



## CITY OF RICHLAND

# NOTICE OF APPLICATION, PUBLIC HEARING AND OPTIONAL DNS (Z2024-104, S2024-103 & EA2024-115)

**Notice** is hereby given that Story Family Five, LLC has filed rezone and preliminary plat applications to: 1) rezone the site from Suburban Agriculture (SAG) to Low-Density Residential (R-1-10) reflecting the City's Comprehensive Plan, and 2) subdivide a 29+ acre site into 79 lots (Preliminary Plat of The Estates at White Bluffs).

**Project Site:** The project site is located at 1004 Sirron Ave., which is located approximately 150-feet west of the intersection of Sirron Ave. and Jasper St. and approximately 150-feet west of the intersection of Sirron Ave. and Tomich Ave. (APN 120981000002004).

**Public Hearing:** The Richland Hearings Examiner will conduct a public hearing and review of the application at 6:00 p.m., Monday, September 9, 2024 at City Hall, 625 Swift Boulevard. All interested parties are invited to participate in the public hearing.

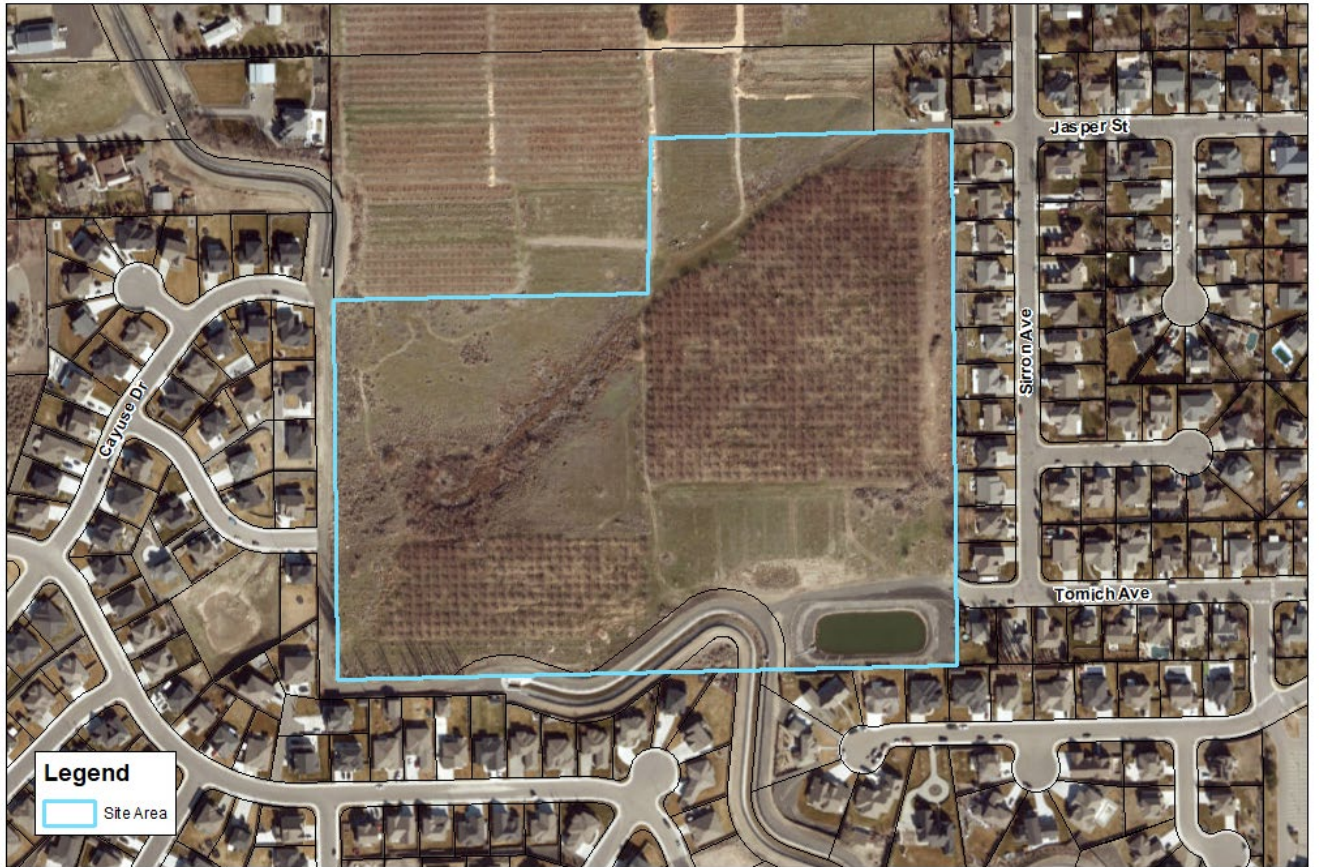
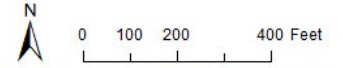
**Environmental Review:** The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for this project. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed development. The environmental checklist and related file information are available to the public and can be viewed at [www.ci.richland.wa.us](http://www.ci.richland.wa.us).

**Public Comment:** Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may emailed to [mstevens@ci.richland.wa.us](mailto:mstevens@ci.richland.wa.us). The deadline for written comments is 6:00 p.m., Sunday, September 8, 2024. However, written comments must be received no later than 5:00 p.m. on Friday, August 30, 2024 to be incorporated into the staff report. Comments received after that time will be entered into the record during the hearing.

**Appeal:** The application will be reviewed in accordance with the regulations in RMC Title 23 Zoning, Title 19 Development Regulations Administration and Title 24 Plats and Subdivisions. Appeal procedures of decisions related to the above referenced applications are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above referenced address with questions related to the available appeal process.

# Vicinity Map

Item: The Estates at White Bluffs  
Applicant: Tim Story  
File #: S2024-103





**City of Richland  
Development Services**

625 Swift Blvd. MS-35  
Richland, WA 99352  
☎ 509-942-7794  
☎ 509-942-7764

**Preliminary Plat Application**

**Note: A Pre-Application meeting is required prior to submittal of an application.**

**PROPERTY OWNER INFORMATION**

☐ **Contact Person**

Owner: RAYMOND FRENCH

Address: 900 HARVEST LN PR NE, RICHLAND, WA 99352

Phone: N/A

Email: N/A

**APPLICANT/CONTRACTOR INFORMATION (if different)**

☒ **Contact Person**

Company: STORY FAMILY FIVE, LLC

UBI#: 604176699

Contact: TIM STORY

Address: PO BOX 2289, RICHLAND, WA 99352

Phone: 509.302.6136

Email: TIM@SANTILLANHOMES.COM

**SURVEYOR INFORMATION**

Contact: John Becker (AHBL)

Address: 5804 Road 90, Suite H, Pasco, WA 99301

Phone: 509.380.5883

Email: jbecker@ahbl.com

**ENGINEER INFORMATION**

☒ **Contact Person**

Contact: Nathan Machiela (Barghausen Consulting Engineers Inc.)

Address: 400 Columbia Point Drive, Suite 101-B, Richland, WA 99352

Phone: 425.251.6222

Email: nmachiela@barghausen.com

**PROJECT DESCRIPTION**

Rezone and subdivision of 29.19 acres located west of Sirron Avenue and east of White bluffs subdivision, known as the French Orchard. The property will be re-zoned from SAG to R-1-10, matching the surrounding neighborhoods. The property will be subdivided into approximately 79 lots with public roads, sewer, water and dry utilities. Public sewer will be provided by the City of Richland and will be connected to an existing sewer stub at Jasper Street. Public water will be connected to existing water stubs at Jasper Street, Tornich Avenue and Samish Drive. The property is located within the KID boundary and will be served with KID irrigation water.

**PROPERTY INFORMATION**

Parcel #: 120981000002004

Zoning: Current: Suburban Agriculture (SAG) / Proposed: R-1-10 (SFR)

Legal Description: SW 1/4 OF NE 1/4 OF SECTION 20, TOWNSHIP 9N, RANGE 28E (full legal description included with title report)

Proposed Subdivision Name: The Estates at White Bluffs

Gross Plat Acreage: 29.19 Acres

Number of Lots: 79 residential lots

Smallest Lot Size: 8,601 SF

Net Lot Area Acreage: 20.87 Acres

Avg. Lot Size: 11,510 SF

Largest Lot Size: 28,173 SF

Domestic Water Supply: ☒ City ☐ Private Well

Sewage Disposal: ☒ City ☐ Septic

Irrigation Source: ☐ City ☐ Private Well ☐ Columbia Irrig. District ☒ Kennewick Irrig. District ☐ Other

SEPA Checklist submitted? ☒ Yes ☐ No

Title Report (Subdivision Guarantee) submitted? ☒ Yes ☐ No





## Zoning Map Amendment Application

**Note: A Pre-Application meeting is required prior to submittal of an application.**

### PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: RAYMOND FRENCH

Address: 900 HARVEST LN PR NE, RICHLAND, WA 99352

Phone: N/A

Email: N/A

### APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: STORY FAMILY FIVE, LLC

UBI#: 604176699

Contact: TIM STORY

Address: PO BOX 2289, RICHLAND, WA 99352

Phone: 509.302.6136

Email: TIM@SANTILLANHOMES.COM

### DESCRIPTION OF WORK

Rezone and subdivision of 29.19 acres located west of Sirron Avenue and east of White bluffs subdivision, known as the French Orchard. The property will be re-zoned from SAG to R-1-10, matching the surrounding neighborhoods. The property will be subdivided into approximately 79 lots with public roads, sewer, water and dry utilities. Public sewer will be provided by the City of Richland and will be connected to an existing sewer stub at Jasper Street. Public water will be connected to existing water stubs at Jasper Street, Tomich Avenue and Samish Drive. The property is located within the KID boundary and will be served with KID irrigation water.

### PROPERTY INFORMATION

Parcel #: 120981000002004

Legal Description: SW 1/4 OF NE 1/4 OF SECTION 20, TOWNSHIP 9N, RANGE 28E (full legal description included with title report)

Current Zoning: Suburban Agriculture (SAG)

Current Comp Plan: Low Density Residential

Requested Zoning: R-1-10 (SFR)

Current Use: Orchard and Native

Proposed Use: SFR Subdivision Development

Area of Property: 29.19 Acres

### APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

### ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:

The property is currently a mix of vacant land and orchard land, but is surrounded by R-1-10 single family residential developments on the East, West, and South sides. Existing roads are stubbing to the property from the East and West sides. It is assumed that the City intends for this land to be developed to match the surrounding developments.

Any hardship that may result in the event the rezone is not granted:

If a rezone is not granted, the land cannot be developed as proposed. If it cannot be developed as proposed, then the project cannot move forward and the value of the land will be expected to decrease, affecting the current property owner and any future land sales.



**The manner in which the proposed rezone conforms to patterns in adjacent zones:**

The property is surrounded by R-1-10 single family residential developments on the East, West, and South sides, with existing roads stubbing to the property. It is assumed that the City intends for this land to be developed to match the surrounding developments.

**Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:**

Granting the rezone will support development that will provide additional housing and greater road connectivity. Increased connectivity will benefit both emergency response vehicles, as well as the neighboring developments that utilize the existing roads.

**Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:**

Granting the rezone will support development that is consistent with the current land use and anticipated development in the Comprehensive Plan.

**The benefits or detriments accruing to the City which would result from the granting or denial of this special permit:**

Granting the rezone will support development that will provide additional housing, which can generate additional tax revenue for the City. Increased connectivity will benefit emergency response vehicle routes and response times.

**Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:**

Granting the rezone will support development that is consistent with the current land use and anticipated development in the Comprehensive Plan. The current zoning and use of the land does not support the Comprehensive Plan's intended use of the land.

**Whether the proposed rezone represents spot zoning and whether a larger area should be considered:**

Granting the rezone will eliminate existing spot zoning and will provide zoning continuity with the surrounding areas.

**Identify impacts on the environment and public safety:**

Granting the rezone will allow for residential development of native and agricultural lands. The rezone would allow development that will increase public safety by providing greater lighting and street connectivity within the project area. Emergency vehicle response times and routes would also be improved, which will increase public safety.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

*Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.*

Applicant Printed Name: TIM STORY

Applicant Signature:  Date 5-10-2024

#### APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. 2 – Full-size copies of proposed survey
3. 1 – 11" x 17" copy of proposed survey
4. 1 – PDF file of proposed survey
5. Title Report showing ownership, easements, restrictions and accurate legal description of the property involved
6. SEPA Checklist
7. Other information as determined by the Administrator

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.


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Applicant Printed Name: TIM STORY

Applicant Signature:  Date 5-10-2024



# SEPA ENVIRONMENTAL CHECKLIST

## Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

## Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

## Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the [Supplemental Sheet for Nonproject Actions \(Part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

## A. Background [Find help answering background questions](#)

**1. Name of proposed project, if applicable:**

The Estates at White Bluffs

**2. Name of applicant:**

Story Family Five, LLC

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

Applicant:

Tim Story

PO Box 2289, Richland, WA 99352

509.302.6136

Contact:

Nathan Machiela (Barghausen Consulting Engineers, Inc.)

400 Columbia Point Dr, Ste 101-B, Richland, WA 99352

425.251.6222

**4. Date checklist prepared:**

5/10/2024

**5. Agency requesting checklist:**

City of Richland

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

Begin construction winter 2024, constructed across multiple phases. Anticipated completion of Phase 1 construction and recording of final plat in summer 2025.

Subsequent phase(s) to occur after phase 1 completion, timeline TBD.

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

Building permit applications by others.

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

Has been prepared: Traffic Impact study

Will be prepared: Stormwater Drainage report, Geotechnical Investigation report

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

No pending government approvals are known.

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

SEPA Determination, Preliminary Plat Conditions of Approval, Construction Stormwater General Permit (CSWGP), Grading Permit Approvals, Construction Plan Approvals, ROW Permits, Final Plat Approvals

- 12. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)**

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

Benton County Parcel 120981000002004, located at 1004 Sirron Avenue, Richland, WA 99352. The general location is north of I-182, west of Sirron Avenue, east of Dallas Road, and south of Kennedy Road.



## B. Environmental Elements

### 1. Earth [Find help answering earth questions](#)

#### a. General description of the site:

The site has rolling hilly terrain with 8-10% slopes throughout the site. There is a natural valley that runs through the middle of the site, from southwest to northeast.

#### Circle or highlight one: Flat, rolling, **hilly**, steep slopes, mountainous, other:

The site has rolling hilly terrain that runs toward the middle of the site, from southwest to northeast.

#### b. What is the steepest slope on the site (approximate percent slope)?

The steepest slopes on the site are approximately 8-10%, running toward the middle of the site. The site drains from southwest to northeast at approximately 2%.

#### c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The soils are approximately 75% Warden Silt Loam and 25% Hezel Loamy Fine Sand, per the USGS Web Soil Survey. Additional soil information will be available once the geotechnical engineering report has been completed.

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

There are no known surface indications or history of unstable soils in the immediate vicinity.

#### e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

The site will be graded for the construction of internal roadways and residential building lot pads. The roadways have been aligned to follow the general topography of the land, to limit the extent of grading. Grading quantities are expected to be approximately 100,000 - 120,000 CY with a balanced site.

#### f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

Erosion could occur on the site but will be minimized through implementation of erosion control BMP's during construction (silt fencing, construction entrance, site watering, CB inserts, etc.). All stormwater runoff will be contained onsite.

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

Approximately 4.9 acres will be dedicated as right-of-way, containing roadways and sidewalks. Accounting for building pads and driveways, approximately 30-40% of the entire site will be covered with impervious surfaces.

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

Standard erosion control methods will be used, such as silt fencing, construction entrances, soil stabilization, site watering via water truck, and catch basin inserts, along with any additional erosion control BMP's that are deemed necessary during design and construction.

## **2. Air** [Find help answering air questions](#)

**a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.**

Construction equipment and vehicles will generate dust and particle emissions during construction activities. Emissions typical of residential areas will be generated post-construction, including vehicle emissions and gas-powered tool emissions.

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

None are known at this time.

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

Dust control measures will be implemented in accordance with Department of Ecology and Benton County Clean Air Authority. Measures include, but are not limited to, site watering, reducing construction vehicle speeds and routes through the site, and limiting dust-generating activities on windy days.

## **3. Water** [Find help answering water questions](#)

**a. Surface Water:** [Find help answering surface water questions](#)

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

No water bodies in the immediate vicinity. The Yakima River is approximately 1.3 miles northeast of the site. The Department of Ecology SWAP map incorrectly identifies a R4SBC Riverine habitat that runs southwest-to-northeast through the site.

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

No. No water bodies exist within 200 feet of the project site.

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

Not applicable. No fill or dredge material will be placed or removed from any surface waters or wetlands.

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

No. No surface water withdrawals or diversions will be required.

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

No. The site is not within the 100-year flood plain.

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

No. No waste materials will be discharged to surface waters.

