

BEFORE THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

|        |                            |   |                    |
|--------|----------------------------|---|--------------------|
| IN RE: | STATE ROUTE 395            | ) |                    |
|        | CONNELL TO RITZVILLE       | ) |                    |
|        | MP 54.22 TO MP 95.91       | ) | FINDINGS AND ORDER |
|        | COMBINED HEARING ON DESIGN | ) |                    |
|        | AND LIMITED ACCESS         | ) |                    |

The hearing on the above entitled matter was held upon due notice to interested parties, beginning at 7 p.m., Wednesday, August 12, 1992, in the Lind Grade School, Lind, Washington, before John Loeffler, Hearing Examiner.

The interested persons and organizations were represented as follows:

DEPARTMENT OF TRANSPORTATION, by JEFFREY D. STIER, Assistant Attorney General, 5th Floor, Highway-Licenses Building, Olympia, WA 98504;

ADAMS COUNTY PLANNING AND BUILDING DEPT., by DICK OWINGS, 165 N 1st., Othello, WA 99344;

ADAMS COUNTY FIRE PROTECTION DISTRICT #2, by LEROY A. WATSON JR., Chairman, Board of Commissioners, Box 159, Lind, WA 99341;

ARLT, DON AND RITA, by self, 302 W 9th, Ritzville, WA 99169;

ARLT, KEVIN, by self, Rt. 1 Box 23, Sprague, WA 99032;

BAFUS JR., LEON AND JANICE, by self, P.O. Box 461, Lind, WA 99341;

BORTH, VICTOR, by self, Box 311, Lind, WA 99341;

CONNELL GRAIN GROWERS, INC., by PERRY D. SKOGLUND, Assistant Manager, Box 915, Connell, WA 99326-0915;

CRAMER, LARRY, by self, P.O. Box 32, Ritzville, WA 99169;

EDEN, LOWELL, by LEON E. BAFUS JR., 501 E. Alder, Ritzville, WA 99169;

EDEN, WALDO, by LEON E. BAFUS JR., P.O. Box 22, Lind, WA 99341;

EGLAND, DONNA, by self, 1649 Hutchinson Rd., Addy, WA 99101;

FODE, GREGG, by self, Box 102, Lind, WA 99341-0102;

FODE, RUBEN, by self, P.O. Box 217, Lind, WA 99341;

GFELLER, GALE O., by self, Rt. 1, Lind, WA 99341;

GREENWALT, IRIS, by LEON E. BAFUS JR., 501 E. Alder, Ritzville WA 99169;  
HART, FRANK C., by self, P.O. Box 8, Connell, WA 99326;  
HOFFMAN, LARRY A., by self, P.O. Box 344, Connell, WA 99326;  
JESSOP, ROBERT T., by self, Box 585, Washtucna, WA 99371;  
JOHNSON, HELEN F., by self, P.O. Box 462, Connell, WA 99326;  
KEMBEL, THOM, by self, 306 E. Cherry Ave., Ritzville, WA 99169;  
KULM, CURTIS, by self, Box 97, Lind, WA 99341;  
KULM, FRED M., by self, Box 204, Lind, WA 99341;  
LINTON, EVA M., by JUANITA McBRIDE, Executor of estate, N. 14707 Edencrest, Spokane, WA  
99218;  
MARSHALL, RITA, by self, Rt. 1 Box 86, Ritzville, WA 99169;  
MEILKE, CURTIS, by self, P.O. Box 148, Lind, WA 99341-0148;  
MEILKE, MINA, by CURTIS MEILKE, Son, Box 148, Lind, WA 99341;  
MOTLEY, ALICE, by self, Box 89, Addy, WA 99109;  
MOTLEY, RAY, by self, 3254C Hwy 232, Valley, WA 99181;  
NISSEN, ROBERT, by self, N. 7815 Howard St., Spokane, WA 99208;  
PENCE, MARY KAY, by self, P.O. Box 99, Othello, WA 99344;  
PENCE, ROBERT, by self, P.O. Box 568, Lind, WA 99341;  
PENCE, ROBERT, by HENRY E. STILES, Attorney, 1600 Washington Trust Bldg., Spokane, WA  
99204;  
PENCE, TOM, by self, Box 564, Lind, WA 99341;  
PHELPS, BILLY, by self, Rt. 3 Box 3635, Prosser, WA 99350;  
PHILLIPS, CLARK AND ALICE, by self, Box 127, Lind, WA 99341;  
PLAGER, WES AND JOAN, by self, Rt. 2 Box 204, Ritzville, WA 99169;  
PLONSKE, GWEN, by self, 814 S. 36th, Yakima, WA 98902;  
SCHEELER, IRENE, by JACK SCHEELER, Husband, P.O. Box 405, Lind, WA 99341-0405;  
SELCHO, IRENE, by self, P.O. Box 245, Sprague, WA 99032;

