

## Ellen Fairleigh

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**From:** DS <biabacus@comcast.net>  
**Sent:** Thursday, January 18, 2018 6:16 AM  
**To:** Ellen Fairleigh  
**Subject:** Re: Public Comment #5 - Tani Creek Road Short Plat PLN50590  
**Attachments:** COBI\_Draft Agreement to Resolve Disputed Street\_11-28-17.pdf

Good Morning,

Attached is the link in pdf form. It's from the Agenda Packet for City Council's November 28, 2017 meeting.

Daniel

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On 1/17/2018 3:12 PM, Ellen Fairleigh wrote:

> Hello Mr. Smith,

>

> I have received your public comments and are uploading them into the official file. I am unable to open the link within this comment that is referenced under item 3 below. Are you able to re-send it to me as a separate attachment or PDF file?

>

> Thank you,

> Ellen

>

> -----Original Message-----

> From: DS [mailto:biabacus@comcast.net]

> Sent: Monday, January 15, 2018 1:43 PM

> To: Ellen Fairleigh <efairleigh@bainbridgewa.gov>

> Subject: Public Comment #5 - Tani Creek Road Short Plat PLN50590

>

> Ms. Fairleigh,

>

> This email is my 5th public comment on the application to short plat Lot O, PLN50590.

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> 1. I received a letter from the title insurance company that issued the title policy to Mr. and Mrs. Millett on Lot O. It's Vice President/Counsel ask if I was interested in releasing the "No-Divide"

> covenant in return for compensation.

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> 2. It is my understanding that the title insurance company has hired a litigation attorney to represent them in this matter.

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> 3. Attached is a copy of letter dated August 9, 2016 from Kelly Tayara

> to Joe and Victoria Gonzalez. In the first sentence of the 2nd

> paragraph it states, "The property [Lot O] is in the R-0.4 district

> and is divisible into two lots." Given (a) Ms. Tayara's written

> statement, and (b) the recent settlement of the Duane Lane dispute,

> will the City be able to review the Millett's short plat application

> in a fair and unbiased manner? See

> file:///C:/Users/Abacus/Downloads/Agreement\_for\_Public\_Trail\_and\_Proce

> ssing\_of\_Vacation\_of\_Disputed\_Street\_(rev.\_11-22-17)\_(03441944)%20(1).  
> pdf  
> especially Recital G.  
>  
> Daniel Smith