**b. Ground Water:** [Find help answering ground water questions](#)

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.

No. City water will be available and utilized both during and after construction.

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

Not applicable. No waste material will be discharged into the ground. The proposed project will provide sewer laterals for each lot (79 lots total) to connect to the public sanitary sewer system.

**c. Water Runoff (including stormwater):**

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

New impervious runoff will be generated from roadways, sidewalks, driveways, and homes. Pervious runoff will continue to be generated from the natural drainage patterns of the site. Runoff from roadway improvements will be collected via catch basins and conveyed to onsite storm ponds for infiltration.

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

No. Evaluating nearby well logs and anticipated infiltration rates based on USGS web soil survey soil types, the time and distance to travel through the vadose zone is sufficient to prevent any groundwater contamination.

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

The general southwest-to-northeast drainage patterns will remain, but drainage and storm infrastructure across the site will be routed to follow the roadway improvements. The proposal will not alter off-site drainage patterns.

4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.

Stormwater runoff generated from site development will be collected and conveyed to on-site infiltration facilities. Any off-site drainage directed towards the site will be conveyed through the site and will follow the drainage patterns. Stormwater disposal will be designed by a licensed engineer following the City and DOE standards and submitted for review and approval by the City of Richland.



#### 4. Plants [Find help answering plants questions](#)

**a. Check the types of vegetation found on the site:**

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☒ shrubs
- ☒ grass
- ☐ pasture
- ☐ crop or grain
- ☒ orchards, vineyards, or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

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

Native shrubs and grass, as well as orchard trees, will be removed from the site prior to or with grading activities. No natural vegetation is expected to remain.

**c. List threatened and endangered species known to be on or near the site.**

None per the Washington Department of Fish and Wildlife (WDFW). However, the area is a presumptive shrub-steppe habitat, per the WDFW web mapper.

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

No existing native vegetation is expected to remain. Landscaping within the areas of development will meet City of Richland requirements.

**e. List all noxious weeds and invasive species known to be on or near the site.**

The site is covered with cheatgrass, which is known to be an invasive species.

#### 5. Animals [Find help answering animal questions](#)

**a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.**

Examples include:

- Birds: hawk, heron, eagle, songbirds, other:
- Mammals: deer, bear, elk, beaver, other: Ground Squirrels
- Fish: bass, salmon, trout, herring, shellfish, other:

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

Per WDFW web mapper, there are no confirmed endangered or threatened species onsite. However, WDFW identified the potential presence of the Townsend's Ground Squirrel, which is a candidate for listing as an endangered, threatened, or sensitive species. This Squirrel designation is not specific to this site, but is a part of a blanket coverage across Benton County and the Columbia Basin.

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

Yes, the entire Columbia Basin is part of the Pacific Flyway.

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

There are no proposed measures to preserve or enhance wildlife.

**e. List any invasive animal species known to be on or near the site.**

None known, per WDFW.

## **6. Energy and Natural Resources** [Find help answering energy and natural resource questions](#)

- a. **What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**  
Electricity and/or natural gas will be utilized to meet the energy needs of the proposed project.
- b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**  
No. The proposed project will not impact the potential use of solar energy by adjacent properties.
- c. **What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.**  
The future homes will be constructed to meet current building and energy codes for Washington State.

## **7. Environmental Health** [Find help with answering environmental health questions](#)

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.**  
Environmental health hazards will be limited to the standard risks associated with the construction and occupancy of the development.
1. **Describe any known or possible contamination at the site from present or past uses.**  
None known.
- a. **Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**  
None known.
- b. **Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.**  
Diesel fuel will likely be stored and/or used onsite for construction vehicles during construction of improvements and homes. No toxic or hazardous chemicals will be stored onsite post-construction.
- c. **Describe special emergency services that might be required.**  
The site will use typical emergency services provided through the City of Richland.
- d. **Proposed measures to reduce or control environmental health hazards, if any.**  
As no impacts are anticipated, no such measures are proposed. However, the applicant and contractor will comply with applicable code and best management practices.

## b. Noise

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

The noise level in the area is not perceived to have any adverse effect on the project. Noise is mainly generated by vehicle traffic on surrounding streets and I-182.

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

Short term, noise typical of construction activities will take place during site improvements and home construction. Long term, noise typical of residential developments.

3. **Proposed measures to reduce or control noise impacts, if any.**

Construction activities will be scheduled to avoid noise impacts during the night. Noise impacts from construction are expected to have minimal effect on the surrounding areas, and all operations will be conducted in a manner compliant with applicable City and State codes.

## 8. Land and Shoreline Use [Find help answering land and shoreline use questions](#)

- a. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

Currently the site contains orchards and native vegetation, and is zoned SAG Suburban Agriculture. A rezone of the project property to R-1-10 is being proposed to accommodate single family residential development. Properties to the east, south, and west are developed residential and zoned R-1-10. The proposal is not expected to affect land uses of nearby or adjacent properties.

- b. **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

The project site is currently being used for agricultural purposes, specifically as an orchard. Although the land is currently zoned Suburban Agriculture (SAG), it has a Low Density Residential (LDR) comprehensive plan land use designation. This proposed rezone and development are in compliance with the comprehensive plan designation. No lands of long-term significance will be converted.

1. **Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?**

No, the proposal is not anticipated to affect or be affected by surrounding working farm or forest land activities.

- c. **Describe any structures on the site.**

There is an existing KID irrigation pond in the southeast corner of the site. This pond will remain, coordination with KID is ongoing.

- d. **Will any structures be demolished? If so, what?**

No existing structures will be demolished.

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

Suburban Agriculture (SAG)

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

Low Density Residential (LDR)



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

Not applicable, the property is not within a shoreline master program designation.

**h. Has any part of the site been classified as a critical area by the city or county? If so, specify.**

Yes, the City of Richland Critical Area GIS map has identified a wildlife habitat on the site. It is not clear what this wildlife habitat is in reference to, but it is assumed that this is in reference to the presumptive shrub-steppe habitat and/or Townsend's Ground Squirrel designations provided by the WDFW PHS map. These WDFW designations can also be found in the neighboring residential developments.

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

Assuming an average family size of 3 people per house, approximately 237 people will reside in the completed project.

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

Zero, the site is currently undeveloped.

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

Not applicable, the site is currently undeveloped and no displacement will take place.

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

The project will be permitted through the local jurisdictions in accordance with all applicable zoning ordinances.

**m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any.**

No agricultural or forest lands of long-term significance will be affected by this project. The project will be permitted through the local jurisdictions in accordance with all applicable zoning ordinances.

**9. Housing** [Find help answering housing questions](#)

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

The proposed project will provide 79 single-family residential lots for middle income housing.

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

Zero units eliminated, the site is currently undeveloped.

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

Not applicable, no housing impacts associated with this proposal.

## **10. Aesthetics** [Find help answering aesthetics questions](#)

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

Structure heights have not been determined at this time. All future structures will comply with City of Richland code regarding allowable building heights.

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

Views of the nearby hills and orchard would be partially obstructed for existing home owners of nearby properties.

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

All materials and required landscaping will be in accordance with local ordinances.

## **11. Light and Glare** [Find help answering light and glare questions](#)

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

Street and house lighting typical of residential developments will occur with this proposal. This lighting impact will mainly occur at night.

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

No, light or glare from the completed project is not anticipated to become a safety hazard or interfere with views.

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

None are known.

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

All outdoor lighting will conform with the City of Richland code requirements.

## **12. Recreation** [Find help answering recreation questions](#)

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

Badger Mountain is located 0.5 miles south of the project site (across I-182) and is used for recreational hiking/biking trails. The Candy Mountain trailhead is located 0.75 miles southwest of the project site and is used for recreational hiking/biking trails.

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

No, the existing property is privately owned.

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

No impacts are anticipated, so no measures are being proposed.

### 13. Historic and Cultural Preservation [Find help answering historic and cultural preservation questions](#)

- a. **Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.**

No, the site is undeveloped and there are no known buildings, structures, or sites nearby that are over 45 years old or known to be eligible for listing in any preservation registers.

- b. **Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

There are no landmarks, features, or other evidence of Indian or historic use/occupation. Per the Department of Archaeology and Historic Preservation (DAHP) WISAARD maps, the site is within areas varying from "Survey Contingent upon Project Parameters: Moderately Low Risk" to "Survey Highly Advised: High Risk" for finding archaeological resources and artifacts. However, these designations are based on a predictive model, and the entire Columbia basin falls within "Low" and "Very High" risk areas.

- c. **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

The Department of Archaeology and Historic Preservation (DAHP) WISAARD maps were utilized.

- d. **Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

Upon discovery of potential or known archaeological resources at the subject property, the developer, contractor, and/or other parties involved shall immediately cease all onsite construction, act to protect the potential/known resources, and immediately notify the proper City and/or County departments of the discovery.

### 14. Transportation [Find help with answering transportation questions](#)

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

The site will be accessed via public right-of-way from Samish Drive west of the site, and both Tomish Avenue and Jasper Street east of the site.

- b. **Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

The site is not currently served by public transit. The nearest transit stops are located along Kennedy Road, approximately 1,500 feet north of the site.

- c. **Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

Yes, new roadways and sidewalks will be constructed throughout the subdivision, and public connections to Samish Drive, Tomish Avenue, and Jasper Street will be created.

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

No, the project will not use or occur within the immediate vicinity of water, rail, or air transportation.

- e. **How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

A Transportation Impact Analysis was completed by PBS, and it was determined that ITE land use code 210 was applicable for single-family residential development. Per this land use, the proposed 79 lots will generate 812 average daily trips, with 60 a.m. and 80 p.m. peak hour trips.

- f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No, the project will not interfere with, affect, or be affected by the movement of agricultural and forest products.

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

The TIA provided by PBS identified areas of concern where mitigation via impact fees, road/intersection improvements, and/or re-striping are recommended and/or required.

**15. Public Services** [Find help answering public service questions](#)

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

Yes, the subdivision will require public services such as fire and police protection. The new residents will utilize public transit, health care, and schools.

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

The completed project will provide additional tax revenue for the City and will pay impact fees for development.

**16. Utilities** [Find help answering utilities questions](#)

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Electricity - City of Richland Energy Services; Natural Gas - Cascade Natural Gas;  
Sewer - City of Richland; Water - City of Richland; Telephone - Ziply Fiber;  
Internet - Charter Communications

**C. Signature** [Find help about who should sign](#)

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

X 

SEPA Responsible Official

Type name of signee: Nathan Machiela

Position and agency/organization: Senior Civil Project Manager,  
Barghausen Consulting Engineers Inc.

Date submitted: 05/14/2024

**D. Supplemental sheet for nonproject actions** [Find help for the nonproject actions worksheet](#)

**NOT APPLICABLE**

**IT IS NOT REQUIRED** to use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

**1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

- Proposed measures to avoid or reduce such increases are:

**2. How would the proposal be likely to affect plants, animals, fish, or marine life?**

- Proposed measures to protect or conserve plants, animals, fish, or marine life are:

**3. How would the proposal be likely to deplete energy or natural resources?**

- Proposed measures to protect or conserve energy and natural resources are:

**4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

- Proposed measures to protect such resources or to avoid or reduce impacts are:

**5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

- Proposed measures to avoid or reduce shoreline and land use impacts are:



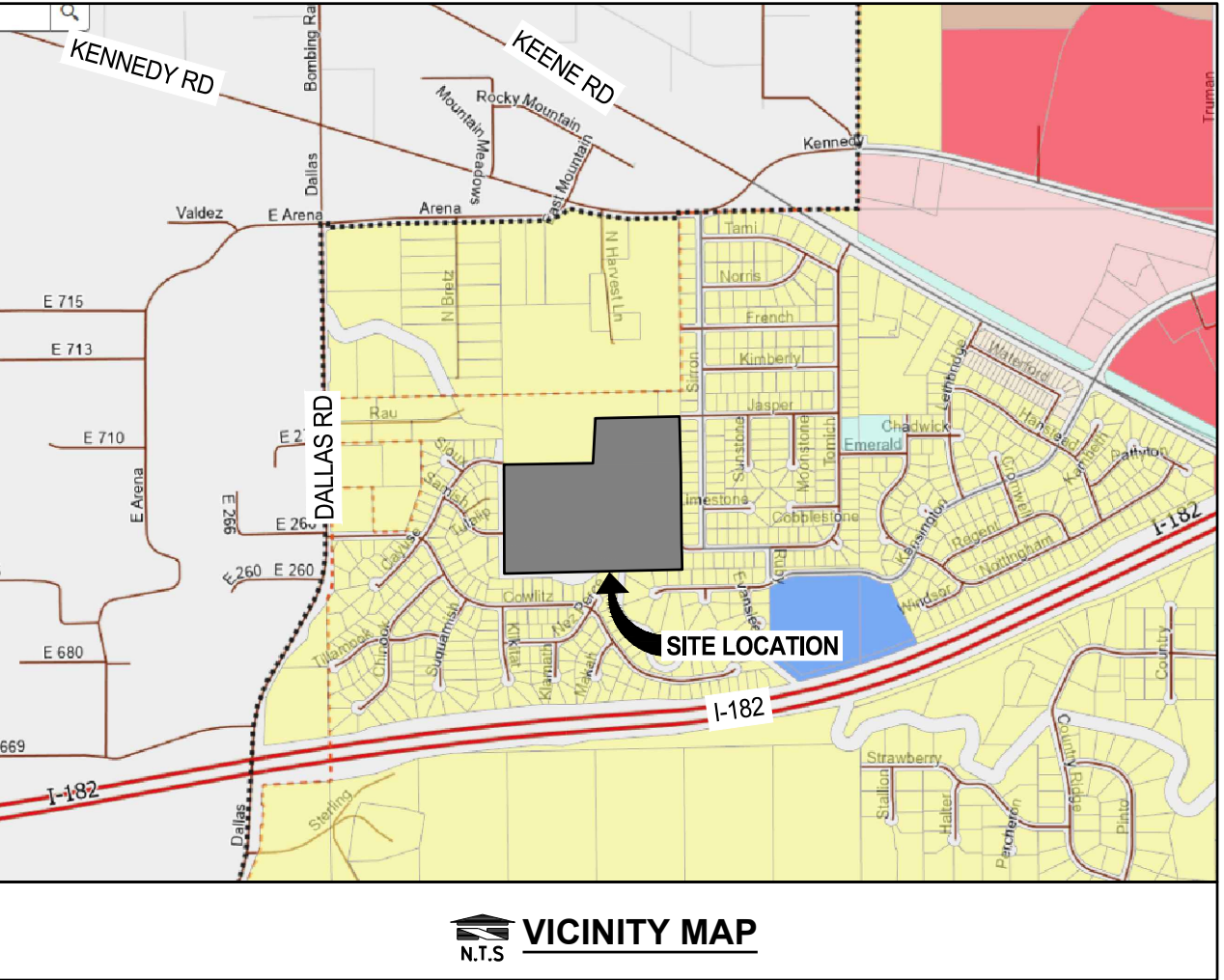
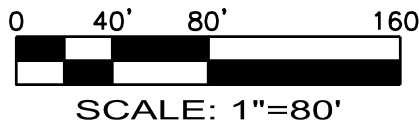
**6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

- **Proposed measures to reduce or respond to such demand(s) are:**

**7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**



**A PORTION OF THE SW 1/4 OF THE NE 1/4 OF SEC. 20, TWN. 9 N, RGE. 28 E, W.M.  
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON**



THE EXISTING CULTURAL AND TOPOGRAPHIC DATA SHOWN ON THESE DRAWINGS HAS BEEN PREPARED, IN PART, BASED UPON INFORMATION FURNISHED BY OTHERS. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, BARGHAUSEN CONSULTING ENGINEERS, INC. CANNOT ENSURE ACCURACY AND THUS IS NOT RESPONSIBLE FOR THE ACCURACY OF THAT INFORMATION OR FOR ANY ERRORS OR OMISSIONS WHICH MAY HAVE BEEN INCORPORATED INTO THESE DRAWINGS AS A RESULT.