STELZER-GROGAN FARM, by RUDOLPH STELZER, S. 30807 Grogan Rd., Cheney, WA 99004;  
STELZER-GROGAN FARM, by MICHAEL P. STELZER, Operator, Box 206, Lind, WA 99341;  
STELZER, MARVIN, by self, 305 E. 5th, Ritzville, WA 99169;  
STELZER, RUDOLPH, by self, P.O. Box 98, E. 203 6th St., Lind, WA 99341;  
TSCHIRKY, TED, by self, 210 Loen Dr., Mesa, WA 99343;  
UNION ELEVATORS, by JIM KELLY, Treasurer, Box 295 Lind, WA 99341;  
WISSINK, JOANNE M., by self, P.O. Box 214, Chewelah, WA 99109;  
C.L. WOODWARD FARMS, by DAVID TOMPKINS, Partner, Rt. 1 Box 114-A, Adams, OR 97810;

As a courtesy to interested citizens, the Department of Transportation furnishes a copy of the Findings and Order to all persons filing a Notice of Appearance, even though some may not properly be parties to the hearing. For administrative convenience, all persons filing a Notice of Appearance are listed above. The Department, by including a person in this listing and by furnishing a copy of the Findings and Order, does not acknowledge or necessarily recognize the recipient to be a proper party to the hearing.

The meeting was called to order by Jerry C. Lenzi, District 6 Administrator, after which witnesses were called. Evidence was taken by a Court Reporter and thereafter transcribed. Certain exhibits were duly introduced into evidence. Based upon the oral evidence and the exhibits introduced into evidence, and acting under the authority of the Secretary of Transportation for the State of Washington, the Assistant Secretary for Program Development makes the following *findings*:

## I

On July 23, 1953 a plan for the establishment of a limited access highway over a portion of State Route 395 in Adams and Franklin Counties, Washington, was ordered under Commission Resolution No. 95 and its amendments thereto. Such plans were prepared and entitled:

"SR 395, CONNELL VIC. TO MUSE ROAD INTERCHANGE, MP 54.22 TO MP 61.76, FRANKLIN AND ADAMS COUNTIES," sheets 1 through 21 of 21 sheets, introduced into evidence as Exhibit No. 5;

"SR 395, MUSE ROAD INTERCHANGE TO LEE ROAD, MP 61.76 TO MP 72.59, ADAMS COUNTY," sheets 1 through 25 of 25 sheets, introduced into evidence as Exhibit No. 6;

"SR 395, LEE ROAD TO SR 21 INTERCHANGE VIC., MP 72.59 TO MP 81.49, ADAMS COUNTY," sheets 1 through 20 of 20, introduced into evidence as Exhibit No. 7;

"SR 395, SR 21 INTERCHANGE VIC. TO PAHA-PACKARD INTERCHANGE VIC., MP 81.49 TO MP 88.21, ADAMS COUNTY," sheets 1 through 15 of 15 sheets, introduced into evidence as Exhibit No. 8;

"SR 395, PAHA-PACKARD INTERCHANGE VIC. TO SR 90 INTERCHANGE VIC., MP 88.21 TO MP 94.93, ADAMS COUNTY," sheets 1 through 15 of 15 sheets, introduced into evidence as Exhibit No. 9;

"SR 90, SR 395 INTERCHANGE VIC., MP 219.85 TO MP 220.82, ADAMS COUNTY," sheets 1 through 5 of 5 sheets, introduced into evidence as Exhibit No. 10;

"SR 90, RITZVILLE TO TOKIO, PLAN SHOWING ACCESS, ADAMS COUNTY" sheets 2 and 3 of 7 sheets, and "SR 90, RITZVILLE TO TOKIO, MP 220.82 TO MP 221.90, ADAMS COUNTY," sheets 7, 8, and 10 of 32 sheets, introduced into evidence as Exhibit No. 11;

"SR 21, MP 22.05 TO LIND, MP 22.05 TO MP 25.52, ADAMS COUNTY," sheets 1 through 8 of 8 sheets, introduced into evidence as Exhibit No. 12.

These plans which were introduced into evidence as marked and made part of the hearing record.

## II

The Department of Transportation received, from the public agencies concerned with the proposed plan, their available data on planning, land use, local traffic, and such other information required, and thereafter prepared and submitted to the appropriate officials an Access Report showing how those factors have been taken into account and covering other matters required by RCW 47.52.131, et seq. A copy of that report was introduced into evidence marked Exhibit No. 4.

By letter dated August 11, 1992, from Tim Fife, P.E., Franklin County Public Works Director/County Engineer, and by letter dated August 20, 1992, from Walt R. Olsen, P.E., Adams County Engineer, concurred with the Access Hearing Plan and the Access Report. The said letters were introduced into evidence marked as Exhibit No. 13 and 14 respectively.

