

Return Address: Sprint United Telephone  
Attn: Bill Muncey  
902 Wasco St.  
Hood River, OR 97031

**RECEIVED NOV 11**

Doc # 2004155658  
Page 1 of 9  
Date: 12/20/2004 03:23P  
Filed by: SPRINT UNITED TELEPHONE  
Filed & Recorded in Official Records  
of SKAMANIA COUNTY  
J. MICHAEL GARVISON  
AUDITOR  
Fee: \$27.00

**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:** Sprint United-Telephone (via Bill Muncey)

**PROPERTY OWNER:** Blayne Fox-Myers

**FILE NO.:** NSA-04-42

**PROJECT:** Place approximately 525' of buried cable.

**LOCATION:** Along Shaddox Springs Road, Underwood; Section 30 of T3N, R10E, W.M., and identified as Skamania County Tax Lot #03-10-30-0-0-0302-00.

**LEGAL DESCRIPTION:** See attached page 5-8.

**ZONING:** General Management Area –Small Woodland (F-3) and Open Space (OS).

**DECISION:** Based upon the entire record, including particularly the Staff Report, the application by Sprint United-Telephone (via Bill Muncey), 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 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:

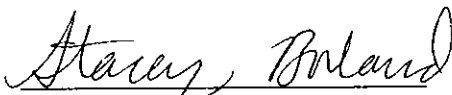
The following conditions are required to ensure that the subject request is consistent with Skamania County Title 22. **This document, outlining the conditions of approval, must be recorded, by the applicant, in the deed records of the Skamania County Auditor** in order to ensure notice of the conditions 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. A copy of the first page of the recorded Administrative Decision must be submitted to the Planning Department prior to issuance of a building permit.
- 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 areas are to be re-seeded with a native vegetation mix once the cable has been placed in the ground
- 4) The applicant shall be responsible for the proper maintenance and survival of any vegetation required to be planted. Dead and dying vegetation shall be replaced in kind.
- 5) No vegetation outside the ditch line shall be disturbed.
- 6) The applicant shall ensure that no sediment input into the creek occurs during the project.
- 7) The applicant shall call for a final inspection upon project completion, to ensure compliance with all conditions. The applicant shall coordinate all inspections with the Planning Department at (509) 427-9458. Planning Department staff should be able to conduct a final inspection site visit within four business days from the time of calling for the inspection.
- 8) The following procedures shall be effected when cultural resources are discovered during construction activities:
  - a) Halt Construction. All construction activities within 100 feet of the discovered cultural resource shall cease. The cultural resources shall remain as found; further disturbance is prohibited.
  - b) Notification. The project applicant shall notify the Planning Department and the Gorge Commission within 24 hours of the discovery. If the cultural resources are prehistoric or

otherwise associated with Native Americans, the project applicant shall also notify the Indian tribal governments within 24 hours.

- c) Survey and Evaluations. The Gorge Commission shall arrange for the cultural resources survey.

Dated and Signed this 4<sup>th</sup> day of November, 2004, 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)(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

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

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  
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  
State of Washington Office of Community Development  
Department of Fish and Wildlife

Unofficial  
Copy

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BOOK 225 PAGE 758

FILED FOR RECORD  
SKAMANIA CO. WASH  
BY SKAMANIA CO. TREC

JUN 24 3 54 PM '02

*Amosee*  
AUDITOR

J. MICHAEL GARVISON

**AFTER RECORDING MAIL TO:**

Name Blayne Fox Myers  
Address 5525 Garfield Street  
City/State New Orleans, LA 70115  
DATE 2.4.137

FILED  
RECORDED  
INDEXED  
SERIALIZED  
JUN 24 2002  
FBI - NEW ORLEANS

**Statutory Warranty Deed**

THE GRANTOR PEGGY BRADFORD, A MARRIED WOMAN  
AS HER SEPARATE ESTATE

for and in consideration of TEN DOLLARS AND OTHER VALUABLE  
CONSIDERATIONS

in hand paid, conveys and warrants to BLAYNEY FOX MYERS, A  
MARRIED WOMAN AS HER SEPARATE ESTATE



the following described real estate, situated in the County of Skamania, State of Washington:

NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of S30, T3N, R10E

FULL LEGAL IS ON PAGE 2

**REAL ESTATE EXCISE TAX**

72330  
JUN 24 2002  
PAID 1930.00  
*W. Deputy*  
SKAMANIA COUNTY TREASURER

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

03-10-30-0-0-0302-00  
03-10-30-0-0-0305-00/ A Portion Of

Dated June 19, 192002

*Peggy Bradford*  
Peggy Bradford

EXHIBIT "A"