PER DEED AFN 2023-008265  
SITUATE IN BENTON COUNTY, STATE OF  
WASHINGTON, TO WIT:  
SECTION 20 TOWNSHIP 9 RANGE 28  
QUARTER 1 EAST PORTION TO THE  
SOUTHWEST QUARTER OF THE NORTHWEST  
QUARTER OF SECTION 20, TOWNSHIP 9  
NORTH, RANGE 28 EAST, W.M.M. RICHLAND,  
BENTON COUNTY, WASHINGTON, EXCEPT  
THAT PORTION DEFINED AS FOLLOWS:  
BEGINNING AT THE NORTHEAST CORNER  
OF SAID NORTHWEST QUARTER OF SECTION  
20, NORTH 01°00'11" EAST FOR  
88°47'27" WEST, ALONG THE NORTH LINE  
OF SAID SOUTHWEST QUARTER OF THE  
NORTHEAST QUARTER FOR 1320.95 FEET  
TO THE NORTHWEST CORNER OF SAID  
SUBDIVISION; THENCE SOUTH 00°43'01"  
EAST, ALONG THE WEST LINE OF SAID  
SUBDIVISION, FOR 518.00 FEET; THENCE  
NORTH 88°47'27" EAST FOR 689.51 FEET  
TO THE NORTHEAST CORNER OF SAID  
SUBDIVISION; THENCE NORTH 01°00'11" EAST FOR  
331.19 FEET; THENCE NORTH 88°47'27"  
WEST FOR 640.13 FEET TO THE EAST  
LINE OF SAID SUBDIVISION; THENCE  
NORTH 00°30'12" WEST, ALONG SAID EAST  
LINE FOR 187.09 FEET TO THE POINT OF  
BEGINNING. (ALSO KNOWN AS SHORT PLAT  
#2790, RECORDED UNDER AFN  
#2004-005496 ON 02/20/2004).

STORY FAMILY FIVE, LLC  
PO BOX 2289  
RICHLAND, WA 99352  
(509) 302-6136  
CONTACT: TIM STORY

BARGHAUSEN CONSULTING ENGINEERS, INC  
400 COLUMBIA POINT DRIVE, SUITE 101-E  
RICHLAND, WA 99352  
(425) 251-6222  
CONTACT: NATHAN MACHIELA, PE

AABL, INC.  
 5804 ROAD 90, SUITE H  
 PASCO, WA 99301  
 (509) 380-5883  
 CONTACT: JOHN BECKER, PLS

1004 SIRRON AVE, RICHLAND, WA 99352  
GENERAL LOCATION: NORTH OF I-182, WE  
OF SIRRON AVE, EAST OF DALLAS RD, AND  
SOUTH OF KENNEDY RD.

120981000002004

WATER:	CITY OF RICHLAND
SEWER:	CITY OF RICHLAND
IRRIGATION:	KID
TELEPHONE:	CHARTER / ZIPLY
POWER:	RICHLAND ENERGY SERVICES
GAS:	CASCADE NATURAL GAS CORPORATION

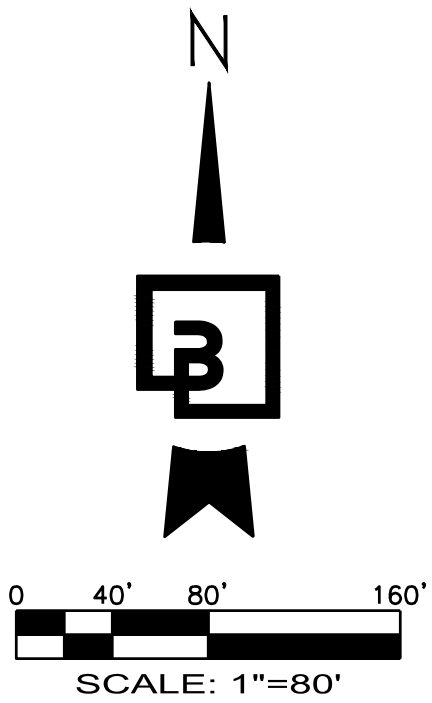
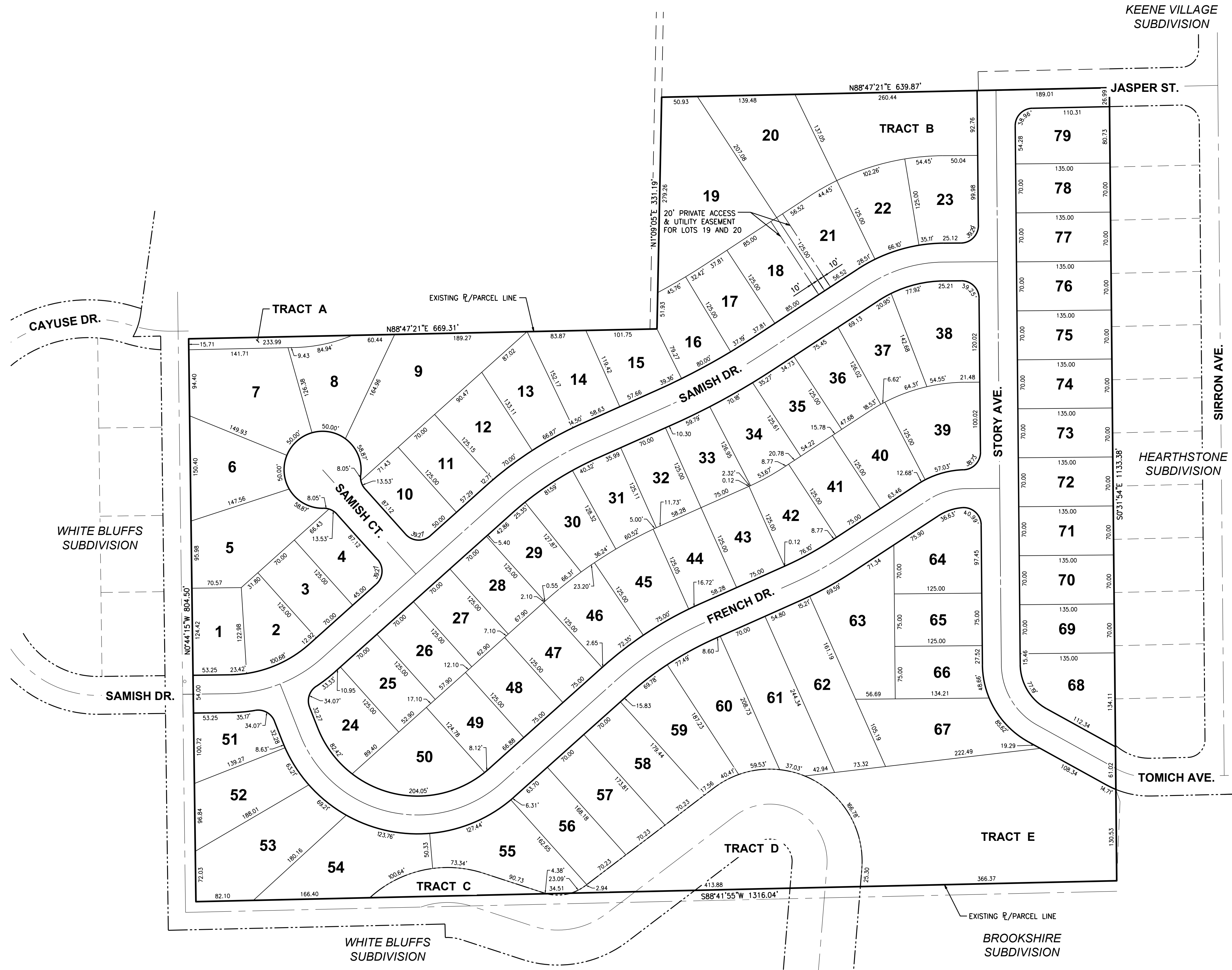
1 OF 2	COVER SHEET
2 OF 2	LOT LAYOUT

TRACT TABLE		
NAME	USE	AREA
TRACT A	FUTURE ROW	3,248 SF (0.07 ACRES)
TRACT B	STORMWATER POND	23,804 SF (0.55 ACRES)
TRACT C	KID CANAL/ROW	6,483 SF (0.15 ACRES)
TRACT D	KID CANAL/ROW	46,004 SF (1.06 ACRES)
TRACT E	KID IRRIGATION POND	66,369 SF (1.52 ACRES)
TOTAL AREA	-	145,908 SF (3.35 ACRES)



LOT LAYOUT  
FOR  
**PRELIMINARY PLAT OF "THE ESTATES AT WHITE BLUFFS"**

A PORTION OF THE SW 1/4 OF THE NE 1/4 OF SEC. 20, TWN. 9 N, RGE. 28 E, W.M.  
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



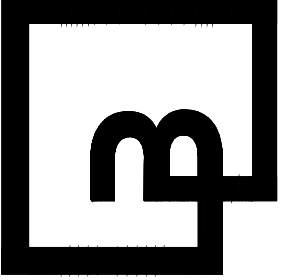
Parcel Table	
Parcel #	Area
1	9,148 SF
2	8,953 SF
3	8,750 SF
4	8,601 SF
5	16,308 SF
6	13,664 SF
7	19,977 SF
8	13,439 SF
9	23,040 SF
10	9,226 SF
11	8,751 SF
12	10,252 SF
13	10,747 SF
14	10,173 SF
15	9,472 SF
16	8,811 SF
17	9,076 SF
18	10,625 SF
19	28,173 SF
20	19,025 SF
21	11,624 SF
22	10,523 SF
23	11,725 SF
24	10,564 SF
25	8,750 SF
26	8,750 SF
27	8,750 SF
28	8,750 SF
29	8,853 SF
30	9,061 SF
31	8,978 SF
32	8,750 SF
33	9,260 SF
34	9,734 SF
35	8,757 SF
36	8,860 SF
37	10,638 SF
38	14,706 SF
39	13,731 SF
40	10,297 SF

Parcel Table	
Parcel #	Area
41	9,375 SF
42	9,368 SF
43	9,375 SF
44	9,375 SF
45	10,735 SF
46	10,448 SF
47	9,375 SF
48	9,375 SF
49	9,374 SF
50	13,111 SF
51	9,430 SF
52	12,117 SF
53	18,594 SF
54	17,549 SF
55	15,643 SF
56	11,576 SF
57	11,970 SF
58	12,364 SF
59	13,059 SF
60	13,882 SF
61	16,108 SF
62	17,869 SF
63	17,273 SF
64	12,989 SF
65	9,375 SF
66	9,519 SF
67	17,433 SF
68	12,679 SF
69	9,450 SF
70	9,450 SF
71	9,450 SF
72	9,450 SF
73	9,450 SF
74	9,450 SF
75	9,450 SF
76	9,450 SF
77	9,450 SF
78	9,450 SF
79	10,650 SF

TRACT TABLE		
NAME	USE	AREA
TRACT A	FUTURE ROW	3,248 SF (0.07 ACRES)
TRACT B	STORMWATER POND	23,804 SF (0.55 ACRES)
TRACT C	KID CANAL/ROW	6,483 SF (0.15 ACRES)
TRACT D	KID CANAL/ROW	46,004 SF (1.06 ACRES)
TRACT E	KID IRRIGATION POND	66,369 SF (1.52 ACRES)
TOTAL AREA	-	145,908 SF (3.35 ACRES)

Job Number  
**23325**

Sheet  
**2 of 2**



**Barghausen Consulting Engineers, Inc.**  
18215 72nd Avenue South  
Kent, WA 98032  
425.251.6222  
[barghausen.com](http://barghausen.com)

Designed D.F.  
Drawn D.F.  
Checked NJM  
Approved NJM  
Date 05/10/24

Scale:  
Horizontal  
1" = 80'  
Vertical  
N/A

For:  
**STORY FAMILY FIVE, LLC**  
PO BOX 2289  
RICHLAND, WA 99352

Title:  
**PRELIMINARY PLAT MAP**  
  
THE ESTATES AT WHITE BLUFFS  
RICHLAND, WA 99352

No.

Date

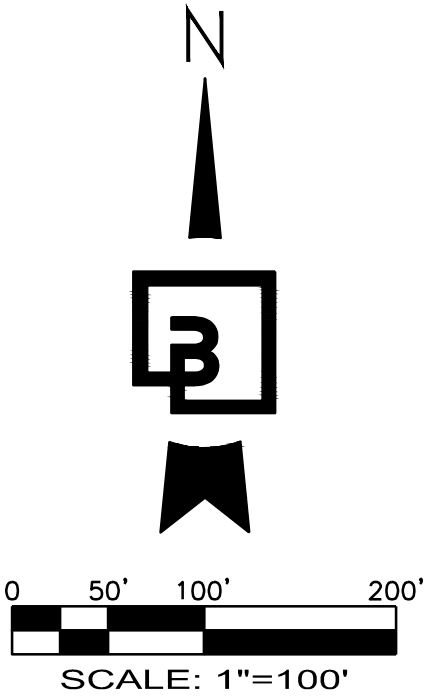
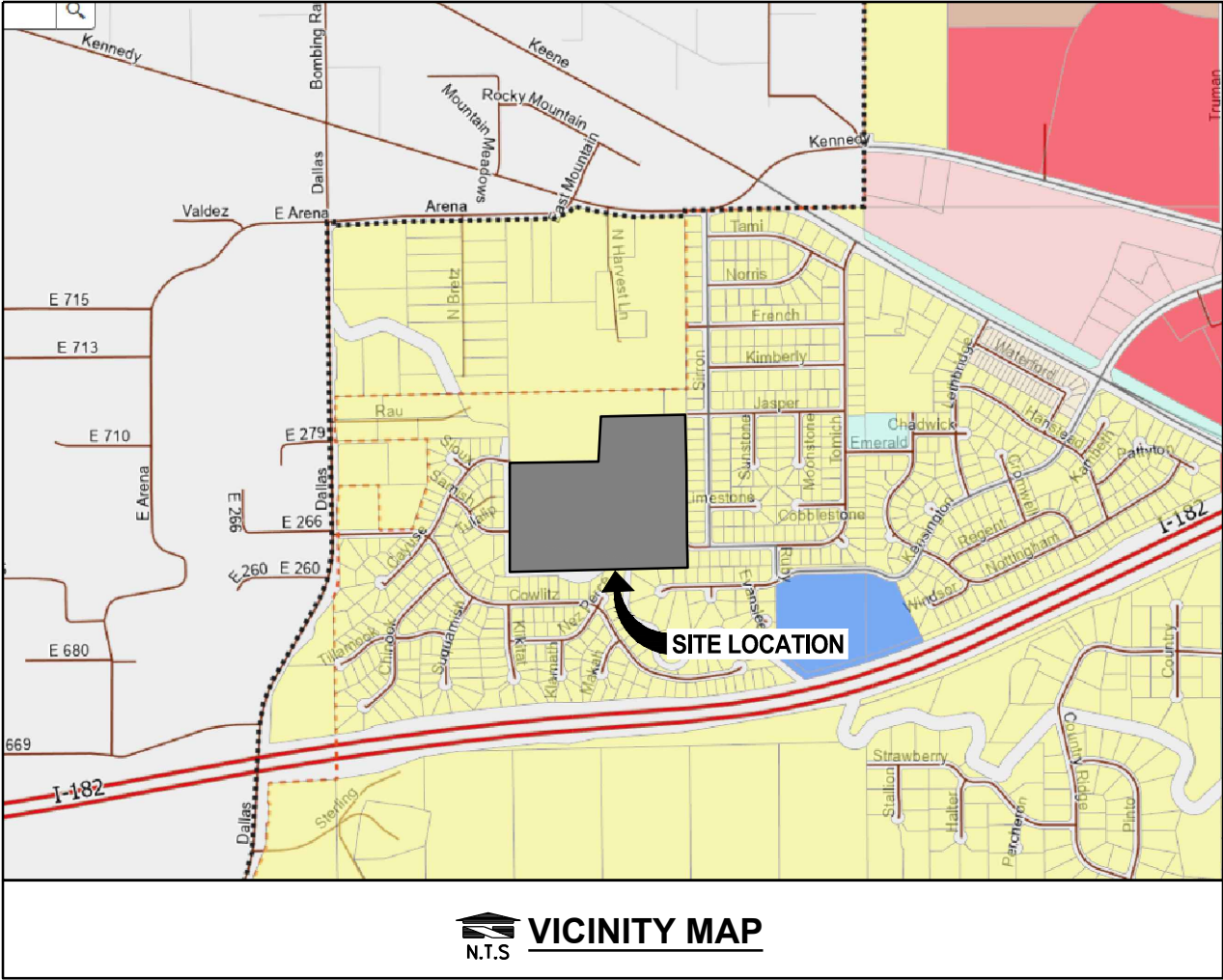
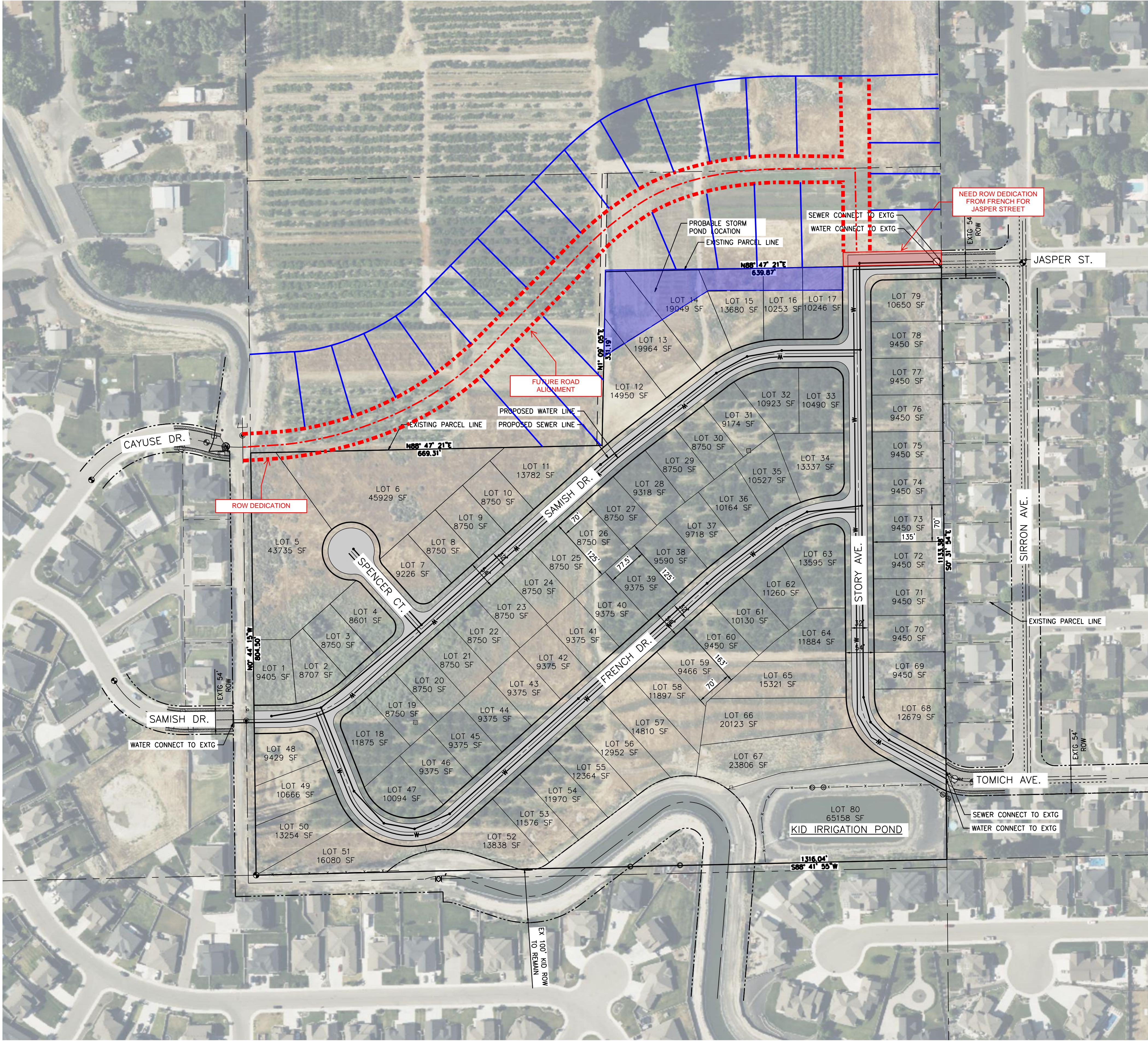
By

