

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

"Building Partnerships - Building Communities"

BOUNDARY LINE ADJUSTMENT

(Adjustment of lot lines resulting in no new lots, as defined by KCC 16.10.010)

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

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

REQUIRED ATTACHMENTS

Note: The following are required per KCC 16.10.020 Application Requirements. A separate application must be filed for each boundary line adjustment request.

- Unified Site Plan of existing lot lines and proposed lot lines with distances of all existing structures, access points, well heads and septic drainfields to scale.
Signatures of all property owners.
Narrative project description (include as attachment): Please include at minimum the following information in your description: describe project size, location, water supply, sewage disposal and all qualitative features of the proposal; include every element of the proposal in the description.
Provide existing and proposed legal descriptions of the affected lots. Example: Parcel A - The North 75 feet of the West 400 feet of the Southwest quarter of the Southwest quarter of the Southwest quarter of Section 02; Township 20 North; Range 16 East; W.M.; Except the West 30 feet thereof for roads.
A certificate of title issued within the preceding one hundred twenty (120) days.

For final approval (not required for initial application submittal):

- Full year's taxes to be paid in full.
Recorded Survey.

APPLICATION FEES:

Table with 2 columns: Amount and Description. Rows include fees for Kittitas County Community Development Services, Department of Public Works, Fire Marshal, and Public Health Department, totaling \$1,180.00.

FOR STAFF USE ONLY

Form section for staff use containing signature line, date field (5/9/2017), receipt number (00033833), and a 'RECEIVED' stamp dated MAY 09 2017 from KITITITAS COUNTY.

9 MARCH '17

PURPOSE OF BLD IS TO REMOVE LOT 95.
OWNERS OF ADJACENT LOTS 94 & 96 CO-OWNERS
OF LOT 95. THEY WISH TO DIVIDE LOT 95 IN
HALF & EACH OWN ADJACENT PIECES OF LOT 95 -
INCORPORATE EACH HALF INTO LOTS 94 & 96

Rob Bailey
9 MAR 17

OPTIONAL ATTACHMENTS

- An original survey of the current lot lines. (Please do not submit a new survey of the proposed adjusted or new parcels until after preliminary approval has been issued.)
- Assessor COMPAS Information about the parcels.

GENERAL APPLICATION INFORMATION

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

Name: DANIEL J. & MARIA MENJER DAVID ANDREW & TIMOTHY GRANTON TR
 Mailing Address: 2405 SQUAK MTN LOOP SW POB 202
 TSSAQUAH, WA 98027 EASTON, WA 98925 CRANTON TR
 City/State/ZIP: 425 444 1997 113 Cherry St. #
 Day Time Phone: LOT 94 & 1/2 LOT 95 LOT 96 & 1/2 LOT 95 Seattle WA 43997
 Email Address: 98104 TR

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

Agent Name: ROBERT L. BAILEY
 Mailing Address: 4201 HWY 970
 City/State/ZIP: CHELUM, WA 98922
 Day Time Phone: 509 679 7017
 Email Address: 808s LLC @ gmail.com

3. Name, mailing address and day phone of other contact person
If different than land owner or authorized agent.

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

4. Street address of property:

Address: VIA KACHESS ROAD
 City/State/ZIP: EASTON WA 98925

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

LOT 95 PLAT OF KACHESS BOOK 6 PLATS PAGES 6A-6B

6. Property size: 5990 SQUARE FEET (acres)

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

8. Existing and Proposed Lot Information

	Original Parcel Number(s) & Acreage (1 parcel number per line)	New Acreage (Survey Vol. ____, Pg ____)
LOT 94	136735 5535 SQ FT	8350 SQ FT
LOT 95	636735 5990 SQ FT	0 SQ FT
LOT 96	916735 6508 SQ FT	9503 SQ FT

APPLICANT IS: OWNER PURCHASER LESSEE OTHER

AUTHORIZATION

9. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

NOTICE: Kittitas County does not guarantee a buildable site, legal access, available water or septic areas, for parcel receiving approval for a Boundary Line Adjustment.

All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

Signature of Authorized Agent:

Signature of Land Owner of Record

(REQUIRED if indicated on application)

(Required for application submittal):

Robert L. Bowling (date) March 1 2017

X *Maria H. Menses* (date) 4/2/17

Maria H. Menses

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

TREASURER'S OFFICE REVIEW

Tax Status: _____ By: _____ Date: _____

COMMUNITY DEVELOPMENT SERVICES REVIEW

() This BLA meets the requirements of Kittitas County Code (Ch. 16.08.055).

Deed Recording Vol. _____ Page _____ Date _____ **Survey Required: Yes _____ No _____

Card #: _____ Parcel Creation Date: _____

Last Split Date: _____ Current Zoning District: _____

Preliminary Approval Date: _____ By: _____

Final Approval Date: _____ By: _____

8. Existing and Proposed Lot Information

	Original Parcel Number(s) & Acreage (1 parcel number per line)	New Acreage (Survey Vol. ____, Pg ____)
LOT 94	136735 5535 SQ FT	8350 SQ FT
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All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

Signature of Authorized Agent:

Signature of Land Owner of Record

(REQUIRED if indicated on application)

(Required for application submittal):

Robert J. Bowling (date) March 1 2017

X *Daniel J. Menser* (date) 4/2/17

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

TREASURER'S OFFICE REVIEW

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Final Approval Date: _____ By: _____

8. Existing and Proposed Lot Information

Original Parcel Number(s) & Acreage (1 parcel number per line)	New Acreage (Survey Vol. ____, Pg ____)
LOT 94 136735 5535 SQ FT	8350 SQ FT
LOT 95 636735 5990 SQ FT	0 SQ FT
LOT 96 216735 6508 SQ FT	9503 SQ FT

APPLICANT IS: OWNER PURCHASER LESSEE OTHER

AUTHORIZATION

9. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

NOTICE: Kittitas County does not guarantee a buildable site, legal access, available water or septic areas, for parcel receiving approval for a Boundary Line Adjustment.

All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

Signature of Authorized Agent:

Signature of Land Owner of Record

(REQUIRED if indicated on application)

(Required for application submittal):

Robert L. Bowling (date) March 1, 2017 X [Signature] (date) APRIL 26, 2017
April 26, 2017

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

TREASURER'S OFFICE REVIEW

Tax Status: _____ By: _____ Date: _____

COMMUNITY DEVELOPMENT SERVICES REVIEW

() This BLA meets the requirements of Kittitas County Code (Ch. 16.08.055).

