

Jefferson County
Board of Commissioners
Agenda Request

To: Board of Commissioners
Mark McCauley, County Administrator
From: Monte Reinders, Public Works Director/County Engineer
Agenda Date: August 7, 2023
Subject: Open Right-of-Way Request - Charles St.

Statement of Issue:

Public Works has received an application to open a portion of platted Charles St. right-of-way for approximately 450 feet for access to the Applicant's parcel.

Analysis/Strategic Goals/Pro's & Con's:

The proposed area of right-of-way to be opened is located within the Plat Irondale Acre Tracts. This road is not proposed to be a County Road, therefore the County will not be responsible for maintenance should this request be approved.

Per RCW 36.80.030, the supervision of right of way, including the development of road standards is under the review of the County Engineer, acting under the supervision and authority of the Board of County Commissioners. The County Engineer has prepared standards for opening County right-of-way at this location as outlined in the attached report.

Fiscal Impact/Cost Benefit Analysis:

There will be no cost to the County for maintenance or construction should this right-of-way be opened.

Recommendation:

Jefferson County Public Works recommends approval of this application to open a portion of platted Charles St. for approximately 450 feet, as outlined on the attached Engineer's Report. The Board is asked to sign the Resolution and return to Public Works.

Department Contact:

Terry Duff 360-385-9159

Reviewed By:


Mark McCauley, County Administrator

8/1/23
Date

STATE OF WASHINGTON
COUNTY OF JEFFERSON

In the Matter of a Resolution)
to Construct a Road and Stormwater)
Improvements on a) Resolution No. _____
Portion of Public Right of Way)
Known as Charles St.)

WHEREAS, an application to open a public right-of-way has been submitted by Cary Casal ("the applicant") for the purpose of providing access to her property, and

WHEREAS, said development will require opening approximately 450 feet of platted Charles St. and

WHEREAS, the Revised Code of Washington (RCW) 36.75 and 36.80 authorizes the Board of County Commissioners ("the Board") to establish, examine, survey construct, alter, repair, improve and maintain county roads, and that the County Engineer shall supervise such road improvements under the direction of the Board, and

WHEREAS, the County Engineer has examined the subject right of way and the existing road system and the potential for future development and recommends that this request be approved provided the standards described in the County Engineer's report dated July 26, 2023 are followed, and

WHEREAS, the applicant, and not the County, will be responsible for the maintenance of this section of roadway and its associated stormwater improvements and that the road will not be added to the official County Road log until such time as the road is improved to public road standards and added to the County Road Log through Board action, and

WHEREAS, in lieu of requiring the road to be constructed to full public road standards at this time, the applicant will be required to sign a No Protest Agreement waiving the right to protest formation of a pro-rata cost sharing arrangement such as a Road Improvement District (RID) should the subject right of way be included within a designated improvement area, whether the formation of the RID is proposed by petition or a resolution of the Board of County Commissioners,

NOW, THEREFORE BE IT RESOLVED, that applicant shall be granted permission to open the following right of way:

A portion of platted Charles St. starting at the end of the Kingfisher Pl., at mile post 0.37 running northerly a distance of approximately 450 feet for access to parcel 962700021.

BE IT FURTHER RESOLVED, that roads shall be constructed in general conformance with the standards recommended in the County Engineer's report dated July 26, 2023.

BE IT FINALLY RESOLVED, that prior to performing construction the applicant shall receive any and all necessary permits including a permit from the Department of Public Works specifying any conditions that will be required by the County Engineer to ensure that said standards are met and that the applicant shall pay any inspection costs incurred by the Public Works Department to ensure that these standards are met.

ADOPTED this _____ day of _____, 2023.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

Kate Dean, District 1

Heidi Eisenhour, District 2

Greg Brotherton, District 3

ATTEST:

Carolyn Galloway
Clerk of the Board

**Jefferson County Public Works Department
County Engineer's Report
Open Right-of-Way Portion of Platted Charles St., Irondale Acre Tracts**

This Report is in response to an Open Right-of-Way Permit application (Exhibit A) submitted by Cary Casal. The intent of the County Engineer's Report is to evaluate and provide preliminary design parameters/criteria to facilitate the appropriate design of the project. After agency approval of all documents required by this report the applicant shall be issued a permit by the Public Works Department.

PROJECT DESCRIPTION

Plat name: Irondale Acre Tracts

Road / Street Name: Platted Charles St.

Adjacent to: Assessor Parcels #901132001, 962700022 & 962700021

Distance: Approximately 450 feet

Sections 13, Township 29 North, Range 1 W

The road is not proposed to be a County Road (Exhibit B = Site Plan).

EXISTING CONDITIONS

This Permit would officially open a segment of platted Charles St. (aka Washington Ln.) right-of-way (subject ROW) to provide access to the Applicant's parcels #962700021.

The access to this segment of Charles St. will come off the end of the privately maintained segment of Kingfisher Pl. at mile post 0.37 at a 90 degree angle and run northerly for approximately 450 feet to provide access to Applicant's parcel #962700021. This segment of Charles St. right-of-way has been improved without permits to a 9 foot wide drivable area. The privately maintained segment of Kingfisher Pl. connecting to the end of the County maintained road segment was previously developed under an Open Right-of-Way permit (RAP2009-00053). The Engineer's Report for the 2009 Open Right-of-Way permit called for two 9-foot wide lanes and 2-foot shoulders. This segment of Kingfisher Pl. will be rehabilitated to the 2009 standard, together with an extension of platted Charles St. to the south based on a recent Open Right-of-Way Permit, (RAP2022-00011).

The owners of parcel #962700022 located at 356 Kingfisher Pl submitted comments regarding the opening of this segment of Charles St. (See Exhibit I).

DESIGN STANDARDS

Roads shall be constructed to the County's adopted County Road design standards:

- American Association of State Highway and Transportation Officials (AASHTO) *Policy on Geometric Design of Highways and Streets (most current version)*,
- Washington Department of Transportation (WSDOT) *Design Manual and Standard Specifications for Road, Bridge and Municipal Construction*,

- Jefferson County Unified Development Code JCC 18.30.060 Grading, JCC 18.30.070 Stormwater, and JCC 18.30.080 Roads.

Based on proposed use, the topography and critical areas, it is not likely that this right-of-way will connect to other platted rights-of-ways within Irondale Acre Tracts. The minimum typical section required for this segment of platted Charles St. will be for a "Rural Access Road" (see Exhibit C). The request to open this proposed segment of road is not for a county maintained roadway, therefore, it is not required to be paved and the applicant will be responsible for the maintenance of this section of roadway.

RIGHT-OF-WAY

Platted right-of-way width: Sixty feet is the AASHTO recommended ROW width in rural county areas. The current ROW width as platted is 60 feet. This width appears adequate in this case.

Right-of-way centerline location

Roadways shall be constructed on the right-of-way centerline unless this is not feasible due to topography, environmental conditions (e.g., wetlands, water bodies, unstable slopes), or transitions to existing roads.

Prior to construction, the right-of-way centerline shall be staked by a licensed professional land surveyor or located in the field based on existing monuments or property corners set by a licensed professional land surveyor.

DESIGN SPEED

Speed limit may be less than 25

This is a privately maintained dead-end road on public right-of-way, and no posted speed limit is required.

DESIGN TRAFFIC VOLUME

The projected Average Daily Traffic (ADT) per residence is between 6-10 trips per day. This segment of right-of-way, when opened, will provide access to two parcels.

SIGHT DISTANCE

Adequate sight distance must be met based on the criteria within the WSDOT design manual, Chapter 1340 and/or the AASHTO design manual.

ROADWAY CONSTRUCTION PLANS

The proponent shall construct the roadway to the minimum standards depicted on the Typical Section shown in Exhibit C.

The proponent shall submit road construction plans prepared and stamped by a licensed civil engineer to the Public Works Department for review prior to commencing construction.

Road Construction Plan general requirements

Road plans shall meet the following general requirements:

- Be prepared by a licensed Washington state civil engineer;
- Include a plan view and a profile view;
- A scale of 1 inch = 50 feet or less;
- Depict the typical section;
- Depict project limits;
- Depict right-of-way centerline;
- The design shall accommodate both existing and future lot access and utility service.

Plan View

The plan view shall at a minimum depict:

- Horizontal alignment of the proposed centerline at 50 feet stations;
- Horizontal curve data;
- Cut and/or fill slopes;
- Drainage facilities: Existing and proposed, including culvert size, length, and material; centerline station and elevation; slope, and skew angle;
- Stormwater management facilities;
- Utilities: Existing and proposed, both above and below ground; and
- Any existing or proposed features that would be affected by the proposed road construction, whether in or outside of the right-of-way.

Profile View

The profile view shall at a minimum depict:

- Existing elevations and proposed finished grades at 50 feet stations;
- Vertical curve data; and
- Drainage facilities.

MINIMUM STRUCTURAL SECTION

Privately-maintained roads: The typical cross-section consists of a minimum of 4 inches compacted crushed surfacing base course over compacted subgrade, and 2 inches of compacted crushed surfacing top course. (See Exhibit C) An alternative structural section may be proposed based on analysis by a licensed civil engineer.

All materials used in the construction of the structural section shall meet the requirements of the WSDOT *Standard Specifications for Road, Bridge and Municipal Construction*.

SURFACING

Privately-maintained roads: An improved roadway surface (asphalt or bituminous surface treatment) is not required.

MATERIALS TESTING

Privately-maintained roads: The applicant shall be responsible for ensuring that materials and construction methods conform to WSDOT *Standard Specifications*. At its discretion, the Public

Works Department may direct replacement of materials that do not meet specifications or require testing of materials that appear not to meet specifications.

CROSS SLOPES

Local Access Roads shall either be crowned at 2% on centerline, or, 2% across the full width of the road.

ROAD GRADE

Privately-maintained roads:

- Road grades shall not exceed 12% without prior approval by the appropriate Fire District.
- Roads grades exceeding 12% may require an improved roadway surface, either hot mix asphalt (HMA) or bituminous surface treatment (BST).
- Road grades shall never exceed 15%.

EMERGENCY TURNAROUNDS

A turnaround area is required and shall conform to the Public Works Department's adopted design standards. See Exhibit C.

HORIZONTAL CLEARANCE TO OBSTRUCTIONS

For roads with a posted speed limit of 25 MPH or less, a 10 feet wide clear zone shall be maintained between the edge of traveled way and any obstructions.

UTILITIES

Utility installations shall meet the requirements of the Jefferson County Code, Chapter 13.56 Utilities. Any utilities installed within the right-of-way require review and approval for installation and location within the right-of-way as determined through the Department of Public Works utility permit process.

STREET LIGHTING

No street lighting is required. If the Applicant desires to install a street light, all costs associated with the installation and maintenance are the responsibility of the Applicant and shall be coordinated with the Jefferson County PUD#1.

ROAD APPROACHES

The approach to Applicant's parcel off platted Charles St. shall meet the requirements for a residential approach (Exhibit D). The approach shall be an integral part of the roadway and constructed at a location acceptable to the parcel owner(s).

