

W.S.A.

**GILSTRAP Zoanne M****Subject:** FW: Safeway REQUEST for CONTINUANCE - Safeway/legal lot issue

-----Original Message-----

**From:** Ken Diener [mailto:kend@kjdarh.com]**Sent:** Tuesday, August 30, 2005 10:02 AM**To:** NICKELL Don G; KENDALL Jerry**Cc:** John - Westlake Tacchini; dana-Safeway Waller; Whitlow, Mark-POR; Diane Phillips**Subject:** Safeway REQUEST for CONTINUANCE - Safeway/legal lot issue**RE:** Safeway Continuance Request File No. PA 02-5778

Jerry,

Please consider this Email the "Official Request for Continuance". Please notify the Commissioners that Safeway has completed the street vacation as conditioned and is actively pursuing the resolution of the final two conditions. The Farm agreement and lot legality/consolidation remains complex with the ownership as it exists (Three separate Fisher/Wilbur ownership's with a recorded Contract purchase by Safeway. Any lot line adjustments would force the existing ownership's to legally restructure many family business agreements.)

Please also note that this NEW separate process your legal Council is proposing carries with it an entirely new application process not previously required, and as you propose below, within our existing approval. I would like to review with you the actual scope / schedule / fees / applicant notification requirements for this legal lot determination process. I am meeting with the clients and our team legal representatives on Wednesday AM and would like to be able to "talk/email" with you prior to that meeting if possible.

Thanks for your patience again,

Respectfully submitted,

Ken Diener  
KJD Architecture PC  
503-231-2884