Deed Recording Vol. _____ Page _____ Date _____ **Survey Required: Yes _____ No _____

Card #: _____ Parcel Creation Date: _____

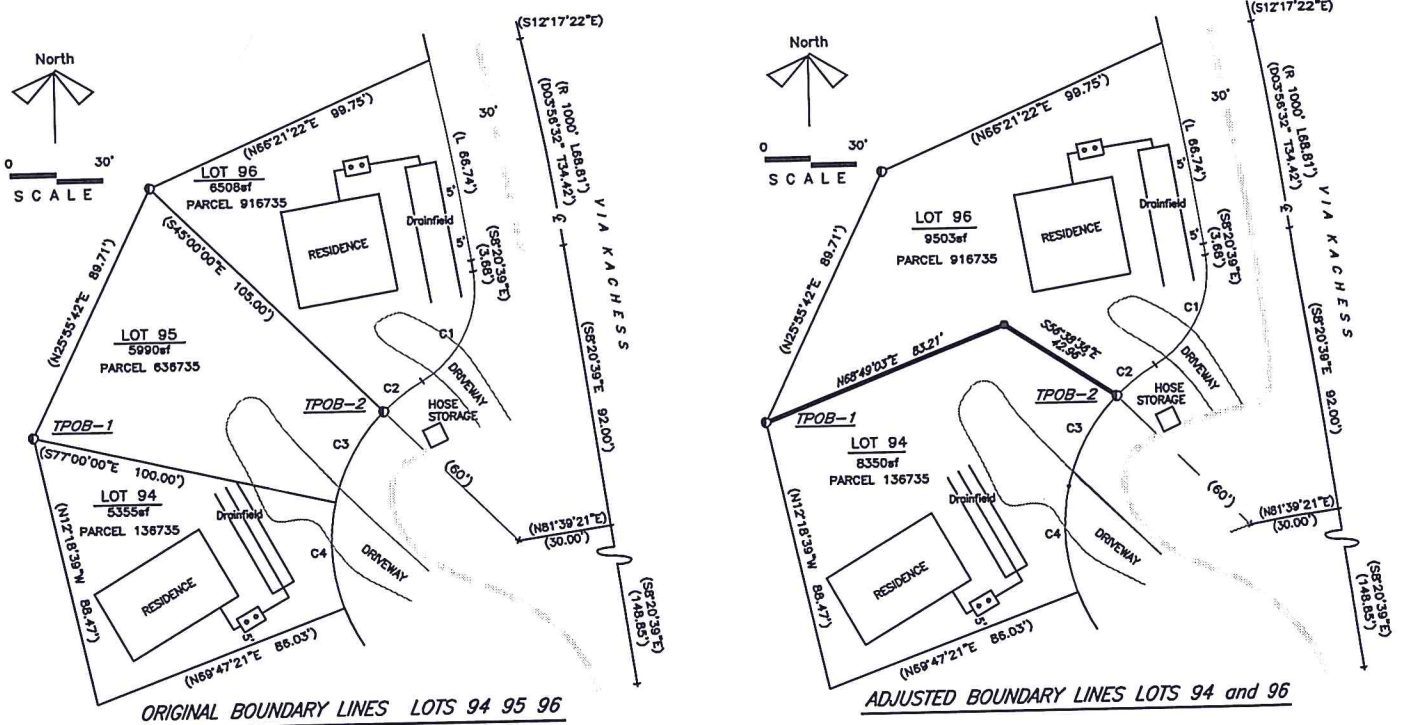
Last Split Date: _____ Current Zoning District: _____

Preliminary Approval Date: _____ By: _____

Final Approval Date: _____ By: _____

PORTION OF KACHESS PLAT LOTS 94 95 96 BOUNDARY LINE ADJUSTMENT

SEE NOTE 1. LEGEND & NOTES



LEGEND & NOTES

- SET #5 REBAR 20" LONG WITH ORANGE PLASTIC CAP MARKED BAILEY PLS9743
 - FOUND #4 REBAR, NO CAP
 - () PREVIOUSLY RECORDED DATA
 - APPROX EDGE OF CHIP SEAL PAVEMENT
 - SEPTIC TANK
1. PURPOSE OF LINE ADJUSTMENT: THE OWNERS OF LOTS 94 AND 96 ARE TENANTS IN COMMON OF LOT 95 AND THEY DESIRE TO SPLIT LOT 95 EVENLY, HALF EACH TO LOT 94 AND LOT 96; OBLITERATING LOT 95 THUS ELIMINATING TENANTS IN COMMON.
 2. LOCATION OF SEPTIC TANKS & DRAIN FIELDS FROM HEALTH DEPARTMENT RECORDS FOR RESPECTIVE PARCELS.
 3. WATER SYSTEM: COMMUNITY
 4. THERE ARE NO STRUCTURES ON LOT 95, NOR ANY ACCESSORY STRUCTURES ON LOTS 94 OR 96.
 5. BASIS OF BEARINGS, WEST LINE LOT 95
 6. THIS SURVEY PERFORMED WITH A NIKON TOTAL STATION TO AS ACCURACY EXCEEDING REQUIREMENTS.

CURVE DATA

C1	60°R	A 41.70'	D 68°22'58"
C2	60°R	A 15.75'	D 15°02'15"
C3	60°R	A 33.52'	D 32°00'37"
C4	60°R	A 34.78'	D 33°12'39"

PORTION OF LOT 95 TO BE RELEASED BY DANIEL J MENSER & MARIA H MENSER, HUSBAND AND WIFE: 2995 SQUARE FEET

DESCRIPTION OF A PORTION OF LOT 95, PLAT OF KACHESS, VOLUME 6 OF PLATS, PAGES 64-68 RECORDS OF KITTITAS COUNTY ALL SITUATED IN SEC 17 T21N R13E WM KITTITAS COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SW CORNER LOT 95 COMMON WITH NW CORNER LOT 94, SAME SAID PLAT WHICH IS ALSO THE TRUE POINT OF BEGINNING TPOB-1; THENCE N25°55'42"E 89.71' TO THE NW CORNER LOT 95; THENCE S45°E 105.00' ALONG THE NORTHERLY BOUNDARY OF LOT 95 TO A CORNER COMMON TO LOT 95 AND LOT 96 OF SAME SAID PLAT; THENCE N56°38'36"W, 42.96'; THENCE S68°49'03"W, 83.21' TO THE TRUE POINT OF BEGINNING (TPOB) CONTAINING 2995 SQUARE FEET.

PORTION OF LOT 95 TO BE RELEASED BY TIMOTHY W CRANTON, A SINGLE PERSON, & DAVID M ANDREW, A SINGLE PERSON; 2995 SF

DESCRIPTION OF A PORTION OF LOT 95, PLAT OF KACHESS, VOLUME 6 OF PLATS, PAGES 64-68 RECORDS OF KITTITAS COUNTY ALL SITUATED IN SEC 17 T21N R13E WM KITTITAS COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NE CORNER LOT 95 COMMON WITH SOUTH CORNER LOT 96, SAME SAID PLAT WHICH IS ALSO THE TRUE POINT OF BEGINNING TPOB-2; THENCE N56°38'36"W, 42.96'; THENCE S68°49'03"W, 83.21' TO A CORNER COMMON TO LOT 95 AND LOT 94 OF SAME SAID PLAT; THENCE S77°E ALONG THE SOUTHERLY BOUNDARY OF LOT 95 TO A CORNER COMMON TO LOT 95 AND LOT 94 OF SAME SAID PLAT; THENCE NORTHEASTERLY ON A 60' RADIUS CURVE TO THE RIGHT, 33.52' WITH A DELTA OF 32°00'37" TO THE TRUE POINT OF BEGINNING (TPOB), CONTAINING 2995 SQUARE FEET.