GATES

This road will not be maintained at public expense. The Applicant will be required to maintain the roadway. Installation of gates, barriers, or signs that block the public's use of this right-of-way after the road is constructed are NOT allowed.

DRAINAGE, EROSION CONTROL, AND STORMWATER MANAGEMENT

The Jefferson County Unified Development Code, Section 18.30.070 Stormwater Management Standards adopts the standards of the Washington Department of Ecology *Stormwater Management Manual for Western Washington (most current version)*.

A Stormwater Management Permit is required for projects that exceed 2,000 square feet of impervious surface or 7,000 square feet of land-disturbing activity. See Exhibit E for comments from the Department of Community Development. The proponent shall contact the Jefferson County Department of Community Development to discuss stormwater permit requirements and application procedures:

Jefferson County Department of Community Development
612 Sheridan Street
Port Townsend, WA 98368
(360) 379 - 4450

ROAD AND STORMWATER MAINTENANCE AND NO PROTEST AGREEMENT

A Road and Stormwater Maintenance and No Protest Agreement is required for this facility to be located on public right-of-way.

Per County Resolution 05-23, residential streets, particularly dead end streets/cul-de-sacs, do not meet the required public necessity/general public benefit criteria required for establishment of a County Road and therefore will not be accepted into the County Road system. Such roads, even though within a public right-of-way, shall be privately maintained.

Due to the projected average daily traffic (ADT) of the proposed road segment, the applicant will be permitted to construct a privately maintained road on public right-of-way to a standard less than that of a County Road.

The County Engineer recommends approval to open a segment of public right-of-way to construct a privately maintained road based upon the criteria in this report.

The Applicant must sign a Road and Stormwater Maintenance and No Protest Agreement in order to **(a)** accept responsibility for all road and associated stormwater maintenance, and **(b)** enter into an agreement with the County not to protest the formation of a future Road Improvement District (RID) or other pro rata cost sharing mechanism to improve the roadway should improvements become necessary whether proposed by petition or by resolution of the Board of County Commissioners, or by both petition and resolution. See Exhibit F for this Agreement.

ROADWAY CONSTRUCTION DOCUMENTATION, CERTIFICATION, AND MONUMENTATION

Construction Documentation

The applicant shall provide the Public Works Department with complete road plans in electronic format that can be printed to scale on 11x17 inch paper. Since this will be a privately maintained gravel road, although the road centerline must be established by a licensed

surveyor prior to construction, centerline monumentation is not required. Following completion of roadway construction, the proponent shall submit to Public Works complete "As-Built" or "As Constructed" record drawings. The drawings shall reflect any changes made to the original design. The proponent or designee shall keep detailed records of the as constructed locations of all surface and subsurface facilities to be included on the record As-Built or As-Constructed drawings.

Construction Certification

Certain items will need to be inspected during construction of these roadways. These requirements will be identified once complete plans have been submitted to Public Works for review.

Following completion of roadway construction the proponent shall submit to Public Works a letter, affixed with the professional stamp of the Engineer of Record, certifying that the roadway and stormwater management facilities have been constructed in accordance with the design plans and specifications and all applicable federal, state and local agency requirements.

PERMIT

This report is not a Permit.

After the review and approval of all documents, plans, and/or reports required by this report, and within three (3) years from the date of Board of County Commissioners approval of this report, and prior to initiating construction, the applicant shall be issued a permit by the Public Works Department. This Permit specifically outlines the arrangement between the applicant and the County for work on public right-of-way by the applicant. The Permit will specify insurance and bonding requirements, general provisions, and other requirements that are applicable for work to be performed in County right-of-way. The Permit, once issued, will be valid for one year from the date it is issued. The road right-of-way will not be considered to be opened until all conditions of the permit are met and the permit is finalized. A sample copy of a Permit is attached as Exhibit G.

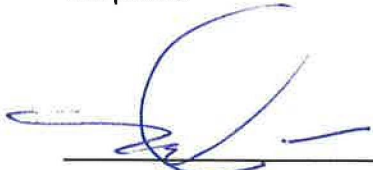
OTHER PERMITS

Other permits and/or environmental review may be required for this project per Jefferson County Unified Development Code (UDC). Any questions concerning the necessity of other permits and/or environmental review and the processes should be directed to the Jefferson County Department of Community Development, 612 Sheridan Street, Port Townsend, WA 98368, Phone (360) 379-4450.

RECOMMENDATION:

Public Works recommends that this request to open County right-of-way to the standards and requirements listed above be approved. This recommendation will be forwarded to the Jefferson County Board of County Commissioners for approval by way of Resolution (Draft Exhibit H). Once completed, inspected and all permit conditions met, the permit will be put in a

'Final' status and this road will be considered to be opened but will be privately maintained and not become part of the County road system. The right-of-way, however, is public and shall remain open to the public.

A handwritten signature in blue ink, appearing to read 'Monte Reinders', is written over a horizontal line.

Monte Reinders, P.E.
Public Works Director / County Engineer

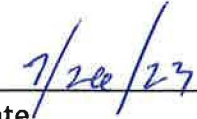
A handwritten date '7/20/23' in blue ink is written over a horizontal line.
Date

EXHIBIT A



Department of Public Works

623 Sheridan St, Port Townsend, WA 98368 | 360-385-9160

Office use only

Permit # RAP23-11
Receipt # 00478
Check # 3439
Date paid 4-19-23
Mile post _____

OPEN RIGHT-OF-WAY PERMIT APPLICATION - 2023

\$1,051.00 Fee

Make check payable to Jefferson County. Additional fees will apply per ordinance 02-0312-12.

Applicant Information

Cary Casal
Property Owner
360-301-1778 CasalHomes@yahoo.com
Phone Email
PO Box 94
Mailing Address
Port Hadlock, WA 98339
City, State, Zip

Designation of Agent (fill out only if applicable)

Designated Agent

Phone Email

Mailing Address

City, State, Zip

Project Information

Purpose for request to open right-of-way: Access To Property

Name of road/right-of-way to be opened: Washington / Charles

Total length of right-of-way to be opened: 450'

Property parcel number(s): 962700021

Name of plat where road is located: _____

Attach any recorded surveys (list volume and page numbers): _____

Nearest cross street: Kingfisher

Other permits associated with this request (e.g. septic, building, stormwater): septic building

Will you be installing any utilities within the right-of-way? power and water

Site Map

Attach a site plan or plat map that identifies the right-of-way to be opened and the parcels you own. The map must include the cross street access point, access location to the applicant's property, and scale.

Acknowledgements and Signature

By signing the application form, the undersigned Applicant attests that the information provided herein is true and correct to the best of his/her knowledge and agrees to all conditions on the permit. The Applicant also certifies that this application is being made with the full knowledge and consent of all owners of the affected property. Any material falsehood or any omission of material fact made by the Applicant/Owner with respect to this application packet may result in this permit being null and void.

The Applicant has read this disclaimer and signs and dates it below.

