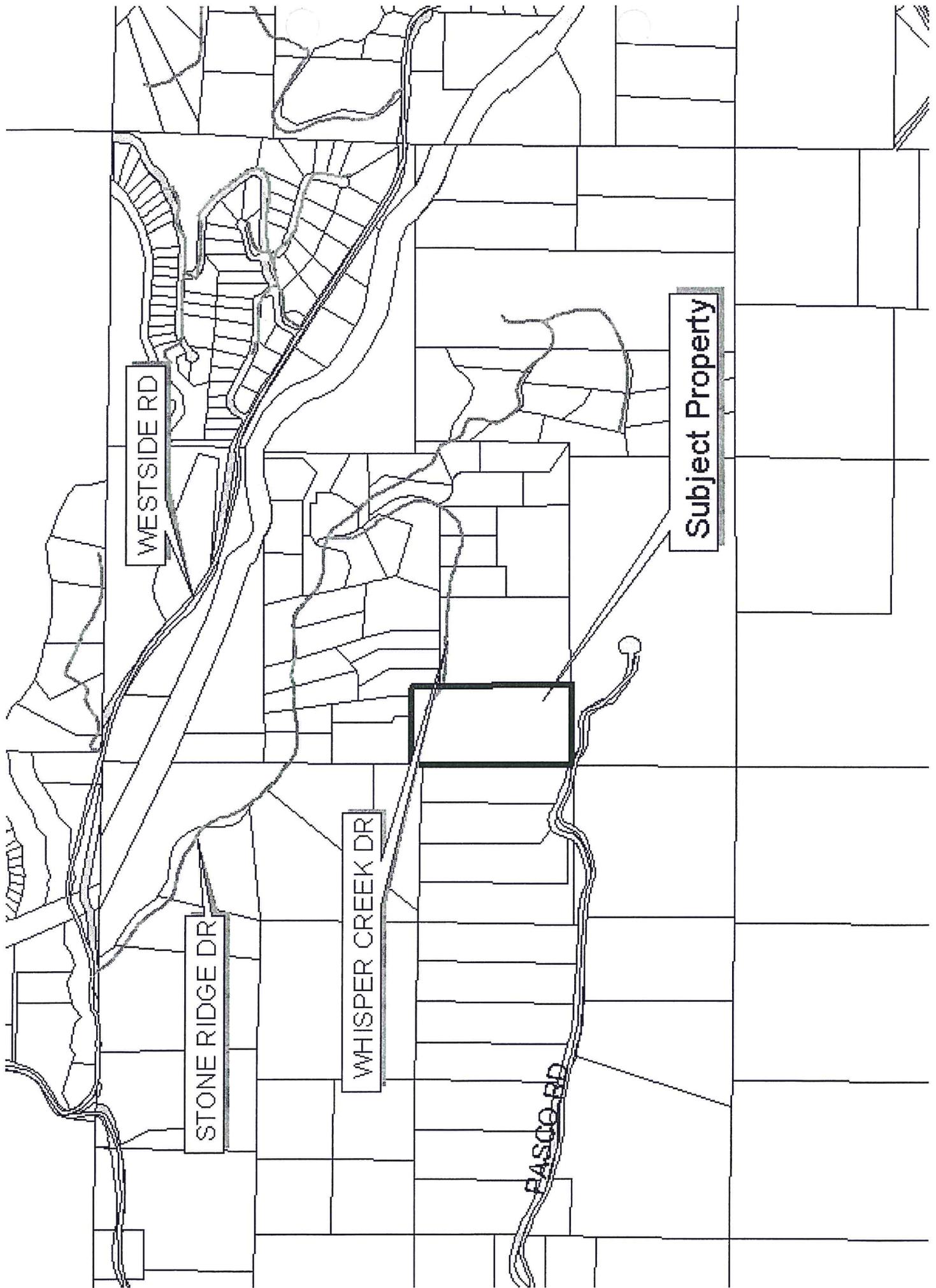
Please send comments regarding potential adverse environmental impacts and the application by October 12, 2006 @ 5:00 pm to the Kittitas County Community Development Services Department, 411 N. Ruby, Suite 2, Ellensburg, WA. Staff Planner: Noah Goodrich.

