



## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

August 9, 2019

David and Michelle Berlin  
18212 NE 21<sup>st</sup> Street  
Redmond, WA 98052

*Sent via email: [berlinelectric@comcast.net](mailto:berlinelectric@comcast.net)*

### **RE: Transmittal of Comments – VA-19-00001 Berlin Variance Transmittal of Comments**

Dear Mr. and Mrs. Berlin,

Enclosed are the comments received regarding the Berlin Setback Variance during the comment period which ended at 5:00pm on August 6, 2019:

August 1, 2019

August 1, 2019

August 5, 2019

August 6, 2019

August 6, 2019

Taylor Gustafson, Kittitas County Public Works

Holly Erdman, Kittitas County Public Health

Elizabeth Sharp

Jesse Cox, Kittitas County Public Health

Michelle McNeill, Skyline Law Group PLLC

Please review all comments and notify me of any questions. Staff is reviewing comments and will notify you if any further information is necessary prior to making a decision.

Sincerely,

Lindsey Ozbolt

Planning Official

Kittitas County Community Development Services

411 N Ruby Street, Suite 2 Ellensburg, WA 98926

509-962-7506

[lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us)

## Lindsey Ozbolt

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**From:** Taylor Gustafson  
**Sent:** Thursday, August 01, 2019 8:48 AM  
**To:** Kelly Bacon; Lindsey Ozbolt  
**Subject:** FW: VA-19-00001 Berlin Setback Variance  
**Attachments:** SKM\_C654e19072212410.pdf

Hi all,

Justin wanted to provide the comments below for consideration by Engineering and CDS. Let myself or Justin know if you have further questions.

Thanks!

Taylor

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**From:** Justin Turnbull  
**Sent:** Monday, July 22, 2019 12:26 PM  
**To:** Taylor Gustafson  
**Subject:** RE: VA-19-00001 Berlin Setback Variance

Taylor,

My comments are as follows:

The documents on the server have not been prepared by a surveyor per Dusty Pilkington's request. From the information I can glean from the site plan, it appears that a surveyor was involved (AXIS – PLS#49916), but this is not their original work.

I would also be prudent to have the applicant confirm that the utility lines located at the back of the subject parcel do not have an easement they will be encroaching upon. Their surveyor should be able to confirm this from their title report.

While not relevant to survey, the existing footprint CAN fit on the existing lot holding to the existing setbacks. Please see attached sketch.

Thanks,

Justin Turnbull, PLS  
County Surveyor

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Kittitas County Public Works	Main Phone:	(509) 962-7523
411 N. Ruby St., Suite 1	Direct Line:	(509) 933-8251
Ellensburg, WA 98926	Email:	<a href="mailto:justin.turnbull@co.kittitas.wa.us">justin.turnbull@co.kittitas.wa.us</a>

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**From:** Dusty Pilkington  
**Sent:** Monday, July 22, 2019 10:36 AM  
**To:** Kim Dawson; Julie Kjorsvik; Lisa Lawrence; Patti Johnson; Kelly Bacon; Candie Leader; 'jessica@yakama.com'; 'jmarvin@yakama.com'; 'johnson@yakama.com'; 'enviroreview@yakama.com'; 'separegister@ecy.wa.gov';

'sepaunit@ecy.wa.gov'; 'gcle461@ecy.wa.gov'; 'lowh461@ECY.WA.GOV'; 'migi461@ECY.WA.GOV'; 'Downes, Scott G (DFW)'; 'Nelson, Jennifer L (DFW)'; 'SEPA (DAHP)'; 'jorgenja@cwu.edu'; 'nelmsk@cwu.edu'; Mike Flory; Douglas Mitchell; Stacey Henderson; Steph Mifflin; 'Mau, Russell E (DOH)'; 'ben.serr@doh.wa.gov'; 'brenda.smits@doh.wa.gov'; 'becky.kennedy@dnr.wa.gov'; 'cindy.preston@dnr.wa.gov'; 'rivers@dnr.wa.gov'; 'brooksideconsulting@gmail.com'; 'tribune@nkctribune.com'; 'terry@nkctribune.com'; 'chelberg@usbr.gov'; 'Joanna Markell'; 'legals@kvnews.com'; Karen Hodges; Justin Turnbull; Taylor Gustafson; RichElliott; 'Michael.j.daniels3.civ@mail.mil'; 'Kimberly.peacher@navy.mil'; Pat Nicholson; Tristen Lamb; Holly Erdman; Candie Leader; 'elizabeth.torrey@dfw.wa.gov'; 'brooksideconsulting@gmail.com'; 'Deborah.j.knaub@usace.army.mil'; Toni Berkshire; Jesse Cox; Jeremy Larson

**Cc:** Lindsey Ozbolt; Dan Carlson

**Subject:** VA-19-00001 Berlin Setback Variance

Greetings,

I am requesting comments on this Setback Variance . Anyone with an interest can comment, and the comment period ends **August 6, 2019** . Click the links below to view information on the permit. If you have no comment on the project, please inform CDS. I also need to inform you that Lindsey Ozbolt, Planning Official, will be the primary contact on this project starting July 29<sup>th</sup>, 2019. I am taking a job in the private sector, and will be relocating to Seattle. Lindsey's contact information is on the attached notice.

