

Return Address: William Fosburg  
61 Cedar Grove Lane  
Washougal, WA 98671

Doc # 2004153532  
Page 1 of 6  
Date: 06/30/2004 11:07A  
Filed by: WILLIAM FOSBURG  
Filed & Recorded in Official Records  
of SKAMANIA COUNTY  
J. MICHAEL GARVISON  
AUDITOR  
Fee: \$24.00 *ny*

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:** William Fosburg

**PROPERTY OWNER:** William & Roberta Fosburg

**FILE NO.:** NSA-04-20

**PROJECT:** Place 1,200 cubic yards of material on their property as landscaping around the homesite, and to re-contour the existing lawn area.

**LOCATION:** 61 Cedar Grove Lane; Section 6 of T1N, R6E, W.M., and identified as Skamania County Tax Lot #01-06-06-0-0-0306-00.

**LEGAL:** See attached Page 5.

**ZONING:** Special Management Area -Forest (F).

**DECISION:** Based upon the record and the Staff Report, the application by William Fosburg, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 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 Skamania County Health Department.

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

#### CONDITIONS OF APPROVAL:

The following conditions are required to ensure that the subject request is consistent with Skamania County Code 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) 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.
- 2) All developments shall be consistent with the enclosed 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)
- 3) All graded and disturbed areas are to be reseeded with a native vegetation mix prior to final inspection by the Planning Department.
- 4) The project applicant and future owners shall be responsible for the proper maintenance and survival of any vegetation required to be planted.
- 5) The use of plant species native to the landscape setting shall be encouraged and where non-native plants are used, they shall have native-appearing characteristics.
- 6) The Planning Department will conduct a final inspection, to verify compliance with conditions of approval. An inspection may take up to four business days from the time of calling for the inspection. Inspections should be arranged by calling the Planning Department at 509-427-9458.
- 7) All authorizations for new developments or land uses shall require the immediate notification of the reviewing agency if cultural resources are discovered during construction or development. If cultural resources are discovered, particularly human bone or burials, work in the immediate area of discovery shall be suspended until a cultural resource professional can evaluate the potential significance of the discovery and recommend measures to protect and/or recover the resource. If the discovered material is suspected to be human bone or a burial, the following procedures shall be used:
  - a) The applicant shall stop all work in the vicinity of the discovery.
  - b) The applicant shall immediately notify the Forest Service, the applicant's cultural resource professional, the county coroner, and appropriate law enforcement agencies.

- c) The Forest Service shall notify the tribal governments if the discovery is determined to be an Indian burial or a cultural resource.

Dated and Signed this 15<sup>th</sup> day of June, 2004, at Stevenson, Washington.

Stacey Borland

Stacey Borland, Associate Planner  
Skamania County Planning and Community Development.

#### NOTES

Any new residential development, related accessory structures such as garages or workshops, fences, 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)(5), this Administrative 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

**The Director reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.**

This Administrative Decision shall be final unless reversed or modified on appeal. A written Notice of Appeal form must be filed by an interested person within 20 days from the date hereof. Appeals are to be made to the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms are available at the Planning Department Office and must be accompanied by a \$500.00 nonrefundable filing fee.

#### 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  
Skamania County Health Department

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  
Skamania County Public Works Department  
State of Washington Office of Community Development  
Department of Fish & Wildlife

Unofficial  
Copy

86132

## STATUTORY WARRANTY DEED

The Grantor, FIRST INDEPENDENT BANK, Trustee for Eugene F. Lackey and F. Pearl Lackey, husband and wife, for and in consideration of value received in hand paid, conveys and warrants to WILLIAM S. FOSBURG and ROBERTA A. FOSBURG, husband and wife, the following described real estate, situated in the County of Skamania, State of Washington:

The North Half of the North Half of the Northwest Quarter (N $\frac{1}{2}$  N $\frac{1}{2}$  NW $\frac{1}{4}$ ) of Section 6, Township 1 North, Range 6 E. W. M., EXCEPT the west 1,320 feet thereof, AND EXCEPT that portion thereof lying easterly of the center of County Road No. 1009 designated as the Smith-Cripe Road.

This deed is given in fulfillment of that certain real estate contract between Dean Vogt and Lois Vogt, his wife, and William Proksel and Lucille Proksel, his wife, as Sellers, and Robert W. Kanna and Vannette M. Kanna, his wife, as Purchasers, on which excise tax was paid under receipt #695 on May 26, 1971. Contract was assigned under Purchaser's Assignment of Contract and Deed between Robert W. Kanna and Vannette M. Kanna, his wife, and William S. Fosburg and Roberta A. Fosburg, husband and wife, recorded on June 14, 1971, under Records of Skamania County, Wash. in book 62 of Deeds at Page 962; excise tax paid under receipt #725 on June 15, 1971. Deed and Seller's Assignment of Real Estate Contract dated September 28, 1972 between Dean Vogt and Lois Vogt, husband and wife, and William Proksel and Lucille Proksel, husband and wife, and Eugene F. Lackey and F. Pearl Lackey, husband and wife, was recorded on October 2, 1972 in Book 64 of Deeds at Page 942, Records of Skamania County, Wash. Subsequently interest of Eugene F. Lackey and F. Pearl Lackey was transferred to Grantor above named by Seller's Assignment of Deed and Contract, recorded on November 24, 1973, as Document No. 61430, Book 70 of Deeds, Page 45. Excise Tax Receipt No. 5696.

IN WITNESS WHEREOF, said corporation has caused this instrument to be executed by its proper officer this 5th day of April, 1978.



FIRST INDEPENDENT BANK

By [Signature]  
Assistant Trust Officer

STATE OF WASHINGTON

COUNTY OF CLATSOP

On this 5th day of April, 1978, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Maxine M. Young; to me known to be the Assistant Trust Officer of First Independent Bank, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that she is authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.

No. \_\_\_\_\_

TRANSACTION EXCISE TAX

APR 25 1978

Amount Paid \$ 7.35

By [Signature] Skamania County, Wash.  
[Signature]

[Signature]  
Notary Public in and for the State of Washington, residing at Vancouver.