Conditional preliminary approval may be granted based on timely comments received prior to October 12, 2006. Administratively approved short plats must be recorded with the County Auditor and shall not be deemed approved until so filed. If you have any questions, please do not hesitate to contact our office.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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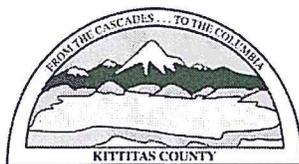
WESTSIDE RD

STONE RIDGE DR

WHISPER CREEK DR

BASCO RD

Subject Property



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

SHORT PLAT APPLICATION

(To divide lot into 2-4 lots)

KITTTITAS 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

- Five large copies of short plat with all preliminary drawing requirements complete (reference KCC Title 16 Subdivision Code for plat drawing requirements) and one small 8.5"x11"copy.
- Address list of all landowners within 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.

OPTIONAL ATTACHMENTS

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

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

FEES:

\$190 plus \$10 per lot for Public Works Department;
\$240 plus \$50/hr. over 2.5 hrs. for Environmental Health Department;
\$450 for Community Development Services Department
(One check made payable to KCCDS)

FOR STAFF USE ONLY

RECEIVED

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

SIGNATURE:

DATE:

RECEIPT #

X M. Rice

8/28/06

047951



NOTES:

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

Name: CLEAR VIEW LAND DEV. CO. LLC
Mailing Address: PO BOX 3889
City/State/ZIP: FEDERAL WAY WA 98063
Day Time Phone: (253) 922-0822
Email Address: _____

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

Agent Name: _____
Mailing Address: _____
City/State/ZIP: _____
Day Time Phone: _____
Email Address: _____

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: WHISPER CREEK DRIVE
City/State/ZIP: CLE ELUM WA 98922

5. Legal description of property:

LOT 8 OF SURVEYS, BOOK 28, PAGE 59, SECTION 1, TOWNSHIP 19 N., RANGE 14 E., W.M.

6. Tax parcel number(s): 19-14-01000-0014

7. Property size: 20.00 (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):

4 LOT SHORT PLAT, ZONE: R-5, WATER: INDIVIDUAL WELLS, SEWER: SEPTIC

9. Are Forest Service roads/easements involved with accessing your development? Yes (explain) No

10. What County maintained road(s) will the development be accessing from?
WEST SIDE 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.

Signature of Authorized Agent:

Date:

X _____

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

Date:

X Jim Ruffcorn

8-28-06

Encompass Engineering & Surveying
 108 East 2nd Street, Cle Elum, Washington 98922
 Phone: (509) 674-7433 Fax: (509) 674-7419

LETTER OF TRANSMITTAL

TO Kititas Co CDS
Ellensburg WA

DATE	8-28-06	JOB NO.	06137
ATTENTION			
RE:	Clear View Acres Short Plat (Preliminary)		

GENTLEMEN:

- WE ARE SENDING YOU Attached Under separate cover via _____ the following items:
- Shop drawings Prints Plans Samples Specifications
- Copy of letter Change order _____

COPIES	DATE	NO.	DESCRIPTION
5		2	Copies w/ contours
1			8 1/2 x 11 map
1			CO fees
1			Sub-Division Guarantee
1			Closures
1			Application

THESE ARE TRANSMITTED: as checked below:

- For approval Approval as submitted Resubmit _____ copies for distribution
- For your use Approval as noted Submit _____ copies for distribution
- As requested Returned for corrections Return _____ corrected prints
- For review and comment _____
- FOR BIDS DUE _____ 20_____ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

RECEIVED

AUG 28 2006

Kititas County
CDS

COPY TO _____

SIGNED: Gregg Hansen

If enclosures are not as noted, kindly notify us at once.