[VA-19-00001 Berlin \(County Departments\)](#)

[VA-19-00001 Berlin \(Outside County Departments\)](#)

If the links above do not work, please go to the CDS website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> and then the Project File Number "VA-19-00001 Berlin".

The following document is attached to this email:

Notice of Application

P.S.- It has been wonderful developing working relationships with you all, and thanks for being great people these last few years.

Best,

Dusty Pilkington

Planner I

Kittitas County Community Development Services

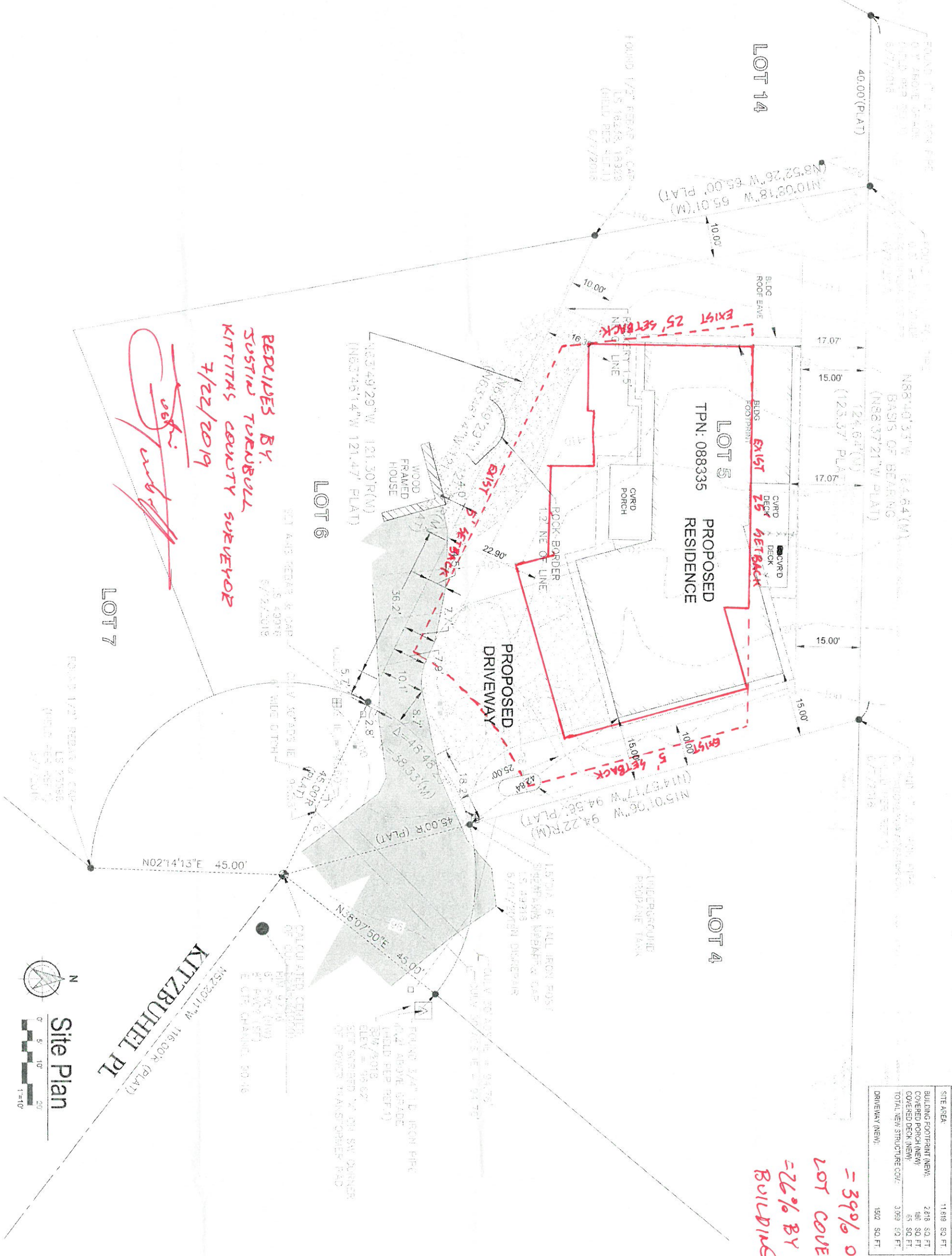
411 N Ruby St # 2, Ellensburg, WA 98926

(509) -962-7079

[dusty.pilkington@co.kittitas.wa.us](mailto:dusty.pilkington@co.kittitas.wa.us)

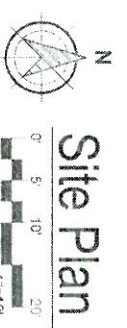
SITE AREA	11818 SQ. FT.
BUILDING FOOTPRINT (NEW)	2818 SQ. FT.
COVERED PORCH (NEW)	168 SQ. FT.
COVERED DECK (NEW)	63 SQ. FT.
TOTAL NEW STRUCTURE COV.	3049 SQ. FT.
DRIVEWAY (NEW)	1902 SQ. FT.