LOT 94 DESCRIPTION

ALL OF LOTS 94 AND 95, PLAT OF KACHESS, VOLUME 6 OF PLATS, PAGES 64-68 RECORDS OF KITTITAS COUNTY ALL SITUATED IN SEC 17 T21N R13E WM KITTITAS COUNTY, WASHINGTON EXCEPT THAT PORTION OF LOT 95 HEREIN DESCRIBED:
 BEGINNING AT THE SW CORNER OF LOT 95, THE TRUE POINT OF BEGINNING OF SAID EXCEPTION; THENCE N68°49'03"E, 83.21'; THENCE S56°38'36"E, 42.96' TO THE NE CORNER OF LOT 95; THENCE N45°00'00"W, 105.00' TO THE NW CORNER OF LOT 95; THENCE S25°55'42"W ALONG THE WESTERLY BOUNDARY OF LOT 95 TO THE TRUE POINT OF BEGINNING OF SAID EXCEPTION; CONTAINING 8350 SQUARE FEET

LOT 96 DESCRIPTION

ALL OF LOTS 95 AND 96, PLAT OF KACHESS, VOLUME 6 OF PLATS, PAGES 64-68 RECORDS OF KITTITAS COUNTY ALL SITUATED IN SEC 17 T21N R13E WM KITTITAS COUNTY, WASHINGTON EXCEPT THAT PORTION OF LOT 95 HEREIN DESCRIBED:
 BEGINNING AT THE NE CORNER OF LOT 95, THE TRUE POINT OF BEGINNING OF SAID EXCEPTION; THENCE N56°38'36"W, 42.96'; THENCE S68°49'03"W, 83.21' TO THE SW CORNER OF LOT 95; THENCE S77°00'00"E, 100.00' TO THE SE CORNER OF LOT 95; THENCE NORTHEASTERLY ON THE EASTERLY BOUNDARY OF LOT 95 ALONG A 60' RADIUS CURVE TO THE RIGHT, 33.52' WITH A DELTA OF 32°00'37" TO THE TRUE POINT OF BEGINNING OF SAID EXCEPTION; CONTAINING 9503 SQUARE FEET

LEGAL DESCRIPTION PREPARED FOR LOT 94 AS A RESULT OF THIS RECORD-OF-SURVEY

LOT 94 OF THAT CERTAIN SURVEY AS RECORDED ON IN BOOK OF SURVEYS AT PAGE UNDER AUDITOR'S FILE NUMBER AFN RECORDS OF KITTITAS COUNTY, BEING A PORTION OF SECTION 17, T21N, R13E, WM IN KITTITAS COUNTY, WASHINGTON.

LEGAL DESCRIPTION PREPARED FOR LOT 96 AS A RESULT OF THIS RECORD-OF-SURVEY

LOT 96 OF THAT CERTAIN SURVEY AS RECORDED ON IN BOOK OF SURVEYS AT PAGE UNDER AUDITOR'S FILE NUMBER AFN RECORDS OF KITTITAS COUNTY, BEING A PORTION OF SECTION 17, T21N, R13E, WM IN KITTITAS COUNTY, WASHINGTON.

PRELIMINARY

MARCH __ 2017

a.f.n. _____

113 Cherry St #43957
Seattle 98104

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my supervision in conformance with the requirements of the Survey Recording Act at the request of DANIEL J MENSER

ROBERT L. BAILEY, PLS/PE 9743

AUDITOR'S CERTIFICATE

Filed for record this ___ day of ___ 20___ at ___ M. In Book ___ of Surveys, Page ___ at the request of ROBERT L BAILEY Auditor Deputy Auditor

record survey for

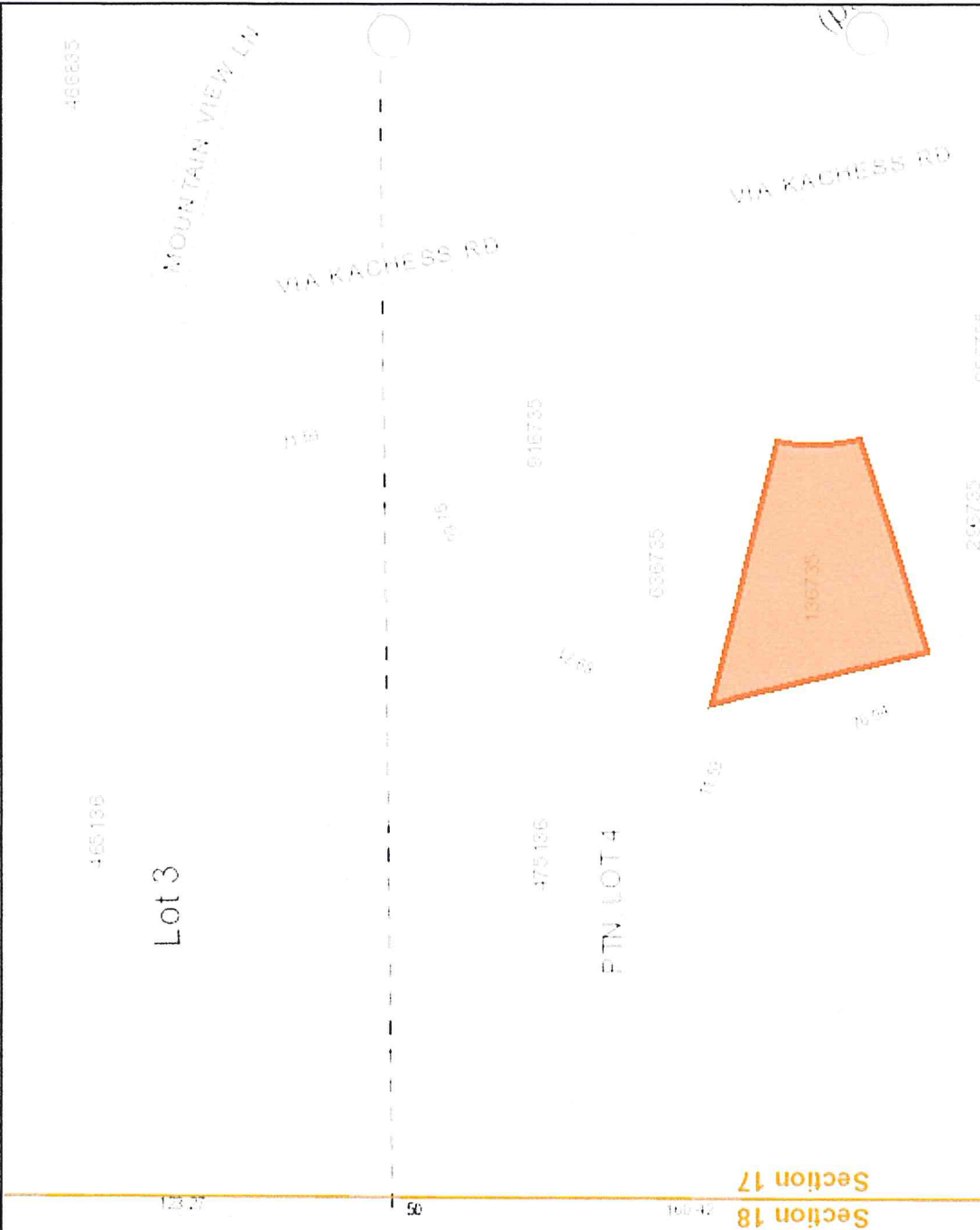
DANIEL J MENSER, ETUX 2405 SQUAK MT LOOP SW ISSAQUAH, WA 98021 DAVID ANDREW & TIMOTHY CRANTON 866-202 EASTON WA 98025