C/C
Property Owner or Designated Agent Signature

4/17/23
Date

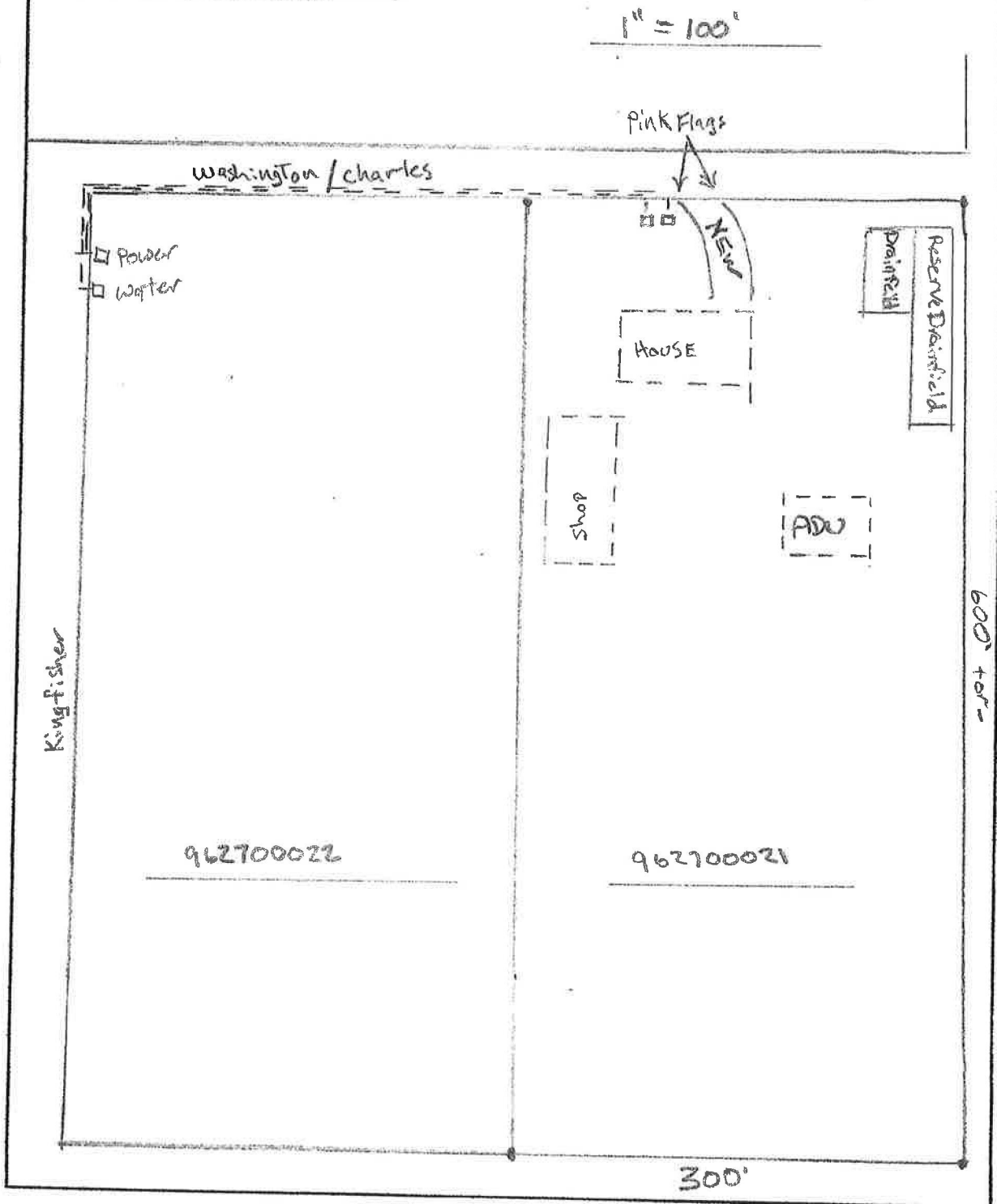
Site Map

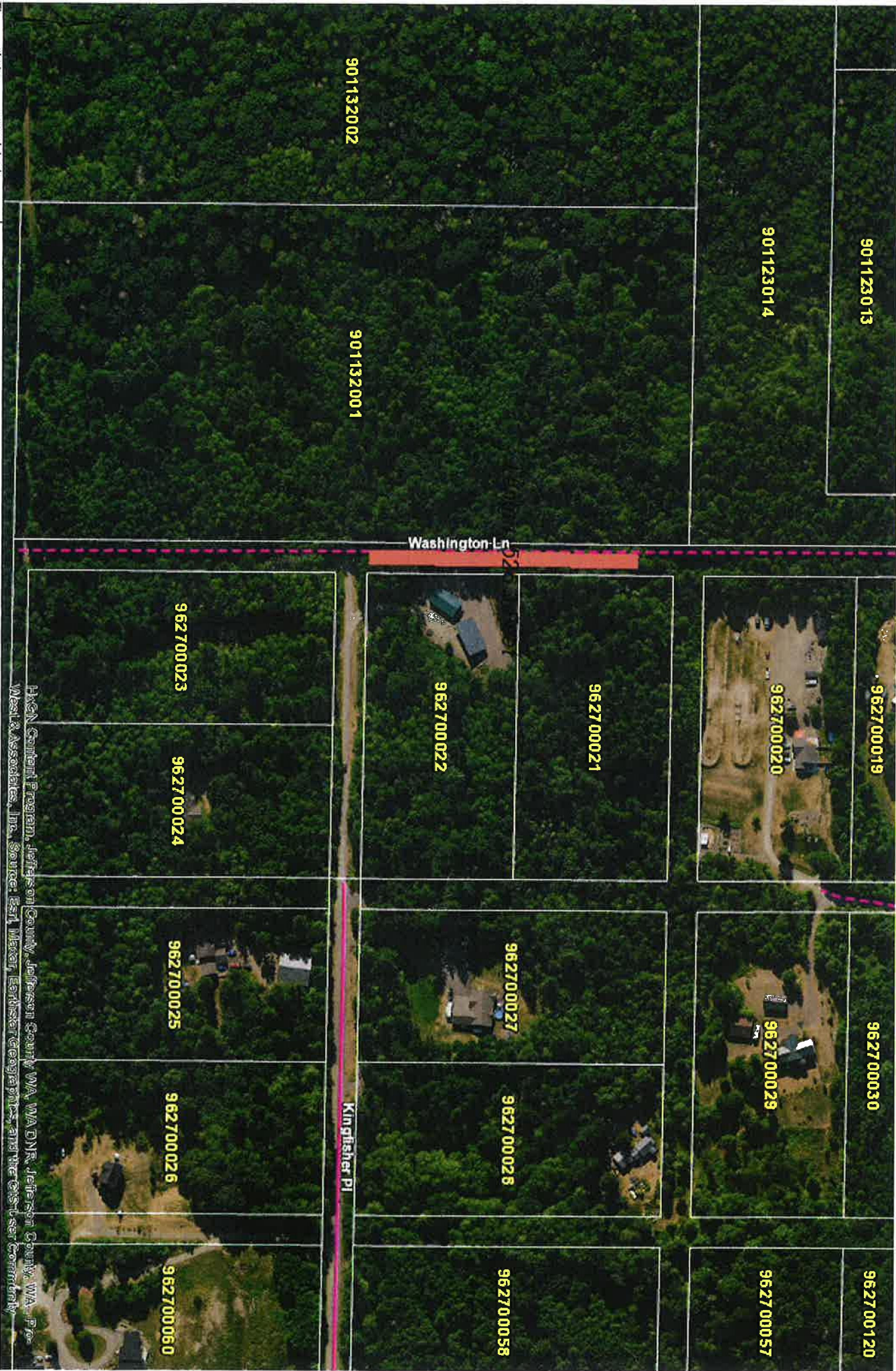
Attach or draw a site plan or plat map that identifies the right-of-way to be opened and the parcels you own. **The map must include the cross street access point, access location to the applicant's property, and scale.**

EXHIBIT B

Site Map

Attach a site plan or plat map OR draw a detailed sketch below identifying the owner's parcels and desired access location. The map must clearly show the access location and how it will be marked on the property (e.g. colored flags, stakes).





901123013

901123014

901132002

901132001

962700019

962700020

962700021

962700022

962700023

962700024

962700030

962700029

962700027

962700028

962700025

962700026

962700120

962700057

962700058

962700060

Map Content Program, Jefferson County, WA, WA DNR, Jefferson County, WA, Pro- West & Associates, Inc. Source: Esri, Mapbox, Earthstar Geographics, and the GIS User Community

Jefferson County, WA

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

1,4,514

Date: 4/20/2023



PROCEDURES:
GLOBAL POSITIONING SYSTEM (GPS) FAST STATIC
METHOD COMBINED WITH TERRESTRIAL TRAVERSE
METHODS WITH CLOSURES THAT MEET OR EXCEED
THE STANDARDS CONTAINED IN WAC 332-130-090.

EQUIPMENT:
SOKKIA SET-38, 3" TOTAL STATION
THREE GPS "TRIMBLE NAVIGATION SYSTEM",
MODEL "4600 LS" SINGLE FREQUENCY RECEIVERS.

DATE OF FIELD WORK:
NOVEMBER, 2006, THROUGH AUGUST, 2012

RECORD OF SURVEY

A PORTION OF
IRONDALE ACRE TRACTS (VOL. 2 OF PLATS, PG. 145)
IN THE EAST 1/2, SECTION 12, AND THE NORTH EAST 1/4, SECTION 13
TOWNSHIP 29 NORTH, RANGE 1 WEST, W.M.,
AND A PORTION OF GOVT LOT 3, SECTION 7, TOWNSHIP 29 NORTH, RANGE 1 EAST, W.M.
JEFFERSON COUNTY, WASHINGTON
PREPARED FOR
TUKEY INVESTMENTS, LLC

NOTES:

- 1) THIS SURVEY DOES NOT PURPORT TO SHOW THE EXISTENCE OF ALL EASEMENTS AND OR ENCUMBRANCES RECORDED OR UNRECORDED THAT MAY AFFECT THESE PROPERTIES.
- 2) FOR DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS THAT AFFECT THESE PROPERTIES SEE AUDITOR'S FILE NO. 512544, RECORDS OF JEFFERSON COUNTY, WASHINGTON.

FOR PERTINENT SURVEYS OF RECORD SEE:

VOLUME 2 OF SURVEYS, PAGE 5
VOLUME 15 OF SURVEYS, PAGES 99 AND 100
VOLUME 24 OF SURVEYS, PAGE 67
VOLUME 24 OF SURVEYS, PAGE 196
VOLUME 31 OF SURVEYS, PAGE 124

LEGEND: UNLESS OTHERWISE NOTED

-SET A 2" DIAM. BRASS CAP WITH PUNCH MARK STAMPED "LS 35986" SET IN CONCRETE INSIDE STEEL CASE
-FOUND SURVEY MONUMENT AS NOTED
-FOUND A 5/8" DIAM. REBAR WITH A PLASTIC SURVEY CAP MARKED "A. WOODS PLS 23911" (SET PER VOL. 24 OF SURVEYS, PAGE 196 OR VOL. 24 OF SURVEYS, PAGE 67)
-SET A 5/8" DIAM. REBAR WITH A PLASTIC SURVEY CAP MARKED "VAN ALLER LS 35986"
-5/8" DIAM. REBAR WITH A PLASTIC SURVEY CAP MARKED "VAN ALLER LS 35986" (SET PER VOL. 31 OF SURVEYS, PG. 124)

-TUKEY INVESTMENTS OWNERSHIP TRACTS
-PLATTED TRACT LINE
-SECTION SUBDIVISION LINE
-PLATTED STREET CENTER LINE
-EDGE OF INGRESS, EGRESS AND UTILITY EASEMENT
-EDGE OF STORM WATER EASEMENT

CURVE TABLE

NUMBER	DELTA	ANGLE	RADIUS	ARC LENGTH
C1	75°59'03"		100.00'	132.62'
C2	63°36'13"		126.45'	140.38'
C3	79°23'33"		125.00'	173.21'
C4	15°47'20"		125.00'	34.45'
C5	23°25'57"		275.00'	112.47'
C6	57°15'20"		275.00'	274.81'
C7	16°39'28"		275.00'	79.95'
C8	08°34'25"		275.00'	41.15'
C9	14°21'11"		275.00'	68.89'
C10	18°56'28"		275.00'	90.91'
C11	20°16'19"		275.00'	97.30'
C12	00°23'41"		2864.79'	19.73'
C13	03°47'31"		2864.79'	189.60'
C14	15°39'15"		2864.79'	782.71'

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N 42°10'53" W	70.66'
L2	S 61°50'04" W	51.32'
L3	S 119°42' W	40.15'
L4	N 121°05' E	21.72'
L5	S 81°12'39" W	26.01'
L6	S 64°33'11" W	102.32'
L7	S 53°29'54" W	43.12'
L8	S 88°55'20" E	127.16'
L9	S 87°25'21" E	59.18'
L10	N 01°15'31" E	120.02'
L11	N 02°32'03" W	130.48'

AUDITOR'S CERTIFICATE

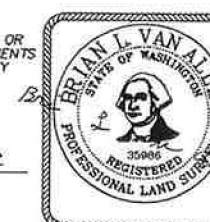
FILED FOR RECORD THIS 30 DAY OF November 2012, AT 2:17 P.M.
IN BOOK 36 OF SURVEYS, PAGE 97 RECORDS OF JEFFERSON COUNTY,
WASHINGTON AT THE REQUEST OF VAN ALLER SURVEYING.

