

90386

2-6-33 1000

FORM OF CLAIM FOR DAMAGES

TO THE BOARD OF COUNTY COMMISSIONERS of Skamania County, Washington:

PLEASE TAKE NOTICE that in accordance with Chapter 36.45 of the Revised Code of Washington, I Melvin Engel Jr & Laura Mae Engel hereby present you with my claim for damages against the County of Skamania, State of Washington, with the information required to be given by RCW 36.45.020 as follows:

1. That the injury for which I claim damages against the County of Skamania, State of Washington, occurred on or about the Fall day of 1981.

2. That the place of injury was Damages to our real estate property.

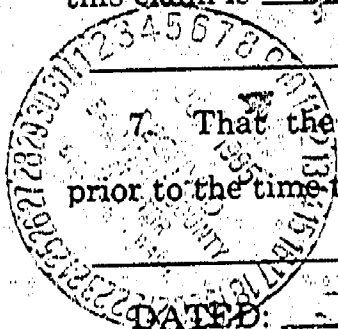
3. That the location and description of the defect which caused the injury are located on Frenchworth Rd, Skamania Co, WA, caused in constructing the road without the consent of the property owner, on road plan.

4. That the injury is described as follows: see attachment #1 Item A Numbers 1 thru 6.

5. That the amount of damages claimed is as follows: \$5,240.50 See attachment # I and II also the survey #III

6. That the actual residence of the claimant at the time of presenting and filing this claim is P.O. Box 223 Stevenson, WA 98648

7. That the actual residence of the claimant for a period of six months immediately prior to the time that this claim accrued was P.O. Box 223 Stevenson, WA 98648



DATED: June 1, 1985

Melvin Engel Jr & Laura Mae Engel
(Claimant)

X

99366

Trespass upon the Melvin and Rena Engel property in Section 33, T.2N., R.6E Skamania County, Washington.

Re: Farnsworth Road

No available road plan or survey on record by Skamania County.

We feel the county was in error in constructing the Farnsworth Road without the consent of the property owner. We also feel our rights as a property owner have been violated.

We feel the following list of claims are justifiable and should be paid to us in the next 30 days.

A) Damage to Real Property	18,000.00
B) Purchase of Real Property	5,000.00
C) Survey	670.00
D) Road Access	570.50
E) Miscellaneous Expenses	<u>1,000.00</u>
Total Damages	25,240.50

The above claims are itemized below:

A) Damage to Real Property

1. Road fill created an unsightly condition and made the land un-accessible to the road.
2. Installation of a culvert across the Farnsworth Road made the land swampy and unuseable. We feel this should be corrected by the county.
3. Access from the county road to my property was destroyed.
4. The road fill damaged some trees on our property and created the condition that they cannot be maintained or harvested.
5. Loss of land due to road fill.
6. Due to the fact the County did not survey prior to construction of this road and no road plan was prepared, the construction of the road caused approximately 15 feet of our land to be unusable.

2) Purchase of Real Property

We feel the county should purchase the road right of way that is now being used, the existing easement and the land made unusable by the roadway fill.

The presidence has been established and is a matter of record, referring to the purchase of right of way from Lee Dunn. We feel that our property should be purchased for \$5,000.00. Also, the county in purchasing this property, should establish the right of way boundary.

C) Survey

Requested by Commissioner Calahan before any claims could be submitted to the county. Surveyed by Minister-Glaizer, copy attached.