by

BOB'S L L C PROFESSIONAL LAND SURVEYING 4201 HWY 970, GLE ELUM, WA 98922 509 674 5551

NW4 SW4 Sec17 T21N R13E WM

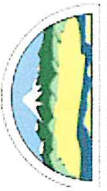
Lot 94 Plat of Kachess Daniel & Maria Menser



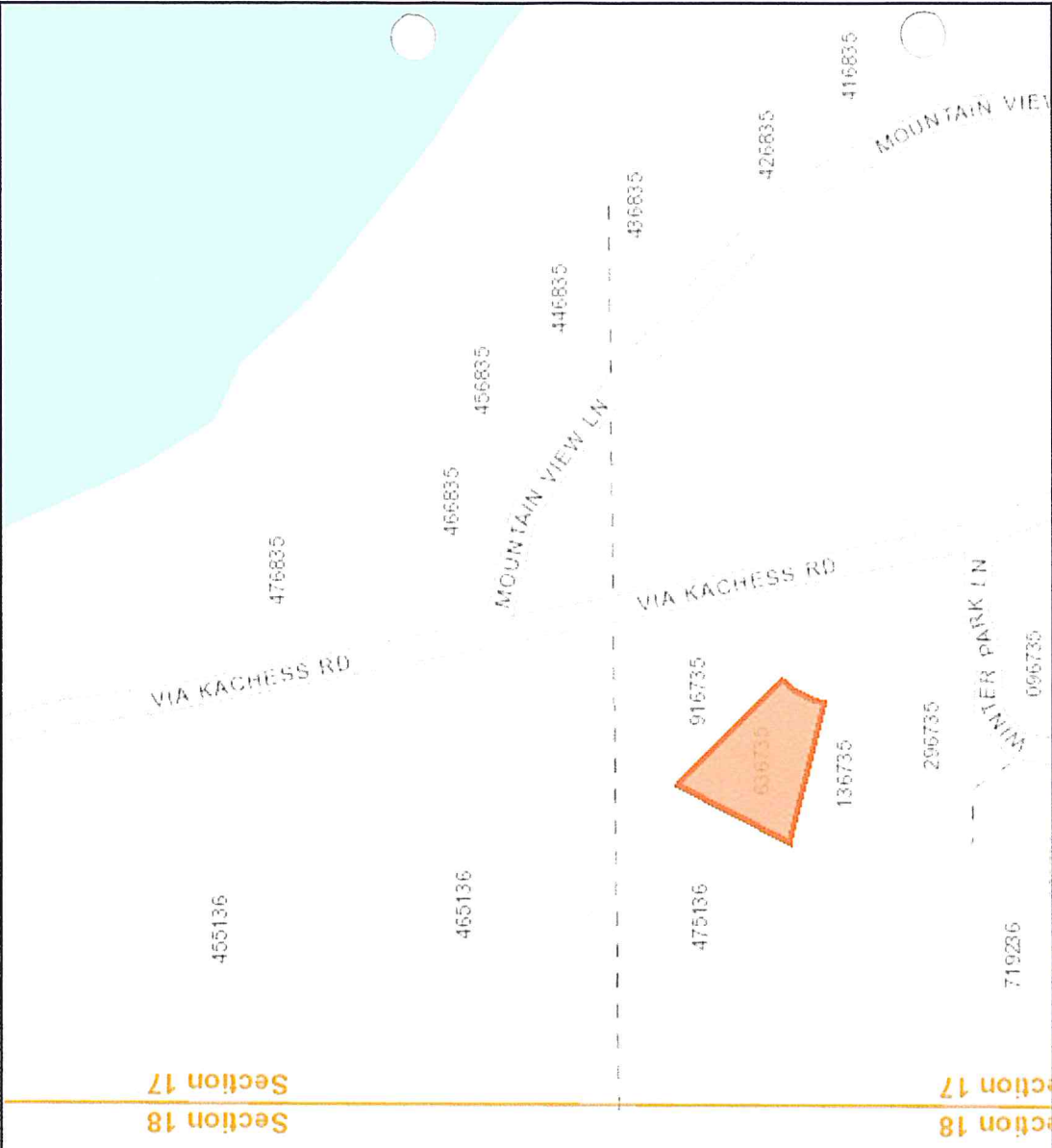
1 inch = 94 feet
Relative Scale 1:1,128

Date: 3/1/2017

Disclaimer:
Kittitas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. Kittitas County does not guarantee the accuracy of the material contained herein and is not responsible for any use, misuse or representations by others regarding this information or its derivatives.



