

150851

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Return Address: David Kapp
2550 SW 49th Street
Corvallis, OR 97333

FILED FOR RECORD
SKAMANIA COUNTY, WASH
BY *Jack Kapp*

OCT 23 1 20 PM '03

Amaze
AUDITOR
J. MICHAEL GARVISON

Skamania County
Department of Planning and
Community Development

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-9458 FAX 509 427-8288

Administrative Decision

APPLICANT: David Kapp

FILE NO.: NSA-02-31

PROJECT: Divide tax lot 300 into 3 separate lots, a portion of the original 230.10-acre parcel lies within the NSA. No construction is planned at this time.

LOCATION: Off Lacock Kelchner Road, Underwood; Section 10 of T3N, Range 10R, W.M. and identified as Skamania County Tax Lot #03-10-10-0-0300-00.

LEGAL : See attached Pages 4-6.

ZONING: General Management Area-Small Woodland (F-3).

DECISION: Based upon the entire record, including particularly the Staff Report, the application by David Kapp, described above, subject to the conditions set forth in this Decision, is found to be consistent with Title 22 SCC and is hereby approved.

Although the proposed development is approved, it may not be buildable due to inadequate soils for septic and/or lack of potable water. These issues are under the jurisdiction of Skamania County's Building Department and the Washington State Health District.

Approval of this request does not exempt the applicant or successors in interest from compliance with all other applicable local, state, and federal laws.

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CONDITIONS OF APPROVAL:

The following conditions are required to ensure that the subject request is consistent with Skamania County Title 22. This document, outlining the conditions of approval, must be recorded, by the applicant, in the deed records of the Skamania County Auditor in order to ensure notice of the conditions of approval to successors in interest. SCC §22.06.050(C)(2).

- 1) All developments shall be consistent with the final site plan, unless modified by the following conditions of approval. If modified, the site plan shall be consistent with the conditions of approval. (See attached)
- 2) The application does not include any road construction on the property within the National Scenic Area. No approval has been granted for road construction within any portion in the NSA. Any future road construction within the NSA will require a future application and approval. No ground disturbing activities shall occur on land within the NSA contained within this land division without prior review and approval by the Skamania County Department of Planning and Community Development.
- 3) Prior to the recording of any deeds to effect this land division, the applicant shall submit a certificate from a surveyor, licensed in the State of Washington, stating that each parcel contains at least 40 acres.
- 4) The new deeds for the three parcels are to be recorded and a recorded copy turned in to the Planning Department.
- 5) The applicant/property owner and/or subsequent property owners shall comply with all appropriate water resource buffers when developing the lots.
- 6) All future development will have a minimum 50-foot setback from the ridge top leading down to the White Salmon River, for any home or road construction

Dated and Signed this 25th day of November, 2002, at Stevenson, Washington.


Stacey Borland, Associate Planner
Skamania County Planning and Community Development

NOTES

Any new residential development, related accessory structures such as garages or workshops, and additions or alterations not included in this approved site plan, will require a new application and review.

As per SCC §22.06.050(C)(2), this Administrative Decision shall be recorded, by the applicant, in the County deed records prior to commencement of the approved project.

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As per SCC §22.06.050(C)(5), this Decision approving a proposed development action shall become void in two years if the development is not commenced within that period, or when the development action is discontinued for any reason for one continuous year or more.

APPEALS

This Decision shall be final unless reversed or modified on appeal. A written Notice of Appeal may be filed by an interested person within 20 days from the date hereof. Appeal may be made to the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms are available at the Department Office.

WARNING

On November 30, 1998 the Columbia River Gorge Commission overturned a Skamania County Director's Decision 18 months after the 20 day appeal period had expired. You are hereby warned that you are proceeding at your own risk and Skamania County will not be liable for any damages you incur in reliance upon your Administrative Decision or any amendments thereto.

A copy of the Decision was sent to the following:

Skamania County Building Department
Skamania County Assessor's Office

A copy of this Decision, including the Staff Report, was sent to the following:

Persons submitting written comments in a timely manner
Yakama Indian Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Warm Springs
Nez Perce Tribe
Office of Archaeology and Historic Preservation
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners
State of Washington Office of Community Development
Washington Natural Heritage Program
Washington State Department of Fish and Wildlife

SKAMANIA CO. WASH
by Morse & Bratt

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DEED IN PARTIAL DISTRIBUTION OF ESTATE

JACK D. KAPP, Personal Representative of the Estate of ERMA M. KAPP, Deceased, Grantor, hereby conveys and quit claims to JACK D. KAPP, as his separate property, with respect to an undivided one-third interest, DAVID M. KAPP, as his separate property, with respect to an undivided one-third interest, and SHIRLEY ANN AZURE, as her separate property, with respect to an undivided one-third interest, Grantees, all of the right, title, and interest of the Estate of Erma M. Kapp, including after-acquired title, if any, in that real property situate in Skamania County, Washington, and more particularly described as follows:

Parcel 1

An undivided one-half interest in the following described real property:

The Southeast quarter of the Northwest quarter of Section 4; Township 3 North, Range 10 East, W.M., except that portion within 200 feet of the centerline of the White Salmon River.