Bonnie Shaffad
DEPUTY COUNTY AUDITOR

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF TUKEY INVESTMENTS, LLC IN AUGUST, 2012

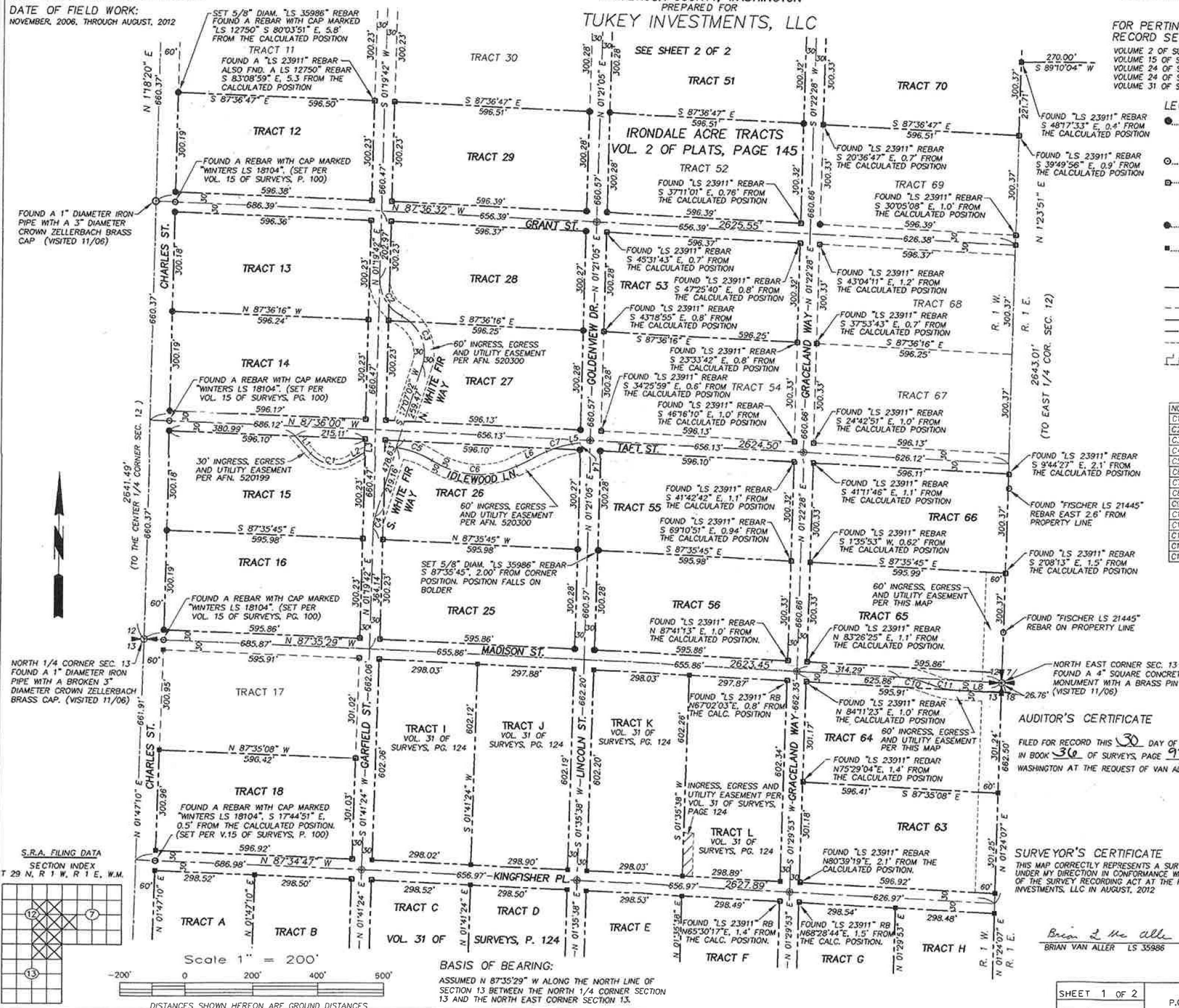
Brian L. Van Aller 11-28-12
BRIAN VAN ALLER LS 35986 DATE



SHEET 1 OF 2
JOB NO: 00294

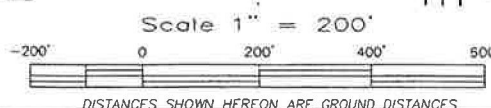
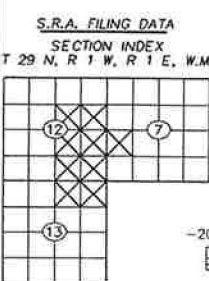
Van Aller Surveying
P.O. Box 757 • Carlsborg, WA. • 98324
PHONE: (360) 683-3438 FAX: (360) 683-3241

571197 V. 36 P. 97 Pg. 1 of 2 SURV
11/30/2012 09:17 PM
Jefferson County WA
BRIAN VAN ALLER
REGISTERED PROFESSIONAL LAND SURVEYOR



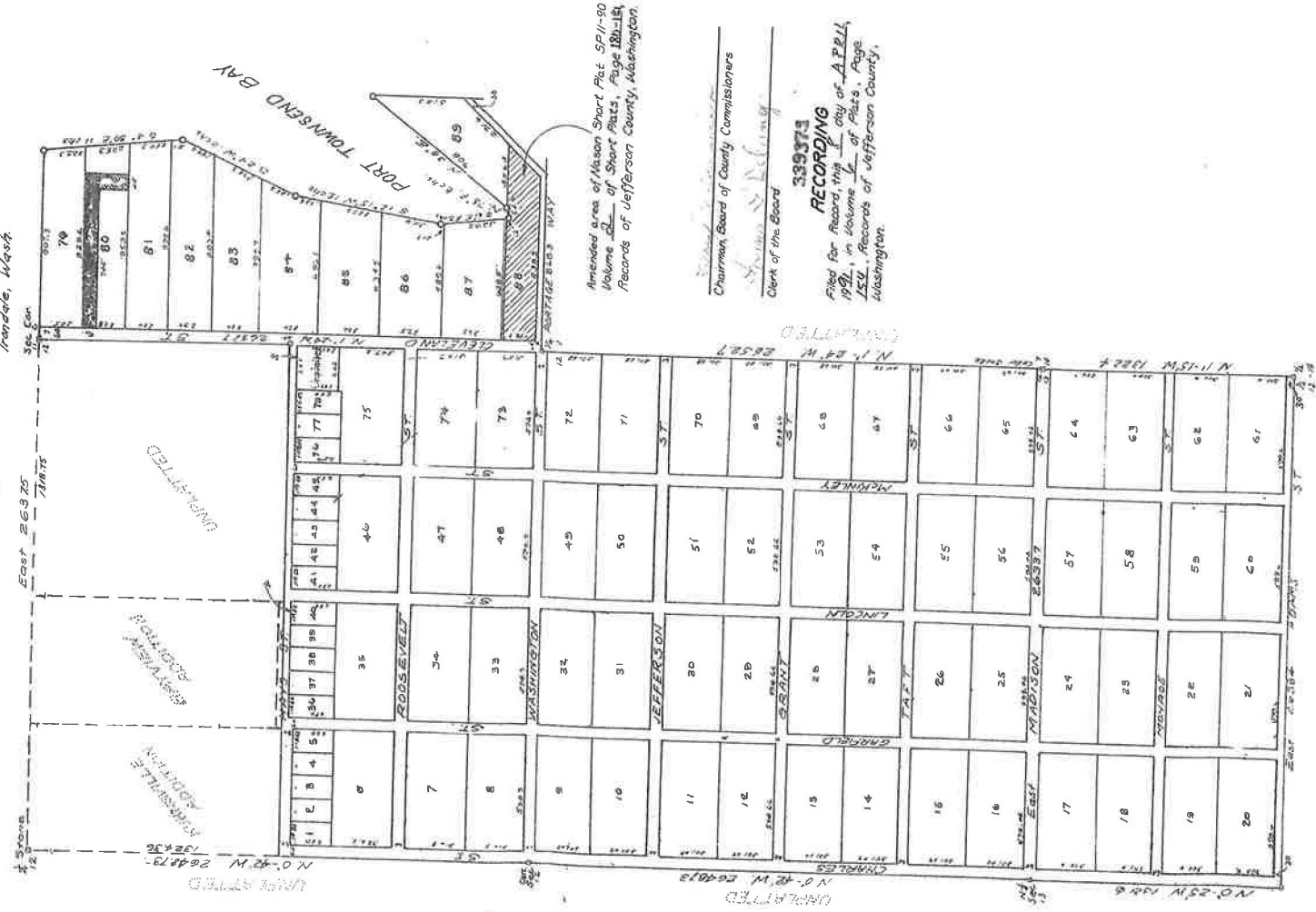
BASIS OF BEARING:

ASSUMED N 87°35'29" W ALONG THE NORTH LINE OF
SECTION 13 BETWEEN THE NORTH 1/4 CORNER SECTION
13 AND THE NORTH EAST CORNER SECTION 13.



AMENDED
IRONDALE ACRE TRACTS
IRONDALE REALTY CO.

J.L. Neborgall-Eng
Irondale, Wash.
ALCOHOL PLANT
Scale 400 ft. = 1 in.



DESCRIPTION

This plat of Irondale Acre Tracts embraces all of the South half of the Northeast quarter, and all of the South-east quarter of Section 12, Township 29 North, of Range 1 West, of the Willamette Meridian, excepting therefrom 1 1/8 acres in the northeast corner of said South half of the Northeast quarter, described as follows: Commencing 20 chains South from the Northeast corner of the Northeast quarter of said Sec. 12, thence west 225 feet, thence South 225 feet, thence East 225 feet, thence North 225 feet to point of beginning.

Also, all of Government lots 1 and 2 in Section 13, Township 29 N. E. East of the Willamette Meridian, and all of the North half of the Northeast quarter of Section 13, Township 29, North of Range 1 West, of the Willamette Meridian.

DEDICATION

Know all men by these presents that Western Steel Corporation, a corporation, owner in fee simple of the above described tracts, does hereby declare this plat of Irondale Acre Tracts, and dedicate to the use of the public, forever, all streets shown therein.

In witness whereof, said Western Steel Corporation has caused its corporate name to be subscribed and its official corporate seal affixed by its duly authorized officers this 10th day of December, A.D. 1910.

Signed and sealed in presence of:
By W. H. Wood Western Steel Corporation
First Vice President
By John E. Wood Secretary

ACKNOWLEDGMENT

State of Washington } ss. On this 10th day of December, A.D. 1910, before me personally appeared E. P. Lumsden and David M. Lumsden, known to me to be the First Vice President and Secretary respectively of the corporation that received the foregoing instrument and they acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes herein mentioned, and so both stated that they were authorized to execute the said instrument and that the seal attached is the seal of said corporation.

In witness whereof, I have hereunto set my hand and affixed my seal, the day and year in this certificate first above written.

Notary Public in and for
the State of Washington
residing in Seattle
Approved this day of December, A.D. 1910

Chairman, Board of
County Commissioners
Approved this 8th day of December, A.D. 1910
Carl G. Gifford County Engineer

File Number - 1830
Filed for record at the request of Western Steel Corporation on the 12th day of December, 1910 at
my 10th day of December, 1910.