Lot 95 Plat of Kachess Menser's & Andrew's/Cranton

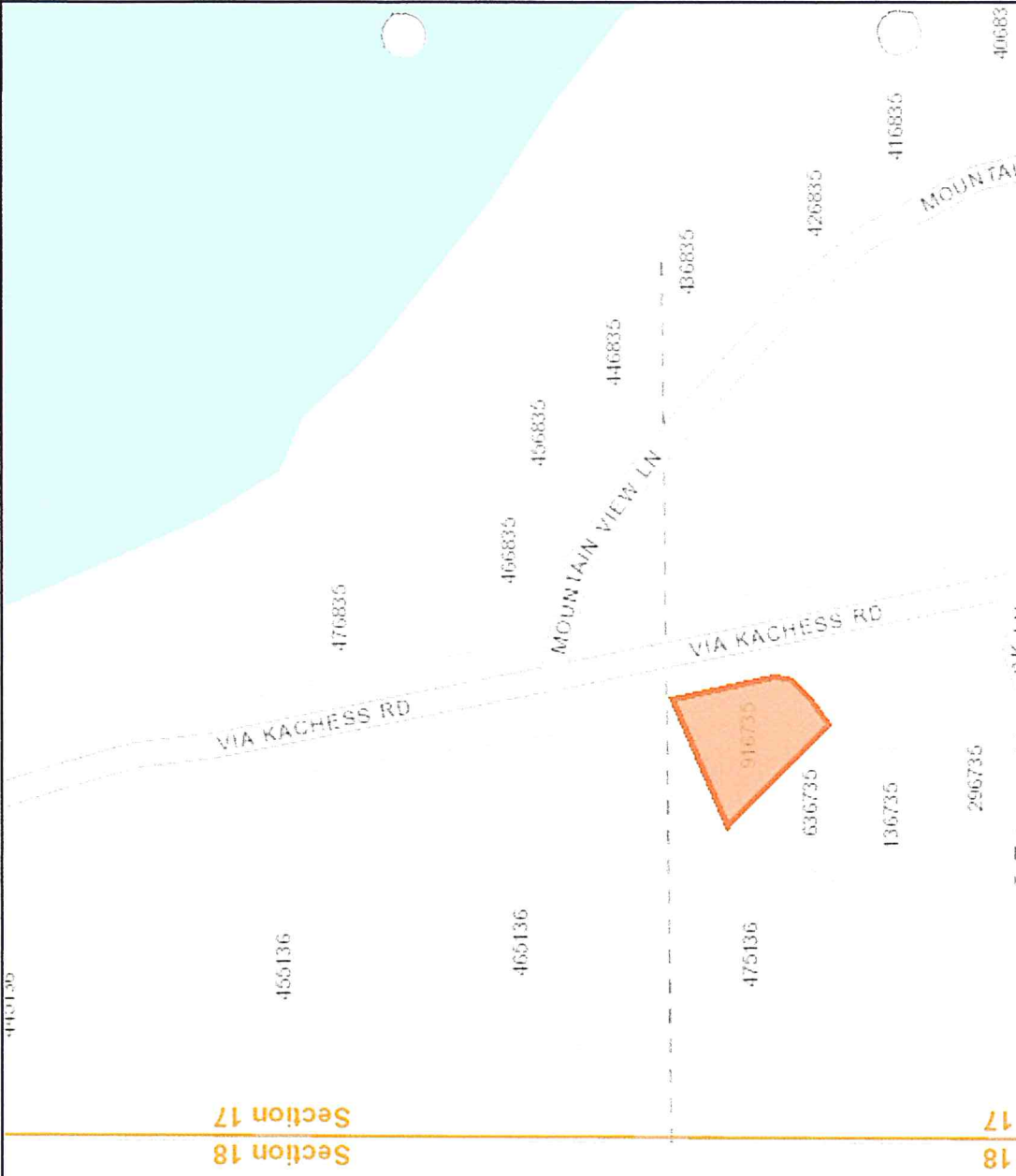


Date: 3/1/2017
 1 inch = 188 feet
 Relative Scale 1:2,257

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Lot 96 Plat of Kachess, D.Andrew & T.Cranton



1 inch = 188 feet
Relative Scale 1:2,257

Date: 3/1/2017

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CHICAGO TITLE INSURANCE COMPANY

Policy No. 72156-45618097

GUARANTEE

CHICAGO TITLE INSURANCE COMPANY, a Nebraska corporation, herein called the Company, guarantees the Assured against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

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

PLEASE NOTE CAREFULLY THE LIABILITY EXCLUSIONS AND LIMITATIONS AND THE SPECIFIC ASSURANCES AFFORDED BY THIS GUARANTEE. IF YOU WISH ADDITIONAL LIABILITY, OR ASSURANCES OTHER THAN AS CONTAINED HEREIN, PLEASE CONTACT THE COMPANY FOR FURTHER INFORMATION AS TO THE AVAILABILITY AND COST.

Dated: March 3, 2017

Issued by:
 AmeriTitle, Inc.
 101 W Fifth
 Ellensburg, WA 98926
 (509)925-1477

Sidney E. Macton

 Authorized Signer

CHICAGO TITLE INSURANCE COMPANY



By: *[Signature]*

 President

ATTEST
[Signature]

 Secretary

Note: This endorsement shall not be valid or binding until countersigned by an authorized signatory.

Subdivision Guarantee Policy Number: 72156-45618097

SUBDIVISION GUARANTEE

Order No.: 158010AM
Guarantee No.: 72156-45618097
Dated: March 3, 2017

Liability: \$1,000.00
Fee: \$350.00
Tax: \$28.70

Your Reference: Via Kachess Road

Assured: 808s LLC Professional Land Surveying

The assurances referred to on the face page are:

That, according to those public records with, under the recording laws, impart constructive notice of matters relative to the following described real property:

Lot 94, PLAT OF KACHESS, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 6 of Plats, pages 64 through 68, records of said County.

Title to said real property is vested in:

Daniel J. Menser and Maria H. Menser, husband and wife

END OF SCHEDULE A

(SCHEDULE B)

Order No: 158010AM
Policy No: 72156-45618097

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

EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Unpatented mining claims; reservations or exceptions in the United States Patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
3. Title to any property beyond the lines of the real property expressly described herein, or title to streets, roads, avenues, lanes, ways or waterways on which such real property abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.
4. Any lien for service, installation, connection, maintenance, tap, capacity or construction or similar charges for sewer, water, electricity, natural gas or other utilities, or for garbage collection and disposal not shown by the Public Records
5. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
6. General Taxes and Assessments – total due may include fire patrol assessment, weed levy assessment and/or irrigation assessment, if any. Taxes noted below do not include any interest or penalties which may be due after delinquency.

Note: Tax year runs January through December with the first half becoming delinquent May 1st and second half delinquent November 1st if not paid. For most current tax information or tax printouts visit: or call their office at (509) 962-7535.

Tax Year: 2017
Tax Type: County
Total Annual Tax: \$2,451.14
Tax ID #: 136735
Taxing Entity: Kittitas County Treasurer
First Installment: \$1,225.57
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2017
Second Installment: \$1,225.57
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2017

Subdivision Guarantee Policy Number: 72156-45618097

7. Liens, levies and assessments of the Kachess Community Association.
8. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: United States Forest Service
Purpose: West Kachess Forest Service Road No. 2146
Recorded: January 10, 1966
Instrument No.: 326852
Affects: NW Quarter and SW Quarter of NW Quarter and All of the SW Quarter
9. Easements, rights, restrictions and reservations as contained in Deed,
Recorded: May 31, 1973 and June 26, 1973,
Instrument No.: 383247.

Amendment to Easement dated January 16, 1975 and recorded January 23, 1975,
under Auditor's File No. 394774.