## III

On July 23, 1992, the State Design Engineer by Order proposed said plan and set a hearing date in accordance with the provisions of RCW 47.52.131, et. seq. The Order of Hearing was introduced into evidence marked as Exhibit No. 1.

## IV

Ralph W. Robertson P.E., Project Engineer with the Department in District 6, issued a Notice of Hearing. On July 8, 1992, an exact copy of this notice was mailed to the State Legislators. On July 27, 1992, an exact copy of the notice was mailed to Adams and Franklin Counties, the Towns of Connell, Lind, and Ritzville, various agencies, media and other interested parties, and to each of the record owners of property listed on the Adams and Franklin County Tax Rolls, as depicted in the Affidavit of Service by Mailing introduced into evidence marked Exhibit No. 3. Exact copies of the notice were published in The Spokesman Review/Chronicle of Spokane on July 14, 1992 and August 6, 1992, as shown by the Affidavit of Publication of Danielle Hink, Principal Clerk of said newspaper, which affidavit was introduced into evidence marked Exhibit No. 2A, 2D and in the Ritzville Adams County Journal of Ritzville on July 16, 1992 and August 6, 1992, as shown by the Affidavit of Publication of D. Ruser, Publisher and Manager of said newspaper, which affidavit was introduced into evidence marked Exhibit No. 2C, 2F also in the Tri-City Herald of the Tri-City on July 16, 1992, and August 6, 1992, as shown by the Affidavit of Publication of Rosemary Everett, I, Clerk of said newspaper, which affidavit was introduced into evidence marked Exhibit No. 2B, 2E.

## V

The plans propose the establishment of a limited access facility with full access control for SR 300m

Sta. LS 10+00 to LS 2174+26.03 and Sta. SR 90 66+00 to Sta. 117+00, as shown on Exhibits No. 5 through No. 11. Re-alignment of SR 21 Sta. 10+00 to Sta. 193+37.76 is shown on Exhibit 12.

## VI

This section of State Route 395 is an important part of the highway system of the state of Washington and represents a substantial expenditure in construction costs. It is functionally classified as a Principal Arterial Highway and the Department of Transportation Policy provides for limited access control on highways of this type. In doing so, the investment of public funds is protected by preserving the highway for future use.

The efficiency of the highway as a means of moving a maximum volume of traffic safely is directly related to the number of access points. It has been demonstrated in the past that, as property owners establish approaches to the highway for their personal use or for business enterprise, the problem becomes increasingly great and the road gradually becomes obsolete. Therefore, access points will be kept to a minimum consistent with allowing local traffic adequate use of the facility at properly designed interchanges.

The plan for the establishment of full access controlled facility on State Route 395 in Adams and Franklin Counties, introduced into evidence marked Exhibit No. 5 through No. 11, will facilitate travel, reduce accident rates, preserve the public investments, and sustain the highway as a modern transportation facility.

## VII

In addition to the exhibits previously mentioned, the following exhibits were entered into evidence at or subsequent to the hearing and made part of the hearing record:

- |                |   |
|----------------|---|
| Exhibit No. 15 | SR 395, Connell to Ritzville, Roadway sections.                                       |
| Exhibit No. 16 | SR 395, Connell to Ritzville, Determination of Non-Significance(DNS).                 |
| Exhibit No. 17 | SR 395, Connell to Ritzville, DNS for Quarry Site, QS-AD-74.                          |
| Exhibit No. 18 | SR 395, Connell to Ritzville (I-90), Air Quality Report, April, 1992.                 |
| Exhibit No. 19 | SR 395, Connell to Ritzville, Noise Assessment Analysis, May, 1992.                   |
| Exhibit No. 20 | SR 395, Franklin County Line (Connell) to Ritzville, Wetlands/Biology, February, 1992 |
| Exhibit No. 21 | SR 395, Connell to Ritzville, Land Use, March, 1992.                                  |
| Exhibit No. 22 | SR 395, Connell to Ritzville, Cultural Resources Survey, March, 1992.                 |
| Exhibit No. 23 | SR 395, Connell to Ritzville, Water Quality Assessment, April, 1992.                  |
| Exhibit No. 24 | SR 395, Connell to Ritzville, Natural Resources, January, 1992.                       |
| Exhibit No. 25 | SR 395, Connell to Ritzville, Farmland Protection, April, 1992.                       |
| Exhibit No. 26 | SR 395, Connell to Ritzville, Visual Quality, April, 1992.                            |
| Exhibit No. 27 | SR 395, Connell to Ritzville, Traffic Data, March, 1992.                              |
| Exhibit No. 28 | Letter dated August 10, 1992 from Rudolph Stelzer.                                    |