John E. Wood Author

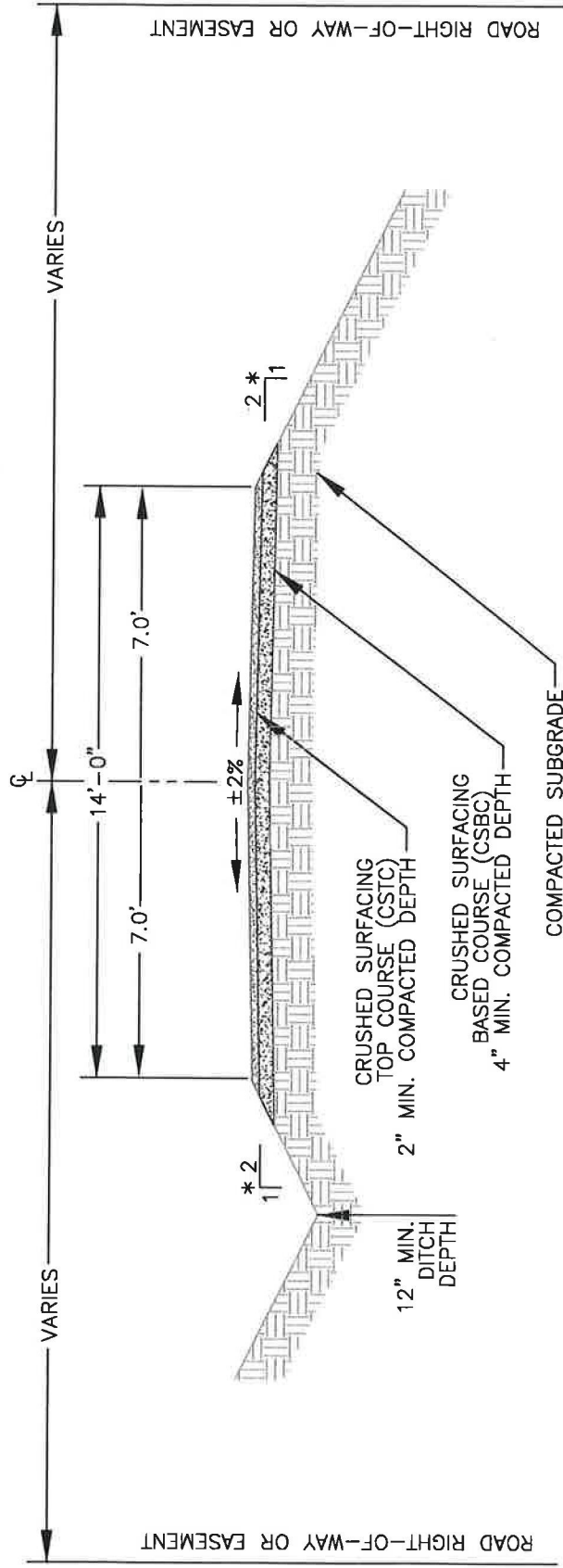
Chairman, Board of County Commissioners

Clerk of the Board

339371
RECORDING
Filed for Record, this 10th day of December, 1910, in Volume 16 of Plats, Page 154, Records of Jefferson County, Washington.

EXHIBIT C

ONE LANE ROAD WITH TURNOUTS
(SERVES 4 RESIDENCES MAXIMUM)



~~ROADS SHALL BE CONSTRUCTED TO THE COUNTY'S ADOPTED STANDARDS;~~

- AASHTO GEOMETRIC DESIGN OF HIGHWAYS AND STREETS (CURRENT VERSION).
- WSDOT DESIGN MANUAL AND STANDARD SPECIFICATIONS FOR ROAD, BRIDGE AND MUNICIPAL CONSTRUCTION (CURRENT VERSION).
- JEFFERSON COUNTY UNIFIED DEVELOPMENT CODE CODE, CHAPTER 18.30.080.

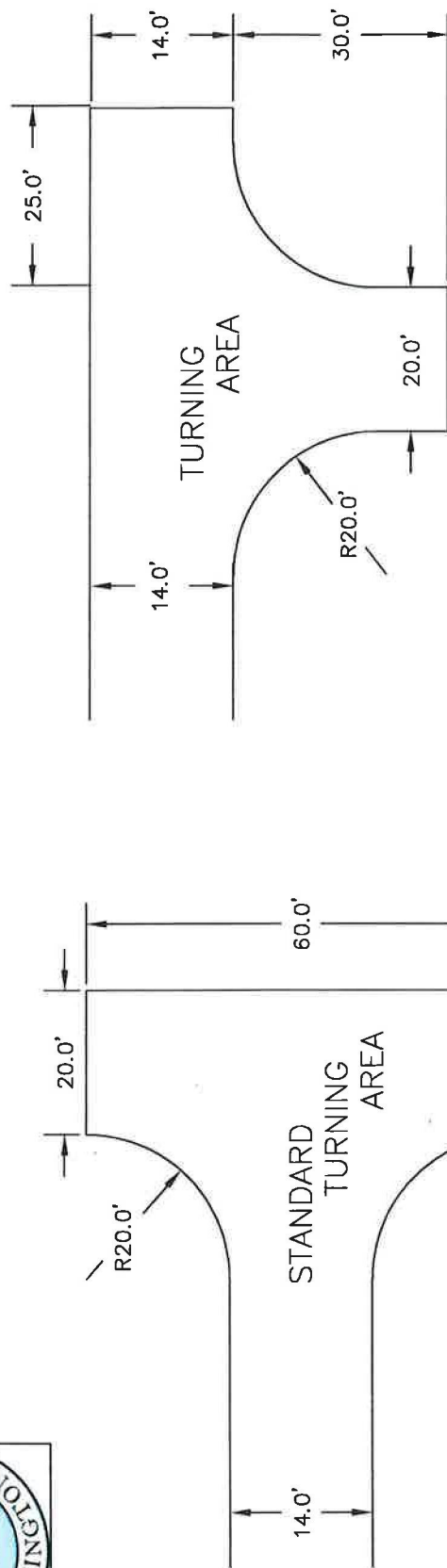
NOTES:

1. ALL MATERIALS SHALL MEET WSDOT STANDARD SPECIFICATIONS FOR ROAD CONSTRUCTION.
2. CSBC & CSTC DEPTHS SHOWN ARE A MINIMUM; INCREASED DEPTH MAY BE REQUIRED DUE TO SOIL CONDITIONS.
3. * SLOPES FLATTER THAN 2H:1V ARE DESIRABLE WHERE ACHIEVABLE.
4. MAXIMUM GRADE IS 12%. GREATER THAN 12% WITH PUBLIC WORKS APPROVAL; PAVED SURFACE MAY BE REQUIRED.
5. ROAD STANDARD IS FOR PRIVATELY MAINTAINED ROADS ONLY WITH NO POTENTIAL FOR FURTHER DEVELOPMENT; NOT A THRU ROAD.
6. INITIAL 30 FOOT SEGMENT AT INTERSECTION SHALL BE 20 FEET WIDE WITH 25 FOOT LONG TRANSITION; SEE DETAIL.
7. 20 FEET WIDE BY 50 FEET LONG INTERVISIBLE TURNOUTS REQUIRED WITH 25 FOOT LONG TRANSITION; SEE DETAIL.

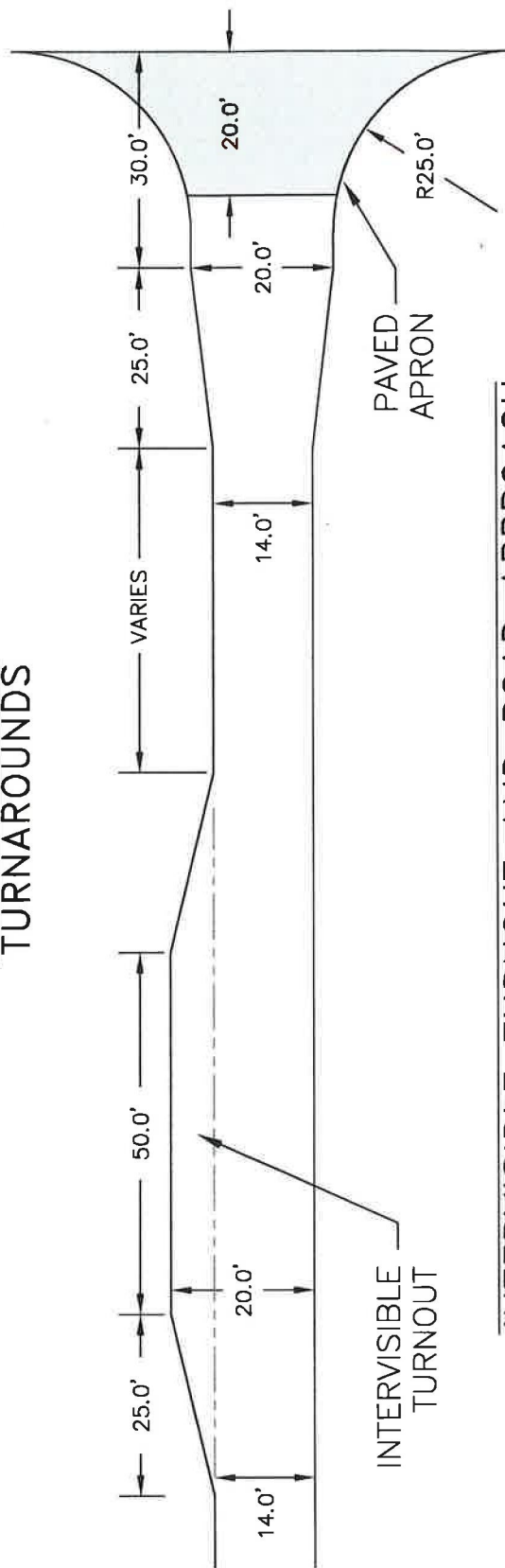


#1

RURAL ACCESS ROAD/ DRIVEWAY DETAILS



TURNAROUNDS



INTERSECTIBLE TURNOUT AND ROAD APPROACH

EXHIBIT D

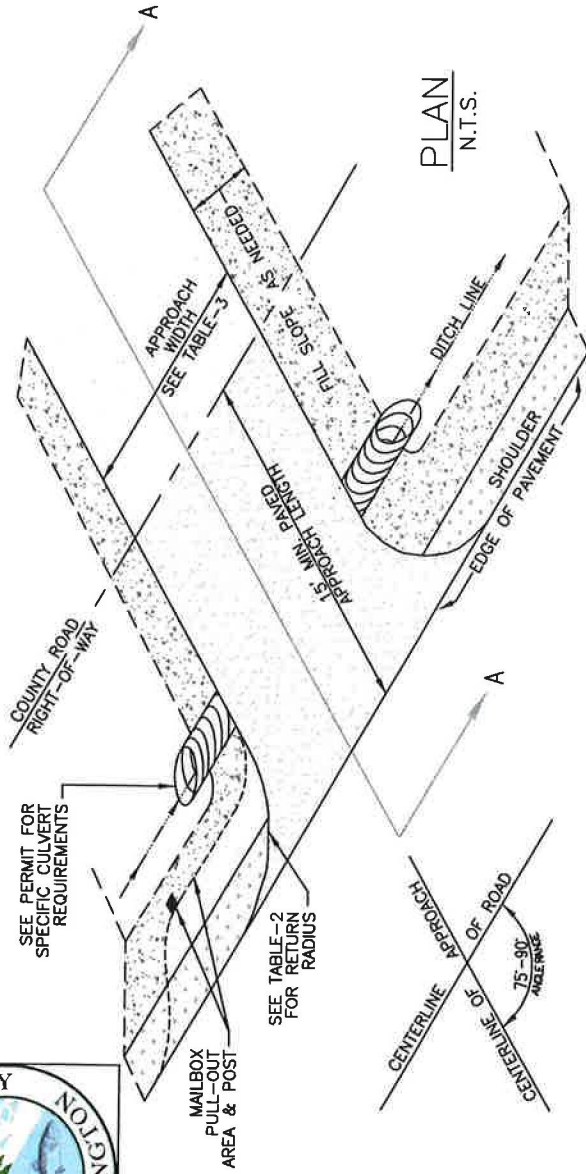


TABLE-1 SIGHT DISTANCE REQUIREMENTS	
POSTED SPEED	MINIMUM DISTANCE
25 MPH	155 FT.
30 MPH	200 FT.
35 MPH	250 FT.
40 MPH	305 FT.
45 MPH	360 FT.
50 MPH	425 FT.
55 MPH	495 FT.