Ckd.

Appr.

Revision





PROJECT INFORMATION

LAND USE: LOW DENSITY RESIDENTIAL  
EXTG ZONE: SAG  
PROP ZONE: R-1-10 (LOW DENSITY)  
TOTAL AREA: 29.19 ACRES  
PARCELS: 120981000002004

LAYOUT INFORMATION

MIN. LOT SIZE: 8,707 SF  
MAX LOT SIZE: 45,875 SF  
AVE. LOT SIZE: 11,781 SF

PROP. SETBACKS:

FRONT: 20 FT  
REAR: 25 FT  
SIDE: 10 FT

MINIMUM LOT WIDTH: 70 FT

LOT COUNT: 79 LOTS

PROP ROAD WIDTH: 54 FT PUBLIC ROW, 32 FT ROAD WIDTH  
4,076 LF ROAD

Job Number  
23325

Sheet  
1 of 1

**Barghausen Consulting Engineers, Inc.**  
18215 72nd Avenue South  
Kent, WA 98032  
425.251.6222 [barghausen.com](http://barghausen.com)

Designed <u>D/E</u>		Drawn <u>D/E</u>		Checked <u>NJM</u>		Approved <u>NJM</u>		Date 01/16/24

Scale:  
Horizontal  
1" = 100'  
Vertical  
N/A

For:

STORY FAMILY FIVE, LLC  
3250 W. CLEARWATER AVE,  
SUITE 2  
KENNEWICK, WA 99336

Title:

FRENCH RESIDENTIAL DEVELOPMENT  
RICHLAND, WA 99352

No.		Date		By		Ckd.		Appr.		Revision



April 22, 2024

Tim Story  
Story Family Five, LLC  
PO Box 2289  
Richland, Washington 99352

Via email: tim@santillanhomes.com  
cc: nmachiela@barghausen.com

Regarding: Trip Generation Letter  
French Residential Development  
Parcel 120981000002004 near Sirron Avenue  
Richland, Washington 99352  
PBS Project 78215.000



Dear Mr. Story:

This trip generation letter has been prepared to support the proposed French Residential Development (Development) located west of Sirron Avenue in Richland, Washington.

### PROJECT DESCRIPTION

A new 29.19-acre, 79-lot residential development is proposed west of Sirron Avenue on parcel 120981000002004 in Richland, Washington. The project is expected to be completed by 2025. The site is currently zoned SAG (Suburban Agriculture) and will be re-zoned to R-1-10 (single-family residential). The development appears to reside within Traffic Impact Fee (TIF) Zone #2 based on "Exhibit B: Traffic Impact Fee Areas," provided in Chapter 12.03 of the City of Richland's (City) Municipal Code (see the attached site plan).

### TRIP GENERATION

Trip generation estimates for the proposed development are based on "Single-Family Detached Housing" (land use code [LUC] 210) in the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 11th Edition (2021). The Average Daily Trips (ADT) were estimated using ITE fitted curve equations. The details are attached for reference.

There were no adjustments made for transit, pedestrian, internal capture trips, pass-by trips, or diverted linked trips. Table 1 presents the trip generation estimates for the proposed Development.



**Table 1. ITE Trip Generation – French Residential Development**

Land Use (ITE Code)	Single-Family Attached Housing (215)		
Independent Variable	Dwelling Units		
Size	79		
Peak Hour Trips	ADT	AM Peak Hour	PM Peak Hour
In	406	15	50
Out	406	45	32
Total Trips	812	60	80

The Development is expected to generate 812 new trips during a typical weekday, including 60 trips during the AM peak hour and 80 trips during the PM peak hour.

### **SITE ACCESS AND SIGHT DISTANCE**

The Development proposes three site accesses: two on Sirron Avenue and one on Samish Drive. All the site access driveways are 54 feet wide. There are no existing driveways or intersections within 300 feet of the proposed driveways. The site access on Samish Drive is a roadway extension into the Development, and does not intersect with any existing or proposed roadway.

The site accesses on Sirron Avenue were reviewed graphically. Since the roadway is a local residential street, a posted speed of 25 miles per hour (mph) is assumed. Based on Chapter 9.5.3 of the American Association of State Highway and Transportation Officials (AASHTO) policy,<sup>1</sup> and the 25-mph speed, the accesses must have at least 280 feet of intersection sight distance (ISD) for vehicles making a left turn from a stop and at least 240 feet of ISD for vehicles making a right turn from a stop to meet the AASHTO recommendations. Both accesses appear to meet the AASHTO recommendations for ISD.

PBS Engineering and Environmental LLC (PBS) recommends no landscaping or other physical objects that would reduce the sight distance at the driveways below 300 feet looking from a location 15 feet from the edge of the roadway.

### **TRIP DISTRIBUTION**

The proposed distribution of primary trips is based on a review of the land uses within the study area, the density of land uses, discussion with the adjacent agencies (Benton County and the City of West Richland), and on engineering judgment. The proposed primary trip distribution pattern is as follows:

- 15% to and from Dallas Road, south of Cowlitz Boulevard
- 15% to and from Dallas Road, north of Cowlitz Boulevard
- 10% to and from Keene Road, north of Kennedy Road
- 50% to and from Keene Road, south of Kennedy Road
- 10% to and from Kennedy Road, east of Keene Road

The distribution pattern above represents an external distribution of the primary trips entering and exiting the study area. The proposed trip distribution and the number of the project's new PM peak hour trips are included as an attachment.

<sup>1</sup> AASHTO (American Association of State Highway and Transportation Officials). (2018). *A Policy on the Geometric Design of Highways and Streets*, 7th Edition.

TRAFFIC IMPACT FEE

The project site is in Zone 2 of the South Richland TIF area. PBS estimated the TIF for the project based upon net new PM Peak Hour Trips using the ITE *Trip Generation Manual*, 11th Edition average rate. The estimated TIF is summarized in Table 2. The official fee shall be calculated by the City Traffic Engineer based upon the final project submittal.

Table 2. Traffic Impact Fee Estimate for French Residential Development

Land Use Category	ITE Average PM Peak Hour Trip Rate (1)	New Trip % (2)	Net New PM Peak Hour Trip Rate (3)	TIF (Per New PM Peak Hour Trip) (4)	Impact Fee Per Unit of Development (5)	# Units of Development* (6)	Traffic Impact Fee**
Single-Family Detached Housing	0.94	NA	0.94	\$854.81	\$803.52	79	\$63,478.19

\* Unit: Dwelling Units (DU)  
\*\* Traffic Impact Fee Formula: (1)\*(2)=(3), (3)\*(4)=(5), (5)\*(6)=TIF  
NA: not applicable

PEDESTRIAN AND TRAFFIC SAFETY MEASURES

Existing sidewalks and streetlights are readily available along the frontage of Sirron Avenue. Internal sidewalk and streetlights will be provided throughout the Development.

Bicycle lanes are not available in the vicinity of the site. Transit service in the region is provided by Ben Franklin Transit. The nearest bus stop is located approximately 0.4 mile north at Kennedy Road near Sirron Avenue via Ben Franklin Transit bus route 110.

TRAFFIC MITIGATION AND PROPORTIONATE SHARE

Benton County

Given the trip generation and proposed trip distribution of The Development, trips entering and exiting through the Cowlitz Boulevard/Dallas Road will add an additional 24 vehicle trips to the intersection, with 12 trips coming to and from Dallas Road to the north and 12 trips coming to and from Dallas Road to the south. Benton County expressed concern that the increase in trips at the Dallas Road / Cowlitz Boulevard intersection due to the Development and the increased circulation of vehicles from other existing residential developments nearby will place increased strain on the level of service of the intersection.

However, the Development will introduce an east-west local streets connections between Dallas Road and Kennedy Road and Keend Road that did not previously exist. This provides an opportunity for trips associated with the adjacent White Bluffs development, an existing larger residential development which previously required residents to use the Dallas Road / Cowlitz Boulevard to head towards Kennedy Road, to now utilize the proposed local streets connections instead of the Dallas Road / Cowlitz Boulevard intersection. Based on engineering judgement and the understanding that the majority of trips for residents in the area will be heading to and from the east, it is anticipated that the additional east-west local streets connections due to the Development will result in a net reduction of trips entering and exiting from the Dallas Road / Cowlitz Boulevard intersection.

With this conclusion, potential improvements on the Dallas Road / Cowlitz Boulevard are unlikely to be required due to the assumed reduction in overall trips through the intersection.

### **City of West Richland**

The City of West Richland determined the traffic mitigation needed at the three specific intersections nearby the study area as well as proportionate share for current 6-Year Transportation Improvement (TIP) projects based on the number of trips generated and using the data generated from the Badger Mountain South Development. The traffic mitigations suggested by the City of West Richland include:

#### **1. Kennedy Road / Sirron Avenue Intersection**

Fifty-six PM peak hour trips are expected to pass through the Kennedy Road / Sirron Avenue intersection. This volume raises significant concerns, especially for left turns on to Sirron Avenue and the proximity of the intersection to the Kennedy Road / Keene Road intersection. Using Figure 5 (see attached) from the Badger Mountain South TIA as well as their 2040 trip volumes from Figure 16a (see attached), exiting peak hour traffic on Kennedy Road at Sirron Avenue can be calculated to be 1,342 PM peak hour in 2029 (5-year buildout). Making a conservative estimate that only 50% of the 56 PM peak vehicles will be making a left turn from westbound Kennedy Road to Sirron Avenue, this calculates 2.09% of vehicles from the Development on Kennedy Road are making this left turn. Using Exhibit 1310-9 (see attached) of the Washington State Department of Transportation (WSDOT) *Design Manual* indicates that further analysis is recommended.

Because of the information gathered, the current lack of a left-turn lane, and the proximity of this intersection to the Kennedy Road / Keene Road intersection, the City of West Richland is requiring the design and construction of the following improvements be made by the developer prior to final acceptance of the development:

- Re-stripe the east leg of the intersection to add a left-turn lane for vehicles turning from Kennedy Road to Sirron Avenue and re-stripe and widen the west leg of the intersection to account for the addition of the east leg left-turn lane. Currently there is inadequate road width to accommodate for the shift in the eastbound lane due to the addition of the west leg left-turn lane. Therefore, the width of the west leg of the intersection will need to have some graduated rural road widening to meet adequate width requirements. Please see the attachment for an exhibit of the changes to the intersection.

#### **2. Kennedy Road / Keene Road Intersection**

Currently, the City of West Richland has a project listed on the City's 6-Year TIP for this intersection. Similar traffic projection methods described above were used to estimate traffic for a 5-year build out in order to establish the project's percent of total traffic. Based on the PBS trip distribution percentage estimation, 56 of the PM peak hour trips will be sent out to Kennedy Road on Sirron Avenue and continue to the Kennedy Road / Keene Road intersection. The projected 2029 intersection volume at this intersection with Development trips is 3,489 PM peak-hour vehicles (see attached). The percent of the total volume from the Development calculates to 1.61%, which will also be the proportionate share to programmed intersection improvements at this intersection. Total project costs in the 6-Year TIP at this intersection are \$1,850,472. The proportionate share to be contributed by the Development shall be \$29,792.

#### **3. Kennedy Road / Dallas Road / Bombing Range Road Intersection**

Currently, the City of West Richland has a project listed on the City's 6-Year TIP for this intersection. Similar traffic projection methods described above were used to estimate traffic for a 5-year build out in order to establish the projects' percent of total traffic. Based on the PBS trip distribution percentage estimation, it can be determined that 30% of the PM peak hour trips (24) will be sent out to Dallas Road on Cowlitz Boulevard. Using the traffic distribution of other traffic studies and engineering judgement, it can be anticipated that 50% of these trips (12) will head north to the Kennedy Road / Dallas Road / Bombing Range Road intersection. The

projected 2029 intersection volume at this intersection with Development trips is 1,665 PM peak-hour vehicles (see attached). The percent of the total volume from the Development calculates to 0.7%, which will also be the proportionate share to programmed intersection improvements at this intersection. Total project costs in the 6-Year TIP at this intersection are \$1,639,007. The proportionate share to be contributed by the Development shall be \$11,812.

The City of West Richland is requiring a Traffic Mitigation Agreement be established between the City of West Richland and the developer of the Development. Said agreement will state that a lump sum payment in the total amount of \$41,604 shall be received by the City within 30 days of execution of the agreement or 30 days from the date of the invoice from the City, whichever is later. The agreement will state that \$29,792 of the total cost is for a portion of the intersection improvements at the Kennedy / Keene Road intersection. This amount is equal to 1.61% of the cost of the signal. The agreement will also state that \$11,812 of the total cost is for a portion of the intersection improvements at Kennedy Road / Dallas Road / Bombing Range Road intersection. This amount is equal to 0.7% of the cost of the signal. The above-listed percentages indicate that the proposed development would create these percentages of the overall traffic impact in these areas. After receipt of the payment, the City will issue notification to City of Richland of this agreement with confirmation that the developer has adequately mitigated this portion of traffic impact requirements.

The agreement will also state that the above listed improvements at the intersection of Kennedy Road and Sirron Avenue must be completed and approved by the City of West Richland prior to final approval of the Development. If the Development is built in phases, this requirement applies with the first phase of development construction. Once the City of West Richland has approved the intersection improvements, the City will issue notification to City of the City of West Richland's final approval and that the developer has met all requirements of the traffic mitigation agreement.

PBS acknowledges that project should contribute a proportionate share of \$41,604 in total toward the City's Transportation Improvement projects.

## **CLOSING**

Please feel free to contact me at 360.213.0418 or [pj.mckelvey@pbsusa.com](mailto:pj.mckelvey@pbsusa.com) with any questions or comments.