**= 39% OF LOT COVERED. 26% BY BUILDINGS.**



**REDUCES BY. SUSTAIN TURBULL KITITAS COUNTY SURVEYOR 7/22/2019**

*John W. B. [Signature]*



Berlin Residence  
 Kitzbuhel Place (TPN 088335)  
 Snoqualmie Pass, WA 98068

**CW DESIGN, INC.**  
 www.cwdesign.com  
 P.O. Box 419  
 Renton, WA 98057  
 425-271-0282 (offices)  
 425-866-0172 (fax)  
 Copyright 2018  
 CW Design, Inc.

No.	Remarks	Date
1	Submitted Set	01/30/19
2		
3		
4		
5		
6		
7		
8		
9		

Sheet Name: **Site Plan**

Scale: 1"=10'-0"

Project No: 18018

Date: Jan 30, 2019

Drawn By: WJB

Status: Submittal Set

**A1.0**



**From:** [Holly Erdman](#)  
**To:** [Dusty Pilkington](#); [Jeremy Johnston](#)  
**Subject:** RE: VA-19-00001 Berlin Setback Variance  
**Date:** Thursday, August 1, 2019 3:51:13 PM

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Jeremy,

Since Dusty is gone I am not sure who to comment to. Given that the parcel is on both the Snoqualmie Pass water and sewer systems, public health has no comment on the project.

Thank you,

Holly

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**From:** Dusty Pilkington  
**Sent:** Monday, July 22, 2019 10:36 AM  
**To:** Kim Dawson; Julie Kjorsvik; Lisa Lawrence; Patti Johnson; Kelly Bacon; Candie Leader; 'jessica@yakama.com'; 'jmarvin@yakama.com'; 'johnson@yakama.com'; 'enviroreview@yakama.com'; 'separegister@ecy.wa.gov'; 'sepaunit@ecy.wa.gov'; 'gcle461@ecy.wa.gov'; 'lowh461@ECY.WA.GOV'; 'migi461@ECY.WA.GOV'; 'Downes, Scott G (DFW)'; 'Nelson, Jennifer L (DFW)'; 'SEPA (DAHP)'; 'jorgenja@cwu.edu'; 'nelmsk@cwu.edu'; Mike Flory; Douglas Mitchell; Stacey Henderson; Steph Mifflin; 'Mau, Russell E (DOH)'; 'ben.serr@doh.wa.gov'; 'brenda.smits@doh.wa.gov'; 'becky.kennedy@dnr.wa.gov'; 'cindy.preston@dnr.wa.gov'; 'rivers@dnr.wa.gov'; 'brooksideconsulting@gmail.com'; 'tribune@nkctribune.com'; 'terry@nkctribune.com'; 'chelberg@usbr.gov'; 'Joanna Markell'; 'legals@kvnews.com'; Karen Hodges; Justin Turnbull; Taylor Gustafson; RichElliott; 'Michael.j.daniels3.civ@mail.mil'; 'Kimberly.peacher@navy.mil'; Pat Nicholson; Tristen Lamb; Holly Erdman; Candie Leader; 'elizabeth.torrey@dfw.wa.gov'; 'brooksideconsulting@gmail.com'; 'Deborah.j.knaub@usace.army.mil'; Toni Berkshire; Jesse Cox; Jeremy Larson  
**Cc:** Lindsey Ozbolt; Dan Carlson  
**Subject:** VA-19-00001 Berlin Setback Variance

Greetings,

I am requesting comments on this Setback Variance . Anyone with an interest can comment, and the comment period ends **August 6, 2019** . Click the links below to view information on the permit. If you have no comment on the project, please inform CDS. I also need to inform you that Lindsey Ozbolt, Planning Official, will be the primary contact on this project starting July 29<sup>th</sup>, 2019. I am taking a job in the private sector, and will be relocating to Seattle. Lindsey's contact information is on the attached notice.

[VA-19-00001 Berlin \(County Departments\)](#)  
[VA-19-00001 Berlin \(Outside County Departments\)](#)

If the links above do not work, please go to the CDS website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> and then the Project File Number "VA-19-00001 Berlin".

-

The following document is attached to this email:

Notice of Application

P.S.- It has been wonderful developing working relationships with you all, and thanks for being great people these last few years.