TABLE-2 RETURN RADIUS	
RESIDENTIAL APPROACH	10'
MAJOR APPROACH	20'
ALL CLASSIFICATIONS	35'

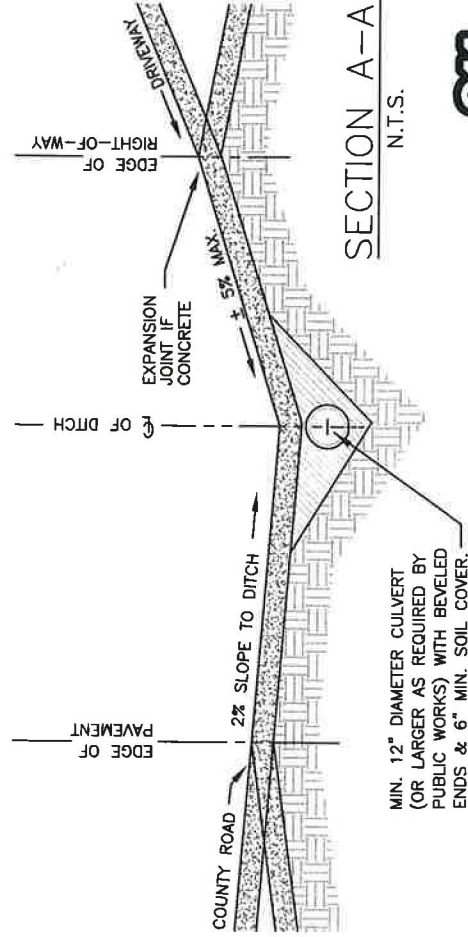
TABLE-3 APPROACH WIDTH	
RESIDENTIAL APPROACH	10' MIN. / 16' MAX.
MAJOR APPROACH	20' MIN. / 36' MAX.

NOTE: MAJOR APPROACHES INCLUDE ALL COMMERCIAL, INDUSTRIAL, AND/OR PRIVATE ROADS, OR SHARED DRIVEWAYS, SERVING MULTIPLE PARCELS.



NOTES:

1. CONDITIONS PROVIDED IN THE ROAD APPROACH PERMIT WILL GOVERN INSTALLATION.
2. THE FOLLOWING ROAD APPROACHES ARE REQUIRED TO BE PAVED:
 - ALL ROAD APPROACHES CONNECTING TO A COUNTY ROAD WITH AN ADT OF ≥ 1000 .
 - COMMERCIAL (& INDUSTRIAL) ROAD APPROACHES WITH A PROPOSED ADT OF ≥ 30 .
 - COUNTY ROAD APPROACHES FOR NEW PRIVATE ROADS AND/OR SHARED DRIVEWAYS SERVING MULTIPLE PARCELS.
 - COUNTY ROAD APPROACHES FOR SHORT PLAT AND LONG PLAT SUBDIVISIONS.
3. PAVING IS NOT REQUIRED FOR ROAD APPROACHES CONNECTING TO GRAVEL ROADS.
4. PAVING REQUIREMENT: 2" MIN. (COMPACTED DEPTH) HOT MIX ASPHALT (HMA) OVER 4" MIN. (COMPACTED DEPTH) CRUSHED SURFACING, OR 6" CLASS 3000 CONCRETE.
5. GRAVEL REQUIREMENT: 3" MIN. CRUSHED SURFACING.
6. APPROACH SHALL BE AT 90 DEGREES TO COUNTY ROAD CENTERLINE. ANGLE MAY VARY FROM 90 DEGREES TO 75 DEGREES WITH PUBLIC WORKS APPROVAL.
7. CULVERT PIPE MUST BE 12" ϕ MIN. CORRUGATED METAL OR DUAL WALL CORRUGATED HDPE, WITH BEVELED ENDS.
8. CULVERT LENGTH TO BE DETERMINED BY APPROACH WIDTH, RETURN RADIUS, AND DEPTH OF DITCH. CULVERT SHALL NOT EXCEED THE LENGTH NECESSARY TO EXTEND BETWEEN TOE OF FILL AT CENTERLINE OF THE DITCH ON EACH SIDE OF THE ROAD APPROACH.
9. THE GRADE OF THE APPROACH SHALL FOLLOW THE CROWN OF THE COUNTY ROAD SUCH THAT NO SURFACE STORMWATER IS DIRECTED ONTO THE COUNTY ROAD.
10. REQUIRED MINIMUM SIGHT DISTANCE SHALL BE PER TABLE-1. MAINTENANCE OF THE SIGHT TRIANGLE IS THE RESPONSIBILITY OF THE PROPERTY OWNER. SEE JEFFERSON COUNTY PUBLIC WORKS WEBSITE FOR MAINTENANCE/REPAIR INFORMATION.
11. SEE JEFFERSON COUNTY PUBLIC WORKS WEBSITE FOR MAILBOX STANDARDS AND INSTALLATION REQUIREMENTS.



CALL 48 HOURS
BEFORE YOU DIG
1-800-424-5555



Know what's below.
Call before you dig.

EXHIBIT E



JEFFERSON COUNTY

DEPARTMENT OF COMMUNITY DEVELOPMENT

621 Sheridan Street | Port Townsend, WA 98368

360-379-4450 | email: dcd@co.jefferson.wa.us

www.co.jefferson.wa.us/260/CommunityDevelopment

SITE DEVELOPMENT REVIEW

Case Number: SDR2023-00127

Applicant: Cary Casal

Date Completed: July 24, 2023

Per Ordinance No: 09-1003-22 and Jefferson County Code (JCC) 18.40.440, site development review (SDR) provides owners and developers of land an assessment of site requirements for development of property. SDR is required prior to development.

The result of SDR is a description of the physical aspects and constraints of the site for the purpose of guiding development. While SDR will not vest a property to development regulations, it provides for a professional analysis of the site according to current development regulations.

Jefferson County Department of Community Development (DCD) Planning staff has reviewed the property at the following directions: Oak Bay Road to Jacobsen Drive left on Graceland Way right on Kingfisher Place right on Washington Lane, parcel **962700021**. This SDR reflects the conditions of the property at the date the review was completed.

NOTICE TO APPLICANT:

The purpose of the SDR is to provide owners and developers of land with a professional assessment of possible site development issues without first applying for permits. As this is a preliminary review of available GIS mapping data and nontechnical information supplied by the applicant, it is NOT a guarantee that development can occur in the manner described. However, it is a valuable tool to allow applicants to plan out the development process in advance. Here are three key disclaimers:

- *Site Development Review DOES NOT VEST applicants to a particular set of regulations; that can only be accomplished in the manner set out in JCC 18.40.320, which in many cases requires filing of a building permit application.*
- *Completion of this review does not guarantee future approval for an onsite septic system. An applicant must apply for and complete all required permitting pursuant to chapter 8.15 JCC and WAC 246-272A. Use of older septic systems is not guaranteed.*
- *The adequacy of a potable water supply cannot be assessed until the time of building permit application. Proposals necessitating a determination of adequate potable water supply must meet all county and state requirements in effect at the time of application.*
- *All parcels connecting to County roads or State highways require an approved access.*

PROPERTY REVIEW:

Nature of Proposal: Construction of New Single-Family Residence

Permit History: FPA2607259, 104-acre harvest, 8900 ft road and culvert replacement. SEPA done under ENV99-00006, completed November 11, 2007; RBLD2023-00101 in review, applied for May 31, 2023; SEP2023-00059, in review, applied for May 16, 2023;

ADR2023-00040, in review, applied for April 19, 2023; RAP2023-00011, in review, applied for April 19, 2023

Water Service Area: Quimper

Zoning: This parcel is zoned Rural Residential, one dwelling unit per 20 acres (RR 1:20). This is a substandard lot and is 4.03 acres in size.

Legal Lot of Record Status: The Department of Community Development (DCD) has determined that the property evaluated under SDR2023-00127 does not meet the standards of Chapter 18.40 JCC and Chapter 18.12 JCC. Jefferson County hereby issues a determination that the property is not a legal lot of record. The lot may be conveyed under its current legal description per RCW 58.17.210 but is ineligible for development permit applications per Chapter 18.12 JCC. JCC 18.12.020 requires that this determination must be recorded with the County Auditor at the expense of the landowner.

Residential Development Exception: Jefferson County Code (JCC) 18.12.080: "(1) Residential Development Exception for a Substandard Lot of Record. The director will consider a residential development exception only if none of the provisions of JCC 18.12.070 apply to allow for development on a substandard lot. A residential development exception for a single lot determination is a Type II application pursuant to Chapter 18.40 JCC. Approval of a residential development exception constitutes a determination that the lot is a legal lot of record under JCC 18.12.020. The director may grant the exception if the applicant demonstrates that the application for a residential development exception meets all of the following criteria:

(a) The department of public health has reviewed the substandard lot and determined that the proposed means of sewage disposal and water supply on and to the substandard lot is adequate and will likely not cause degradation to groundwater or surface water quality;

(b) The director has determined that the substandard lot is served with an adequately designed means of ingress and egress, and with adequate drainage facilities, none of which interfere with or impair existing or planned public roads and drainage facilities in the vicinity;

(c) The existence of the substandard lot is not the result of the property owner segregating or dividing the property or otherwise creating the condition that results in the need for a residential development exception;

(d) The property owner cannot consolidate an adjacent lot(s) pursuant to JCC 18.12.070(2);

(e) The substandard lot is directly adjacent to existing lot, tract, or parcel with existing permitted or legally nonconforming residential development, or at the director's discretion the plat has already been substantially developed at the time of determination;

(f) The proposed activity on the substandard lot will not adversely affect the public safety and welfare of persons occupying the property, adjacent or nearby property owners, or the general public;

(g) The proposed activity on the substandard lot will not cause or increase flooding, degradation of critical areas or species, degradation to natural resources such as shellfish beds, or degradation of areas preserved for public enjoyment such as parks, beaches, and other natural areas;

(h) The proposed activity on the substandard lot will not adversely affect adjacent or nearby property owners, or interfere with their enjoyment of their property;

(i) The activity proposed on the substandard lot is the minimum necessary to allow for residential use of the property, including agricultural, forestry, or recreational activities by meeting the minimization standards of JCC 18.22.640, 18.22.660, and 18.22.740; and

(j) The director determines that issuance of the permit will not adversely affect the public interest, as required by RCW 58.17.210.

