

127354

FILED IN RECORD
SKAMANIA COUNTY
BY *Skamania County*

FEB 18 10 11 AM '97

Olson
AUDITOR
GARY H. OLSON

RETURN ADDRESS:

Skamania County

Please Print or Type Information.

Document Title(s) or transactions contained therein:

1. Notice/Claim for Damages
- 2.
- 3.
- 4.

GRANTOR(S) (Last name, first, then first name and initials)

1. Skamania County
2. Columbia River Gorge Commission
3. US Dept. of Agriculture
- 4.

☐ Additional Names on page ____ of document.

GRANTEE(S) (Last name, first, then first name and initials)

1. *Racus* Joseph A.
- 2.
- 3.
- 4.

☐ Additional Names on page ____ of document.

LEGAL DESCRIPTION (Abbreviated: I.E., Lot, Block, Plat or Section, Township, Range, Quarter/Quarter)

N/A Intersection of Sprague Rd. and Hwy 14

☐ Complete legal on page ____ of document.

REFERENCE NUMBER(S) Of Documents assigned or released:

N/A

☐ Additional numbers on page ____ of document.

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER

N/A

☐ Property Tax Parcel ID is not yet assigned.

☐ Additional parcel #'s on page ____ of document.

The Auditor/Recorder will rely on the information provided on the form. The Staff will not read the document to verify the accuracy or completeness of the indexing information.

FILED IN RECORD
SKAMANIA COUNTY
BY *Skamania County*
FEB 18 10 11 AM '97
Olson
AUDITOR
GARY H. OLSON

127354 //

NOTICE

RECEIVED

FEB 13 1997

SKAMANIA COUNTY
AUDITOR

Hon. Dan Glickman
Secretary of the United States
Department of Agriculture
14th st. and Independence Ave., S.W.
Washington, D.C. 20250

Hon. Gary Olson
Skamania County Auditor
P.O. Box 790
Stevenson, Wa. 98648

Mr. Johnathan Daherty
Executive Director
Columbia River Gorge Commission
White Salmon, Wa. 98672

FILED FOR RECORD
SKAMANIA COUNTY WASH
BY Skamania County
FEB 18 10 11 AM '97
O. Garry
GARY H. OLSON

This notice is provided pursuant to the 60 day notice provisions of the Columbia River Gorge National Scenic Area Act (the Act) at 16 USC 544m(b) (3).

Skamania County, Washington and the Columbia River Gorge Commission have knowingly violated the Act by permitting a very large, 5,000 cubic yard, solid waste dump, as defined by WRC, Ch. 70.95, and the WAC, Ch. 173-304, to be established in the Spring of 1994 and to continuously exist to the present time at the southeastern intersection of Highway 14 and Sprague Landing Road in Skamania County in the Columbia River Gorge National Scenic Area.

Skamania County approved the dump by falsifying numerous public records to provide that "soil" rather than solid waste had been dumped and unlawfully prevented administrative appeal of the approval.

The Columbia River Gorge Commission had actual notice of the dump, but failed to take action pursuant to its affirmative duty under the Act to ensure County compliance with the Act.

Skamania County's falsification of public records and numerous related violations of federal, state and local laws and regulations evidence that it lacks the capacity to lawfully administer the Act.

The Columbia River Gorge Commission was created by the Act through an interstate compact. Its sole duty is to ensure lawful

administration of the Act. By intentionally failing to address this violation, it has violated its *raison d'être*.

The Secretary of the United States Department of Agriculture has overall responsibility for the Columbia River Gorge National Scenic Area and, although there is no evidence that the Secretary had either actual or constructive notice of this dump, the Secretary is a necessary party to any contemplated civil action.

Sixty days from the date of the receipt of this notice a civil action shall be filed in the Federal District Court naming the Secretary, Skamania County, the Columbia River Gorge Commission and certain individual public officials as defendants. A plaintiff class shall be sought consisting of all foreign and domestic beneficiaries of the Act. The suit shall seek actual and punitive damages, injunctive relief and fees and costs of suit.

JA Bacus 2/15/97
JOSEPH A. BACUS
ATTORNEY AT LAW
91 SPRAGUE LANDING
STEVENSON, WASHINGTON 98648
TELE - (509) 427-7868

CERTIFICATE OF DELIVERY

I, Sandra S. Bacus, certify that on Thursday, February 13, 1997, I personally delivered in person or through U.S. Mail, postage prepaid, a true and correct copy of the attached notice.

Sandra S. Bacus
Sandra S. Bacus

Acknowledge receipt

Skamania County Auditor's Office

Angela Moser, Deputy

2/13/97
Date



R. Tuholsky & C. Dally

Tax Lot 1-5-8-500

E-W T. Starkey

10-10-18
 Recorder of Stanislaus County, Wash.
 County Auditor

STATE OF WASHINGTON
COUNTY OF SPOKANE

I, Marjorie Carver, being the within instrument of writing filed
by Marjorie Carver of Spokane
at Spokane Idaho on 11-17 1924 was recorded in
Book 3 of Spokane Last Page 1st P.

The issue of this Short Subdivision comes with Ordinance 1977-02, requirements, and the Short Plat is approved subject to recording in the Summit County Auditor's Office.

Robert J. Lee 11/14/80 Date

County Planning Department

County Treasurer Wilson G. Connerly Date 1-11-85

All taxes and assessments on property involved with this Short Plat have been paid, discharged or satisfied.

County Engineer _____ Date _____

...adequate description for purposes of subdividing.

John H. Hargrett, M.D. 9 May 80

Each lot will require separate review to determine acceptability for on-site sewage disposal. Adequacy of water supply is not quantified.

This Short Plat has general review for sewage and water. Acceptable sub-surface sewage disposal sites have not been identified.

WINTER / 1983

Owner

10 / 10 / 10

with claims for damages against any governmental agency, district or from the construction and maintenance of said roads.

ties, and that this Short Subdivision has been made with our consent and in accordance with our desires.

[illegible]