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Nov 18 12 40 PM '03

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J. MICHAEL GARVISON

AFTER RECORDING MAIL TO:

Woodrich & Archer LLP
P.O. Box 510
Stevenson WA 98648
(509) 427-5655

Document Title(s) or transactions contained therein:

1. Preliminary Investigation Complaint
2. Preliminary Investigative Notice

Grantor(s): [Last name first, then first name and initials]

1. Pollard Dickson

☐ Additional names on page _____ of document

Grantee(s): [Last name first, then first name and initials]

1. City of North Bonneville

2.

☐ Additional names on page _____ of document

Abbreviated Legal Description: [i.e., lot/block/plat or sec/twp/range/4/4]

Lot 8, Block 10, Third Addition to the Plats of Relocated North Bonneville Block 10, recorded in Book B of Plats, Pages 34 and 35, under Skamania County File No. 85402, Records of Skamania County, Washington

☐ Complete legal description is on page _____ of document

Reference Number(s) of Documents Assigned or Released: [Blk/Pg/Aud#]

☐ Additional numbers on page _____ of document

Assessor's Property Tax Parcel/Account Number(s):

02-07-29-2-2-0800-00

☐ Property Tax Parcel ID is not yet assigned



CITY OF NORTH BONNEVILLE

P. O. BOX 7, NORTH BONNEVILLE, WASHINGTON 98639

TELEPHONE (509) 427-8182

FAX (509) 427-7214

PRELIMINARY INVESTIGATION COMPLAINT

TO: Pollard Dickson and Darlene Dickson

ADDRESS: 1008 Chenoweth Drive, P O Box 216, North Bonneville, Washington 98639

TAX PARCEL NO.: 02 07 29 2 2 0800

ISSUEDBY: Dave Nail, Building Inspector, Designated Officer, City of N. Bonneville

DATES OF PRELIMINARY INVESTIGATION: August 19, 2003 & November 7, 2003

DATE OF PRELIMINARY INVESTIGATION COMPLAINT: November 7, 2003

Since taking the position of Building Inspector for the City of North Bonneville in 2000, I have received a number of complaints, both written and oral, regarding your vacant structure located at 1008 Chenoweth, North Bonneville Washington 98639.

At the request of the Mayor, and pursuant to authority I am vested with pursuant to RCW 35.80.030(3) and North Bonneville Ordinance No. 833, I initially went to the above address on August 19, 2003 to observe the structure and investigate the complaints received. I revisited the address on November 7, 2003 to verify whether the conditions initially noted continue to exist. I walked around the property from the locations of the City streets and bike paths. I made notes of my observations and documented the structure with pictures taken on August 19, 2003. Except where noted, the pictures continue to accurately portray conditions observed on November 7, 2003. The following is a summary of my observations:

1. The first story was boarded up with plywood and did not have any doors or windows installed.
2. The structure also has no doors or windows installed.
3. The second story of the structure has window openings on all sides that are not boarded up, thus exposing the interior of the structure to the elements.
4. Chimney on roof of the rear of the structure, approximately 2' by 8', appears to be open and thus also exposing the interior of the structure to the elements as per my visit on August 19, 2003. Upon revisiting the address on November 7, 2003 there appears to be a tarp placed around the chimney area.
5. Mold/Moss appeared to be growing on the West exterior balcony.
6. The electrical power service was not connected and was hanging from the structure.
7. I observed unprotected anchor bolts protruding from a foundation on the North side of the structure.

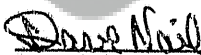
8. There were open black and grey pipes sticking vertically out of the ground and foundation.
9. On the front of the structure I observed what appears to be an opening in the roof structure for the placement of a skylight. This appeared to be 4' x 8' in size and appears to be exposing the interior of the structure to rain and elements which may compromise the structural integrity of the building.
10. The roof eaves on the Northwest section shows possible deterioration from exposure to weather. This condition is also present at the front of the structure.
11. The front of the structure also appears to have moss/mildew growing on it and possible dry rot.