(2) Determination of a Residential Development Exception for All or Part of a Plat Pre-August 11, 1969. Certain plats may substantially meet the requirements of this title and Chapter 58.17 RCW. If a substandard lot cannot be developed under the provisions of JCC 18.12.070(4) or subsection (1) of this section, a lot owner or representative may apply for an evaluation of the entire plat. The residential determination for all or part of a plat is a Type II C(d) application pursuant to Chapter 18.40 JCC. The director may determine that lots within all or part of a plat can be recognized as legal lots of record, if they meet the following requirements:

(a) The plat was legally created between June 9, 1937, and August 11, 1969;

(b) Further development of the plat would not substantively alter rural character as defined in JCC 18.10.180 based on existing location and patterns of development within the plat;

(c) Recognition of lots within the plat would not impact forestry resources according to the following provisions:

(i) Lots are not zoned as forest resource lands (CF-80, IF-20, RF-40);

(ii) Lots that are vacant or not developed with residential uses and are more than 250 feet from any CF-80 parcel;

(iii) Lots that are vacant or not developed with residential uses and are more than 100 feet from any RF-40 parcel.

(d) Development of each lot within the plat can comply with Chapter 18.22 JCC;

(e) Every lot proposed for development within the plat can satisfy the water availability requirements of RCW 19.27.097 and any applicable water resource inventory area (WRIA) administrative rule adopted by the Washington State Department of Ecology;

(f) Development of the plat will not harm environmental resources such as shorelines, shellfish areas, and salmonid habitat, nor will it impact water quality or quantity; and

(g) The director receives a report from the director of public works that concludes that further development of the plat will not create significant adverse environmental impacts to the transportation system, after evaluating the following:

(i) Levels of service of existing roadways and possible effects caused by development of the plat;

(ii) Ingress and egress to the plat;

(iii) Road engineering;

(iv) Management of stormwater runoff from roads;

(v) Whether the developed plat can meet current stormwater regulations;

- (vi) Any existing community stormwater drainage system; and
- (vii) Utility access and maintenance easements for county maintenance; and
- (h) The director receives a report from the director of environmental public health that concludes that further development of the plat will not create significant adverse environmental impacts to public health, after reviewing the following:
- (i) Water availability and potential impacts to water and other environmental resources that may be affected by development of the plat; and
- (ii) Proposed methods for sewage disposal. [Ord. 9-22 § 3 (Appx. B)]"

Setbacks: The setback from Washington Lane is 20 feet from the parcel boundary per Jefferson County Code (JCC) 18.30.050. The setback to all other residential properties is five (5) feet. Ingress/egress easements will require a 20-foot setback per Jefferson County Code (JCC) 18.30.050.

Critical Areas: None

Required Reports: None

Stormwater permitting: Stormwater Best Management Practices (BMPs) shall be implemented as conditioned on any permit approvals and as required in the current edition of the *Stormwater Management Manual for Western Washington*. Jefferson County has adopted the most current edition of the manual produced by Washington State Department of Ecology.

- A Stormwater Management Permit is required for grading of 500 cubic yards or more, land-disturbing activities of 7,000 square feet or more, or creation of 2,000 square feet or more of impervious surface. This approval may be obtained through a building permit or, if you wish to clear the property prior to building, you must obtain a separate stormwater management permit. This is required prior to clearing and grading for related development, such as septic system installation or road/driveway construction.
- Stormwater Management Permits or Vegetation Removal Permits are required for any tree removal within a critical area or its buffer regardless of square footage cleared.
- Impervious surface includes gravel surfaces.
- Building permits must address stormwater.
 - A small project is any impervious surface under 2,000 square feet. You must meet minimum requirement #2 from the manual.
 - A medium project is any impervious surface from 2,000 to 4,999 square feet or 7,000 or more square feet of clearing. You must meet minimum requirements #1-#5, including on-site stormwater management. The building permit application should include a designed stormwater management system to address runoff from the roof and other hard surfaces.
 - A large project is any impervious surface from 5,000 square feet or greater. You must meet all minimum requirements. The building permit application should include a designed stormwater management system to address runoff from the roof and other hard surfaces. If your project meets the large project threshold, your parcel is five acres or larger, you are not within an Urban Growth Area, and full stormwater dispersion cannot be met, an engineered stormwater plan is required to ensure low-impact design standards are met.
- If you plan on clearing the property and would be required by the state Department of Natural Resources (DNR) to submit a Forest Practices Application (FPA), you must work with our department first to obtain a Stormwater Management Permit with State

Environmental Policy Act (SEPA) review, in association with a Class IV-General FPA, in order to avoid a 6-year Development Moratorium per the state Forest Practices Act. Jefferson County recommends you contact DNR for FPA requirements.

Next Steps:

1. Apply for Residential Development Exception Jefferson County Code (JCC) 18.12.080.
2. Apply for development permit(s).

UDC Administrator, Jefferson County DCD

Date

EXHIBIT F

When recorded please return to:

Jefferson County Department of Public Works
623 Sheridan Street
Port Townsend, WA 98368

ROAD & STORMWATER MAINTENANCE & NO PROTEST AGREEMENT

Grantor/Owner: Cary M. & Nicole J. Casal
Grantee: Jefferson County, a political subdivision of the state of Washington
Reference: RAP2023-00011
Abbrev. Legal: Lot 17 Irondale Acre Tracts
Parcel No.: 962700021

This ROAD AND STORMWATER MAINTENANCE AND NO PROTEST AGREEMENT (“this Agreement”) is made and effective as of the date of the last signature below by Cary Casal and Nicole Casal, (“Grantor”) and Jefferson County, a political subdivision of the state of Washington (“Grantee” or “County”).

1.0 RECITALS

- 1.1 Grantor is the owner of certain real property located within Section 13, Township 29 North, Range 1 West, W.M., Jefferson County, Washington, legally described as follows: *Lot 17, Irondale Acre Tracts, as per Volume 6 of Plats, Page 154, records of Jefferson County*; also known as Assessor’s Parcel Number 962700021, and referred to in this Agreement as “the Property.”
- 1.2 Grantor has applied for permission from the County to open the portion of platted Charles St. right-of-way abutting the Property (Open Right-of-Way Permit RAP2023-00011).
- 1.3 In consideration of the County granting permission to open the subject right-of-way, Grantor agrees to maintain the road and any stormwater improvements constructed by Grantor within the right-of-way at their expense. The road and associated stormwater improvements are described and shown on approved

construction drawings on file with the Jefferson County Public Works.

- 1.4 In consideration of the County granting permission for Grantor to construct a road to less than current County road standards, Grantor voluntarily agrees to enter into a No Protest Agreement, thereby waiving their right to object to formation of a future Road Improvement District or similar pro-rata cost-sharing mechanism.

2.0 ROAD & STORMWATER MAINTENANCE AGREEMENT

- 2.1 Grantor agrees to maintain, at their expense, road and stormwater improvements, as constructed under the approved construction drawings for RAP2023-00011 in such a manner as to ensure the facilities' continued functionality and to prevent damage to any other property.
- 2.2 Nothing in this Agreement prohibits Grantor from seeking contribution from other road users for the maintenance, improvement, or replacement of the road or associated stormwater improvements.
- 2.3 No part of the road and/or stormwater improvements shall be dismantled, altered, or removed except as permitted in writing by Jefferson County.
- 2.4 Grantor, as their free and voluntary act, accepts and assumes all risks of loss or damage arising out to the conditions described herein, and further agrees to relieve and hold harmless the County, its officers, agents, and employees, of any liability for approval of the Open Right-of-Way Permit RAP 2023-00011 or the standards approved for construction of facilities under that permit.

3.0 NO PROTEST AGREEMENT

- 3.1 Grantor covenants and agrees that at any time a Road Improvement District (RID), or any other pro rata cost-sharing mechanism is formed for the purpose of constructing and/or improving the rights-of-way in an improvement area which includes Grantor's Property and the right-of-way subject to this Agreement, Grantor waives their right to protest the establishment of said RID or similar cost-sharing mechanism. Grantor's waiver of right to protest applies whether the formation of the RID or similar cost-sharing mechanism is proposed by petition or by resolution of the Board of County Commissioners.
- 3.2 By executing this No Protest Agreement, Grantor does not waive their right to object to Grantor's individual assessment or to appeal to the superior court the County decision affirming the final assessment roll as permitted, and in

accordance with, Chapter 36.88 RCW.

- 3.3 The parties acknowledge that this No Protest Agreement is intended to waive certain rights of Grantor. Grantor warrants and represents that they have had representation by legal counsel and/or have had an adequate opportunity to be represented by legal counsel prior to executing this Agreement.
- 3.4 Term. The term of this No Protest Agreement shall be ten (10) years as limited under RCW 36.88.072.

4.0 MISCELLANEOUS PROVISIONS

- 4.1 Covenants run with the land. The rights, obligations and covenants contained in this Agreement shall run with the land and shall be binding upon Grantor, their heirs, personal representatives, successors and assigns.
- 4.2 Dispute Resolution. If a dispute arises between the parties to this Agreement regarding the road and stormwater improvements constructed under RAP2023-00011, Grantor shall attempt to negotiate an appropriate resolution with the County, which shall be represented by the Jefferson County Engineer. If the dispute cannot be resolved at that administrative level, Grantor may file an appeal with the Jefferson County Hearing Examiner as provided for in the Jefferson County Unified Development Code.
- 4.3 Enforcement. This Agreement may be enforced by the County in law or equity against Grantor.
- 4.4 Attorney Fees. In the event any action is brought to enforce the terms of this Agreement, the prevailing party shall be entitled to recover its reasonable attorney fees and costs.
- 4.5 Recording. Upon execution by all signatories of this Agreement, the County shall record this document with the Jefferson County Auditor, at Grantor's expense. A copy of the recorded document shall be forwarded to the Grantor.
- 4.6 Effective Date. This Agreement shall be effective as of the date of the final signature below.

[Signatures on following pages]

GRANTOR/OWNER:

DATED this _____ day of _____, 2023.

Cary M. Casal

Nicole J. Casal

State of Washington
County of Jefferson

This record was acknowledged before me on _____, by Cary M. Casal and Nicole J. Casal.

Notary Public in and for the State of Washington
My Commission Expires _____

GRANTEE:

DATED this _____ day of _____, 2023.

Accepted and approved
Jefferson County
Department of Public Works

By: _____
Monte Reinders
County Engineer/ Public Works Director

State of Washington
County of Jefferson

This record was acknowledged before me on _____, by
Monte Reinders as the County Engineer/Public Works Director of Jefferson County,
Washington.

Notary Public in and for the State of Washington
My Commission Expires _____

Approved as to form only:

By: _____
Philip C. Hunsucker Date
Chief Civil Deputy Prosecuting Attorney

EXHIBIT G



Department of Public Works
Jefferson County, Washington
623 Sheridan Street, Port Townsend, WA 98368 (360) 385-9160



OPEN RIGHT-OF-WAY PERMIT

Case Number: RAP2023-00011

Road #: 535009

Charles St

CARY CASAL
PO BOX 94
PORT HADLOCK, WA 98339

In accordance with all applicable Revised Code of Washington and amendments thereto, and subject to all the terms, conditions and provisions written or printed below or on any part of this form, permission is hereby granted to:

- 1.) The Applicant has permission to open a portion of platted Charles St. from the intersection of the privately maintained segment of Kingfisher pl. northerly for a distance of approximately 450', in accordance with the Jefferson County Public Works Engineer's Report and approved plans dated _____. The Engineer's Report specifies a road standard for a Rural Access Road which does not meet the criteria for a County road. Therefore, this segment of right-of-way will not be maintained by the County.
- 2.) The Applicant may install a private road approach off the newly extended and constructed roadway to their parcel as shown on the approved plans dated _____.