PARCEL I

A parcel of land within a portion of Government Lots 1,2,3 and Northeast Quarter of the Northwest Quarter of Section 30, Township 3 North, Range 10 East of the Willamette Meridian, in Skamania County, Washington, and described as follows:

Beginning at a point on the North line of said Section 30 lying North 84°29'13" West, 678.84 feet from the North Quarter corner thereof, which point is the Northwest corner of a parcel conveyed to Skamania County P.U.D. No. 1 by that particular document recorded in Book 208 at Pages 833-834; thence along the edge of said parcel, South 01°23'45" West, 1100 feet to the Southwest corner thereof (which is marked with a 5/8" iron rod with yellow plastic cap); thence South 00°33'22" West, 631.41 feet to the line of mean high water of the Columbia River; thence along said water line, North 80°25'18" West, 257.50 feet; thence North 00°33'22" East, parallel with the East line of said Government Lot 3 and Northeast Quarter of the Northwest Quarter to an angle point at the centerline of an existing roadway; thence North 38°57'21" West, 500 feet; thence North 44°19'18" West, 1068.39 feet to the North line of said Section 30; thence South 84°29'13" East, 1347.44 feet to the POINT OF BEGINNING; EXCEPTING THEREFROM that portion lying within S.R. 14 right of way; ALSO EXCEPTING THEREFROM that portion lying within Burlington Northern right of way; SUBJECT to a common easement created by and pursuant to Skamania County Superior Court Case No. 97-2-00127-9; ALSO SUBJECT to easement and conditions granted to Skamania P.U.D. No. 1 in those particular instruments recorded in Book 125 at Page 34 and in Book 208 at Pages 833-834; all records of Skamania County Auditor.

PARCEL II


Gary H. Martin, Skamania County Assessor

Date 6-24-02 Parcel NO 1 P 30 00 0302 00  
110 0305

A one-fourth interest in that portion of the Northwest Quarter of Section 30, Township 3 North, Range 10 East of the Willamette Meridian, in Skamania County, Washington which lies above the ordinary high water line of the North bank of the Columbia River, lying South of the SP & S (now BNSF) Railway Company's right of way and South of SR 14.

1. Easement for utilities, including the terms and conditions thereof, recorded August 15, 1914, in Book Q, Page 631.
2. Flowage Easement in favor of the United States of America including the terms and conditions thereof, recorded March 8, 1937, in Book Z, Page 212.
3. Easement for Water Flume including the terms and conditions thereof, recorded August 11, 1947, in Book 29, Page 515.
4. Flowage Easement including the terms and conditions thereof, in favor of the United States of America recorded July 9, 1973, in Book 65, Page 457.
5. The rights of fishing, navigation and commerce in the State of Washington, the Federal Government, and the Public in and to that portion thereof lying below the ordinary high water mark of the Columbia River.
6. Any adverse claims based upon the assertion that the Columbia River has moved.
7. Restrictive Covenants, including the terms and provisions thereof recorded May 22, 2001 in Book 210, Page 148,
8. Common Easements, including the terms and provisions thereof, as disclosed by Case No. 97-2-00127-9.
9. Easement for ingress and egress, including the terms and provisions thereof recorded February 8, 2002 in Book 220, Page 348.
10. Easement for ingress and egress, including the terms and provisions thereof recorded March 5, 2002 in Book 221, Page 339.
11. Easement for Joint River Access, including the terms and provisions thereof recorded April 2, 2002 in Book 222, Page 652. (We cannot locate this Easement)