Best,

Dusty Pilkington  
Planner I  
Kittitas County Community Development Services  
411 N Ruby St # 2, Ellensburg, WA 98926  
(509) -962-7079  
[dusty.pilkington@co.kittitas.wa.us](mailto:dusty.pilkington@co.kittitas.wa.us)

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Notice: Email sent to Kittitas County may be subject to public disclosure as required by law.  
message id: 38eb45916c6dcbdac24bb8719d004a14

RECEIVED  
AUG 05 2019  
Kittitas Co. CDS  
RECEIVED  
AUG 05 2019  
Kittitas Co. CDS

Saturday 8/3/19

To: Kittitas County Community Development Services  
Fr: Elizabeth Sharp

RE: Project Name (File Number) Berlin Setback Variance VA-19-00001

I have just received my first communication on the referenced, and attached, Notice of Application and Completion for a Setback Variance which may directly affect my neighboring property.

My property  
Tax Parcel Number is 298335  
Map Number 22-11-15050-0007

I was not informed of this submission by the applicants and, as mentioned, have not received prior communication about it.

**I need further information** and will call Kittitas County CDS on Monday to discuss the issue but please note my objection to this application until I fully understand the nature of the Variance.

**If necessary I will file an appeal** but will make that decision after discussing this with you.

Please feel free to contact me when you receive this.

Thank you,  
Elizabeth A. Sharp

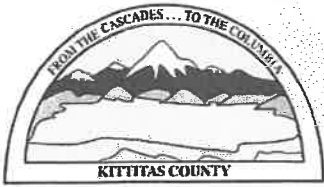


C (510) 287-6933  
EMAIL ASHARPELIZABETH@GMAIL.COM

Plz Note - mailing address has changed to:

1145 Mandana Blvd Oakland CA

94610



# KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St. Suite 2 Ellensburg WA 98926

cds@co.kittitas.wa.us

Office 509-962-7506

Fax 509-962-7682

Building Partnerships - Building Communities

## NOTICE OF APPLICATION

**RECEIVED**  
AUG 05 2019  
Kittitas Co. CDS

**Notice of Application:** Monday July 22, 2019  
**Application Received:** Thursday, February 28, 2019  
**Application Deemed Incomplete:** Monday March 18, 2019  
**Application Complete:** Wednesday, July 17, 2019

**Project Name (File Number):** Berlin Setback Variance (VA-19-00001)

**Applicant:** Dan and Michelle Berlin

**Location:** The subject property is located in Snoqualmie Pass on parcel # 088335, bearing Assessor's parcel number 22-11-15050-0005, Section 15, Township 22, Range 11, WM, Kittitas County.

**Proposal:** Dan and Michelle Berlin, landowners, submitted a setback Variance application on February 28, 2019 pursuant to Kittitas County Code 17.84. The application was deemed complete on July 16, 2019. As stated, the variance is requested to accommodate a single family residence on a parcel limited in buildable area by encroaching structures built on a neighboring parcel and to facilitate snow removal by reducing the rear setback requirement.

**Materials Available for Review:** Any person desiring to express their views or to be notified of the action taken on this application should contact Kittitas County Community Development Services (CDS). The submitted application and related filed documents may be examined by the public at the Kittitas County Community Development Services (CDS) office at 411 N. Ruby, Suite 2, Ellensburg, Washington, 98926, or on the CDS website at <http://www.co.kittitas.wa.us/cds/land-use/default.aspx> and navigating to "Variances" and then to the project number. Phone: (509) 962-7079

**Written Comments** on this proposal can be submitted to CDS any time prior to 5:00 p.m. on August 6, 2019. Any person has the right to comment on the application and request a copy of the decision once made.

Under Title 15A.03.080 and 17.84.010, Zoning Variances are processed in an abbreviated administrative format, which does not involve a public hearing. All comments will be considered in the decision making process, and any person has the right to comment on this application and receive notification of the Community Development Services administrative decision, once made. Appeals to an administrative land use decision may be filed within 10 working days with the board of county commissioners as outlined in Chapter 15A.07 of the Kittitas County Code. The current appeal fee is \$1560.

**Designated Permit Coordinator (staff contact):** Lindsey Ozbolt, Planning Official: (509) 962-7506; email at [lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us)



Elizabeth Sharp  
1145 Mendocino Blvd  
Oakland CA  
94611

KITTITAS COUNTY Community Development Service  
c/o Lindsey Ozbolt (Planning official)

411 N. Ruy St # 2  
Ellensburg WA  
98926

**RECEIVED**  
AUG 05 2019

Kittitas Co. GDS



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

# Memo

To: Jeremy Johnston, Planning Official  
From: Jesse Cox, Environmental Health Supervisor  
Date: Aug 6, 2019  
Subject: VA-19-00001

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Thank you for the opportunity to comment on the Berlin Setback Variance. The parcel is on both the Snoqualmie Pass water and sewer systems, public health has no comment on the project.