10. The provisions contained on the Plat of Kachess,
Recorded: November 15, 1974 in Book 6 of Plats, pages 64 through 68,
Instrument No.: 393674.
As follows: a) Rights granted to the public in the dedication of the plat of the road of Via Kachess
b) Restrictions contained on the face of the Plats as follows:
"The costs of construction, maintaining and snow removal of all the roads, streets and alleys within this plat and all access roads to this plat shall be the obligation of a non-profit corporation composed of all the owners of the lots of the plat and of any additional plats that may be served by these roads, streets and alleys. In the event that the owners of any of the lots of this plat or any additional plats shall petition the County Commissioners to include the roads in the county road system, it is understood that the roads shall first be built up to minimum county standards by said non-profit corporation.
c) An easement is hereby reserved for and granted to Puget Sound Power and Light Company and Pacific Northwest Bell Company and their respective successors and assigns under and upon the exterior 5 feet of front and rear boundary lines and under and upon the exterior 2.5 feet of side boundary lines of all lots in which to install, lay, construct, renew, operate and maintain overhead or underground conduits, cables and wires with necessary facilities and other equipment for the purpose of serving the subdivision and other property with electric and telephone service, together with the right to enter upon the lots at all times for the purposes stated; also hereby granted is the right to use the streets for the same purposes.

11. Amended and Revised Declaration of Covenants, Conditions and restrictions and Notice of Subjection of Assessments of Liens, executed by Kachess Village Associates, but omitting any covenant or restriction based on race, color, religion, sex, sexual orientation, disability, handicap, familial status, marital status, ancestry, national origin or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
Recorded: October 7, 1976
Instrument No.: 408260

Said Amended and Revised Declaration of Covenants, Conditions and Restriction were further amended by document recorded September 17, 2004 under Auditor's File No. 200409170048 and recorded May 30, 2012 under Auditor's File No, 201205300003.

Said Amendments of Covenants amend previous Declaration of Covenants recorded April 23, 1975 under Auditor's File No. 396440.

12. At the request of the insured, we have agreed to eliminate any reference in the policy to issue as to the pendency of Yakima County Superior Court Cause No. 77-2-01484-5 on the agreed-upon understanding that there are no provisions in said policy which afford, or are intended to afford, insurance that there is a present or continuing right to use surface waters of the Yakima River Drainage Basin. The sole purpose of said paragraph appearing in our Guarantee was to advise the insured that such an action is pending of record and that judgment adjudicating such surface waters are being sought in accordance with the statutes of the State.
13. Mutual Easement and Road Maintenance Agreement, including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Between: Daniel J. Menser and Maria H. Menser, husband and wife, and Steven J. King
Purpose: Ingress, egress, access and utilities
Recorded: February 7, 2008
Instrument No.: 200802070003
Affects: Portion of said premises

This document contains maintenance provisions.

14. Agreement and the terms and conditions contained therein
Between: Kachess Community Association
And: Kittitas County, Washington
Purpose: Non-Exclusive Water and/or Sewer Franchise to Use County Roads, Rights-of-Way and other county Property
Recorded: June 1, 2009
Instrument No.: 200906010051

15. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$392,400.00
Trustor/Grantor: Daniel J. Menser and Maria H. Menser, husband and wife
Trustee: First American Title Insurance Company
Beneficiary: Mortgage Electronic Registration Systems, Inc. (MERS), solely as nominee for Cobalt Mortgage, Inc.
Dated: August 25, 2010
Recorded: August 30, 2010
Instrument No.: 201008300023

The beneficial interest under said Deed of Trust was assigned of record to Bank of America, N.A., by assignment
Recorded: December 8, 2014
Instrument No.: 201412080026

END OF EXCEPTIONS

Notes:

- a. Your order for title work calls for a search of property that is identified only by a street address or tax identification number. Based on our records, we believe that the description in this commitment describes the land you have requested we insure, however, we can give no assurance of this.
To prevent errors and to be certain that the proper parcel of land will appear on the documents and on the policy of title insurance, we require verification of the legal description used for this commitment.
- b. All documents recorded in Washington State must include an abbreviated legal description and tax parcel number on the first page of the document. The abbreviated description for this property is: Lot 94, PLAT OF KACHESS, Book 6 of Plats, pages 64 through 68.
Note No. 1: Any map or sketch enclosed as an attachment herewith is furnished for informational purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

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

END OF GUARANTEE

CHICAGO TITLE INSURANCE COMPANY

Policy No. 72156-45618098

GUARANTEE


CHICAGO TITLE INSURANCE COMPANY, a Nebraska corporation, herein called the Company, guarantees the Assured against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

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

PLEASE NOTE CAREFULLY THE LIABILITY EXCLUSIONS AND LIMITATIONS AND THE SPECIFIC ASSURANCES AFFORDED BY THIS GUARANTEE. IF YOU WISH ADDITIONAL LIABILITY, OR ASSURANCES OTHER THAN AS CONTAINED HEREIN, PLEASE CONTACT THE COMPANY FOR FURTHER INFORMATION AS TO THE AVAILABILITY AND COST.

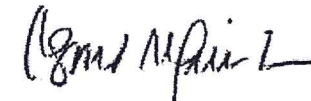
Dated: March 3, 2017

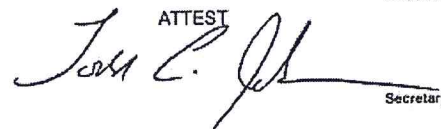
Issued by:
 AmeriTitle, Inc.
 101 W Fifth
 Ellensburg, WA 98926
 (509)925-1477


 Authorized Signer

CHICAGO TITLE INSURANCE COMPANY



By: 
 President

ATTEST 
 Secretary

Note: This endorsement shall not be valid or binding until countersigned by an authorized signatory.

Subdivision Guarantee Policy Number: 72156-45618098

SUBDIVISION GUARANTEE

Order No.: 158022AM
Guarantee No.: 72156-45618098
Dated: March 3, 2017

Liability: \$1,000.00
Fee: \$350.00
Tax: \$28.70

Your Reference: Via Kachess Road

Assured: 808s LLC Professional Land Surveying

The assurances referred to on the face page are:

That, according to those public records with, under the recording laws, impart constructive notice of matters relative to the following described real property:

Lot 95, PLAT OF KACHESS, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 6 of Plats, pages 64 through 68, records of said County.

Title to said real property is vested in:

Daniel J. Menser and Maria H. Menser, husband and wife, and Timothy W. Cranton, a single person and David M. Andrew, a single man

END OF SCHEDULE A

(SCHEDULE B)

Order No: 158022AM
Policy No: 72156-45618098

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

EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Unpatented mining claims; reservations or exceptions in the United States Patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
3. Title to any property beyond the lines of the real property expressly described herein, or title to streets, roads, avenues, lanes, ways or waterways on which such real property abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.
4. Any lien for service, installation, connection, maintenance, tap, capacity or construction or similar charges for sewer, water, electricity, natural gas or other utilities, or for garbage collection and disposal not shown by the Public Records
5. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
6. General Taxes and Assessments – total due may include fire patrol assessment, weed levy assessment and/or irrigation assessment, if any. Taxes noted below do not include any interest or penalties which may be due after delinquency.

