

Return Address: Jason Spadaro  
PO Box 266  
Bingen, WA 98605

## Skamania County Community Development Department

Skamania County Courthouse Annex  
Post Office Box 790  
Stevenson, Washington 98648  
509 427-3900 FAX 509 427-3907

### Administrative Decision

**APPLICANT/  
PROPERTY  
OWNERS:**

Jason & Shelly Spadaro  
Jon & Peggy Ohlson

**FILE NO.:**

NSA-09-41

**PROJECT:**

Application for a boundary line adjustment (both parcels to remain 20.85 acres). No ground disturbance will occur.

**LOCATION:**

Schoolhouse Road, Underwood; Section 22 of T3N, R10E, W.M. and identified as Skamania County Tax Lots #03-10-22-0-0-0902-00 and #03-10-22-0-0-0903-00.

**LEGAL:**

See attached page(s) 7-12.

**ZONING:**

General Management Area – Small-Woodland (F-3).

**DECISION:**

Based upon the record and the Staff Report, the application by Jason Spadaro, 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 Division and the Environmental Health Division.

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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 §22.06.120(C)(2).

- 1) As per SCC §22.06.120(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) No grading or ground disturbing activity is approved by this application.
- 4) The boundary line adjustment shall not allow either of the two parcels to be reduced in size below the minimum lot size of 20 acres. Both lots are proposed to remain at 20.85 acres in size.
- 5) 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 Administrator and the Gorge Commission within twenty-four (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 twenty-four (24) hours.
  - c) Survey and Evaluations. The Gorge Commission shall survey the cultural resources after obtaining written permission from the landowner and appropriate permits from the DAHP. (See Revised Code of Washington 27.53) It shall gather enough information to evaluate the significance of the cultural resources. The survey and evaluation shall be documented in a report that generally follows the provisions in Section 22.22.030 of this Chapter. Based upon the survey and evaluation report

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and any written comments, the Administrator shall make a final decision on whether the resources are significant. Construction activities may recommence if the cultural resources are not significant.

- d) Mitigation Plan. Mitigation plans shall be prepared according to the information, consultation and report provisions contained in Section 22.22.050 of this Chapter. Construction activities may recommence when conditions in the mitigation plan have been executed.
- 6) The following procedures shall be effected when human remains are discovered during a cultural resource survey or during construction. Human remains means articulated or disarticulated human skeletal remains, bones or teeth, with or without attendant burial artifacts.
  - a) Halt of Activities. All survey, excavation and construction activities shall cease.
  - b) Notification. Local law enforcement officials, the Administrator, the Gorge Commission, and the Indian tribal governments shall be contacted immediately.
  - c) Inspection. The county coroner, or appropriate official, shall inspect the remains at the project site and determine if they are prehistoric/ historic or modern. Representatives of the Indian tribal governments shall be contacted immediately and have an opportunity to monitor the inspection.
  - d) Jurisdiction. If the remains are modern, the appropriate law enforcement official shall assume jurisdiction and the cultural resource protection process may conclude.
  - e) Treatment. The procedures set out in RCW 27.44 and 68.05 shall generally be implemented if the remains are prehistoric/ historic. If human remains will be reinterred or preserved in their original position, a mitigation plan shall be prepared in accordance with the consultation and report requirements set out in Section 22.22.050 of this Chapter. The mitigation plan shall accommodate the cultural and religious concerns of Native Americans. The cultural resource protection process may conclude when conditions set forth in Section 22.22.050(C) of this Chapter are met and the mitigation plan is executed.

Dated and Signed this 4<sup>th</sup> day of September 2009, at Stevenson, Washington.

  
Nicole Hollatz, Associate Planner  
Skamania County Community Development Department.

**NOTES**

Skamania County Community Development Department  
Per NCA-09-41 (Standard) Administrative Decision  
Page 4

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.

### **EXPIRATION**

As per SCC §22.06.150(A), this Administrative Decision approving a proposed development action shall become void in two years if the development is not commenced within that period, or once development has commenced the development action is discontinued for any reason for one continuous year or more.

If the development does not include a structure the permit shall expire two years after the date the land use approval was granted unless the use or development was established according to all specifications and conditions of approval in the approval. For land divisions, "established" means the final deed or plat has been recorded with the county auditor.

If the development includes a **structure** the permit shall expire when construction has not commenced within two (2) years of the date the land use approval was granted; or once the structure has been started and if the structure has not been completed within two (2) years of the date of commencement of construction the permit shall expire. Completion of the structure for this purpose means the completion of the exterior surface(s) of the structure; and compliance with all conditions of approval in the land use approval, including, but not limited to, painting of the exterior of the structure.