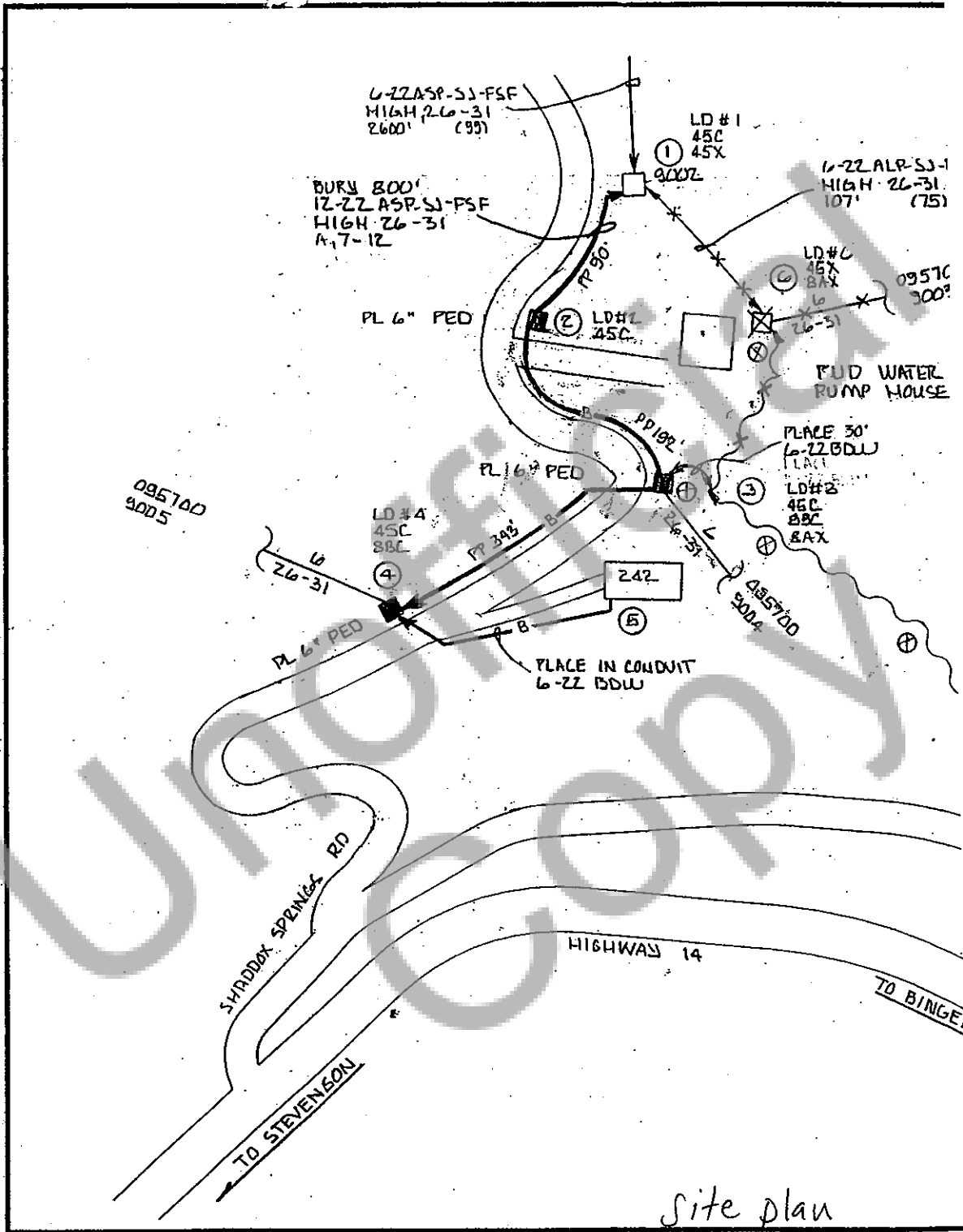
BOOK 225 PAGE 760A

STATE OF WASHINGTON, } County of _____	SS. _____	ACKNOWLEDGMENT - Individual
On this day personally appeared before me <u>PEGGY BRADFORD</u> to me known		
to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that <u>she</u>		
signed the same as <u>her</u> free and voluntary act and deed, for the uses and purposes therein mentioned.		
GIVEN under my hand and official seal this <u>19th</u> day of <u>June</u> , 19 <u>2002</u>		
<div>GRANT C. BROER NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES APRIL 6, 2006</div>		 Notary Public in and for the State of Washington, residing at _____ My appointment expires <u>4/6/05</u>

STATE OF WASHINGTON, } County of _____	SS. _____	ACKNOWLEDGMENT - Corporate
On this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____		
_____ and _____ to me known to be the		
_____ President and _____ Secretary, respectively, of _____		
_____ 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 _____		
authorized to execute the said instrument and that the seal affixed (if any) is the corporate seal of said corporation.		
Witness my hand and official seal hereto affixed the day and year first above written.		
		_____ Notary Public in and for the State of Washington, residing at _____ My appointment expires _____
WA-46A (11/96)		

This jurat is page \_\_\_\_\_ of \_\_\_\_\_ and is attached to \_\_\_\_\_ dated \_\_\_\_\_





site plan

Reduced