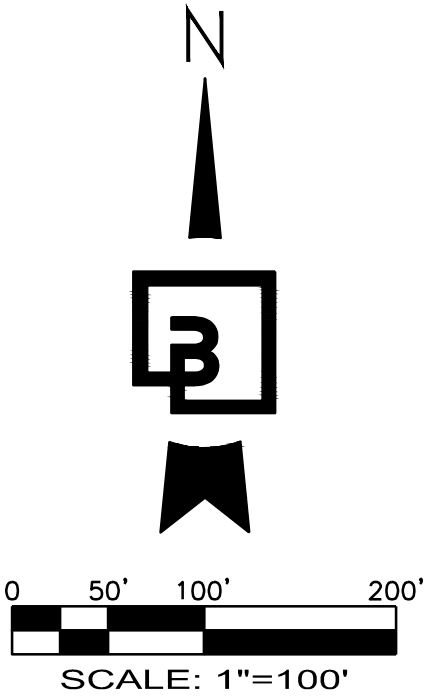
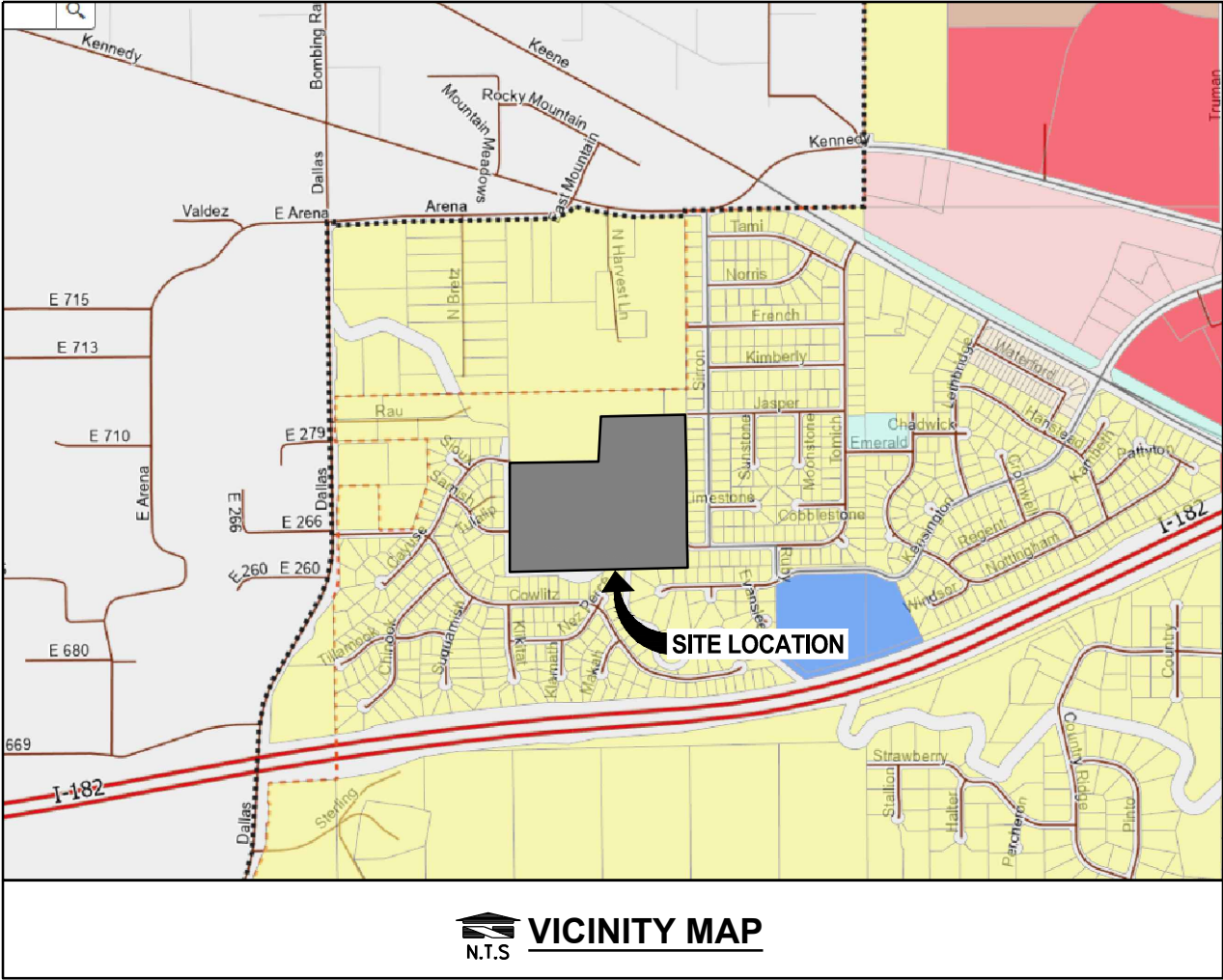
Sincerely,

Pierce-Jon McKelvey, PE  
Project Traffic Engineer

Attachment: Site Plan  
Trip Generation Calculations  
Trip Distribution and Assignment  
Support Documents from the City of West Richland including Intersection Mitigation and Proportionate Share Evaluation

NT:PJ:tl





PROJECT INFORMATION

LAND USE: LOW DENSITY RESIDENTIAL  
EXTG ZONE: SAG  
PROP ZONE: R-1-10 (LOW DENSITY)  
TOTAL AREA: 29.19 ACRES  
PARCELS: 120981000002004

LAYOUT INFORMATION

MIN. LOT SIZE: 8,707 SF  
MAX LOT SIZE: 45,875 SF  
AVE. LOT SIZE: 11,781 SF

PROP. SETBACKS:  
FRONT: 20 FT  
REAR: 25 FT  
SIDE: 10 FT

MINIMUM LOT WIDTH: 70 FT

LOT COUNT: 79 LOTS

PROP ROAD WIDTH: 54 FT PUBLIC ROW, 32 FT ROAD WIDTH  
4,076 LF ROAD

Job Number		Title:		Revision	
23325		FRENCH RESIDENTIAL DEVELOPMENT RICHLAND, WA 99352			
Sheet		For:		No.	
1 of 1		STORY FAMILY FIVE, LLC 3250 W. CLEARWATER AVE, SUITE 2 KENNEWICK, WA 99336			
Scale:		Scale:		Date	
Horizontal 1" = 100'		Vertical N/A		01/16/24	
Designed		Drawn		Checked	
D.F.		D.F.		N.M.	
Approved		Approved		Date	
N.M.		N.M.		01/16/24	
Barghausen Consulting Engineers, Inc.		Barghausen Consulting Engineers, Inc.		barghausen.com	
18215 72nd Avenue South Kent, WA 98032 425.251.6222		18215 72nd Avenue South Kent, WA 98032 425.251.6222		barghausen.com	



Query

Filter

## DATA SOURCE:

Trip Generation Manual, 11th Ed

## SEARCH BY LAND USE CODE:

210



## LAND USE GROUP:

(200-299) Residential

## LAND USE :

210 - Single-Family Detached Housing

## LAND USE SUBCATEGORY:

All Sites

## SETTING/LOCATION:

General Urban/Suburban

## INDEPENDENT VARIABLE (IV):

Dwelling Units

## TIME PERIOD:

Weekday

## TRIP TYPE:

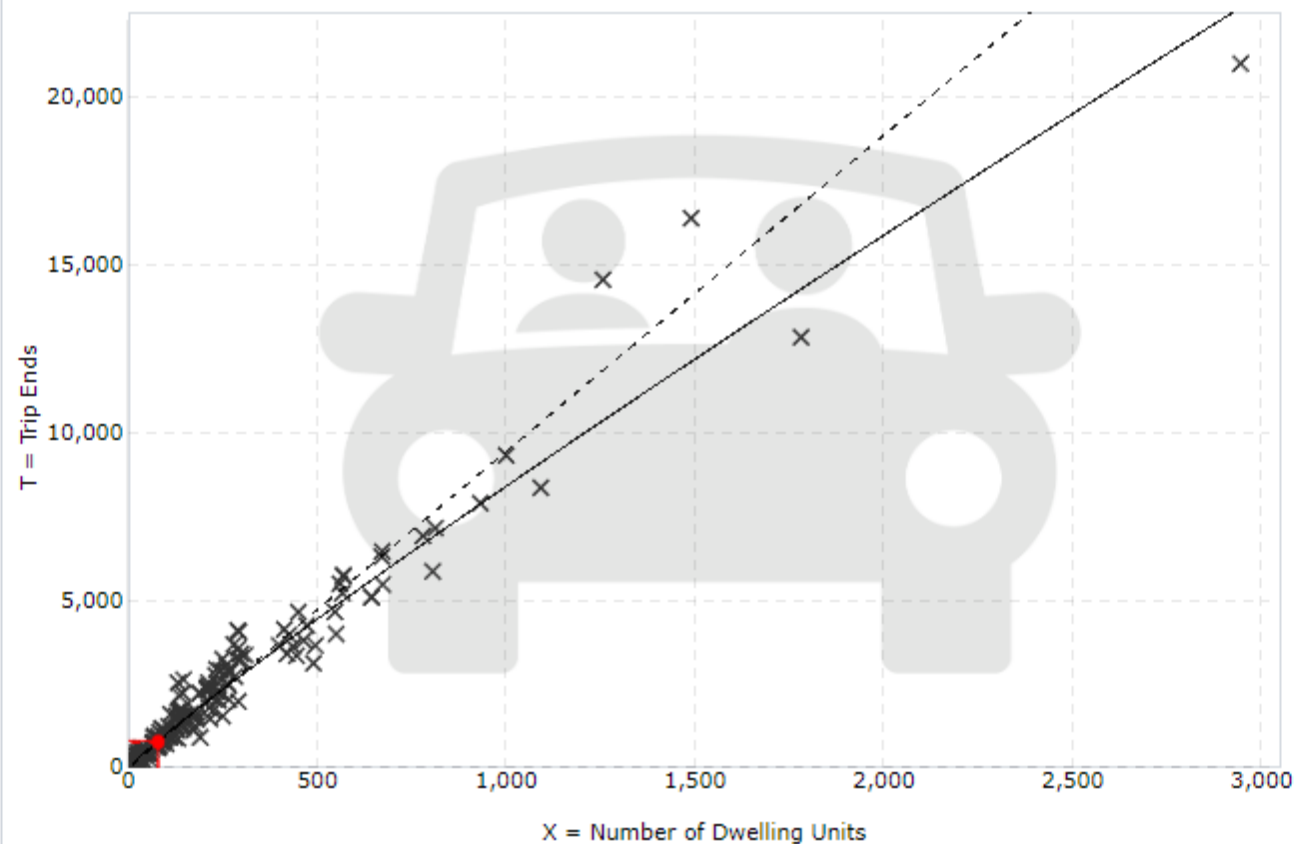
Vehicle

## ENTER IV VALUE TO CALCULATE TRIPS:

79

Calculate

## Data Plot and Equation



X Study Site

— Fitted Curve

- - - Average Rate

## DATA STATISTICS

## Land Use:

Single-Family Detached Housing (210) [Click for Description and Data Plots](#)

## Independent Variable:

Dwelling Units

## Time Period:

Weekday

## Setting/Location:

General Urban/Suburban

## Trip Type:

Vehicle

## Number of Studies:

174

## Avg. Num. of Dwelling Units:

246

## Average Rate:

9.43

## Range of Rates:

4.45 - 22.61

## Standard Deviation:

2.13

## Fitted Curve Equation:

 $\ln(T) = 0.92 \ln(X) + 2.68$  $R^2$ :

0.95

## Directional Distribution:

50% entering, 50% exiting

## Calculated Trip Ends:

Average Rate: 745 (Total), 372 (Entry), 373 (Exit)

Fitted Curve: 812 (Total), 406 (Entry), 406 (Exit)

Query

Filter

## DATA SOURCE:

Trip Generation Manual, 11th Ed

## SEARCH BY LAND USE CODE:

210



## LAND USE GROUP:

(200-299) Residential

## LAND USE:

210 - Single-Family Detached Housing

## LAND USE SUBCATEGORY:

All Sites

## SETTING/LOCATION:

General Urban/Suburban

## INDEPENDENT VARIABLE (IV):

Dwelling Units

## TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

## TRIP TYPE:

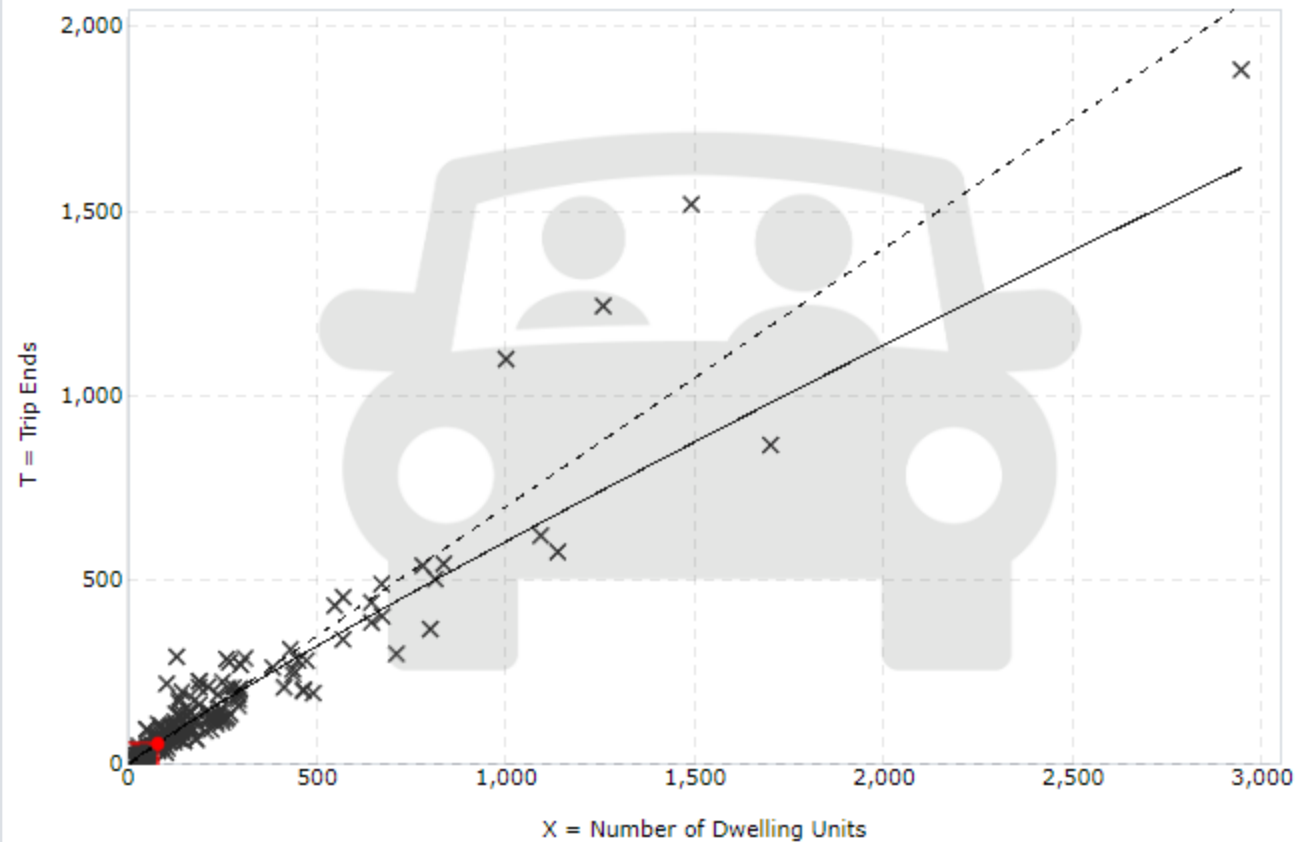
Vehicle

## ENTER IV VALUE TO CALCULATE TRIPS:

79

Calculate

## Data Plot and Equation



Reset Zoom

Restore

## DATA STATISTICS

## Land Use:

Single-Family Detached Housing (210) [Click for Description and Data Plots](#)

## Independent Variable:

Dwelling Units

## Time Period:

Weekday

Peak Hour of Adjacent Street Traffic

One Hour Between 7 and 9 a.m.