- Exhibit No. 29      Reserved Exhibit, Department's response to Exhibit No. 28.
- Exhibit No. 30      Letter dated August 12, 1992 from LeRoy Watson Jr., Chairman of the Board of Commissioners, representing Adams County Fire Protection District No. 2.
- Exhibit No. 31      Reserved Exhibit, Department's response to Exhibit No. 30.
- Exhibit No. 32      Letter dated August 6, 1992 from Mina Meilke.
- Exhibit No. 33      Reserved Exhibit, Department's response to Exhibit No. 32.
- Exhibit No. 34      Letter dated August 13, 1992 from Leon and Janice Bafus Jr.
- Exhibit No. 35      Reserved Exhibit, Department's response to Exhibit No. 34.
- Exhibit No. 36      Letter dated August 18, 1992 from Dick Owings, Planning Director, Adams County.
- Exhibit No. 37      Reserved Exhibit, Department's response to Exhibit No. 36.
- Exhibit No. 38      Letter dated August 24, 1992 from Wayne and Lois Klindworth.
- Exhibit No. 39      Reserved Exhibit, Department's response to Exhibit No. 38.
- Exhibit No. 40      Letter dated August 19, 1992 from David Tompkins.
- Exhibit No. 41      Reserved Exhibit, Department's response to Exhibit No. 40.
- Exhibit No. 42      Letter dated August 24, 1992 from Irene Scheeler.
- Exhibit No. 43      Reserved Exhibit, Department's response to Exhibit No. 42.
- Exhibit No. 44      Letter dated July 31, 1992 and comments from hearing August 12, 1992 from Billy Phelps.
- Exhibit No. 45      Reserved Exhibit, Department's response to Exhibit No. 44.
- Exhibit No. 46      Letter dated August 23, 1992 from Rita Marshall and Bertha Stelzer.
- Exhibit No. 47      Reserved Exhibit, Department's response to Exhibit No. 46.
- Exhibit No. 48      Letter dated August 23, 1992 from Craig Klindworth.
- Exhibit No. 49      Reserved Exhibit, Department's response to Exhibit No. 48.
- Exhibit No. 50      Comments from hearing August 12, 1992 from Jeff Bishop.
- Exhibit No. 51      Reserved Exhibit, Department's response to Exhibit No. 50.
- Exhibit No. 52      Comments from hearing August 12, 1992 from Perry Skoglund.
- Exhibit No. 53      Reserved Exhibit, Department's response to Exhibit No. 52.
- Exhibit No. 54      Comments from hearing August 12, 1992 from Angie and Greg Fode.

### VIII

The Assistant Secretary for Program Development has considered evidence on the entire portion of the above entitled highway and finds the plans introduced into evidence marked Exhibit No's. 5, 6, 7, 8, 9, 10, and 12 should be modified as hereinafter set forth as follows:

#### **Exhibit No. 5:**

Plan sheets 1 through 21 of 21 sheets dated June 25, 1992 will be replaced with new plan sheets with the same title. Sheets 1 through 25 will include the following changes:

1. Parcel No. 5-05784 as shown on sheets 1 and 19 of 25 sheets has been added as recommended by the Department.
2. Parcel No. 5-05718 as recommended by the Department has been deleted from plan sheets 1 and 6 of 25 sheets .
3. A field access road, the FA-1 Line has been added, for relinquishment to county, to lessen the access impacts to the following parcels: 5-05695, 5-05697, 5-05699, 5-05797, 5-05798, 5-05799, 5-05800, and 5-05801 as recommended by the Department is shown on plan sheets 1, 2, 22, 23, and 24 of 25 sheets.
4. A field access road, the FA-2 Line has been added, for relinquishment to county, to lessen the access impacts to the following parcels: 5-05697, 5-05798, 5-05799, 5-05954, as recommended by the Department is shown on plan sheets 2 and 25 of 25 sheets.
5. The re-alignment of the Muse Road Interchange and the MR Line; the extension of the limited access hachures between Sta. MR 96+00 and Sta. MR 100+30.46; removal of the limited access hachures between Sta. MR 77+00 and Sta. MR 74+13.43; and the addition of the TC Line as recommended by the Department are shown on plan sheets 2, 16, 17, 20, 21 of 25 sheets.
6. The relocation of the right of way and limited access line between Sta. LS 70+50 Lt. and Sta. LS 77+13.08 Lt., and between Sta. LS 90+50.68 Lt. and Sta. LS 93+50.68 Lt. to lessen the impact on the abutting parcels; and the deletion of Parcel No. 5-05719 as recommended by the Department are shown on plan sheet 6 and 7 of 25 sheet.
7. The deletion of Parcel Nos. 5-05785, 5-05708 and 5-05704 as recommended by the Department at the hearing on page 25 of the hearing transcript are is shown on plan sheet 7 of 25 sheets.
8. The realignment of the existing Lind Road intersection with the LR Line as recommended by the Department is shown on plan sheet 19 of 25 sheets.
9. Minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details are shown on plan sheets 1 through 25 of 25 sheets.

