

Return Address: Ella & Vernon Ellson
291 Cooper Avenue
Underwood, WA 98651

Skamania County
Community Development Department
Building/Fire Marshal • Environmental Health • Planning
Skamania County Courthouse Annex
Post Office Box 1009
Stevenson, Washington 98648
Phone: 509-427-3900 Inspection Line: 509-427-3922

Administrative Decision

APPLICANT: Ella and Vernon Ellson

PROPERTY OWNER: Ella and Vernon Ellson; and Leslie Ellson

FILE NO.: NSA-14-07

PROJECT: To conduct a boundary line adjustment to transfer 0.64 acres from parcel no. 03-10-22-0-0-1000-00 (Vernon & Ella's property) to parcel no. 03-10-22-0-0-0103-00 (Leslie's property).

LOCATION: 291 Cooper Avenue, Underwood; Section 22 of T3N, R10E, W.M., and identified as Skamania County Tax Lot # 03-10-22-0-0-1000-00 (Vernon and Ella Ellson property).

The end of Bert's Place Road, Underwood; Section 22 of T3N, R10E, W.M., and identified as Skamania County Tax Lot # 03-10-22-0-0-0103-00 (Leslie Ellson property).

LEGAL: See attached page(s) 7-B.

ZONING: General Management Area- Residential (R-2 and R-5).

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DECISION: Based upon the record and the Staff Report, the application by Ella and Vernon Ellson, 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 Skamania County Environmental Health Division.

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) All structures, except fences, including eaves, awnings and overhangs shall meet the following setbacks: **Front yard:** 50 feet from the centerline of the street or road or 20 feet from the front property line, whichever is greater. **Side yard:** 20 feet. **Rear yard:** 20 feet. Setbacks are established from property lines, not fence lines. If any question arises regarding the location of the property lines, the applicant shall be required to hire a professional land surveyor to locate the property lines and mark them with temporary staking prior to a building permit being issued. Staking must remain during construction and all building inspections.
- 4) The boundary line adjustment shall not encroach on the 100 foot sanitary control area of the Group A water system well (SO2).
- 5) At the time the Boundary Line Adjustment deeds are recorded, an access easement granting access from Vernon and Ella Ellson (owners of Lot #1000) to Leslie Ellson (owner

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of Lot #0103) through parcel no. 03-10-22-0-0-1000-00 to parcel no. 03-10-22-0-0-0103-00 shall be recorded in the Skamania County Auditor's Office.

- 6) 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 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.
- 7) 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.

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- 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 29th day of September, 2014, at Stevenson, Washington.


Jessica Davenport, AICP
Planning Manager
Planning Division

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.

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

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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 1009, Stevenson, WA 98648. Notice of Appeal forms and mailing lists are available at the Community Development Department and must be accompanied by a \$2,450.00 nonrefundable-filing fee and a Certificate of Mailing.

The final determination of the Environmental Threshold Determination related to this underlying government action can be appealed to a court of competent jurisdiction, along with the underlying government action, only by the parties with standing to the Environmental Threshold Determination. If the underlying government action was exempt from SEPA review, this section does not apply.

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 Division

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 (electronic)
Nez Perce Tribe
Cowlitz Tribe
Department of Archaeology and Historic Preservation
Columbia River Gorge Commission (electronic)

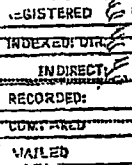
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U.S. Forest Service - NSA Office (electronic)
Board of County Commissioners (electronic)
State of Washington Department of Commerce – Paul Johnson (electronic)

Unofficial
Copy

74527

Transamerica Title Insurance Co

A Service of
Transamerica Corporation

BOOK 63 PAGE 882

THIS SPACE RESERVED FOR RECORDER'S USE:
COUNTY OF SKAMANIA

I HEREBY CERTIFY THAT THE WITHIN

INSTRUMENT OF WRITING, FILED BY

OF

AT 1:40 PM MAR 13 1972

WAS RECORDED IN BOOK 63

OF 1666 AT PAGE 882

RECORDS OF SKAMANIA COUNTY, WASH.

J. P. Mead

COUNTY AUDITOR

E. R. Mead

Statutory Warranty Deed

Form 487-W-1-REV
467-W-1-REV

74527

THE GRANTORS, E. R. SOOTER and RUBY D. SOOTER, husband and wife,

for and in consideration of Ten Dollars and other Valuable Considerations

in hand paid, conveys and warrants to VERNON N. ELLSON and ELLA L. ELLSON, husband and wife,

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

The north 231 feet of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 22, Township 3-North, Range 10 E. W. M.;

SUBJECT TO easements and rights of way for public road known and designated as Cooper Avenue.