## Setting/Location:

General Urban/Suburban

## Trip Type:

Vehicle

## Number of Studies:

192

## Avg. Num. of Dwelling Units:

226

## Average Rate:

0.70

## Range of Rates:

0.27 - 2.27

## Standard Deviation:

0.24

## Fitted Curve Equation:

 $\ln(T) = 0.91 \ln(X) + 0.12$  $R^2$ :

0.90

## Directional Distribution:

25% entering, 75% exiting

## Calculated Trip Ends:

Average Rate: 55 (Total), 14 (Entry), 41 (Exit)

Fitted Curve: 60 (Total), 15 (Entry), 45 (Exit)

Query

Filter

## DATA SOURCE:

Trip Generation Manual, 11th Ed

## SEARCH BY LAND USE CODE:

210



## LAND USE GROUP:

(200-299) Residential

## LAND USE:

210 - Single-Family Detached Housing

## LAND USE SUBCATEGORY:

All Sites

## SETTING/LOCATION:

General Urban/Suburban

## INDEPENDENT VARIABLE (IV):

Dwelling Units

## TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

## TRIP TYPE:

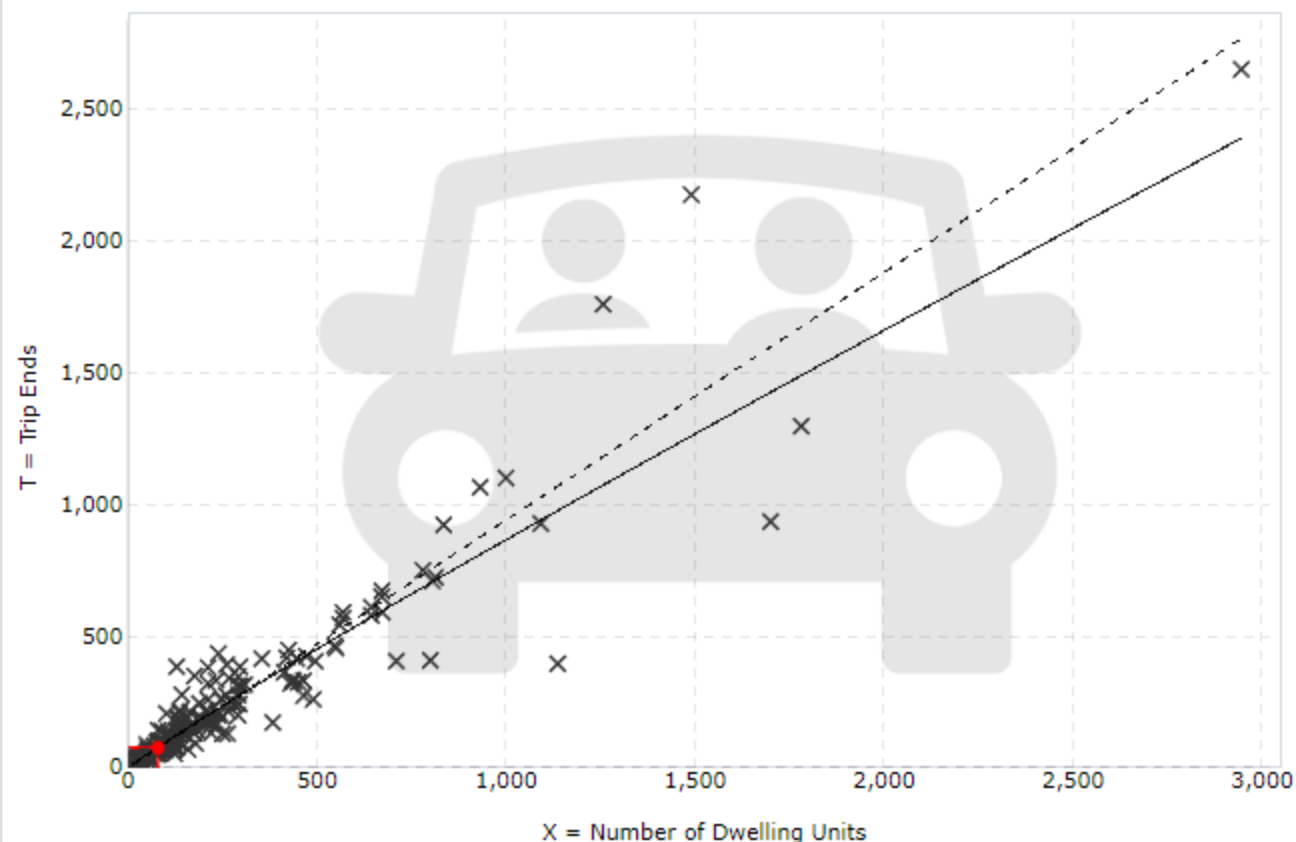
Vehicle

## ENTER IV VALUE TO CALCULATE TRIPS:

79

Calculate

## Data Plot and Equation



X Study Site

— Fitted Curve

- - - Average Rate

## DATA STATISTICS

## Land Use:

Single-Family Detached Housing (210) [Click for Description and Data Plots](#)

## Independent Variable:

Dwelling Units

## Time Period:

Weekday

Peak Hour of Adjacent Street Traffic

One Hour Between 4 and 6 p.m.

## Setting/Location:

General Urban/Suburban

## Trip Type:

Vehicle

## Number of Studies:

208

## Avg. Num. of Dwelling Units:

248

## Average Rate:

0.94

## Range of Rates:

0.35 - 2.98

## Standard Deviation:

0.31

## Fitted Curve Equation:

 $\ln(T) = 0.94 \ln(X) + 0.27$  $R^2$ :

0.92

## Directional Distribution:

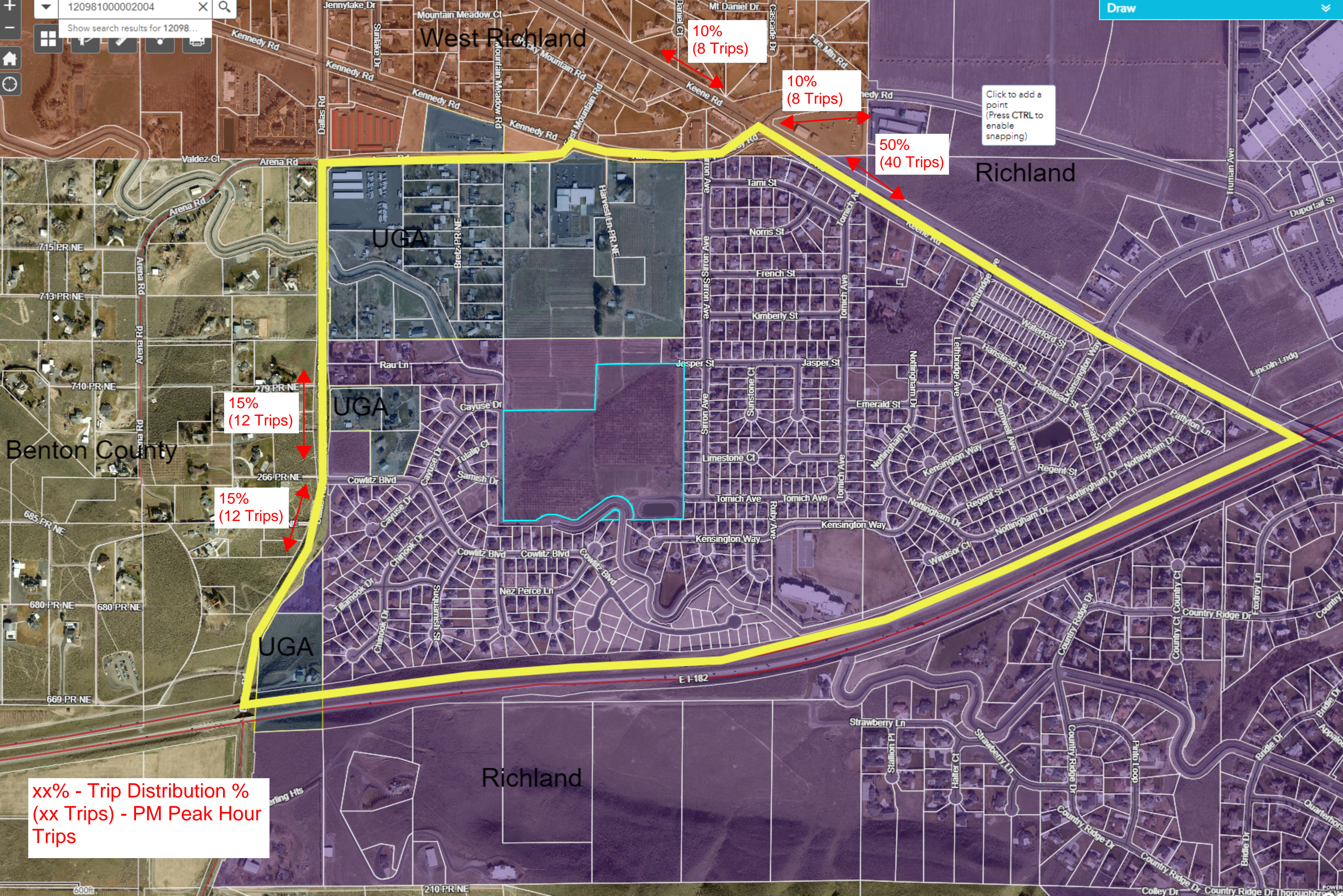
63% entering, 37% exiting

## Calculated Trip Ends:

Average Rate: 74 (Total), 47 (Entry), 27 (Exit)

Fitted Curve: 80 (Total), 50 (Entry), 30 (Exit)