#### **Exhibit No. 6:**

Plan sheets 1 through 25 of 25 sheets dated June 25, 1992 will be replaced with new plan sheets with the same title. Sheets 1 through 26 will include the following changes:

1. The DR line requested by Wayne Klindworth in Exhibit No. 38, Craig Klindworth in Exhibit No. 48 and Perry Skoglund in Exhibit No. 52 and as recommended by the Department in Reserved Exhibit Nos. 39, 49 and 53 respectively is shown on sheets 26 of 26 sheets.
2. Minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details are shown on plan sheets 1 through 26 of 26 sheets.

#### **Exhibit No. 7:**

Plan sheets 1 through 20 of 20 sheets dated July 2, 1992 will be replaced with new plan sheets with the same title. Sheets 1 through 24 will include the following changes:

1. Parcel No. 6-03913; the addition of the NR Line from Sta. NR 9+00 to Sta. NR. 117+42.38; the addition of the HR Line from Sta. HR 5+00 to Sta. HR 13+42.92 as recommended by the Department is shown plan sheets 1, 2, 12, 21, 22, 23 of 24 sheets.
2. The addition of the FA-4 Line field access road, for relinquishment to county, between Sta. FA-4 10+00 and Sta. FA- 4 68+45.28 to lessen access impacts to the following parcels: 6-03717, 6-03719, and 6-03747 via a field access road as requested by Mina Meilke in Exhibit No. 32 and as recommended by the Department in Reserved Exhibit No. 33 is shown on plan sheets 2, 13 and 24 of 24 sheets.
3. The addition of the FA-3 Line, field access road, for relinquishment to county, between Sta. FA-3 10+00 and Sta. FA- 3 29+00 to lessen access impacts to the following parcels: 6-03705, 6-03717, and 6-03718 via a field access road as requested by Mina Meilke in Exhibit No. 32 and as recommended by the Department is shown on plan sheets 2, 22 and 23 of 24 sheets.
4. The relocation of the right of way and limited access line between Sta. LN 1138+60 Rt. and Sta. LN 1193+35 Rt. as recommended by the Department is shown on plan sheets 9, 10, and 11 of 25 sheets.
5. The relocation of the right of way and limited access line between Sta. LN 1241+75 Rt. to Sta. LN 1261+60 Rt., as recommended by the Department is shown on plan sheet 13 of 24 sheets.
6. Minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details are shown on plan sheets 1 through 24 of 24 sheets.

#### **Exhibit No. 8:**

Plan sheets 1 through 15 of 15 sheets dated July 2, 1992 will be replaced with new plan sheets with the same title. Sheets 1 through 15 will include the following changes:

1. The redesignation of the FR-6 Line to FA-5 Line, and extension of it further west from Parcel No. 6-03732 through Parcels No. 6-3731, 6-03728, and into Parcel No. 6-03727 to lessen access impacts to those parcels; as requested by Irene Scheeler in Exhibit No. 42 and by Rita Marshall and Bertha Stelze in Exhibit No. 46 and as recommended by the Department in Reserved Exhibit Nos. 43 and 47, is shown on plan sheets 1, 2, 9,10,11,12, and 13 of 15. The FA-5 Line will be relinquished to county.
2. The relocation of the right of way and limited access line between Sta. SR 21 155+52.21 Lt. to Sta. SR 21 159+00 Lt., as recommended by the Department, is shown on plan sheet 4 of 15 sheets.

3. The relocation of the right of way and limited access line between Sta. LS 1750+00.32 Rt. to Sta. LS 1755+00 Rt. to reflect the extension of the FA-5 Line as recommended by the Department, is shown on plan sheet 13 of 15 sheets.
4. Minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details are shown on plan sheets 1 through 15 of 15 sheets.

**Exhibit No. 9:**

1. Revise plan sheets 1 through 15 of 15 sheets to make minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details.

**Exhibit No. 10:**

1. Revise plan sheets 1 through 5 of 5 sheets to make minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details.

**Exhibit No. 11:**

1. Revise plan sheets 2 and 3 of 7 sheets and sheets 7 and 8 of 32 sheets to make minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details.

**Exhibit No. 12:**

Plan sheets 1 through 8 of 8 sheets dated July 10, 1992 will be replaced with new plan sheets 1 through 8 of 8 sheets with the same title to include the following changes:

1. Revise plan sheets 1 through 8 of 8 sheets to make minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details.

## IX

The Assistant Secretary of Program Development also considered the following request and makes the following *findings*:

1. Mr. Billy Phelps in Exhibit No. 44 and on pages 47 to 49 of the hearing transcript requested that the Muse Road Interchange be moved 1/4 Section south.

As stated by the Department in Reserved Exhibit No. 45, moving the Muse Road Interchange further south would increase the length of travel for those people living on Hatton Road east of SR 395. It would also increase the length of haul for grain going to the Connell Grain Growers at Hatton.