Also in reviewing the construction file, it appears that the last building permit issued for that property on August 21, 1998 expired 180 days after its issue. There has been no permit issued since that date.

I have reason to believe that these conditions may affect the fitness of the building, structure or premises. The conditions listed above and citizen complaints lead to my belief that your building may establish a detrimental effect on the health, safety and welfare of the neighboring residences and citizens of the City of North Bonneville. Also, these conditions may indicate that the structure could devalue the property, or surrounding properties.

Based upon my observations I have reason to believe the structure may be unfit for human habitation or other uses or otherwise constitute a nuisance. In summary, due to the above observations and citizen complaints, there is reason to believe that a violation or violations may exist.

At this time I wish to inform you that I will be holding an administrative hearing, at which you are requested to be present, to consider the evidence mentioned above, on Tuesday, December 2, 2003 at 1:00 pm in City Hall, North Bonneville.



Dave Nail

Building Inspector/Designated Officer
City of North Bonneville

cc: Chris Lanz
US Army Corps of Engineers
County Auditor



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PRELIMINARY INVESTIGATION NOTICE

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TAX PARCEL NO.: 02 07 29 2 2 0800

ISSUED BY: Dave Nail, Building Inspector, Designated Officer, City of N. Bonneville

DATES OF PRELIMINARY INVESTIGATION: August 19, 2003 & November 7, 2003

DATE OF PRELIMINARY INVESTIGATION COMPLAINT: November 7, 2003

A HEARING DATE OF DECEMBER 2, 2003 AT 1:00 PM HAS BEEN SET TO DETERMINE WHETHER AN UNFIT BUILDING OR NUISANCE EXISTS ON THE ABOVE DESCRIBED PROPERTY AND TO FURTHER DETERMINE WHETHER AN ORDER TO REPAIR, VACATE OR DEMOLISH THE DWELLING, BUILDING, STRUCTURE OR PREMISES SHALL BE ISSUED.

1. Pursuant to the authority granted in RCW Chapter 35.80, and adopted by reference in NB Ordinance 833, and based on knowledge of a potential unfit building or nuisance, Dave Nail, Building Inspector for the City of North Bonneville, and the designated Officer appointed to carry out the provisions of said authority, (herein "Officer"), has conducted a preliminary investigation of the premises located at: 1008 Chenoweth Drive, North Bonneville, Washington, 98639.
2. Based on the Officer's observations, the City of North Bonneville has issued a Preliminary Investigation Complaint alleging that there are reasonable grounds to believe that the dwelling, structure or premises is unfit for human habitation or other uses or otherwise constitutes a nuisance.
3. The facts in support of the Officer's reasonable belief are contained in the Preliminary Inv. stigation Complaint served with this Notice.
4. The Purpose of the Hearing referenced above will be to determine whether the dwelling, building, structure, or premises is unfit for human habitation or other use or otherwise constitutes a nuisance. In making this determination, the Officer may consider whether there is reason to believe that the dwelling building, structure or premises is:

- a) dilapidated, in disrepair, has structural defects, defects increasing the hazards of fire, accidents or other calamities, including but not limited to, whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property. Adequacy of ventilation, cleanliness, adequacy of light, sanitary facilities, drainage, or whether other substandard conditions exist.
- b) other conditions which may affect the fitness of the building or premises for human habitation, or other purposes
- c) other conditions which may indicate that the dwelling, building, structure or premises devalue the property or surrounding property
- d) other conditions that tend to establish a detrimental effect on the health safety and welfare of the occupants, the neighboring residences, or the residents of the City of North Bonneville
- e) other conditions that appear to constitute a dangerous building pursuant to Section 302 of the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings
- f) any other conditions that appear to be in violation of any other State or Local ordinances
- g) any other conditions that appear to constitute a nuisance at common law, either public or private

5. If, after reviewing all the evidence offered at the hearing, the Officer determines that the dwelling is unfit for human habitation or that the building structure or premises is an unfit for other use or otherwise constitutes a Nuisance the Officer shall state in writing his findings of fact in support of such determination and shall cause to be served upon the owner personally or by registered mail and shall post in conspicuous place on said property an Order to Repair, Vacate or Demolish such dwelling building or structure. An Order to Repair, Vacate or Demolish shall be generally based on: the degree of structural deterioration of the dwelling, building, structure, or premises, or the relationship that the estimated cost of repair bears to the value of the dwelling, building, structure, or premises. Determination of these factors shall be based on the following standards:

- (a) whether any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions appear to have materially less resistance to winds or earthquakes than is required in the case of similar new construction; or
- (b) whether vertical members list, lean or buckle to the extent that a plumb line passing
- (c) through the center of gravity falls outside the middle third of its base; or \ whether the building or structure, exclusive of the foundation, shows thirty-three percent (33%) or more damage or deterioration of its supporting members, or fifty percent (50%) damage or deterioration of its non-supporting members, enclosing outside walls or coverings; or
- (d) whether the building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than fifty percent (50%) or in any supporting part,

member, or portion less than sixty-six percent (66%) of the strength, fire resisting qualities or characteristics, or weather resisting qualities or characteristics required by law in the case of new construction.

- (d) whether the estimated cost of restoration exceeds sixty percent (60%) of the assessed value of the building; or
 - (f) whether the building has been damaged by fire or other calamity, the estimated cost of restoration exceeds thirty percent (30%) of the value of the building and it has remained vacant for six months or more demolition shall be required. Value shall be determined by reference to a current edition of "Building Valuation Data" published by the International Conference of Building Officials or, if not published, as determined by the Officer. Cost of restoration is the actual estimated cost, which may be determined in the same manner as "value".
 - (g) whether the dwelling, building, structure, premises or portion thereof violates any of the 1997 Uniform Building Code Standards adopted by the City pursuant to NBMC Chapter 17.04.
6. You have the right to file an Answer to the Preliminary Investigation Complaint, to appear in person or otherwise, and to give testimony at the time and place stated in the Notice. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Officer.
 7. The hearing will be canceled if the Officer approves the Owner's completed corrective action at least 48 hours before the scheduled hearing and the Officer shall provide the Owner and/or Responsible Person and the City with written notice that verifies completion of the successful abatement of the conditions found to constitute an unfit building or nuisance.
 8. The Officer or his/her designee, the Owner and other parties entitled to be served with the Officer's Determination of Violation and Order to Repair, Vacate or Demolish may participate as parties in the hearing and each party may call witnesses. Any complainant or person affected by the conditions alleged to constitute an unfit building or nuisance may appear and present evidence.
 9. If ordered, the deadline for any required correction of such condition(s), shall be a reasonable period of time based on all of the circumstances as determined by the Officer, but which shall not be more than sixty (60) days from the date of service of any Final Order to Repair, Vacate or Demolish.
 10. If an Order to Repair, Vacate or Demolish is issued after a Preliminary Investigation Complaint and Hearing thereon, and the conditions found to be an unfit building or nuisance are not corrected by the Owner or Responsible Person after the Hearing on the Officer's Determination and issuance of a Final Order to Repair, Vacate or Demolish as set forth in above, the City may pursue the matter further by civil and/or criminal enforcement pursuant to NB Ordinance Section 18.10.060.

11. You shall have the right of Appeal to the Appeals Commission within thirty (30) days from the date of service and posting of any Order to Repair, Vacate or Demolish.
12. Following exhaustion of any rights of appeal, if you fail to comply with any Final Order to Repair, Vacate or Demolish, the Officer or Appeals Commission may direct or cause such dwelling, building, structure, premises or portion thereof to be repaired, altered, improved, vacated and closed, removed or demolished, and that the amount of such costs to repair, alter, improve, vacate and close, remove or demolish shall be assessed against the real property upon which such costs were incurred unless such amount is previously paid. Said costs, upon verification by the Treasurer which shall be an assessment on the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with the same interest at such rates and in such manner as provided for in RCW 84.56.020 as now or hereinafter amended, for delinquent taxes, and when collected to be deposited to the credit of the general fund of the municipality. The assessment shall constitute a lien against the property which shall be of equal rank with State, County and Municipal taxes.