The Northeast quarter of the Southwest quarter of Section 4; Township 3 North, Range 10 East, W.M.

Parcel 2

An undivided one-half interest in the following described real property:

The Southwest quarter of the Southeast quarter of Section 4, Township 3 North, Range 10 East, W.M.

Parcel 3

An undivided one-half interest in the following described real property:

The Northeast quarter of Section 9; Township 3 North, Range 10 East, W.M.

The Northeast quarter of the Northwest quarter of Section 9; Township 3 North, Range 10 East, W.M.

Recorded	6
Indexed	6
Filed	6
Released	

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REAL ESTATE EXCISE TAX

1993

Morse & Bratt
Real Estate Brokers
1000 Main Street
Port Angeles, WA 99150
Phone (509) 426-4200

DEED IN PARTIAL
DISTRIBUTION OF ESTATE - 1

Parcel 4

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An undivided one-half interest in the following described real property:

The Southwest quarter of the Southwest quarter, and that part of the North half of the Southwest quarter South of Buck Creek, Section 10, Township 3 North, Range 10 East, W.M.

Parcel 5

An undivided one-half interest in the following described real property:

A:

The East half of the Southwest quarter, Section 10, Township 3 North, Range 10 East, W.M., EXCEPT one acre in Southeast corner previously deeded to Charles Rosenkrans, and FURTHER EXCEPTING that prt of the Northeast quarter of the Southwest quarter lying within 100 feet of the centerline of the White Salmon River, and FURTHER EXCEPTING a 10-foot strip of land conveyed to Josephine Boersig for road purposes, and FURTHER EXCEPTING a tract conveyed to the United States for Bonneville Power lines.

B:

Beginning at the South line of the East half of the Southwest quarter of Section 10, Township 3 North, Range 10 East, W.M., at its intersection with the center of Beebe and Love Extension Road; thence North 10 feet; thence East 10 feet from and parallel to the South line of said East half of the Southwest quarter of section 10 to the West line of a one acre tract conveyed to Charles Rosenkrans; thence South along the West line of said one acre tract to said South line of the East half of the Southwest quarter; thence West to the point of beginning. ALSO the West half of the Southeast quarter of Section 10, Township 3 North, Range 10 East, W.M., ALSO beginning at the quarter corner of Sections 10 and 15, Township 3 North, Range 10 East, W.M., thence North 88°56' West 4.14 chains; thence North 1°04' East 2.414 chains; thence South 88°56' East 4.14 chains; thence 1°04' West 2.414 chains to the initial point of beginning; EXCEPT that part of the Northwest quarter of the Southwest quarter of Section 10, Township 3 North, Range 10 East, W.M., on the Westerly side of the White Salmon River within 100 feet from the center of the River; FURTHER EXCEPTING also the tract conveyed to United States for Bonneville Power lines.

DEED IN PARTIAL
DISTRIBUTION OF ESTATE - 2

Law Office
MORSE & BRATT
Snohomish, Wash.
Bldg. 12-4 Union
First Floor, First Office
Vancouver, Washington 98660
206 595-4700

C:
The following portions of the above described real property in subparagraphs A and B have been previously conveyed to others, that is, the following property:

That portion of the South half of the Southwest quarter of Section 10, Township 3 North, Range 10 East, W.M., in Skamania County, Washington, lying South of the Southerly right of way line of the Bonneville Power Administration right of way.

Also that portion of the Southwest quarter of the Southeast quarter of section 10, Township 3 North, Range 10 East, W.M., in Skamania County, Washington, lying South of the Southerly right of way line of the Bonneville Power Administration right of way.

Parcel 6

An 8/65th of a one-half interest in the following described real property:

The Southwest quarter of the Southeast quarter of Section 9, Township 3 North, Range 10 East, W.M.

Parcel 7

Lots 5 and 7, Block 2, First Addition to Underwood, Washington, records of Skamania County, Washington

Parcel 8

Government Lot 1, Section 29, Township 3 North, Range 10 East, W.M., Skamania County, Washington

This deed is in partial distribution of the Estate of Erna M. Kapp, pursuant to the Last Will and Testament of said decedent. Her Last Will and Testament was admitted to probate in the Superior Court of Clark County, Washington, in Cause No. 92-4-00075-2, on February 4, 1992, at which time an Order of Solvency was entered therein. The Grantor herein is the duly appointed and acting Personal Representative of said estate.

DATED this 25th day of January, 1993.

ESTATE OF ERNA M. KAPP, Deceased

By Jack D. Kapp
JACK D. KAPP
Personal Representative

DEED IN PARTIAL
DISTRIBUTION OF ESTATE - 3

Morse & Baatt
Notary Public, State of Washington
1111 1st Ave. S.W.
Burien, WA 98148
(206) 835-0000