Conditions

- 1.) Following completion of roadway construction the Applicant shall submit to Public Works complete "As-Built" or "As-Constructed" record drawings that reflect any changes made to the approved plans.
- 2.) This permit must be located on site when any work encompassed by the permit is being performed. Failure to do so may result in suspension of all work.
- 3.) The segment of Charles St. to be opened shall be built on the platted centerline per the Rural Service Road Standard Typical Section. The right-of-way shall be located and the centerline staked by a surveyor licensed in the State of Washington.
- 4.) This permit is issued in conjunction with any mitigative measures assigned to this project through the development process.
- 5.) This approval is for opening a segment of Charles St. from the end of Kingfisher Pl. northerly for a distance of 450', and the road approach to the Applicant's property only and does not constitute approval of other activities within the right of way or on this parcel. Any future permits on this site are subject to review for consistency with applicable codes and ordinances and does not preclude review and conditions which may be placed on future permits.
- 6.) Following completion of roadway construction, the Applicant shall submit to Public Works a letter, affixed with the professional stamp of the Engineer of Record, certifying that the roadway and stormwater management facilities have been constructed in accordance with the design plans and specifications and all applicable federal, state and local requirements inspection prior to a final building inspection.
- 7.) Applicant must give Jefferson County Public Works office (360-385-9159) a minimum of 7 working days notice prior to beginning work. An on-site pre-construction conference shall be scheduled by the applicant and will include Public Works and the contractor who will be performing the work. Prior to this meeting, any utility locate marks shall be done (Call 811-48 hours before you dig).
- 8.) The Applicant must sign, record and return to Public Works the Road & Stormwater Facility Maintenance & No Protest Agreement.

The applicant, by signing the permit application, has agreed to all of the conditions in the permit including the provisions on the back of this form. This permit shall be void unless the work herein contemplated shall have been completed before. The Department of Public Works may revoke, amend or cancel this permit or any of the provisions thereof at any time by giving written notice to the grantee. The grantee, upon notification, shall immediately remove all of his equipment and facilities from the County right of way. Any equipment or facilities remaining upon the County right of way 30 days after written notice of cancellation shall be removed by the County at the sole expense of the grantee.

In accepting this permit the grantee, his successors and assigns, agree that any damage or injury done to the property of the grantee or any expense incurred by him through the operation of a contractor, working for the County or any County employee shall be at the sole expense of the grantee, his successors and assigns.

For Jefferson County

Date

GENERAL PROVISIONS APPLICABLE TO ALL PERMITS

This permit is subject to all applicable provisions of the Revised Code of Washington and all of the applicable provisions of Washington law. This permit is also subject to all applicable provisions of Chapter 13.56 of the Jefferson County Code, Accommodations of Utilities upon Jefferson County Rights-of-Way, Ordinance No. 01-0103-00; and Ordinance No. 09-0727-92 Regulating Jefferson County Road Approach Permits.

During the progress of the work such barriers and/or traffic control devices shall be erected and maintained as may be necessary or as may be directed by the Public Works Department for the protection of the traveling public; all traffic control devices shall be properly lighted at night and shall comply with all specifications of the Manual of Uniform Traffic Control Devices.

In accepting this permit, the Applicant shall indemnify and hold the County, and its officers, employees, and agents harmless from and shall process and defend at its own expense, including all costs, attorney fees and expenses relating thereto, all claims, demands, or suits at law or equity arising in whole or in part, directly or indirectly, from the Applicant's negligence or breach of any of its obligations under this Agreement; provided that nothing herein shall require a Applicant to indemnify the County against and hold harmless the County from claims, demands of suits based solely upon the conduct of the County, its officers, employees and agents, and; provided further that if the claims or suits are caused by or result from the concurrent negligence of: (a) the Applicant's agents or employees; and, (b) the County, its officers, employees and agents, this indemnity provision with respect to claims or suits based upon such negligence, and/or the costs to the County of defending such claims and suits, etc., shall be valid and enforceable only to the extent of the Applicant's negligence, or the negligence of the Applicant's agents or employees.

Except as herein authorized by the county Public Works Department, no excavation shall be made or obstacle placed within the limits of a county road in such a manner as to interfere with the travel over said road and shall not be within four (4) feet of the edge of the pavement. If the work done under this permit interferes in any way with the drainage of the county road, the grantee shall wholly and at his own expense make such provision as the County Engineer may direct to take care of said drainage. On completion of said work all rubbish and debris shall be immediately removed and the roadway and roadside shall be left neat and presentable and satisfactory to the County Engineer.

All of the work herein contemplated shall be under the supervision of the County Engineer and the entire expense of said supervision shall be borne by the grantee to whom this permit is issued, or his successors and assigns. The Department of Public Works hereby reserves the right to order the change of location or the removal of any structure or structures authorized by this permit at any time, said change or removal to be made at the sole expense of the grantee to whom this permit is issued, or his successors and assigns.

All such changes, reconstruction or relocation by the grantee shall be done in such a manner as will cause the least interference with any of the County's work and the County of Jefferson shall in no way be held liable for any damage to the grantee by reason of any such work by the County of Jefferson, its agents or representative, or by the exercise of any rights by the County upon roads, streets, public places or structures in question.

This permit or privilege shall not be deemed or held to be an exclusive one and shall not prohibit the County from granting other permits or franchise rights of like or other nature to other public or private utilities, nor shall it prevent the County from using any of its roads, streets, or public places, or affect its right to full supervision and control over all or any part of them, none of which is hereby surrendered.

Federal Endangered Species Act Disclaimer:

Jefferson County makes no assurances to the applicant that the actions undertaken because this permit has been issued will not violate 16 U.S.C section 1531 et seq. (the federal Endangered Species Act of 1973 or ESA). The applicant acknowledges that they are solely responsible for adhering to and complying with the ESA.

Cultural Resources Disclaimer:

Jefferson County makes no assurances to the applicant that the actions undertaken because this permit has been issued will not violate federal, state, or local cultural resources laws and regulations, including but not limited to 54 U.S.C. section 3001 et seq. (the federal National Historic Preservation Act of 1966), Chapter 27.34 RCW (Historic Preservation), Chapter 27.44 RCW (Indian Graves and Records), the Washington State Governors Executive Order 05-05, or any applicable treaty between the United States and any Indian tribe. The applicant acknowledges that they are solely responsible for adhering to and complying with all federal, state, or local cultural resources laws and regulations, including all applicable treaties between the United States and any Indian tribe.

EXHIBIT H

STATE OF WASHINGTON
COUNTY OF JEFFERSON

In the Matter of a Resolution)
to Construct a Road and Stormwater)
Improvements on a) Resolution No. _____
Portion of Public Right of Way)
Known as Charles St.)

WHEREAS, an application to open a public right-of-way has been submitted by Cary Casal (“the applicant”) for the purpose of providing access to her property, and

WHEREAS, said development will require opening approximately 450 feet of platted Charles St. and

WHEREAS, the Revised Code of Washington (RCW) 36.75 and 36.80 authorizes the Board of County Commissioners (“the Board”) to establish, examine, survey construct, alter, repair, improve and maintain county roads, and that the County Engineer shall supervise such road improvements under the direction of the Board, and

WHEREAS, the County Engineer has examined the subject right of way and the existing road system and the potential for future development and recommends that this request be approved provided the standards described in the County Engineer’s report dated July 26, 2023 are followed, and

WHEREAS, the applicant, and not the County, will be responsible for the maintenance of this section of roadway and its associated stormwater improvements and that the road will not be added to the official County Road log until such time as the road is improved to public road standards and added to the County Road Log through Board action, and

WHEREAS, in lieu of requiring the road to be constructed to full public road standards at this time, the applicant will be required to sign a No Protest Agreement waiving the right to protest formation of a pro-rata cost sharing arrangement such as a Road Improvement District (RID) should the subject right of way be included within a designated improvement area, whether the formation of the RID is proposed by petition or a resolution of the Board of County Commissioners,

NOW, THEREFORE BE IT RESOLVED, that applicant shall be granted permission to open the following right of way:

A portion of platted Charles St. starting at the end of the Kingfisher Pl., at mile post 0.37 running northerly a distance of approximately 450 feet for access to parcel 962700021.

BE IT FURTHER RESOLVED, that roads shall be constructed in general conformance with the standards recommended in the County Engineer’s report dated July 26, 2023.

BE IT FINALLY RESOLVED, that prior to performing construction the applicant shall receive any and all necessary permits including a permit from the Department of Public Works specifying any conditions that will be required by the County Engineer to ensure that said standards are met and that the applicant shall pay any inspection costs incurred by the Public Works Department to ensure that these standards are met.

ADOPTED this _____ day of _____, 2023.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

Kate Dean, District 1

Heidi Eisenhour, District 2

Greg Brotherton, District 3

ATTEST:

Carolyn Galloway
Clerk of the Board

EXHIBIT I

May 29, 2023

John and Julie Black
356 Kingfisher Place
Port Hadlock, WA

Terry Duff
Jefferson County Public Works
623 Sheridan Street
Port Townsend, WA 98368

RECEIVED

MAY 30 2023

Jefferson County Public Works

RE: Open Right-of-Way Application

Platted Charles St.

Applicant: Cary Casal

Assessor Parcel Number: 962700021

Dear Terry,

We ask Jefferson County Public Works to consider the following regarding the above ROW application:

- There is a stand of cottonwoods at the southwest corner of our parcel, 962700022, which is next to the intersection of the western end of Kingfisher Place and the unopened Charles Street. Part of the stand is in the unopened ROW application area and includes tall trees. Who would ensure that road construction, if approved, doesn't damage or kill the trees on our parcel?
- There are western toads at this location. They are a Species of Greatest Conservation Need (SGCN) in the Puget Trough Ecoregion per the WA State Wildlife Action Plan. They are also a Priority Species under WDFW's Priority Habitat and Species Program.
- There is evidence of wetlands in the ROW application area.
- There are other potential ways to access parcel 962700021.
- Mr. Casal has demonstrated disregard for county ordinances and permit requirements by clearing his land without a Site Development Review (SDR), clearing county land, digging trenches, and laying sand and gravel on the unopened road before opening the Right-of-Way or obtaining a Road Approach Permit. Will any neutral third party(ies) be involved in determining the most appropriate vehicle access route to parcel 962700021, considering the above information as well as what route(s) will be used to get power and water to parcel 962700021?

Thank you,



John & Julie Black