**From:** [CDS User](#)  
**To:** [Lindsey Ozbolt](#); [Chelsea Benner](#); [Jeremy Johnston](#)  
**Cc:** [Dan Carlson](#)  
**Subject:** FW: Berlin Setback Variance Application VA-19-00001  
**Date:** Tuesday, August 6, 2019 11:51:37 AM  
**Attachments:** [VA-19-00001 Berlin Notice of Application Legal.pdf](#)  
[Crouse v Berlin Adverse Possession Site Plan and Legal Description.pdf](#)  
[Lis Pendens 201907300018.pdf](#)

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**From:** Michele McNeill [mailto:michele@skylinelaw.com]  
**Sent:** Tuesday, August 6, 2019 11:46 AM  
**To:** CDS User  
**Cc:** lindsey.ozbolt@co.kittitas.wa.us; DAVE CROUSE  
**Subject:** Berlin Setback Variance Application VA-19-00001

To Kittitas County Community Development Services:

I represent the owners of the parcel adjacent to Daniel and Michelle Berlin's property located in Snoqualmie Pass on parcel # 088335 that is currently under review for a Variance. My clients do not object to the setback Variance application but they do have concerns regarding possible use by the Berlins of a portion of the Berlin property that my clients have acquired by adverse possession. I would also like to be notified of any and all action taken on the Berlin's Application.

I have attached my client's Lis Pendens that was recorded with the Kittitas County Auditor's Office under recording no. 201907300018, along with a survey of the alleged adversely acquired portion of the Berlin's property that is the subject of my clients' lawsuit against the Berlins. Again, my clients have no objection to the Berlin's setback Variance application or their desire to build a new home provided neither requires actual use of the adversely possessed portion of the Berlin's property pending a final determination in the parties' lawsuit.

Please let me know if I need to submit this information via facsimile. The attached Notice was not clear regarding methods of submitting comments.

*Michele K. McNeill, Esq.*

**Skyline Law Group PLLC**

2155 112<sup>th</sup> Ave NE

Bellevue, WA 98004

Phone: (425) 455-4307

Fax: (800) 458-1184

[www.skylinelaw.com](http://www.skylinelaw.com)

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Notice: Email sent to Kittitas County may be subject to public disclosure as required by law.

message id: 38eb45916c6dcbdac24bb8719d004a14

**Notice of Application  
Berlin Setback Variance  
VA-19-00001**

NOTICE IS HEREBY given that Dan and Michelle Berlin, landowners, submitted a setback Variance application on February 28, 2019 pursuant to Kittitas County Code 17.84. The application was deemed complete on July 16, 2019. As stated, the variance is requested to accommodate a single family residence on a parcel limited in buildable area by encroaching structures built on a neighboring parcel, and to facilitate snow removal by reducing the rear setback requirement. The subject property is located in Snoqualmie Pass on parcel # 088335, bearing Assessor's parcel number 22-11-15050-0005, Section 15, Township 22, Range 11, WM, Kittitas County.

Any person desiring to express their views or to be notified of the action taken on this application should contact Kittitas County Community Development Services (CDS). The submitted application and related filed documents may be examined by the public at the Kittitas County Community Development Services (CDS) office at 411 N. Ruby, Suite 2, Ellensburg, Washington, 98926, or on the CDS website at <http://www.co.kittitas.wa.us/cds/land-use/default.aspx> and navigating to "Variances" and then to the project number. Phone: (509) 962-7079

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**Designated Permit Coordinator (staff contact):** Lindsey Ozbolt, Planning Official: (509) 962-7506; email at [lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us).

**Notice of Application:** Monday, July 22, 2019  
**Application Received:** Thursday, February 28, 2019  
**Application Deemed Incomplete:** Monday, March 18, 2019  
**Application Complete:** Wednesday, July 17, 2019

Dated: Monday, July 22, 2019

Publish Daily Record: Monday, July 22, 2019  
Publish NKC Tribune: Thursday, July 25, 2019



**ADVERSE POSSESSION EXHIBIT**

PREPARED FOR  
**MR. DAVID CROUSE**  
SECTION 15, T.22N., R.11E, W.M.