### **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 Hearing Examiner, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms and mailing lists are available at the Community Development Department Office and must be accompanied by a \$500.00 nonrefundable-filing fee and a Certificate of Mailing.

### **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.

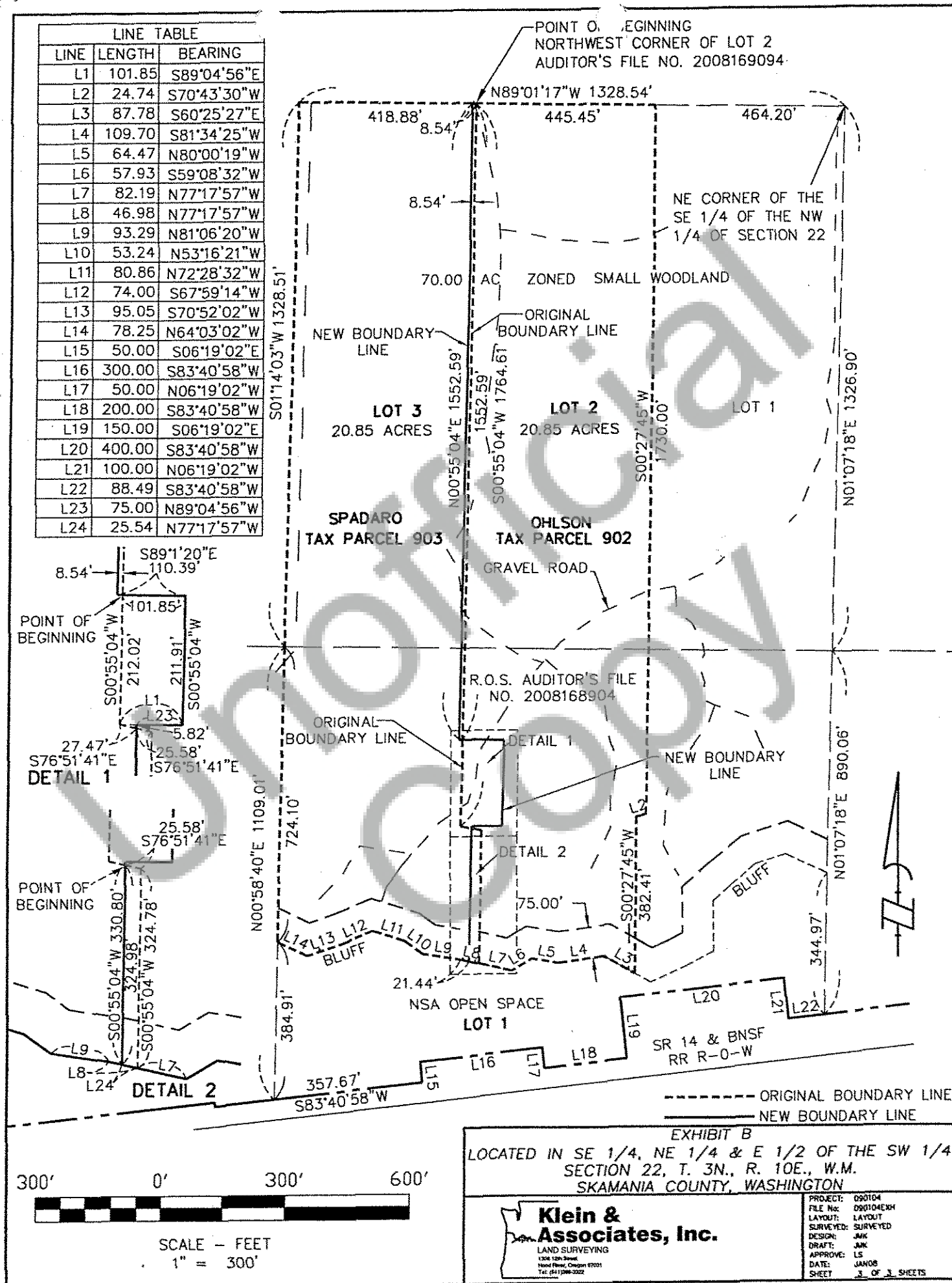
A copy of the Decision was sent to the following:

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File: NS4-09-41 (Sawdust) Administrative Decision  
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Skamania County Building Division