2. Mr. LeRoy Watson, Jr., representing the Adams County fire Protection District #2, in Exhibit No. 30 expressed concern for the lack of access to SR 395 northbound between Cunningham and Ralston Road Interchanges.

As stated by the Department in Reserved Exhibit No. 31, the proposed re-alignment and improvements to SR 21 will improve emergency vehicle access to properties via county roads on the easterly side of SR 395. Also, median crossovers for maintenance and emergency vehicles will be constructed throughout this corridor.

3. Mr. Rudolph Stelzer in Exhibit No. 28 requested an overcrossing at Providence Road and a perimeter road on the north side of SR 395 to accommodate the movement of farm equipment from one side of the road to the other.

As stated in Reserved Exhibit No. 29 by the Department, the existing county road and state highway network will provide adequate access to Mr. Stelzer's farm, therefore an overcrossing at Providence Road will not be constructed.

## X

The Assistant Secretary for Program Development particularly finds in the case of each abutting ownership that the adoption of the plan making said highway a limited access facility, said plan being attached hereto as Exhibit No.'s 5, 6, 7, 8, 9, 10, 11, and 12 are required for public convenience and necessity.

Based upon the foregoing findings and the evidence supporting them, the Assistant Secretary for Program Development for the Department of Transportation of the State of Washington,

### **ORDERS:**

## I

That the section of State Route 395 in Adams and Franklin Counties described as follows is hereby designated as a limited access highway of the fully controlled type:

Between Sta. LS 10+00 and Sta. LS 408+10 as shown on sheets 1 through 25 of 25 sheets entitled, "SR 395, CONNELL VIC. TO MUSE ROAD INTERCHANGE, MP 54.22 TO MP 61.76, FRANKLIN AND ADAMS COUNTIES";

Between Sta. LS 408+10 and Sta. LS 980+00 as shown on sheets 1 through 26 of 26 sheets entitled, "SR 395, MUSE ROAD INTERCHANGE TO LEE ROAD, MP 61.76 TO MP 72.59, ADAMS COUNTY";

Between Sta. LS 980+00 and Sta. LS 1450+00 as shown on sheets 1 through 24 of 24 sheets entitled, "SR 395, LEE ROAD TO SR 21 INTERCHANGE VIC., MP 72.59 TO MP 81.49, ADAMS COUNTY";

Between Sta. LS 1450+00 and Sta. LS 1805+00 as shown on sheets 1 through 15 of 15 sheets entitled, "SR 395, SR 21 INTERCHANGE VIC. TO PAHA-PACKARD INTERCHANGE VIC., MP 81.49 TO MP 88.21, ADAMS COUNTY";

Between Sta. LS 1805+00 and Sta. LS 2160+00 as shown on sheets 1 through 15 of 15 sheets entitled, "SR 395, PAHA-PACKARD INTERCHANGE VIC. TO SR 90 INTERCHANGE VIC., MP 88.21 TO MP 94.93, ADAMS COUNTY";

Between Sta. LS 2160+00 and Sta. SR 90 117+00 as shown on sheets 1 through 5 of 5 sheets entitled, "SR 90, SR 395 INTERCHANGE VIC., MP 219.85 TO MP 220.82, ADAMS COUNTY";

Between SR 90 Sta. 117+00 and Sta. 173+86.58 as shown on sheets 2 and 3 of 7 sheets entitled "SR 90, RITZVILLE TO TOKIO, PLAN SHOWING ACCESS, ADAMS COUNTY" and sheets 7, 8, and 10 of 32 sheets entitled "SR 90, RITZVILLE TO TOKIO, MP 220.82 TO MP 221.90, ADAMS COUNTY".

## II

That the plan set forth in Exhibit No's. 5, 6, 7, 8, 9, 10, 11 and 12 for the establishment of access control of said highway be revised as follows:

### Exhibit No. 5:

Replace plan sheets 1 through 21 of 21 sheets dated June 25, 1992 with new plan sheets 1 through 25 of 25 sheets with the same title to include the following changes:

1. Show Parcel No. 5-05784 on sheets 1 and 19 of 25 sheets.
2. Parcel No. 5-05718 has been deleted from plan sheets 1 and 6 of 25 sheets .
3. Show the FA-1 Line, for relinquishment to county, on plan sheets 1, 2, 22, 23, and 24 of 25 sheets.
4. Show the FA-2 Line, for relinquishment to county, on plan sheets 2 and 25 of 25 sheets.
5. Show the re-alignment of the Muse Road Interchange and the MR Line; the extension of the limited access hachures between Sta. MR 96+00 and Sta. MR 100+30.46; the deletion of the limited access hachures between Sta. MR 77+00 and Sta. MR 74+13.43; and the addition of the TC Line on plan sheets 2, 16, 17, 20, 21 of 25 sheets.
6. Show the relocation of the right of way and limited access line between Sta. LS 70+50 Lt. and Sta. LS 77+13.08 Lt., and between Sta. LS 90+50.68 Lt. and Sta. LS 93+50.68 Lt.; and the deletion of Parcel No. 5-05719 on plan sheet 6 and 7 of 25 sheet.
7. Delete Parcel Nos. 5-05785, 5-05708 and 5-05704 from plan sheet 7 of 25 sheets.
8. Show the realignment of the existing Lind Road intersection with the LR Line on plan sheet 19 of 25 sheets.
9. Show minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details on plan sheets 1 through 25 of 25 sheets.