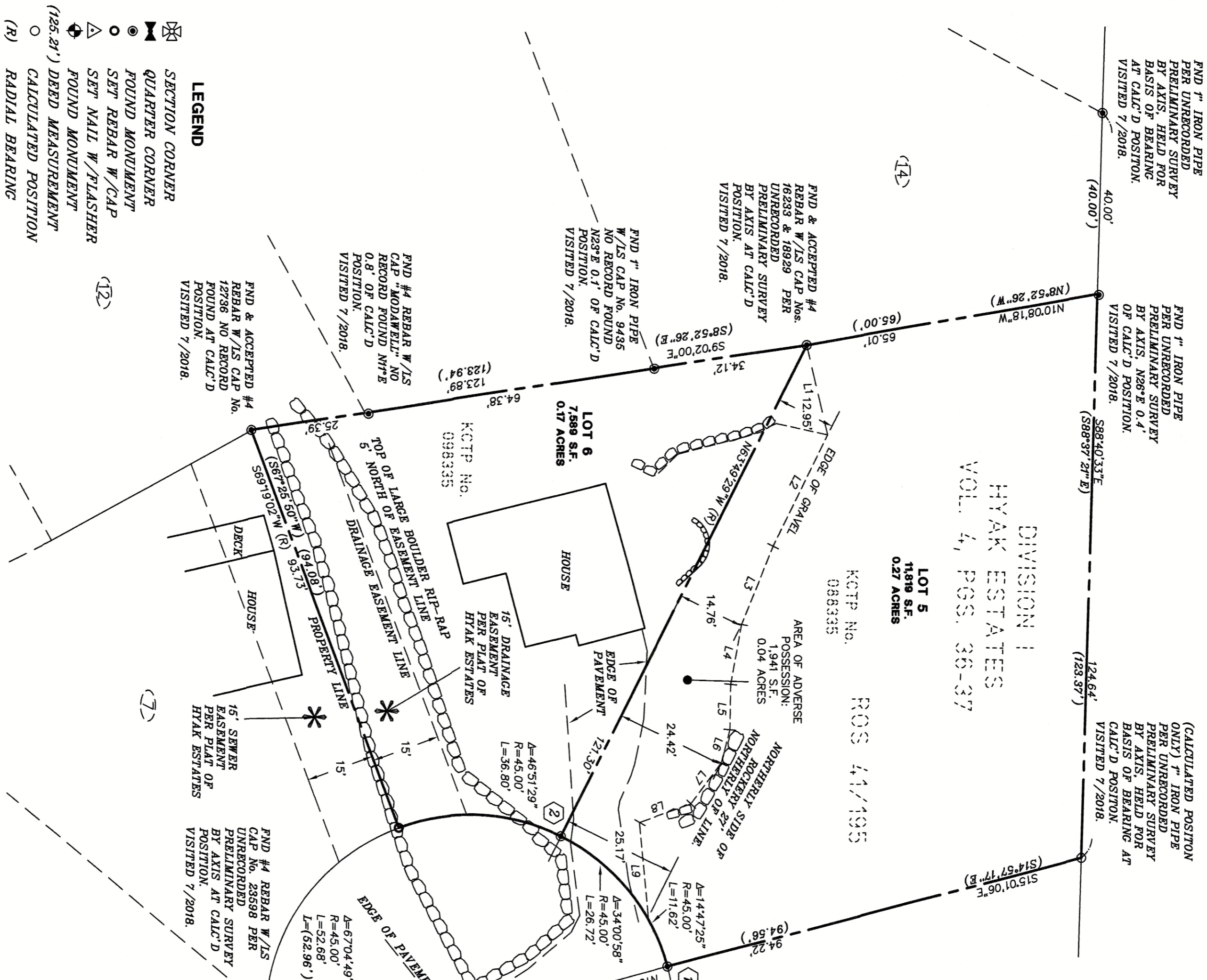
**EXISTING LEGAL DESCRIPTIONS:**  
LOT NO. 5, DIVISION 1, HYAK ESTATES, SECTION 15, TOWNSHIP 22 NORTH, RANGE 11 EAST, WILLAMETTE MERIDIAN, KITTITAS COUNTY, WASHINGTON.  
LOT NO. 6, DIVISION 1, HYAK ESTATES, SECTION 15, TOWNSHIP 22 NORTH, RANGE 11 EAST, WILLAMETTE MERIDIAN, KITTITAS COUNTY, WASHINGTON.

**DESCRIPTION OF PROPERTY TO BE TRANSFERRED FROM LOT 5 TO LOT 6 THROUGH ADVERSE POSSESSION:**

THAT PORTION OF LOT NO. 5, DIVISION 1, HYAK ESTATES AS FILED IN VOLUME 4 OF PLATS ON PAGES 36 AND 37, BEING A PORTION OF SECTION 15, TOWNSHIP 22 NORTH, RANGE 11 EAST, WILLAMETTE MERIDIAN, KITTITAS COUNTY, WASHINGTON, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:  
BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 5; THENCE SOUTH 10°08'18" EAST ALONG THE WEST LINE OF SAID LOT 5 A DISTANCE OF 65.01 FEET TO THE NORTHERN MOST CORNER OF LOT 6 OF SAID HYAK ESTATES AND THE TRUE POINT OF BEGINNING;  
THENCE NORTH 76°37'42" EAST A DISTANCE OF 20.34 FEET;  
THENCE SOUTH 68°37'29" EAST A DISTANCE OF 18.88 FEET;  
THENCE SOUTH 80°03'48" EAST A DISTANCE OF 13.50 FEET;  
THENCE SOUTH 89°20'26" EAST A DISTANCE OF 10.02 FEET;  
THENCE SOUTH 75°44'34" EAST A DISTANCE OF 7.63 FEET;  
THENCE SOUTH 53°37'49" EAST A DISTANCE OF 11.26 FEET;  
THENCE SOUTH 19°48'52" EAST A DISTANCE OF 12.00 FEET;  
THENCE NORTH 84°44'32" EAST A DISTANCE OF 21.25 FEET; MORE OR LESS TO THE RIGHT OF WAY MARGIN OF KITZBUHEL PLACE AND THE TERMINUS OF SAID LINE.