208 West 9th Avenue, Suite 6
Ellensburg, Washington 98926
Phone (509) 933-4324 ♦ Fax (509) 933-4329

UPDATED
Subdivision Guarantee

AUG 07 2006
06137

Dated: July 26, 2006

Attention: Dave Nelson
Encompass Engineering
516 E 1st Street
Cle Elum WA 98922

Charge: \$150.00
Sales Tax: \$11.55
Total: \$161.55

Reference No.: Clear View Land and Development LLC

Order No. 18166

OWNERS: Clear View Land and Development, LLC, a Washington limited liability company

LEGAL DESCRIPTION:

Lot 8, as described and/or delineated on that certain Survey as recorded October 31, 2002, in Book 28 of Survey's, page 59, under Auditor's File No. 200210310025, records of Kittitas County, Washington; being a portion of Section 1, Township 19 North, Range 14 East, W.M., in the County of Kittitas

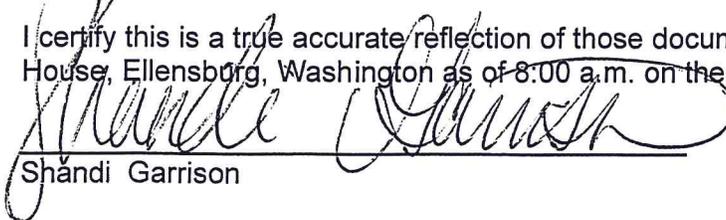
EXCEPTING THEREFROM right of way of Fowler Creek Road

SUBJECT TO:

1. The company's liability for this report is limited to the compensation received. This report is based on the Company's property records, and no liability is assumed for items misindexed or not indexed in the public records, or for matters which would be disclosed by an inquiry of parties in possession or by an accurate survey or inspection of the premises. This report and the legal description given herein are based upon information supplied by the applicant as to the location and identification of the premises in question, and no liability is assumed for any discrepancies resulting therefrom. This report does not represent either a commitment to insure title, an examination of or opinion as to the sufficiency or effect of the matters shown, or an opinion as to the marketability of title to the subject premises.

See Attached Exhibit "B" for General Exceptions.

I certify this is a true accurate reflection of those documents on file at the Kittitas County Court House, Ellensburg, Washington as of 8:00 a.m. on the above referenced date.


Shandi Garrison

RECEIVED
AUG 23 2006
Kittitas County
CDS

Exhibit "B"

1. LIABILITY, IF ANY, TO ASSESSMENTS levied by Cle Elum's Sapphire Skies Homeowner's Association.

2. FUTURE LIABILITY, IF ANY, TO ASSESSMENTS levied by Cle Elum's Sapphire Skies Homeowner's Association.

3. LIABILITY, IF ANY, TO ASSESSMENTS levied by Kittitas Reclamation District.

Kittitas Reclamation District: (509) 925-6158

4. FUTURE LIABILITY, IF ANY, TO ASSESSMENTS levied by Kittitas Reclamation District.

5. POTENTIAL TAXES, PENALTIES AND INTEREST incurred by reason of a sale of the land, a change in the use or a withdrawal from the classified use of the property herein described pursuant to RCW 84.26, RCW 84.33 or RCW 84.34.

6. EASEMENT, including terms and provisions contained therein:

Recorded: October 17, 2003
Recording no.: 200310170010
In favor of: Present and Future Owner's
For: Ingress and egress and utilities
Affects: Refer to said instrument for the exact location.

7. COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS; but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, family status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c):

Recorded: May 7, 2003
Recording number(s): 200305070001

Amendment and/or modification of said covenants:

Recorded: October 7, 2004
Recording number: 200410070008

8. RESERVATIONS AND EXCEPTIONS, including the terms and conditions thereof:

Reserved by: PCTC, Inc., a Delaware corporation
Recorded: June 30, 1989
Recording no.: 521473

No examination has been made as to the current ownership of oil and gas rights reserved by said instrument.