Note: Tax year runs January through December with the first half becoming delinquent May 1st and second half delinquent November 1st if not paid. For most current tax information or tax printouts visit: or call their office at (509) 962-7535.

Tax Year: 2017
Tax Type: County
Total Annual Tax: \$544.76
Tax ID #: 636735
Taxing Entity: Kittitas County Treasurer
First Installment: \$277.38
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2017
Second Installment: \$277.38
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2017

7. Liens, levies and assessments of the Kachess Community Association.

Subdivision Guarantee Policy Number: 72156-45618098

8. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: United States Forest Service
Purpose: West Kachess Forest Service Road No. 2146
Recorded: January 10, 1966
Instrument No.: 326852
Affects: NW Quarter and SW Quarter of NW Quarter and All of the SW Quarter
9. Easements, rights, restrictions and reservations as contained in Deed,
Recorded: May 31, 1973 and June 26, 1973,
Instrument No.: 383247.

Amendment to Easement dated January 16, 1975 and recorded January 23, 1975,
under Auditor's File No. 394774.

10. The provisions contained on the Plat of Kachess,
Recorded: November 15, 1974 in Book 6 of Plats, pages 64 through 68,
Instrument No.: 393674.
As follows: a) Rights granted to the public in the dedication of the plat of the road of Via Kachess
b) Restrictions contained on the face of the Plats as follows:
"The costs of construction, maintaining and snow removal of all the roads, streets and alleys within this plat and all access roads to this plat shall be the obligation of a non-profit corporation composed of all the owners of the lots of the plat and of any additional plats that may be served by these roads, streets and alleys. In the event that the owners of any of the lots of this plat or any additional plats shall petition the County Commissioners to include the roads in the county road system, it is understood that the roads shall first be built up to minimum county standards by said non-profit corporation.
c) An easement is hereby reserved for and granted to Puget Sound Power and Light Company and Pacific Northwest Bell Company and their respective successors and assigns under and upon the exterior 5 feet of front and rear boundary lines and under and upon the exterior 2.5 feet of side boundary lines of all lots in which to install, lay, construct, renew, operate and maintain overhead or underground conduits, cables and wires with necessary facilities and other equipment for the purpose of serving the subdivision and other property with electric and telephone service, together with the right to enter upon the lots at all times for the purposes stated; also hereby granted is the right to use the streets for the same purposes.
11. Amended and Revised Declaration of Covenants, Conditions and restrictions and Notice of Subjection of Assessments of Liens, executed by Kachess Village Associates, but omitting any covenant or restriction based on race, color, religion, sex, sexual orientation, disability, handicap, familial status, marital status, ancestry, national origin or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
Recorded: October 7, 1976
Instrument No.: 408260

Said Amended and Revised Declaration of Covenants, Conditions and Restriction were further amended by document recorded September 17, 2004 under Auditor's File No. 200409170048 and recorded May 30, 2012 under Auditor's File No. 201205300003.

Said Amendments of Covenants amend previous Declaration of Covenants recorded April 23, 1975 under Auditor's File No. 396440.

12. At the request of the insured, we have agreed to eliminate any reference in the policy to issue as to the pendency of Yakima County Superior Court Cause No. 77-2-01484-5 on the agreed-upon understanding that there are no provisions in said policy which afford, or are intended to afford, insurance that there is a present or continuing right to use surface waters of the Yakima River Drainage Basin. The sole purpose of said paragraph appearing in our Guarantee was to advise the insured that such an action is pending of record and that judgment adjudicating such surface waters are being sought in accordance with the statutes of the State.
13. Mutual Easement and Road Maintenance Agreement, including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Between: Daniel J. Menser and Maria H. Menser, husband and wife, and Steven J. King
Purpose: Ingress, egress, access and utilities
Recorded: February 7, 2008
Instrument No.: 200802070003
Affects: Portion of said premises

This document contains maintenance provisions.

14. Agreement and the terms and conditions contained therein
Between: Kachess Community Association
And: Kittitas County, Washington
Purpose: Non-Exclusive Water and/or Sewer Franchise to Use County Roads, Rights-of-Way and other county Property
Recorded: June 1, 2009
Instrument No.: 200906010051

END OF EXCEPTIONS

Notes:

- a. Your order for title work calls for a search of property that is identified only by a street address or tax identification number. Based on our records, we believe that the description in this commitment describes the land you have requested we insure, however, we can give no assurance of this.
To prevent errors and to be certain that the proper parcel of land will appear on the documents and on the policy of title insurance, we require verification of the legal description used for this commitment.
- b. All documents recorded in Washington State must include an abbreviated legal description and tax parcel number on the first page of the document. The abbreviated description for this property is: Lot 95, PLAT OF KACHESS, Book 6 of Plats, pages 64 through 68.
- c. Note No. 1: Any map or sketch enclosed as an attachment herewith is furnished for informational purposes only to assist in property location with reference to streets and other parcels. No

representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

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

END OF GUARANTEE

CHICAGO TITLE INSURANCE COMPANY

Policy No. 72156-45618099

GUARANTEE


CHICAGO TITLE INSURANCE COMPANY, a Nebraska corporation, herein called the Company, guarantees the Assured against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

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

PLEASE NOTE CAREFULLY THE LIABILITY EXCLUSIONS AND LIMITATIONS AND THE SPECIFIC ASSURANCES AFFORDED BY THIS GUARANTEE. IF YOU WISH ADDITIONAL LIABILITY, OR ASSURANCES OTHER THAN AS CONTAINED HEREIN, PLEASE CONTACT THE COMPANY FOR FURTHER INFORMATION AS TO THE AVAILABILITY AND COST.

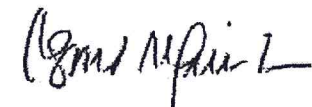
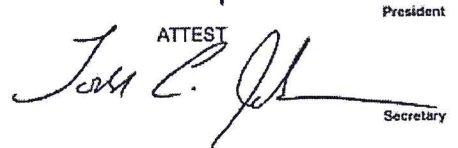
Dated: March 3, 2017

Issued by:
 AmeriTitle, Inc.
 101 W Fifth
 Ellensburg, WA 98926
 (509)925-1477


 Authorized Signer

CHICAGO TITLE INSURANCE COMPANY



By: 
 ATTEST 
 President Secretary

Note: This endorsement shall not be valid or binding until countersigned by an authorized signatory.

Subdivision Guarantee Policy Number: 72156-45618099

SUBDIVISION GUARANTEE

Order No.: 158024AM
Guarantee No.: 72156-45618099
Dated: March 3, 2017

Liability: \$1,000.00
Fee: \$350.00
Tax: \$28.70

Your Reference: Via Kachess Road

Assured: 808s LLC Professional Land Surveying

The assurances referred to on the face page are:

That, according to those public records with, under the recording laws, impart constructive notice of matters relative to the following described real property:

Lot 96, PLAT OF KACHESS, in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 6 of Plats, pages 64 through 68, records of said County.