**SURVEY NOTES**

1. THE PURPOSE OF THIS SURVEY IS TO ASCERTAIN THE EXTERIOR BOUNDARIES OF THE PARCEL AS DESCRIBED HEREON, IDENTIFY SIGNIFICANT IMPROVEMENTS ALONG THESE BOUNDARIES IF ANY AND TO THEN SET PROPERTY CORNERS AND POINTS ON LINE TO SHOW THE POSSIBILITY OF ADVERSE POSSESSION.
2. INSTRUMENT: USING A SOKKA SET 5 30R FIVE SECOND TOTAL STATION IN CONJUNCTION WITH TRIMBLE RS SERIES GPS UNIT WITH RESULTING CLOSURES EXCEEDING THE MINIMUM ACCURACY STANDARDS AS SET FORTH BY WAC 332-130.
3. THE BOUNDARY LINES AND CORNERS DEPICTED ON THE MAP ARE PER RECORD TITLE INFORMATION AND REPRESENT DEED LINES ONLY. THEY DO NOT PURPORT TO SHOW OWNERSHIP LINES THAT MAY OTHERWISE BE DETERMINED BY A COURT OF LAW.
4. ALL FIELD WORK FOR THIS PROJECT WAS PERFORMED DURING JULY OF 2018 AND THIS MAP IS THEREFORE A REFLECTION OF CONDITIONS AT THAT TIME.
5. ANY FENCE LINES SHOWN ON THIS SURVEY WERE FIELD LOCATED AT OBVIOUS ANGLE POINTS IN THE FENCE ALIGNMENT. THE ACTUAL OCCUPATION OF THE FENCE OR THE SUPPORTING POSTS ARE NOT ASSURED BEYOND THE OVERALL WIDTH OF THE FENCE STRUCTURE. OBVIOUS CONCRETE SUPPORTING THE POSTS BELOW GROUND LEVEL IS BEYOND THE SCOPE OF THIS SURVEY.
6. THE LEGAL DESCRIPTION AS SHOWN HEREON IS PER SURVEYOR'S INTERPRETATION OF THE ABBREVIATED LEGAL SHOWN ON THE KITTITAS COUNTY ASSESSORS PAGE.
7. WHENEVER POSSIBLE, WE HAVE ATTEMPTED TO ACCEPT LOCAL CORNERS IN ORDER TO PROVIDE A HARMONIOUS BOUNDARY SURVEY WHILE PROTECTING THE ADJACENT OWNERS' RIGHTS.
8. AND/OR ACCEPTAIN THE BOUNDARY AS SHOWN HEREON... THE PLAT OF HYAK ESTATES VOL. 4, PAGES 36-37, ROS VOL. 41, PAGE 195.



**ADVERSE POSSESSION EXHIBIT**  
PREPARED FOR  
**MR. DAVID CROUSE**  
SECTION 15, T.22N., R.11E, W.M.

**LINE TABLE**

LINE #	BEARING	DISTANCE
L1	S76°37'42"W	20.34
L2	N64°20'22"W	27.39
L3	N68°37'29"W	18.88
L4	N80°03'48"W	13.50
L5	N89°20'26"W	10.02
L6	N75°44'34"W	7.63
L7	N53°37'49"W	11.26
L8	N19°48'52"W	12.00
L9	S84°44'32"W	21.25

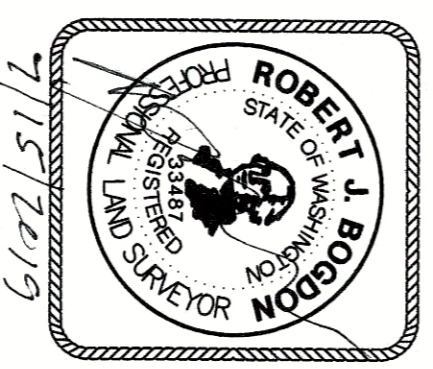
**BASIS OF BEARING:**

HOLDING A BEARING OF NORTH 88°40'30" WEST ALONG THE MONUMENTED NORTH PLAT LINE OF HYAK ESTATES, DIV. 1 FROM THE FOUND 1" I.D. IRON PIPES AT THE NORTHWEST CORNER OF LOT 14 & THE NORTHEAST CORNER OF LOT 5.