### Exhibit No. 6:

Replace plan sheets 1 through 25 of 25 sheets dated July 2, 1992 with new plan sheets 1 through 26 of 26 sheets with the same title to include the following changes:

1. Show the DR line on sheets 26 of 26 sheets.

2. Show minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details are shown on plan sheets 1 through 26 of 26 sheets.

**Exhibit No. 7:**

Replace plan sheets 1 through 20 of 20 sheets dated July 2, 1992 with new plan sheets 1 through 24 of 24 sheets with the same title to include the following changes:

1. Show Parcel No. 6-03913; the addition of the NR Line from Sta. NR 9+00 to Sta. NR. 117+42.38; the addition of the HR Line from Sta. HR 5+00 to Sta. HR 13+42.92 on plan sheets 1, 2, 12, 21, 22, 23 of 24 sheets.
2. Show the addition of the FA-4 Line, for relinquishment to county, between Sta. FA-4 10+00 and Sta. FA- 4 68+45.28 on plan sheets 2, 13 and 24 of 24 sheets.
3. Show the addition of the FA-3 Line, for relinquishment to county, between Sta. FA-3 10+00 and Sta. FA- 3 29+00 on plan sheets 2, 22 and 23 of 24 sheets.
4. Show the relocation of the right of way and limited access line between Sta. LN 1138+60 Rt. and Sta. LN 1193+35 Rt. on plan sheets 9, 10, and 11 of 25 sheets.
5. Show the relocation of the right of way and limited access line between Sta. LN 1241+75 Rt. to Sta. LN 1261+60 Rt. on plan sheet 13 of 24 sheets.
6. Show minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details are shown on plan sheets 1 through 24 of 24 sheets.

**Exhibit No. 8:**

Replace plan sheets 1 through 15 of 15 sheets dated July 2, 1992 with new plan sheets 1 through 15 of 15 sheets with the same title to include the following changes:

1. Show the redesignation of the FR-6 Line to FA-5 Line, and extension of it further west from Parcel No. 6-03732 through Parcels No. 6-3731, 6-03728, is shown on plan sheets 1, 2, 9,10,11,12, and 13 of 15. The FA-5 Line will be relinquished to county.
2. Show the relocation of the right of way and limited access line between Sta. SR 21 155+52.21 Lt. to Sta. SR 21 159+00 Lt. on plan sheet 4 of 15 sheets.
3. Show the relocation of the right of way and limited access line between Sta. LS 1750+00.32 Rt. to Sta. LS 1755+00 Rt. to reflect the extension of the FA-5 Line on plan sheet 13 of 15 sheets.
4. Show minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details are shown on plan sheets 1 through 15 of 15 sheets.

**Exhibit No. 9:**

1. Revise plan sheets 1 through 15 of 15 sheets to make minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details.

**Exhibit No. 10:**

1. Revise plan sheets 1 through 5 of 5 sheets to make minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details.

**Exhibit No. 11:**

1. Revise plan sheets 2 and 3 of 7 sheets and sheets 7 and 8 of 32 sheets to make minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details.

**Exhibit No. 12:**

Replace plan sheets 1 through 8 of 8 sheets dated July 10, 1992 with new plan sheets 1 through 8 of 8 sheets with the same title to include the following changes:

1. Revise plan sheets 1 through 8 of 8 sheets to make minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details.

**III**

The plans entitled, "SR 395, CONNELL VIC. TO MUSE ROAD INTERCHANGE, MP 54.22 TO MP 61.76, FRANKLIN AND ADAMS COUNTIES," sheets 1 through 25 of 25 sheets;

"SR 395, MUSE ROAD INTERCHANGE TO LEE ROAD, MP 61.76 TO MP 72.59, ADAMS COUNTY," sheets 1 through 26 of 26 sheets;

"SR 395, LEE ROAD TO SR 21 INTERCHANGE VIC., MP 72.59 TO MP 81.49, ADAMS COUNTY," sheets 1 through 24 of 24;

"SR 395, SR 21 INTERCHANGE VIC. TO PAHA-PACKARD INTERCHANGE VIC., MP 81.49 TO MP 88.21, ADAMS COUNTY," sheets 1 through 15 of 15 sheets;