No. 1220
TRANSACTION EXCISE TAX

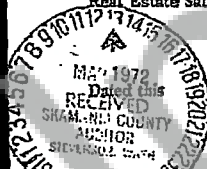
MAR 13 1972

Amount Paid \$1.00

J. P. Mead
Skamania County Treasurer

This deed is given in fulfillment of that certain real estate contract between the parties hereto, dated March 1, 1967, and conditioned for the conveyance of the above described property, and the covenants of warranty herein contained shall not apply to any title, interest or encumbrance arising by, through or under the purchaser in said contract, and shall not apply to any taxes, assessments or other charges levied, assessed or becoming due subsequent to the date of said contract.

Real Estate Sales Tax was paid on this sale on March 3, 1967, Rec. No. 5382.



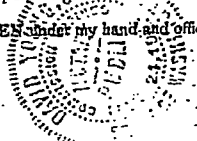
13th day of March, 1972.

E. R. Sooter (SEAL)
Ruby D. Sooter (SEAL)

STATE OF WASHINGTON, ss.
County of Kitchikan

On this day personally appeared before me E. R. SOOTER and RUBY D. SOOTER, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 13th day of March, 1972.



David G. Gannon
Notary Public in and for the State of Washington,
residing at White Salmon
My Commission exp. 5/21/75

133735

BOOK 184 PAGE 718

CONTACT

CONFIDENTIAL

Filed for record at request of:

Anthony H. Connors
Attorneys at Law
P.O. Box 1116
White Salmon, WA 98672

REAL ESTATE EXCISE TAX

19918

DEC 18 1999

PAID 435.10

ADVERTORIAL

OFFICIAL COPY

The Grantor, PAUL RALPH TATE, a married man, dealing with his sole and separate estate, for a valuable consideration, conveys and quit claims to VERNON N. ELLSON and ELLA L. ELLSON, husband and wife, the following described real estate, situated in the County of Skamania, State of Washington, together with all after acquired title of the grantor therein:

A parcel of land situated within the NE 1/4 NE 1/4 Section 22, Township 3 North, Range 10 East, W.M., in Skamania County, Washington and being a portion of Blocks A and B of the COOPER ADDITION as shown on the map thereof recorded in Book A, Page 58 of Plats and also a portion of Lot 4 of the VIRGINIA TATB SHORT PLAT as shown on the map thereof recorded in Book 3, Page 107 of Short Plats and described as follows:

The South 210.00 feet, when taken together, of the most southerly portion of said Lot 4 and part of the southerly portion of said COOPER ADDITION; EXCEPT THEREFROM the East 300 feet thereof; PLUS the South ten feet of said East 300 feet; ALSO EXCEPTING Cooper Avenue County Road as it now exists; ALL records of said County. Containing 5.00 acres, more or less.

This description constitutes a boundary line adjustment between the adjoining property of the Grantor and Grantee herein and is therefore exempt from the requirements of RCW 58.17 and the Skamania County Short Plat Ordinance. The herein described property cannot be segregated and sold without first conforming to the State of Washington and Skamania County Subdivision laws.

Skamania County Tax Parcel No. 03-10-22-1-1-0700/90.

DATED 12-1-, 1998

PAUL RALPH TATE

PAUL RALPH TATE

off
3-10-22-1-1-700
To 3-10-22-1000
12-18-18
[Signature]

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**NOTICE OF DECISION AND OPPORTUNITY TO APPEAL
for
Expedited Development Review**

Enclosed is the Staff Report including the findings and conclusions, and the Administrative Decision including the conditions of approval for the application by Ella and Vernon Ellson to conduct a boundary line adjustment to transfer 0.64 acres from parcel no. 03-10-22-0-0-1000-00 (Vernon & Ella's property) to parcel no. 03-10-22-0-0-0103-00 (Leslie's property).

Any person shall be allowed to appeal a decision issued under the expedited review process. To appeal this decision, a written Notice of Appeal form must be filed within **20 days** from the date the Administrative Decision is issued. Appeals are to be made to the Skamania County Hearing Examiner, P.O. Box 1009, Stevenson, WA 98648. Notice of Appeal forms are available at the Skamania County Community Development Department Office and must be accompanied by a \$2,450.00 nonrefundable-filing fee and certificate of mailing. The appellant shall mail the Notice of Appeal to all Parties of Record. Proof of service must be submitted by the appellant in the form of a Certificate of Mailing.

Sept. 29, 2014
Date

Jessica Davenport
Jessica Davenport, AICP
Planning Manager
Planning Division