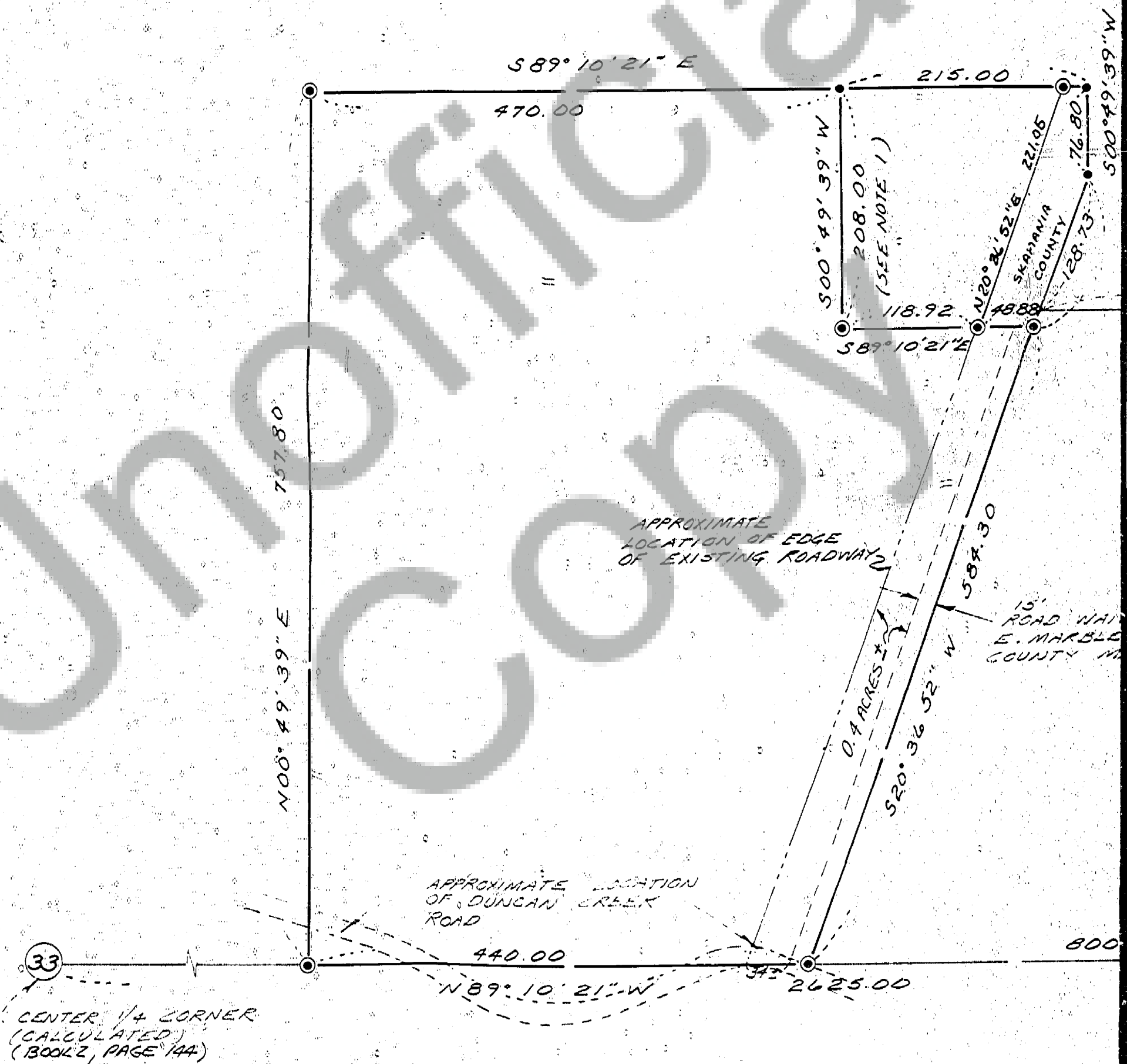
D) Road Access

- 1) Destroyed existing access.
- 2) We reconstructed a temporary access at a \$570 expense.
- 3) The county should construct a new and suitable access to the property with adequate rock and gravel.

E) Miscellaneous Expenses

Lawyer- Duane Lansverk, travel, telephone and inconvenience.

NOTE 1: DEED RECORDED IN BOOK 71 OF DEEDS AT PAGE 58
SHOWS THIS DIMENSION AS 308 FEET. SURVEY
RECORDED IN VOLUME 2 OF SURVEYS AT PAGE 151
WAS PREPARED ACCORDING TO THIS DEED.
ADDITIONAL RESEARCH REVEALED THAT DEED
RECORDED IN BOOK 53 OF DEEDS AT PAGE 331
SHOWS THIS DIMENSION TO BE 208 FEET. THIS
SURVEY IS BASED ON THE DEED IN BOOK 53,
PAGE 331.



- INDICATES 1/2" IRON ROD WITH PLASTIC CAP
- INDICATES 1/2" IRON ROD FOUND

SURVEY REFERENCE:
LAWSON LAND SURVEYING
BOOK 2 PAGE 144.