Title to said real property is vested in:

David Andrew, also known as David M. Andrew, a single person and Timothy Cranton, also known as Timothy W. Cranton, a single person, each as to an indeterminate interest

END OF SCHEDULE A

(SCHEDULE B)

Order No: 158024AM
Policy No: 72156-45618099

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

EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Unpatented mining claims; reservations or exceptions in the United States Patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
3. Title to any property beyond the lines of the real property expressly described herein, or title to streets, roads, avenues, lanes, ways or waterways on which such real property abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.
4. Any lien for service, installation, connection, maintenance, tap, capacity or construction or similar charges for sewer, water, electricity, natural gas or other utilities, or for garbage collection and disposal not shown by the Public Records
5. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
6. General Taxes and Assessments – total due may include fire patrol assessment, weed levy assessment and/or irrigation assessment, if any. Taxes noted below do not include any interest or penalties which may be due after delinquency.

Note: Tax year runs January through December with the first half becoming delinquent May 1st and second half delinquent November 1st if not paid. For most current tax information or tax printouts visit: or call their office at (509) 962-7535.

Tax Year: 2017
Tax Type: County
Total Annual Tax: \$1,878.59
Tax ID #: 916735
Taxing Entity: Kittitas County Treasurer
First Installment: \$939.30
First Installment Status: Due
First Installment Due/Paid Date: April 30, 2017
Second Installment: \$939.29
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2017

7. Liens, levies and assessments of the Kachess Community Association.
Subdivision Guarantee Policy Number: 72156-45618099

8. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: United States Forest Service
Purpose: West Kachess Forest Service Road No. 2146
Recorded: January 10, 1966
Instrument No.: 326852
Affects: NW Quarter and SW Quarter of NW Quarter and All of the SW Quarter

9. Easements, rights, restrictions and reservations as contained in Deed,
Recorded: May 31, 1973 and June 26, 1973,
Instrument No.: 383247.

Amendment to Easement dated January 16, 1975 and recorded January 23, 1975,
under Auditor's File No. 394774.

10. The provisions contained on the Plat of Kachess,
Recorded: November 15, 1974 in Book 6 of Plats, pages 64 through 68,
Instrument No.: 393674.

As follows: a) Rights granted to the public in the dedication of the plat of the road of Via Kachess
b) Restrictions contained on the face of the Plats as follows:

"The costs of construction, maintaining and snow removal of all the roads, streets and alleys within this plat and all access roads to this plat shall be the obligation of a non-profit corporation composed of all the owners of the lots of the plat and of any additional plats that may be served by these roads, streets and alleys. In the event that the owners of any of the lots of this plat or any additional plats shall petition the County Commissioners to include the roads in the county road system, it is understood that the roads shall first be built up to minimum county standards by said non-profit corporation.

c) An easement is hereby reserved for and granted to Puget Sound Power and Light Company and Pacific Northwest Bell Company and their respective successors and assigns under and upon the exterior 5 feet of front and rear boundary lines and under and upon the exterior 2.5 feet of side boundary lines of all lots in which to install, lay, construct, renew, operate and maintain overhead or underground conduits, cables and wires with necessary facilities and other equipment for the purpose of serving the subdivision and other property with electric and telephone service, together with the right to enter upon the lots at all times for the purposes stated; also hereby granted is the right to use the streets for the same purposes.

11. Amended and Revised Declaration of Covenants, Conditions and restrictions and Notice of Subjection of Assessments of Liens, executed by Kachess Village Associates, but omitting any covenant or restriction based on race, color, religion, sex, sexual orientation, disability, handicap,

familial status, marital status, ancestry, national origin or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

Recorded: October 7, 1976

Instrument No.: 408260

Said Amended and Revised Declaration of Covenants, Conditions and Restriction were further amended by document recorded September 17, 2004 under Auditor's File No. 200409170048 and recorded May 30, 2012 under Auditor's File No, 201205300003.

Said Amendments of Covenants amend previous Declaration of Covenants recorded April 23, 1975 under Auditor's File No. 396440.

12. At the request of the insured, we have agreed to eliminate any reference in the policy to issue as to the pendency of Yakima County Superior Court Cause No. 77-2-01484-5 on the agreed-upon understanding that there are no provisions in said policy which afford, or are intended to afford, insurance that there is a present or continuing right to use surface waters of the Yakima River Drainage Basin. The sole purpose of said paragraph appearing in our Guarantee was to advise the insured that such an action is pending of record and that judgment adjudicating such surface waters are being sought in accordance with the statutes of the State.
13. Agreement and the terms and conditions contained therein
Between: Kachess Community Association
And: Kittitas County, Washington
Purpose: Non-Exclusive Water and/or Sewer Franchise to Use County Roads, Rights-of-Way and other county Property
Recorded: June 1, 2009
Instrument No.: 200906010051
14. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$296,811.00
Trustor/Grantor: David M. Andrew, a single person and Timothy W. Cranton, a single person
Trustee: Northwest Trustee Services
Beneficiary: Wells Fargo Bank, N.A.
Dated: November 15, 2011
Recorded: December 5, 2011
Instrument No.: 201112050059

END OF EXCEPTIONS

Notes:

Subdivision Guarantee Policy Number: 72156-45618099

- a. Your order for title work calls for a search of property that is identified only by a street address or tax identification number. Based on our records, we believe that the description in this commitment describes the land you have requested we insure, however, we can give no assurance of this.

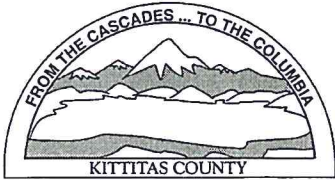
To prevent errors and to be certain that the proper parcel of land will appear on the documents and on the policy of title insurance, we require verification of the legal description used for this commitment.

- b. All documents recorded in Washington State must include an abbreviated legal description and tax parcel number on the first page of the document. The abbreviated description for this property is: Lot 96, PLAT OF KACHESS, Book 6 of Plats, pages 64 through 68.

Note No. 1: Any map or sketch enclosed as an attachment herewith is furnished for informational purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

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

END OF GUARANTEE



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

RECEIPT NO.: 00033833

COMMUNITY DEVELOPMENT SERVICES
(509) 962-7506

PUBLIC HEALTH DEPARTMENT
(509) 962-7698

DEPARTMENT OF PUBLIC WORKS
(509) 962-7523

Account name: 032657

Date: 5/9/2017

Applicant: MENSER, DANIEL J ETUX

Type: check # 1155

<u>Permit Number</u>	<u>Fee Description</u>	<u>Amount</u>
BL-17-00008	BOUNDARY LINE ADJUSTMENT MAJOR	730.00
BL-17-00008	BLA MAJOR FM FEE	145.00
BL-17-00008	PUBLIC WORKS BLA	90.00
BL-17-00008	ENVIRONMENTAL HEALTH BLA	215.00
	Total:	1,180.00