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

Adjacent Property Owners within 500 feet  
Yakama Indian Nation  
Confederated Tribes of the Umatilla Indian Reservation  
Confederated Tribes of the Warm Springs  
Nez Perce Tribe  
Cowlitz Tribe  
Department of Archaeology and Historic Preservation  
Columbia River Gorge Commission  
U.S. Forest Service - NSA Office  
Board of County Commissioners  
State of WA Department of Community Trade and Economic Development (electronic)  
Department of Fish and Wildlife  
Friends of the Columbia Gorge





Grantee's Name and Address

Jason & Shelly Spadaro  
After recording, return to (Name, Address, Zip):

JASON S. & SHELLY R. SPADARO  
Po Box 309  
WHITE SALMON, WA 98672

RECEIVED  
SKAMANIA COUNTY  
JUL 27 2009  
COMMUNITY DEVELOPMENT  
DEPARTMENT

## Quit Claim Deed

Boundary Line Adjustment

The Grantors, JONATHAN C. OHLSON and PEGGY E. OHLSON, husband and wife, as owners of

TAX PARCEL NUMBER 03102200090200

A TRACT OF LAND DESCRIBED AS LOT 2 BY QUIT CLAIM DEED RECORDED IN AUDITOR'S FILE 2008169093, FURTHER DESCRIBED AS FOLLOWS:

A TRACT OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN AND A PORTION OF GOVERNMENT LOT 2 OF SAID SECTION 22, LYING NORTHERLY OF THE SPOKANE, PORTLAND AND SEATTLE RAILWAY COMPANY RIGHT-OF-WAY, EXCEPTING FROM SAID GOVERNMENT LOT 2 THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR STATE HIGHWAY NO. 8 (NOW STATE HIGHWAY NO.14), BY INSTRUMENT DATED FEBRUARY 26, 1934, RECORDED MAY 15, 1934, IN BOOK "X" OF DEEDS AT PAGE 516, UNDER AUDITOR'S FILE NO. 19446, RECORDS OF SKAMANIA COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22; THENCE NORTH 89°01'17" WEST, 464.20 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22 TO THE POINT OF BEGINNING OF SAID LOT 2; THENCE SOUTH 00°27'45" WEST, 1730.00 FEET; THENCE SOUTH 70°43'30" WEST, 24.74 FEET; THENCE SOUTH 00°27'45" WEST, 382.41 FEET TO THE TOP OF A BLUFF; THENCE FOLLOWING THE TOP OF SAID BLUFF OVER THE NEXT FIVE (5) COURSES; 1.) THENCE NORTH 60°25'27" WEST, 87.78 FEET; 2.) THENCE SOUTH 81°34'25" WEST, 109.70 FEET; 3.) THENCE NORTH 80°00'19" WEST, 64.47 FEET; 4.) THENCE SOUTH 59°08'32" WEST, 57.93 FEET; 5.) THENCE NORTH 77°17'57" WEST, 82.19 FEET; THENCE NORTH 00°55'04" EAST, 324.78 FEET; THENCE NORTH 76°51'38" WEST, 53.05 FEET; THENCE NORTH 00°55'04" EAST, 1764.60 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22; THENCE SOUTH 89°01'17" EAST, 436.91 FEET ALONG LAST SAID NORTH LINE BACK TO THE POINT OF BEGINNING.

AREA OF LOT 2 (CONTAINS 20.85 ACRES MORE OR LESS).

In consideration of a boundary line adjustment, conveys and quit claims to JASON S. SPADARO and SHELLY R. SPADARO, husband and wife, the following real estate, situated in Skamania County, State of Washington, together with all after acquired title therein.

A PORTION OF THAT TRACT, DESCRIBED AS LOT 2, BY QUIT CLAIM DEED, RECORDED IN AUDITOR'S FILE NO. 2008169094. LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN AND A PORTION OF GOVERNMENT LOT 2 OF SAID SECTION 22, LYING NORTHERLY OF THE SPOKANE, PORTLAND AND SEATTLE RAILWAY COMPANY RIGHT-OF-WAY, EXCEPTING FROM SAID GOVERNMENT LOT 2 THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR STATE HIGHWAY NO. 8 (NOW STATE HIGHWAY NO. 14), BY INSTRUMENT DATED FEBRUARY 26, 1934, RECORDED MAY 15, 1934, IN BOOK "X" OF DEEDS AT PAGE 516, UNDER AUDITOR'S FILE NO. 19446, RECORDS OF SKAMANIA COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THAT CERTAIN TRACT DESCRIBED AS LOT 2, BY QUIT CLAIM DEED, RECORDED IN AUDITOR'S FILE NO. 2008169094; THENCE SOUTH 00°55'04" WEST, 1552.59 FEET ALONG THE WEST LINE OF SAID LOT 2, TO THE POINT OF BEGINNING OF THE TRACT BEING DESCRIBED; THENCE SOUTH 89°01'20"EAST, 101.85 FEET; THENCE SOUTH 00°55'04" WEST, 211.91 FEET ALONG A LINE WHICH IS 101.85 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOT 2; THENCE NORTH 89°04'56"WEST, 75.00 FEET; THENCE SOUTH 00°55'04" WEST, 5.82 FEET; THENCE NORTH 76°51'41"WEST, 27.47 FEET; THENCE NORTH 00°55'04" EAST, 212.02 FEET BACK TO THE POINT OF BEGINNING.