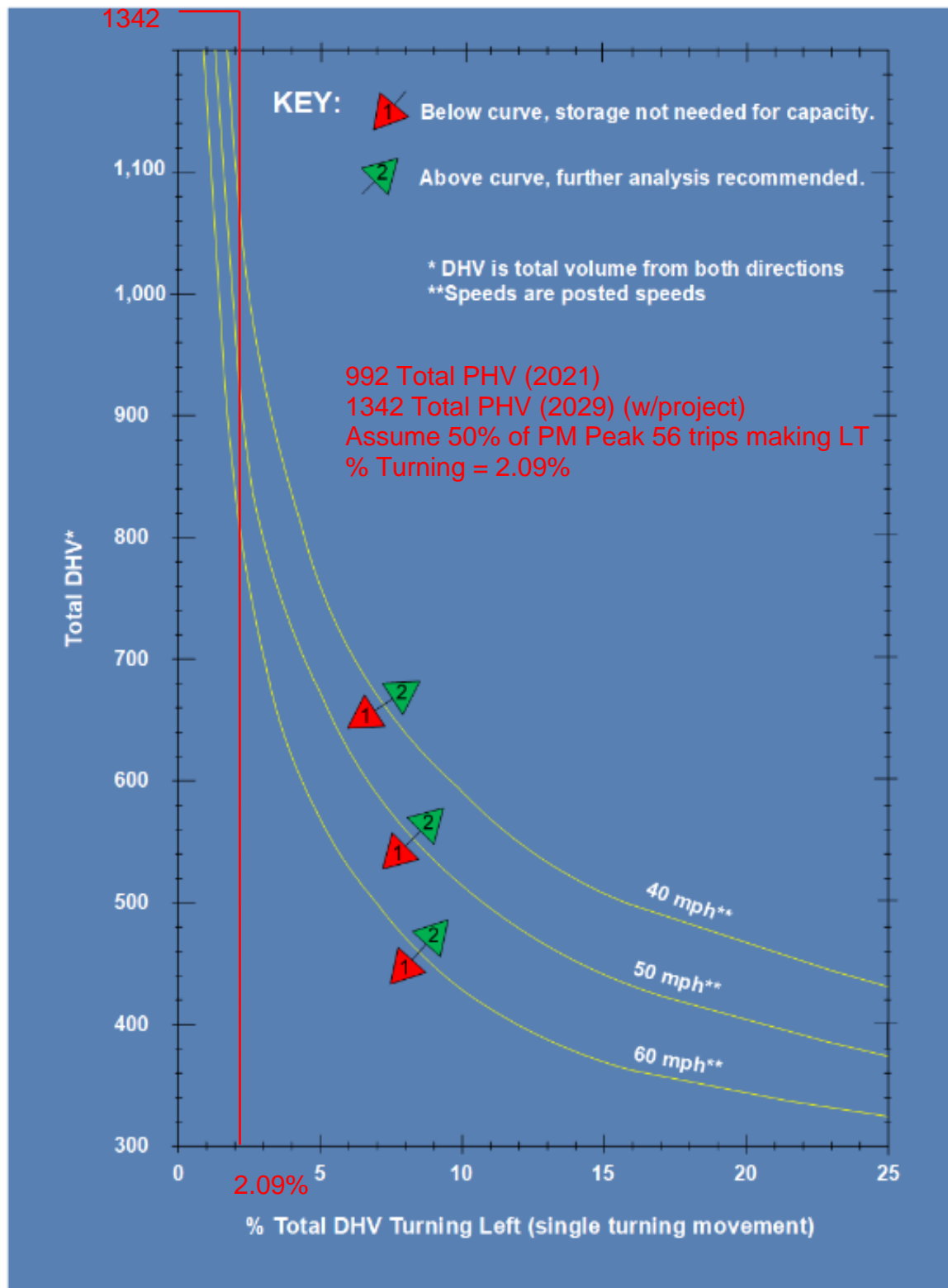




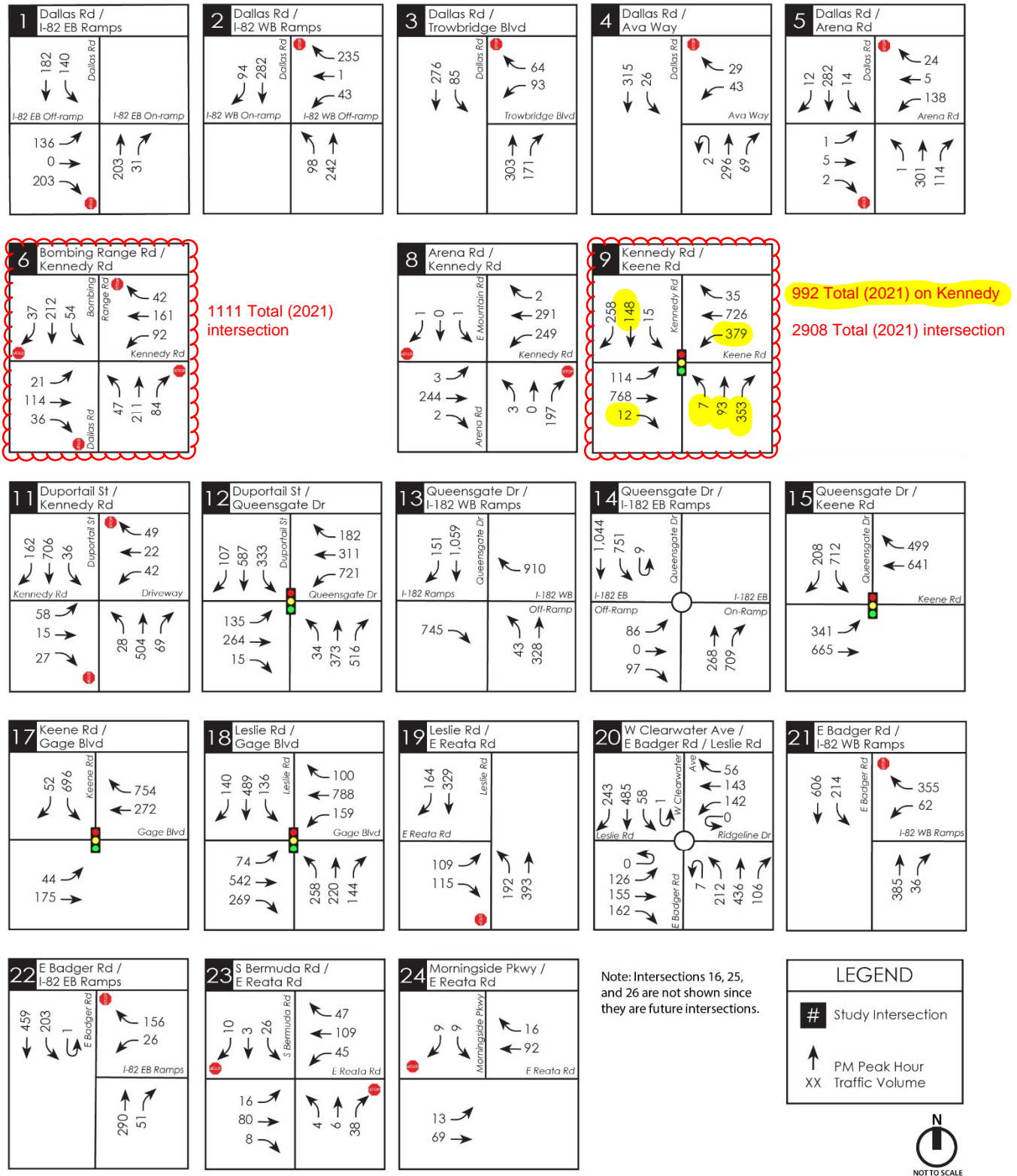


Kennedy/Sirron Left Turn Channelization Improvements

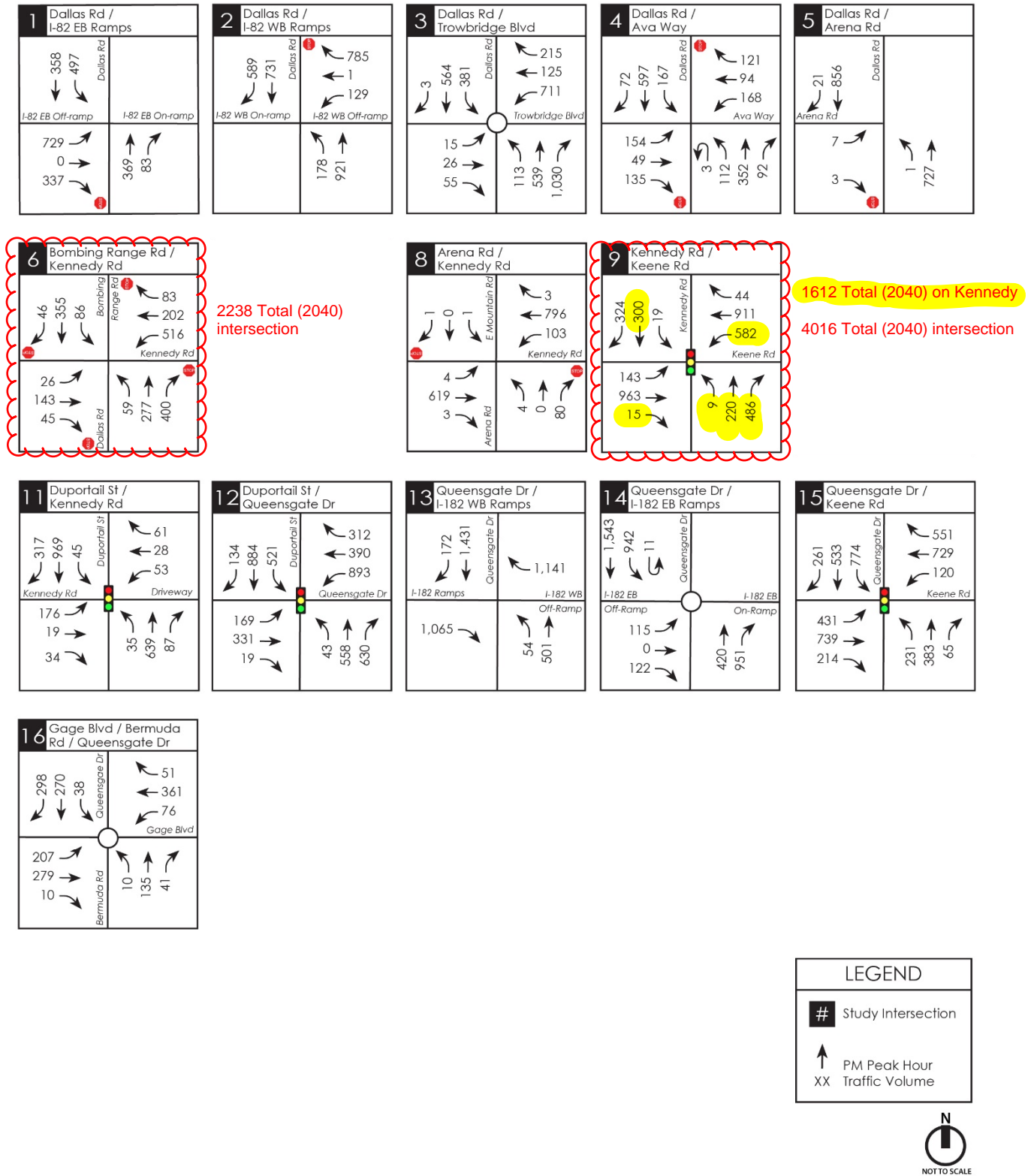
Exhibit 1310-9 Left-Turn Storage Guidelines: Two-Lane, Unsignalized







**Figure 5: 2021 Existing Weekday PM Peak Hour Traffic Volumes**



**Figure 16a: Year 2040 (With Full BMS Buildout) PM Peak Hour Traffic Volumes (off-site)**

### French Residential Development (79 Lots)

#### Proportionate Share Breakdown

	Dallas/ Kennedy	Kennedy/ Keene (PH1)	Kennedy/ Keene (PH2)
2021 Intersection Volume (PM Peak)	1111	2908	2908
2040 Intersection Volume (PM Peak)	2238	4016	4016
Growth	1127	1108	1108
growth by 2029 (9/19)	534	525	525
French Trips (PM Peak)	20	56	56
Total Volume 2029 (PM Peak)	1665	3489	3489
French % of 2029	1.20%	1.61%	1.61%
2022 Cost of Improvement*	\$ 1,380,000	\$ 28,000	\$ 1,048,000
French Cost in year of Construction (2027,2038)	\$ 1,639,007	\$ 33,255	\$ 1,817,217
<b>Proportionate share of costs</b>	<b>\$ 19,668</b>	<b>\$ 535</b>	<b>\$ 29,257</b>
<b>TOTAL</b>	<b>\$ 49,461</b>		

\* used 2027 for Dallas/Kennedy and Kenndy/Keene PH1 and 2038 for Kennedy/Keene PH2 and increased 3.5%/year

#### Left Turn Evaluation

	Sirron/ Kennedy		
2021 Kennedy Volume (PM Peak)	992		
2040 Kennedy Volume (PM Peak)	1612		
Growth	620		
growth by 2029 (9/19)	294		
French Trips (PM Peak)	56		
Total Volume 2029 (PM Peak)	1342		
LT Turns @ Sirron (Assume 50%)	28		
% Veh turning left	2.09%		



## ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

### NOTICE

**IMPORTANT - READ CAREFULLY:** THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

### COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, STEWART TITLE GUARANTY COMPANY, a Texas corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of Insurance and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Authorized Countersignature  
Stewart Title Company  
7913 W. Grandridge Blvd  
Kennewick, WA 99336

  
\_\_\_\_\_  
Frederick H. Eppinger  
President and CEO  
\_\_\_\_\_  
David Hisey  
Secretary

*This page is only a part of a 2021 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.*

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File No.: 2216093

ALTA Commitment for Title Insurance (07-01-2021)

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AMERICAN  
LAND TITLE  
ASSOCIATION



## COMMITMENT CONDITIONS

### 1. DEFINITIONS

- a. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- b. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- c. "Land": The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- d. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- e. "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- f. "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- g. "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- h. "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- i. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- j. "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- a. the Notice;
- b. the Commitment to Issue Policy;
- c. the Commitment Conditions;
- d. Schedule A;
- e. Schedule B, Part I - Requirements;
- f. Schedule B, Part II - Exceptions; and
- g. a countersignature by the Company or its issuing agent that may be in electronic form.

### 4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

*This page is only a part of a 2021 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.*

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File No.: 2216093

ALTA Commitment for Title Insurance (07-01-2021)

Page 2 of 4

AMERICAN  
LAND TITLE  
ASSOCIATION





## 5. LIMITATIONS OF LIABILITY

- a. The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  - i. comply with the Schedule B, Part I - Requirements;
  - ii. eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
  - iii. acquire the Title or create the Mortgage covered by this Commitment.
- b. The Company is not liable under Commitment Condition 5.a. if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- c. The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- d. The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.
- e. The Company is not liable for the content of the Transaction Identification Data, if any.
- f. The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
- g. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

## 6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM

- a. Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- b. Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
- c. This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- d. The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- e. Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- f. When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

## 7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for closing, settlement, escrow, or any other purpose.

## 8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

## 9. CLAIMS PROCEDURES

This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.

*This page is only a part of a 2021 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.*

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File No.: 2216093

ALTA Commitment for Title Insurance (07-01-2021)

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AMERICAN  
LAND TITLE  
ASSOCIATION





**10. CLASS ACTION**

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

**11. ARBITRATION (INTENTIONALLY DELETED)**

**STEWART TITLE GUARANTY COMPANY**

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at: Stewart Title Guaranty Company, P.O. Box 2029, Houston, Texas 77252-2029.

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File No.: 2216093

ALTA Commitment for Title Insurance (07-01-2021)

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AMERICAN  
LAND TITLE  
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)  
SCHEDULE A**

Escrow Officer: Jessica Jackman  
Phone: (509) 378-3331  
Email: [JackmanTeam@stewart.com](mailto:JackmanTeam@stewart.com)

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

**Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:**

Issuing Agent: Stewart Title Company  
Issuing Office: 7913 W. Grandridge Blvd, Kennewick, WA 99336  
Issuing Office's ALTA® Registry ID:  
Loan ID Number:  
Commitment Number: 2216093  
Issuing Office File Number: 2216093  
Property Address: 1004 Sirron Avenue, Richland, WA 99352  
Revision Number:

Title Officer: Tri-Cities Title Team  
Phone: (509) 783-8300  
Email: [TCTitleTeam@stewart.com](mailto:TCTitleTeam@stewart.com)

**1. Commitment Date:** December 27, 2023 at 8:00AM

**2. Policy to be issued:** **Proposed Amount of Insurance**

(a) 2021 ALTA® Owner's Policy - Standard	<b>Amount:</b>	\$3,222,000.00
(Underwriting fee - 11%)	<b>Premium:</b>	\$5,300.00
	<b>Tax:</b>	\$461.10
	<b>Total:</b>	\$5,761.10

Proposed Insured: Story Family Five LLC

(b) 2021 ALTA® Loan Policy - Extended	<b>Amount:</b>	
(Underwriting fee - 11%)	<b>Premium:</b>	\$0.00
	<b>Tax:</b>	
	<b>Total:</b>	\$0.00

Proposed Insured: To Be Determined

**3. The estate or interest in the Land at the Commitment Date is:**

FEE SIMPLE

**4. The Title is, at the Commitment Date, vested in:**

Ray and Miriam French, as Trustees or their Successor Trustees of the Ray and Miriam French Revocable Living Trust, dated January 5, 1983

**5. The Land is described as follows:**

See Exhibit "A" Attached Hereto

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File No.: 2216093

ALTA Commitment for Title Insurance Schedule A (07-01-2021)

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**ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)  
SCHEDULE A**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

Escrow Officer: Jessica Jackman  
Phone: (509) 378-3331  
Email: [JackmanTeam@stewart.com](mailto:JackmanTeam@stewart.com)

**STEWART TITLE GUARANTY COMPANY**



Authorized Countersignature

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File No.: 2216093

ALTA Commitment for Title Insurance Schedule A (07-01-2021)

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# ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)

## EXHIBIT "A"

### LEGAL DESCRIPTION

ISSUED BY

STEWART TITLE GUARANTY COMPANY

**File No.:** 2216093

The Southwest quarter of the Northeast quarter of Section 20, Township 9 North, Range 28 East, W.M., Benton County, Washington;

Except that portion described as follows:

Beginning at the Northeast corner of said Southwest quarter of the Northeast quarter;

Thence South 88°47'27" West, along the North line of said Southwest quarter of the Northeast quarter, for 1320.95 feet to the Northwest quarter of said subdivision;

Thence South 00°43'01" East, along the West line of said subdivision, for 518.00 feet;

Thence North 88°47'27" East for 669.31 feet;

Thence North 01°09'11" East for 331.19 feet;

Thence North 88°47'27" East for 640.13 feet to the East line of said subdivision;

Thence North 00°30'12" West, along said East line, for 187.09 feet to the point of beginning.

Situate in the County of Benton, State of Washington.

### [MAP](#)

THE MAP CONNECTED HEREWITH IS BEING PROVIDED AS A COURTESY AND FOR INFORMATIONAL PURPOSES ONLY; THIS MAP SHOULD NOT BE RELIED UPON. FURTHERMORE, THE PARCELS SET OUT ON THIS MAP MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES. STEWART ASSUMES NO LIABILITY, RESPONSIBILITY OR INDEMNIFICATION RELATED TO THE MAPS NOR ANY MATTERS CONCERNING THE CONTENTS OF OR ACCURACY OF THE MAP.

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File No.: 2216093

ALTA Commitment for Title Insurance Schedule A (07-01-2021)

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# ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)

## SCHEDULE B PART I

ISSUED BY

STEWART TITLE GUARANTY COMPANY

File No.: 2216093

### Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Payment of Real Estate Excise Tax, if applicable.

Beginning January 2, 2020, the State of Washington switched to a graduated Excise Tax scale based on the selling price of the property. ([RCW.45.060](#))

As of January 1, 2023, the rates are as follows:

\$525,000.00 and less: 1.1%, plus local rate of .25% or .50%

Greater than \$525,000.00 and less than or equal to \$1,525,000.00: 1.28% plus local rate of .25% or .50%

Greater than \$1,525,000.00 and less or equal to \$3,025,000.00: 2.75%, plus local rate of .25% or .50%

Greater than \$3,025,000.00: 3%, plus local rate of .25% or .50%

6. 2024 Property Taxes became a Lien January 1, 2024. They are not yet ascertainable or payable until February 15, 2024.

Levy Code: R5

Tax Account No.: [1-2098-100-0002-004](#)

Land: \$706,860.00

Improvements: \$35,350.00

Note: Taxes and Charges for 2023 were paid in full in the amount of \$878.16.

7. The lands described herein have been classified as Current Use and are subject to the provisions of RCW 84.34 which include the requirement of a continuation of restricted use in order to continue the present assessment rate. A change in use can cause an increased assessment rate for present and past years.  
Any sale or transfer of all or a portion of said property requires execution of a notice of continuance form by the new owner prior to closing with submission to the County Assessor at least 2 weeks prior to recording for approval of continuance or removal.  
NOTE: If the proposed transaction involves a sale of the property so classified or designated, there will be additional requirements regarding the Real Estate Tax Affidavit. Please contact Benton County Assessor or the Company for additional information.

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File No.: 2216093

ALTA Commitment for Title Insurance Schedule BI (07-01-2021)

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# ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)

## SCHEDULE B PART I

ISSUED BY

STEWART TITLE GUARANTY COMPANY

8. Current and/or advance personal property taxes for 2024 may become due upon transfer or sale of the premises herein described. Please contact the Benton County Treasurer's office for further information.
9. Assessments and/or LIDs, if any, as may be assessed by Kennewick Irrigation District. For balances, payoffs, and further information, please email [title@kid.org](mailto:title@kid.org).
10. Please be advised that our search did not disclose any open deeds of trust of record. If you should have knowledge of any outstanding obligation, please contact the title department immediately for further review prior to closing.
11. Any unrecorded leaseholds, rights of vendors and holders of security interest on personal property installed upon said property, and right of tenants to remove trade fixtures at the expiration of the term.
12. Any security interest in crops growing or to be grown on said premises or in any goods which are or may become fixtures located on said premises created or existing under provisions of the Uniform Commercial Code RCW 62A
13. Furnish for examination an authentic copy of the trust known as the Ray and Miriam French Revocable Living Trust dated January 5, 1983, and any amendments thereto, or, in the alternative, a Trust Certification in the manner provided by law, together with relevant portions of the trust. Upon receipt thereof, we reserve the right to make such further requirements and/or exceptions as we deem necessary.
14. As to the Story Family Five LLC (buyer/seller) (a) Certificate of Existence from the Secretary of State's Office of the state where formed. (b) Copy of the Articles of Organization filed with the Secretary of State's Office where formed, as well as copies of all amendments thereto. (c) Copy of the Operating Agreement of the limited liability company, as well as any amendments thereto. (d) Certificate of the Manager(s) authorizing the transaction and which states that there have been no amendments to the Articles of Organization of Operating Agreement or that copies of all amendments are attached as an exhibit to the Certificate of Manager(s); or require Certificate of all members authorizing transaction. At the time the Company is furnished these items, the Company may make additional requirement or exceptions as deemed necessary.  
(e) A satisfactory search of the records against the names of a single member or community property members LLC.
15. Right, title and interest of Raymond P. French and Thomas C. French as disclosed by Personal Representative Deed recorded May 1, 2023 under Auditor's File No. [2023008265](#).
16. Right, title and interest of French Family Trust, as disclosed by deed recorded March 8, 1994 under Auditor's File No. [1994-008156](#).
17. The attached [Commercial Title Affidavit](#) must be completed in full, notarized and submitted to the Company for review prior to closing.
18. If the policies to be issued are in excess of \$3,000,000.00 or involve unusual risks, approval to issue such policies must be obtained from Stewart Title Guaranty Company. This commitment and any policies to be issued are subject to any additional limitations, requirements or exceptions made by Stewart Title Guaranty Company.
19. Upon examination it has been determined that the subject property does not meet the underwriting qualifications to receive the coverage provided in the ALTA Homeowner's Policy of Title Insurance for a one- to four-family residence, due to the following condition: More than 1 acre. The coverage provided for the subject property will be the Standard ALTA Owner's Policy. The Policy and any applicable endorsements will be issued at the filed rate.

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File No.: 2216093

ALTA Commitment for Title Insurance Schedule BI (07-01-2021)

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# ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)

## SCHEDULE B PART I

ISSUED BY

STEWART TITLE GUARANTY COMPANY

### NOTES

NOTE A: In order to assure timely recording all recording packages should be sent to:

Stewart Title Company  
7913 W. Grandridge Blvd.  
Kennewick, WA 99336

NOTE B: Recording fees charged by the county will be billed as follows: Deeds of Trust \$304.50 for the first page and \$1.00 for each additional page. Deeds \$303.50 for the first page and \$1.00 for each additional page. For Electronic Recorded documents, please add \$2.50 plus tax (based on Stewart Title Local Office) for King, Pierce, Snohomish and Thurston Counties and \$5.00 plus tax for all remaining counties in Washington.

