

Return Address: Albert and Norma Gosiak
33491 State Route 14 *PO Box 13*
Skamania, WA 98648 *Washougal WA 98671*

Doc # 2005156058
Page 1 of 7
Date: 01/27/2005 02:02P
Filed by: ALBERT & NORMA GOSIAK
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$25.00

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/
PROPERTY
OWNER:**

Albert & Norma Gosiak

FILE NO.:

NSA-04-39

PROJECT:

Land division to create 3 parcels. No construction planned.

LOCATION:

33491 Highway 14, Skamania; Section 34 of T2N, R6E, W.M., and identified as Skamania County Tax Lot #02-06-34-1-0-1400-00.

**LEGAL
DESCRIPTION:**

See attached Page 5-6.

ZONING:

General Management Area –Residential (R-5).

DECISION:

Based upon the entire record, including particularly the Staff Report, the application by Albert & Norma Gosiak, 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.
- 2) All developments shall be consistent with the enclosed site plans, unless modified by the following conditions of approval. If modified, the site plans shall be consistent with the conditions of approval. (See attached)
- 3) Prior to sale, lease or transfer of ownership of the approved lots within the land division, the property shall be reviewed and approved under Title 17 Skamania County Code-- Skamania County Short Plat Ordinance.
- 4) Each lot, as shown by the survey in conjunction with the County's Short Plat review shall contain at least 5 acres.
- 5) A note shall be placed on the Short Plat for this land division which states: "No building, structures or land shall be used, and no building or structure shall be hereafter erected, altered, or enlarged, on the lands lying within this land division, except as allowed by the Columbia River Gorge National Scenic Area Ordinance. No land disturbing activities shall occur on the lands contained within this land division without prior review and approval by the Skamania County Department of Planning and Community Development."
- 6) A 100' undisturbed buffer is required off of Spring Creek.
- 7) A 50' undisturbed buffer is required off of the additional creek near the eastern side of the proposed Lot 2.
- 8) The creek buffers shall be maintained in a natural condition (i.e. no grading, no mowing, etc.), with no other development occurring within the buffer. Non-native species may be removed within the buffer area by hand removal only, so long as the buffer is kept in a natural appearance and does not appear manicured.

Dated and Signed this 13th day of September, 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 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 Director's 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
Skamania County Department of Public Works

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

Persons submitting written comments in a timely manner

Skamania County Planning and Community Development
File: NSA-04-39 (Gosiak) Administrative Decision
Page 4

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 State Department of Fish and Wildlife

Unofficial
Copy

WARRANTY DEED

The Grantor, NANCY A. HUNTER, a single woman, for the sum of Twenty-seven Thousand and no/100(\$27,000.00) Dollars, receipt of which is hereby acknowledged, conveys and warrants to ALBERT J. GOSIAK and NORMA K. GOSIAK, husband and wife, Grantees, the following described real property located in Skamania County, State of Washington, to-wit:



A tract of land in the West half of the Northeast Quarter of the Northeast Quarter of Section 34, Township 2 North, Range 6 E.W.M., described as follows:

Beginning at a point 662.6 feet West of the northeast corner of said Section 34; thence west 247.4 feet; thence South 00° 13' East 728.5 feet; thence South 42° 56' East 138.5 feet; thence South 06° 54' West 121 feet to the initial point of the tract hereby described, said point being in the center of a certain county road known and designated as Butler Loop Road; thence West 97 feet; thence south 00° 13' East 340 feet to the South line of the Northeast quarter of the Northeast quarter of the said Section 34; thence south 87° 54' East 266 feet; thence North 00° 13' West to intersection with the center of said County Road; thence following the center of the said county road in a northwesterly direction to the initial point; and



A tract of land in the East Half of the Northeast Quarter of the Northeast Quarter of Section 34, Township 2 North, Range 6 E.W.M., described as follows: Beginning at the Southwest corner of the East half of the Northeast Quarter of the Northeast quarter of the said Section 34; thence north to the county road known and designated as the Butler Loop Road; thence Easterly along said road 4 chains, more or less, to a creek; thence following said creek down stream to the south line of the Northeast Quarter of the Northeast Quarter of the said Section 34; thence West to the point of beginning; and



That portion of the Southeast Quarter of the Northeast Quarter of Section 34, Township 2 North, Range 6 E.W.M., described as follows: Beginning at the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 34; thence west 1,320 feet, more or less, to the Northwest corner of the Southeast quarter of the Northeast quarter of said Section 34; thence south 30 feet; thence South 41° 15' East 600 feet; thence North 73° 20' East 650 feet to the center of a certain creek; thence south 58° east and South 20° east following the Westerly line of a tract of land more particularly described in deed dated December 11, 1901 and recorded at page 482 of Book K of Deeds, Records of Skamania County, Washington, to intersection with northerly right of way line of Spokane, Portland & Seattle Railway Company; thence North 70° 09' East 198 feet following said railway right of way to east line of said Section 34; thence North to the point of beginning.

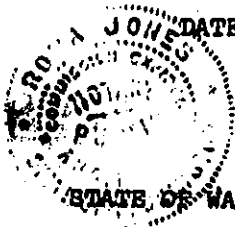


SUBJECT to a flowage easement granted to Woodard Marina Estates,

Inc., a corporation, of which the company has notice from a reference thereto in a deed dated September 13, 1966, and recorded September 14, 1966, at page 242 of Book 56 of Deeds, under Auditor's file No. 67455, Records of Skamania County, Washington.

SUBJECT to the effect, if any, of proceedings entered in Cause No. 4790-C in the Superior Court of the State of Washington for Skamania County entitled the State of Washington, Department of Water Resources, Plaintiff, vs. George Alway et ux, et al., Defendants, regarding adjudication of water rights in the Spring Creek drainage basin.

SUBJECT to easements and rights of way for public roads, including right of way for State Road 14, over and across the real estate above described.



DATED this 21st day of October, 1972

Nancy A. Hunter
NANCY A. HUNTER

STATE OF WASHINGTON)
COUNTY OF WHATCOM) SS

THIS IS TO CERTIFY that before me, the undersigned Notary Public, on this 21st day of October 1972, personally appeared Nancy A. Hunter, a single woman, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged to me that she signed the same as her own free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and date in this Certificate first above written.

No. 1634
TRANSACTION EXCISE TAX

OCT 30 1972

Amount Paid 270.00
Richard A. [Signature]
Skamania County Treasurer
By [Signature]

Roma Dones
Notary Public in and for the State of Washington
residing at Bellingham therein



Reduced 58

10WNCHIP 2 N., RANGE 0 E. W.M. 3435
SKAMANIA COUNTY, WASHINGTON
JUNE 30, 2004



MONUMENTS TIED FROM
REFERENCE #4 AS SHOWN

SCALE IN FEET

1" = 100'

APPROXIMATE CENTERLINE
OF SPRING CREEK

GOSIAK DEED AND SCHULZE DEED OVERLAP
ORIGINAL GOSIAK DEED DOES NOT EXIST. AREA
WEST OF CREEK DEED RESEARCH SUG. QUANTITY
SCHULZE-5 SENIOR CURRENT SUG. QUANTITY
FOR THIS PROJECT DOES CONTAIN AN
EXCEPTION TO SCHULZE FOR THIS AREA.