CONTAINS 21,667 SQ. FT., 0.50 ACRES FEET MORE OR LESS.



This description constitutes a boundary line adjustment between adjoining property owned by the grantors and does not create a separate parcel and is therefore exempt from requirements of RCW 58.17 and the Skamania County Short Plat Ordinance. The property described in this document cannot be segregated and sold without conforming to the State of Washington and Skamania County Subdivision Laws.

Dated, 17<sup>th</sup> day of April, 2009

[Signature]  
JONATHAN C. OHLSON

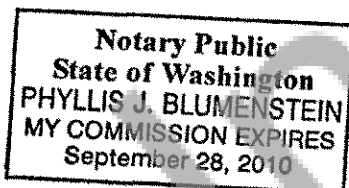
[Signature]  
PEGGY E. OHLSON

STATE OF WASHINGTON )

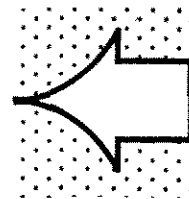
COUNTY OF SKAMANIA )

I certify that I know or have satisfactory evidence that Jonathan & Peggy Ohlson  
That the person(s) who appeared before me, and said person(s) acknowledged that they signed this instrument and acknowledged it to be a free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 17<sup>th</sup> day of April, 2009



[Signature]  
NOTARY PUBLIC  
My appointment expires: 9-28-10



Grantee's Name and Address

Jon & Peggy Ohlson

After recording, return to (Name, Address, Zip):

JONATHAN C. and PEGGY E. OHLSON

Po Box 911

WHITE SALMON, WA 98672

## Quit Claim Deed

Boundary Line Adjustment

The Grantors, JASON S SPADARO and SHELLY R. SPADARO, husband and wife, as owners of

TAX PARCEL NUMBER 03102200090300

A TRACT OF LAND DESCRIBED AS LOT 2 BY QUIT CLAIM DEED RECORDED IN AUDITOR'S FILE 2008169093, FURTHER DESCRIBED AS FOLLOWS:

A TRACT OF LAND BEING IN A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN AND THAT PORTION OF GOVERNMENT LOT 2 OF SAID SECTION 22, LYING NORTHERLY OF THE SPOKANE, PORTLAND AND SEATTLE RAILWAY COMPANY RIGHT-OF-WAY, EXCEPTING FROM SAID GOVERNMENT LOT 2 THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR STATE HIGHWAY NO. 8 (NOW STATE HIGHWAY NO. 14), BY INSTRUMENT DATED FEBRUARY 26, 1934, RECORDED MAY 15, 1934, IN BOOK "X" OF DEEDS AT PAGE 516, UNDER AUDITOR'S FILE NO. 19446, RECORDS OF SKAMANIA COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22; THENCE NORTH 89°01'17" WEST, 901.11 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22 TO THE POINT OF BEGINNING OF SAID LOT 3; THENCE SOUTH 00°55'04" WEST, 1764.60 FEET; THENCE SOUTH 76°51'38" EAST, 53.05 FEET; THENCE SOUTH 00°55'04" WEST, 324.78 FEET TO THE TOP OF A BLUFF; THENCE FOLLOWING THE TOP OF SAID BLUFF OVER THE NEXT SEVEN (7) COURSES; 1.) THENCE NORTH 77°17'57" WEST, 46.98 FEET; 2.) THENCE NORTH 81°06'20" WEST, 93.29 FEET; 3.) THENCE NORTH 53°16'21" WEST, 53.24 FEET; 4.) THENCE NORTH 72°28'32" WEST, 80.86 FEET; 5.) THENCE SOUTH 67°59'14" WEST, 74.00 FEET; 6.) THENCE SOUTH 70°52'02" WEST, 95.05 FEET; 7.) THENCE NORTH 64°03'02" WEST, 78.25 FEET TO A POINT ON THE WEST LINE OF GOVERNMENT LOT 2; THENCE NORTH 00°58'40" EAST, 724.10 FEET ALONG THE WEST LINE OF SAID GOVERNMENT LOT 2 TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 01°14'03" EAST, 1328.51 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22 TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 89°01'17" EAST, 427.42 FEET TO THE POINT OF BEGINNING.