- LEGEND**
- SECTION CORNER
  - QUARTER CORNER
  - FOUND MONUMENT
  - SET REBAR W/CAP
  - SET NAIL W/FLASHER
  - FOUND MONUMENT
  - (125.21') DEED MEASUREMENT
  - CALCULATED POSITION
  - (R) RADIAL BEARING

- ① FND #4 REBAR W/LS CAP No. 38911, 48372, 45502, 49916, 40094 PER UNRECORDED PRELIMINARY SURVEY BY AXIS AT CALC'D POSITION. VISITED 7/2018.
- ② FND #4 REBAR W/LS CAP No. 38911, 48372, 45502, 49916, 40094 PER UNRECORDED PRELIMINARY SURVEY BY AXIS AT CALC'D POSITION. VISITED 7/2018.



**EASTSIDE CONSULTANTS, INC.**  
ENGINEERS-SURVEYORS  
1320 N.W. WALL ST., SUITE B  
ISSAQUAH, WASHINGTON 98027  
PHONE: (425)992-5351  
FAX: (425)992-4676

**ADVERSE POSSESSION EXHIBIT**  
PREPARED FOR  
**MR. DAVID CROUSE**  
SECTION 15, T.22N., R.11E, W.M.  
KITTITAS COUNTY  
DWN BY **N. BOGDON** DATE **07/2019** JOB NO. **18085**  
CHKD BY **R. BOGDON** SCALE **1"=20'** SHEET **1 OF 1**



AFTER RECORDING MAIL TO:  
Skyline Law Group, PLLC  
2155 112<sup>th</sup> Ave NE  
Bellevue, WA 98004



Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)

**Document Title(s)** (or transactions contained therein): (all areas applicable to your document **must** be filled in)

Lis Pendens

**Reference Number(s) of Documents assigned or released:**

Additional reference #'s on page \_\_\_\_\_ of document

**Grantor(s)** (Last name, first name, initials)

- 1. BERLIN, DANIEL L.
- 2. BERLIN, MICHELLE A.

Additional names on page \_\_\_\_\_ of document.

**Grantee(s)** (Last name first, then first name and initials)

- 1. CROUSE, DAVID L.
- 2. CROUSE, DONNA W.

Additional names on page \_\_\_\_\_ of document.

**Legal description** (abbreviated: i.e. lot, block, plat or section, township, range)

LOT 5, HYAK ESTATES, AS PER PLAT THEREOF, RECORDED IN VOLUME 4 OF PLATS, PAGES 36 AND 37, RECORDS OF KITTITAS COUNTY, STATE OF WASHINGTON.

Additional legal is on page \_\_\_\_ of document.

**Assessor's Property Tax Parcel/Account Number**

088335

Assessor Tax # not yet assigned

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

"I am signing below and paying an additional \$50 recording fee (as provided in RCW 36.18.010 and referred to as an emergency nonstandard document), because this document does not meet margin and formatting requirements. Furthermore, I hereby understand that the recording process may cover up or otherwise obscure some part of the text of the original document as a result of this request."

\_\_\_\_\_  
Signature of Requesting Party

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IN THE SUPERIOR COURT IN THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KITTITAS

DAVID L. CROUSE and DONNA W.  
CROUSE, husband and wife,  
Plaintiffs,

NO. 19-2-00222-19

v.

LIS PENDENS

DANIEL L. BERLIN and MICHELLE A.  
PAGAN-BERLIN, husband and wife; and  
ALL PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE,  
ESTATE, LIEN, OR INTEREST IN THE  
REAL PROPERTY DESCRIBED HEREIN;  
and JOHN DOES 1-10.  
Defendants.

NOTICE IS HEREBY GIVEN that the Plaintiffs in the above-captioned case have commenced legal action against the above-named Defendants in the Superior Court for Kittitas County by filing a Summons and Complaint. This is notice of pendency of said case.

The objective of the above-captioned case is to establish legal title and rights regarding a portion of the following described real estate situated in Kittitas County, Washington:

LOT 5, HYAK ESTATES, AS PER PLAT THEREOF, RECORDED IN VOLUME 4 OF PLATS, PAGES 36 AND 37, RECORDS OF KITTITAS COUNTY, STATE OF WASHINGTON.

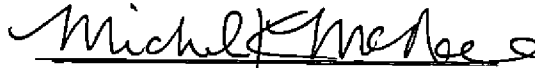
Tax Parcel No. 088335.

Commonly known as 50 Kitzbuhel Place, Snoqualmie Pass, Washington 98068.

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All persons dealing with said real estate subsequent to the filing hereof will take subject to the rights of the Plaintiff as established in this action.

DATED this 22 day of July 2019



WSBA #32052  
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