"SR 395, PAHA-PACKARD INTERCHANGE VIC. TO SR 90 INTERCHANGE VIC., MP 88.21 TO MP 94.93, ADAMS COUNTY," sheets 1 through 15 of 15 sheets;

"SR 90, SR 395 INTERCHANGE VIC., MP 219.85 TO MP 220.82, ADAMS COUNTY," sheets 1 through 5 of 5 sheets;

"SR 90, RITZVILLE TO TOKIO, PLAN SHOWING ACCESS, ADAMS COUNTY" sheets 2 and 3 of 7 sheets, and "SR 90, RITZVILLE TO TOKIO, MP 220.82 TO MP 221.90, ADAMS COUNTY," sheets 7, 8, and 10 of 32 sheets; as revised above and are hereby adopted.

That the following plans are hereby superseded:

"SR 260, CONNELL TO TOP OF ESTES HILL", Right of Way, FRANKLIN COUNTY, sheet 3(Pt.) of 16 sheets approved February 9, 1965;

"SR 260, CONNELL VICINITY", Right of Way, FRANKLIN COUNTY, sheet 5(Pt.) of 5 sheets, approved October 8, 1963;

“SR 395, ELTOPIA TO CONNELL VICINITY”, Right of Way, FRANKLIN COUNTY, sheets 38(Pt.) and 39 of 42 sheets approved November 17, 1972;

“SR 395, CONNELL VICINITY”, Right of Way, FRANKLIN COUNTY, sheets 1 through 7 of 7 sheets, approved October 8, 1963;

“SR 395, CONNELL TO ADAMS COUNTY LINE” Right of Way, FRANKLIN COUNTY, sheets 1 through 8 of 8 sheets, approved December 10, 1957;

“SR 395, CONNELL TO ADAMS COUNTY LINE” Limited Access, FRANKLIN COUNTY, sheets 1 through 5 of 5 sheets, approved November 13, 1957;

“SR 395, FRANKLIN COUNTY LINE TO HEDRICK-COLEMAN ROAD” Right of Way, ADAMS COUNTY, sheets 1 through 19 of 19 sheets, approved June 4, 1957;

“SR 395, FRANKLIN COUNTY LINE TO HEDRICK-COLEMAN ROAD” Limited Access, ADAMS COUNTY, sheets 1 through 5 of 5 sheets, approved March 12, 1957;

“SR 395, HEDRICK-COLEMAN ROAD TO HATTON COULEE” Right of Way, ADAMS COUNTY, sheets 1 through 9 of 9 sheets, approved August 27, 1957;

“SR 395, HEDRICK-COLEMAN ROAD TO HATTON COULEE” Right of Way, ADAMS COUNTY, sheets 1 through 5 of 5 sheets, approved July 23, 1957;

“SR 395, LIND TO PAHA, Right of Way, ADAMS COUNTY, sheets 1 through 5 of 5 sheets, approved October 30, 1951;

“SR 395, PAHA TO RITZVILLE”, Right of Way, ADAMS COUNTY, sheets 1 through 7 of 7 sheets, approved June 24, 1949;

“SR 90, SR 395 INTERCHANGE”, Right of Way and Limited Access, ADAMS COUNTY, sheets 1 through 3 of 3 sheets, approved October 17, 1983;

“SR 26, JCT. P.S.H. NO. 11 TO DELIGHT,” Right of Way, ADAMS COUNTY, sheets 1 and 2(Pt.) of 18 sheets, approved February 25, 1959;

“SR 26, JCT. P.S.H. NO. 11 TO DELIGHT,” PLANS SHOWING ACCESS, ADAMS COUNTY, sheets 1(Pt.) of 6 sheets, approved January 13, 1959;

“SR 26, KOREN TO JCT. P.S.H. NO. 11,” Right of Way, ADAMS COUNTY, sheets 21(Pt.) and 22 of 23 sheets, approved May 14, 1957;

“SR 26, KOREN TO JCT. P.S.H. NO. 11 TO DELIGHT,” PLANS SHOWING ACCESS, ADAMS COUNTY, sheets 11(Pt.) of 11 sheets, approved October 2, 1956;

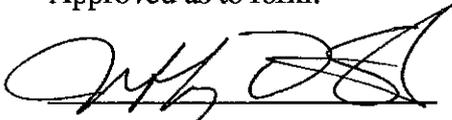
ADOPTED THIS 30 DAY OF October, 1992

ASSISTANT SECRETARY FOR  
PROGRAM DEVELOPMENT

A handwritten signature in cursive script, appearing to read "S. A. Moon", written over a horizontal line.

S. A. MOON

Approved as to form:

A handwritten signature in cursive script, appearing to read "M. J. [unclear]", written over a horizontal line.

Assistant Attorney General