AREA OF LOT 3, (CONTAINS 20.85 ACRES MORE OR LESS).

In consideration of a boundary line adjustment, conveys and quit claims to JONATHAN C. OHLSON and PEGGY E. OHLSON, husband and wife, the following real estate, situated in Skamania County, State of Washington, together with all after acquired title therein.

PORTIONS OF THAT TRACT OF LAND, DESCRIBED AS LOT 3, BY QUIT CLAIM DEED, RECORDED IN AUDITOR'S FILE NO. 2008169094. LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN AND A PORTION OF GOVERNMENT LOT 2 OF SAID SECTION 22, LYING NORTHERLY OF THE SPOKANE, PORTLAND AND SEATTLE RAILWAY COMPANY RIGHT-OF-WAY, EXCEPTING FROM SAID GOVERNMENT LOT 2 THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR STATE HIGHWAY NO. 8 (NOW STATE HIGHWAY NO. 14), BY INSTRUMENT DATED FEBRUARY 26, 1934, RECORDED MAY 15, 1934, IN BOOK "X" OF DEEDS AT PAGE 516, UNDER AUDITOR'S FILE NO. 19446, RECORDS OF SKAMANIA COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS TRACT'S "A" AND "B" AS FOLLOWS:

#### TRACT A

BEGINNING AT THE NORTHWEST CORNER OF THAT CERTAIN TRACT DESCRIBED AS LOT 2, BY QUIT CLAIM DEED, RECORDED IN AUDITOR'S FILE NO. 2008169094; THENCE SOUTH 00°55'04" WEST, 1552.59 FEET ALONG THE WEST LINE OF SAID LOT 2; THENCE NORTH 89°01'20" WEST, 8.54 FEET; THENCE NORTH 00°55'04" EAST, 1552.59 FEET ALONG A LINE WHICH IS 8.54 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF SAID LOT 2 TO A POINT ON THE NORTH LINE OF THAT CERTAIN TRACT DESCRIBED AS LOT 3, BY QUIT CLAIM DEED, RECORDED IN AUDITOR'S FILE NO. 2008169094; THENCE SOUTH 89°01'17" EAST 8.54 FEET ALONG THE NORTH LINE OF SAID LOT 3 BACK TO THE POINT OF BEGINNING

CONTAINS 13,259 SQ. FT., 0.30 ACRES MORE OR LESS.

#### TRACT B

COMMENCING AT THE NORTHWEST CORNER OF THAT CERTAIN TRACT DESCRIBED AS LOT 2, BY QUIT CLAIM DEED, RECORDED IN AUDITOR'S FILE NO. 2008169094; THENCE SOUTH 00°55'04" WEST, 1764.61 FEET ALONG THE WEST LINE OF SAID LOT 2, THENCE SOUTH 76°51'41" EAST, 27.47 FEET TO THE POINT OF BEGINNING OF THE TRACT BEING DESCRIBED; THENCE CONTINUING SOUTH 76°51'41" EAST, 25.58 FEET; THENCE SOUTH 00°55'04" WEST, 324.78 FEET TO THE TOP OF A BLUFF; THENCE FOLLOWING THE TOP OF SAID BLUFF NORTH 77°17'57" WEST 25.54 FEET; THENCE NORTH 00°55'04" EAST, 324.98 FEET BACK TO THE POINT OF BEGINNING

CONTAINS 8,122SQ.FT., 0.20 ACRES MORE OR LESS.

This description constitutes a boundary line adjustment between adjoining property owned by the grantors and does not create a separate parcel and is therefore exempt from requirements of RCW 58.17 and the Skamania County Short Plat Ordinance. The property described in this document cannot be segregated and sold without conforming to the State of Washington and Skamania County Subdivision Laws.

Dated, 13 day of April, 2009

JASON S. SPADARO

SHELLY R. SPADARO

STATE OF WASHINGTON )

COUNTY OF SKAMANIA )

I certify that I know or have satisfactory evidence that Jason & Shelly Spadaro  
That the person(s) who appeared before me, and said person(s) acknowledged that they signed this instrument and acknowledged it to be a free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 13 day of April, 2009

**Notary Public**  
**State of Washington**  
**PHYLLIS J. BLUMENSTEIN**  
**MY COMMISSION EXPIRES**  
**September 28, 2010**

Phyllis J. Blumenstein  
NOTARY PUBLIC  
My appointment expires: 9-28-10