Exhibit "B"

9. A RECORD OF SURVEY and any and all matters relating thereto:

Recorded: October 29, 2001
Recording no.: 200110290077
Book: 26
Page: 217

10. A RECORD OF SURVEY and any and all matters relating thereto:

Recorded: October 31, 2002
Recording no.: 200210310025
Book: 28
Page: 59

11. A RECORD OF SURVEY and any and all matters relating thereto and disclosed thereby:

Recorded: December 3, 2003
Recording no.: 200312030030
Book: 29
Page: 172

Exhibit "B"

NOTES:

NOTE 1: General taxes for the year **2006** which have been paid.

Amount:	\$30.89
Levy code:	31
Tax account no.:	19-14-01000-0014
Assessed value of land:	\$840.00
Assessed value of improvement:	\$0.00

06137-PARENT

Point # 1					10000.000	10000.000
	N	89	56	0	E	647.900
<hr/>						
Point # 2					10000.754	10647.900
	S	0	4	0	E	1331.930
<hr/>						
Point # 3					8668.825	10649.449
	S	89	39	29	W	658.820
<hr/>						
Point # 4					8664.893	9990.641
	N	0	24	4	E	1306.310
<hr/>						
Point # 5					9971.171	9999.786
	N	0	25	30	E	28.830
<hr/>						
Point # 6					10000.000	10000.000

AREA = 871,258.01 sf (20.0013 acres)

LENGTH = 3973.79

NORTHING ERROR = +0.000

EASTING ERROR = +0.000

LINEAR ERROR = N 29 52 15 W 0.000

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LOT A

Point # 1					10000.000	10000.000
N	89	56	0	E	323.810	

Point # 2					10000.377	10323.810
S	0	10	3	W	669.530	

Point # 3					9330.850	10321.852
S	89	36	46	W	326.570	

Point # 4					9328.643	9995.290
N	0	24	4	E	642.550	

Point # 5					9971.177	9999.788
N	0	25	30	E	28.830	

Point # 6					10000.006	10000.002
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AREA = 218,017.44 sf (5.0050 acres)

LENGTH = 1991.29

NORTHING ERROR = +0.006

EASTING ERROR = +0.002

LINEAR ERROR = N 18 36 54 E 0.006

LOT B

Point # 1					10000.000	10000.000
	N	89	56	0	E	324.090

Point # 2					10000.377	10324.090
	S	0	4	0	E	667.700

Point # 3					9332.678	10324.867
	S	89	36	46	W	326.830

Point # 4					9330.469	9998.044
	N	0	10	3	E	669.530

Point # 5					9999.996	10000.001
-----------	--	--	--	--	----------	-----------

AREA = 217,603.74 sf (4.9955 acres)

LENGTH = 1988.15

NORTHING ERROR = -0.004

EASTING ERROR = +0.001

LINEAR ERROR = S 19 38 18 E 0.004

LOT C

Point # 1						10000.000	10000.000
	N	89	36	46	E	326.570	
<hr/>							
Point # 2						10002.207	10326.563
	S	0	10	3	W	663.990	
<hr/>							
Point # 3						9338.220	10324.621
	S	89	39	29	W	329.280	
<hr/>							
Point # 4						9336.255	9995.347
	N	0	24	4	E	663.760	
<hr/>							
Point # 5						9999.998	9999.994

AREA = 217,689.01 sf (4.9975 acres)

LENGTH = 1983.60

NORTHING ERROR = -0.002

EASTING ERROR = -0.006

LINEAR ERROR = S 75 33 34 W 0.006

LOT D

Point # 1						10000.000	10000.000
	N	89	36	46	E	326.830	

Point # 2						10002.209	10326.823
	S	0	4	0	E	664.230	

Point # 3						9337.979	10327.595
	S	89	39	29	W	329.540	

Point # 4						9336.013	9998.061
	N	0	10	3	E	663.990	

Point # 5						10000.000	10000.002
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AREA = 217,944.01 sf (5.0033 acres)

LENGTH = 1984.59

NORTHING ERROR = +0.000

EASTING ERROR = +0.002

LINEAR ERROR = S 83 5 32 E 0.002