NOTE C: The description can be abbreviated as suggested below if necessary to meet standardization requirements. The full text of the description must appear in the document(s) to be insured.

Ptn of SWNE 20-9-28, in Benton County, WA

NOTE D: All matter regarding extended coverage have been cleared for the mortgagee's policy. Exceptions 1, 2, 3, 4, 5 and 6 shown in Schedule B, II herein will be omitted in said extended coverage mortgagee's policy.

NOTE E: The records of County and/or our inspection indicate that the address of the improvement is located on said land is 1004 Sirron Avenue, Richland, WA 99352

NOTE F: The Loan Policy to issue will contain an 8.1 (Environmental Protection Lien) Endorsement.

NOTE G: In the event of cancellation, a cancellation charge may be made.

NOTE H: Title to the estate or interest shown in Schedule A was acquired by Instrument No(s). [878325](#), [1994008156](#), and [2023008265](#).

NOTE I: The following deeds affecting the property herein described have been recorded within the last 36 months: Instrument No(s). [2023008265](#)

NOTE J: In order for Stewart Title to act as a Trustee under a Deed of Trust, they must appear as Stewart Title Company on the recorded document.

NOTE K: We find no pertinent matters filed or recorded against Story Family Five LLC.

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ALTA Commitment for Title Insurance Schedule BI (07-01-2021)

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# ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)

## SCHEDULE B PART I

ISSUED BY

STEWART TITLE GUARANTY COMPANY

### The following are the requirements to be complied with:

Item (a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item (b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record.

NOTE: Effective January 1, 1997, and pursuant to amendment of Washington state statutes relating to standardization of recorded documents, the following format and content requirements must be met. Failure to comply may result in rejection of the document by the recorder.

Format: Margins to be 3" on top of first page, 1" on sides and bottom, 1" on top, sides and bottom of each succeeding page.

Font size of 8 points or larger and paper size of no more than 8 1/2" by 14".

No attachments on pages such as stapled or taped notary seals, pressure seals must be smudged.

### Information which must appear on the first page:

Title or titles of document. If assignment or reconveyance, reference to auditor's file number or subject deed of trust.

Names of grantor(s) and grantee(s) with reference to additional names on following page(s), if any.

Abbreviated legal description (lot, block, plat name or section, township, range and quarter quarter section for unplatted).

Assessor's tax parcel number(s).

Return address which may appear in the upper left hand 3" top margin.

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File No.: 2216093

ALTA Commitment for Title Insurance Schedule BI (07-01-2021)

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# **ALTA COMMITMENT FOR TITLE INSURANCE**

## **SCHEDULE B PART II**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

**File No.:** 2216093

### **Exceptions**

**Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.**

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Rights or claims of parties in possession, or claiming possession, not shown by the Public Records.
2. Any encroachment, encumbrance, violation, variation, adverse circumstance, discrepancies, conflicts in boundary lines or shortages in area affecting the Title that would be disclosed by an accurate and complete and current survey of the Land.
3. Easements, prescriptive rights, rights-of-way, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any lien, or right to a lien, for contributions to employee benefit funds, or for state workers' compensation, or for services, labor, or material heretofore or hereafter furnished, all as imposed by law, and not shown by the Public Records.
5. Taxes or special assessments which are not yet payable or which are not shown as existing liens by the Public Records.
6. 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.
7. Unpatented mining claims, and all rights relating thereto.
8. Reservations and exceptions in United States Patents or in Acts authorizing the issuance thereof.
9. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
10. Water rights, claims or title to water.

### **SPECIAL EXCEPTIONS TO FOLLOW**

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ALTA Commitment for Title Insurance Schedule BI (07-01-2021)

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## ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)

### SCHEDULE B PART II

ISSUED BY

STEWART TITLE GUARANTY COMPANY

1. Liability to future assessments by Kennewick Irrigation District.
2. Rights reserved in federal patents or state deeds, reservations, restrictions, land use and zoning laws, plat dedications and restrictive and protective covenants, easements and rights-of-way of record or in apparent use; and existing or future municipal, county, state or other governmental or quasi-governmental assessments, including LID assessments and utility tap or connection charges, if any.
3. Easement granted to Benton Rural Electric Association as more fully set forth in the instrument recorded July 6, 1960, as Document No. [439629](#).
4. Application for Classification as Farm and Agricultural Land and the terms and conditions thereof recorded under Instrument No. [670764](#).
5. Easement granted to Sirron Corporation, Marian J. Tomich and Rudy G. Tomich as more fully set forth in the instrument recorded February 17, 1978, as Document No. [750485](#).
6. Declaration of Covenant recorded under Recording Number [867708](#).
7. Easement granted to Benton Rural Electric Association as more fully set forth in the instrument recorded December 22, 1992, as Document No. [1992031924](#).
8. Easement granted to Kennewick Irrigation District as more fully set forth in the instrument recorded April 5, 2000, as Document No. [2000008216](#).
9. Unrecorded Lease(s) and the terms, provisions, and conditions thereof as disclosed by Assignment of Overriding Royalty Interest and the terms and conditions thereof recorded under Instrument No. [2005040193](#).

Title Company makes no representation as to the current ownership of said minerals reserved.

10. Survey and the terms and conditions thereof recorded under Instrument No. [2003042660](#).

#### END OF SCHEDULE B

#### Escrow Officer Location:

Stewart Title Company  
7913 W. Grandridge Blvd  
Kennewick, WA 99336

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ALTA Commitment for Title Insurance Schedule BII (07-01-2021)

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## STEWART INFORMATION SERVICES CORPORATION GRAMM-LEACH BLILEY PRIVACY NOTICE

This Stewart Information Services Corporation Privacy Notice ("Notice") explains how we and our affiliates and majority-owned subsidiary companies (collectively, "Stewart," "our," or "we") collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of your information. Pursuant to Title V of the Gramm-Leach Bliley Act ("GLBA") and other Federal and state laws and regulations applicable to financial institutions, consumers have the right to limit some, but not all sharing of their personal information. Please read this Notice carefully to understand how Stewart uses your personal information.

The types of personal information Stewart collects, and shares depends on the product or service you have requested.

### **Stewart may collect the following categories of personal and financial information from you throughout your transaction:**

1. Identifiers: Real name, alias, online IP address if accessing company websites, email address, account name, unique online identifier, or other similar identifiers.
2. Demographic Information: Marital status, gender, date of birth.
3. Personal Information and Personal Financial Information: Full name, signature, social security number, address, driver's license number, passport number, telephone number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, credit reports, or any other information necessary to complete the transaction.

### **Stewart may collect personal information about you from:**

1. Publicly available information from government records.
2. Information we receive directly from you or your agent(s), such as your lender or real estate broker.
3. Information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

### **Stewart may use your personal information for the following purposes:**

1. To provide products and services to you in connection with a transaction.
2. To improve our products and services.
3. To communicate with you about our affiliates', and others' products and services, jointly or independently.

### **Stewart may use or disclose the personal information we collect for one or more of the following purposes:**

- To fulfill or meet the reason for which the information is provided.
- To provide, support, personalize, and develop our website, products, and services.
- To create, maintain, customize, and secure your account with Stewart.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To prevent and/or process claims.
- To assist third party vendors/service providers who complete transactions or perform services on Stewart's behalf pursuant to valid service provider agreements.
- As necessary or appropriate to protect the rights, property or safety of Stewart, our customers, or others.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To help maintain the safety, security, and integrity of our website, products and services, databases and other technology-based assets, and business.
- To respond to law enforcement or regulator requests as required by applicable law, court order, or governmental regulations.
- Auditing for compliance with federal and state laws, rules, and regulations.
- Performing services including maintaining or servicing accounts, providing customer service, processing, or fulfilling orders and transactions, verifying customer information, processing payments.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

Stewart will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

### **Disclosure of Personal Information to Affiliated Companies and Nonaffiliated Third Parties**

Stewart does not sell your personal information to nonaffiliated third parties. Stewart may share your information with those you have designated as your agent throughout the course of your transaction (for example, your realtor, broker, or a lender). Stewart may disclose your personal information to non-affiliated third-party service providers and vendors to render services to complete your transaction.

We share your personal information with the following categories of third parties:

- Non-affiliated service providers and vendors we contract with to render specific services (For example, search companies, mobile notaries, and companies providing credit/debit card processing, billing, shipping, repair, customer service, auditing, marketing, etc.)
- To enable Stewart to prevent criminal activity, fraud, material misrepresentation, or nondisclosure.
- Stewart's affiliated and subsidiary companies.
- Parties involved in litigation and attorneys, as required by law.
- Financial rating organizations, rating bureaus and trade associations, taxing authorities, if required in the transaction.
- Federal and State Regulators, law enforcement and other government entities to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order.

The law does not require your prior authorization or consent and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or browsing information with non-affiliated third parties, except as required or permitted by law.

### **Right to Limit Use of Your Personal Information**

You have the right to opt-out of sharing of your personal information among our affiliates to directly market to you. To opt-out of sharing your information with affiliates for direct marketing, you may send an "opt out" request to [OptOut@stewart.com](mailto:OptOut@stewart.com), or contact us through other available methods provided under "Contact Information" in this Notice. We do not share your Personal Information with nonaffiliates for their use to directly market to you without your consent.

### **How Stewart Protects Your Personal Information**

Stewart maintains physical, technical, and administrative safeguards and policies to protect your personal information.

### **Contact Information**

If you have specific questions or comments about this Notice, the ways in which Stewart collects and uses your information described herein, or your choices and rights regarding such use, please do not hesitate to contact us at:

**Phone:** Toll Free at 1-866-571-9270  
**Email:** [Privacyrequest@stewart.com](mailto:Privacyrequest@stewart.com)

**Postal Address:** Stewart Information Services Corporation  
Attn: Mary Thomas, Chief Compliance and Regulatory Officer  
1360 Post Oak Blvd., Ste. 100, MC #14-1  
Houston, TX 77056

## STEWART INFORMATION SERVICES CORPORATION PRIVACY NOTICE FOR CALIFORNIA RESIDENTS

Stewart Information Services Corporation and its affiliates and majority-owned subsidiary companies (collectively, "Stewart," "our," or "we") respect and are committed to protecting your privacy. Pursuant to the California Consumer Privacy Act of 2018 ("CCPA") and the California Privacy Rights Act of 2020 ("CPRA"), we are providing this **Privacy Notice** ("CCPA Notice"). This CCPA Notice explains how we collect, use, and disclose personal information, when and to whom we disclose such information, and the rights you, as a California resident have regarding your Personal Information. This CCPA Notice supplements the information contained in Stewart's existing privacy notice and applies solely to all visitors, users, consumers, and others who reside in the State of California or are considered California Residents as defined in the CCPA ("consumers" or "you"). All terms defined in the CCPA & CPRA have the same meaning when used in this Notice.

### **Personal and Sensitive Personal Information Stewart Collects**

Stewart has collected the following categories of personal and sensitive personal information from consumers within the last twelve (12) months:

**A. Identifiers.** A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.

**B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).** A name, signature, Social Security number, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information.

**C. Protected classification characteristics under California or federal law.** Age, race, color, ancestry, national origin, citizenship, marital status, sex (including gender, gender identity, gender expression), veteran or military status.

**D. Commercial information.** Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.

**E. Internet or other similar network activity.** Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.

### **F. Geolocation data**

Stewart obtains the categories of personal and sensitive information listed above from the following categories of sources:

- Directly and indirectly from customers, their designees, or their agents (For example, realtors, lenders, attorneys, brokers, etc.)
- Directly and indirectly from activity on Stewart's website or other applications.
- From third parties that interact with Stewart in connection with the services we provide.

### **Use of Personal and Sensitive Personal Information**

Stewart may use or disclose the personal or sensitive information we collect for one or more of the following purposes:

- a. To fulfill or meet the reason for which the information is provided.
- b. To provide, support, personalize, and develop our website, products, and services.
- c. To create, maintain, customize, and secure your account with Stewart.
- d. To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- e. To prevent and/or process claims.
- f. To assist third party vendors/service providers who complete transactions or perform services on Stewart's behalf pursuant to valid service provider agreements.
- g. As necessary or appropriate to protect the rights, property or safety of Stewart, our customers, or others.
- h. To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- i. To personalize your website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our website, third-party sites, and via email or text message (with your consent, where required by law).
- j. To help maintain the safety, security, and integrity of our website, products and services, databases and other technology-based assets, and business.
- k. To respond to law enforcement or regulator requests as required by applicable law, court order, or governmental regulations.
- l. Auditing for compliance with federal and state laws, rules, and regulations.
- m. Performing services including maintaining or servicing accounts, providing customer service, processing, or fulfilling orders and transactions, verifying customer information, processing payments, providing advertising or marketing services or other similar services.
- n. To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

Stewart will not collect additional categories of personal or sensitive information or use the personal or sensitive information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

#### **Disclosure of Personal Information to Affiliated Companies and Nonaffiliated Third Parties**

Stewart does not sell your personal information to nonaffiliated third parties. Stewart may share your information with those you have designated as your agent throughout the course of your transaction (for example, a realtor, broker, or a lender).

We share your personal information with the following categories of third parties:

- a. Service providers and vendors we contract with to render specific services (For example, search companies, mobile notaries, and companies providing credit/debit card processing, billing, shipping, repair, customer service, auditing, marketing, etc.)
- b. Affiliated Companies.
- c. Parties involved in litigation and attorneys, as required by law.
- d. Financial rating organizations, rating bureaus and trade associations.
- e. Federal and State Regulators, law enforcement and other government entities

In the preceding twelve (12) months, Stewart has disclosed the following categories of personal information:

Category A: Identifiers

Category B: California Customer Records personal information categories

Category C: Protected classification characteristics under California or federal law

Category D: Commercial Information

Category E: Internet or other similar network activity

Category F: Non-public education information

#### **A. Your Consumer Rights and Choices Under CCPA and CPRA**

The CCPA and CPRA provide consumers (California residents as defined in the CCPA) with specific rights regarding their personal information. This section describes your rights and explains how to exercise those rights.

##### **i. Access to Specific Information and Data Portability Rights**

You have the right to request that Stewart disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, Stewart will disclose to you:

- The categories of personal information Stewart collected about you.
- The categories of sources for the personal information Stewart collected about you.
- Stewart's business or commercial purpose for collecting that personal information.
- The categories of third parties with whom Stewart shares that personal information.
- The specific pieces of personal information Stewart collected about you (also called a data portability request).
- If Stewart disclosed your personal data for a business purpose, a listing identifying the personal information categories that each category of recipient obtained.

##### **ii. Deletion Request Rights**

You have the right to request that Stewart delete any personal information we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, Stewart will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

Stewart may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

##### **iii. Opt-Out of Information Sharing and Selling**

Stewart does not share or sell information to third parties, as the terms are defined under the CCPA and CPRA. Stewart only shares your personal information as commercially necessary and in accordance with this CCPA Notice.

##### **iv. Correction of Inaccurate Information**

You have the right to request that Stewart correct any inaccurate information maintained about.



**v. Limit the Use of Sensitive Personal Information**

You have the right to limit how your sensitive personal information, as defined in the CCPA and CPRA is disclosed or shared with third parties.

**Exercising Your Rights Under CCPA and CPRA**

If you have questions or comments about this notice, the ways in which Stewart collects and uses your information described herein, your choices and rights regarding such use, or wish to exercise your rights under California law, please submit a verifiable consumer request to us by the available means provided below:

1. Emailing us at [OptOut@stewart.com](mailto:OptOut@stewart.com); or
2. Visiting <https://www.stewart.com/en/quick-links/ccpa-request.html>

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child, if applicable.

To designate an authorized agent, please contact Stewart through one of the methods mentioned above.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Stewart cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with Stewart.

**Response Timing and Format**

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to an additional 45 days), we will inform you of the reason and extension period in writing.

A written response will be delivered by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable.

Stewart does not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

**Non-Discrimination**

Stewart will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you a different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

**Record Retention**

Your personal information will not be kept for longer than is necessary for the business purpose for which it is collected and processed. We will retain your personal information and records based on established record retention policies pursuant to California law and in compliance with all federal and state retention obligations. Additionally, we will retain your personal information to comply with applicable laws, regulations, and legal processes (such as responding to subpoenas or court orders), and to respond to legal claims, resolve disputes, and comply with legal or regulatory recordkeeping requirements.

**Changes to This CCPA Notice**

Stewart reserves the right to amend this CCPA Notice at our discretion and at any time. When we make changes to this CCPA Notice, we will post the updated Notice on Stewart's website and update the Notice's effective date.

**Link to Privacy Notice**

<https://www.stewart.com/en/privacy.html>

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