



## Staff Report & Recommendations

### Parmentier Subdivision: Type II Preliminary Short Plat and Variance (#2023-031-SPL/VAR) November 8, 2023

|                             |  |
|-----------------------------|--|
| <b>PROPOSAL:</b>            | The applicant is proposing to subdivide an existing 38,333 SF lot into two lots of 23,455 square feet and 7,500 square feet. The proposed lot would be accessed from Aspen Avenue using the existing driveway serving the existing lot and home. The larger remainder lot would contain the existing residential building and associated out-buildings. The applicant is requesting approval a variance to exceed the 11,000 square-foot maximum lot size in the LDR-7.5 zone for the remainder lot to recognize existing conditions to contain the existing residential building and associated out-buildings on one lot. |
| <b>LOCATION:</b>            | <ul style="list-style-type: none"> <li>▪ 1440 Aspen Avenue, La Center, WA 98629</li> <li>▪ #10 SEC 34 T5N R1EWM .88A, PIN: 258895000</li> </ul>  |
| <b>HEARING:</b>             | Not applicable: No public hearing is required.   |
| <b>APPLICABLE STANDARDS</b> | La Center Municipal Code (LCMC) Title 12, Streets, sidewalks and public ways; Title 15, Buildings and Construction; Title 18, Development Code: Type II Procedure, 18.30.100, Notices; 18.130, Low Density Residential (LDR-7.5); 18.200, General Provisions; 18.205, Short Plat Provisions; 18.225, Legal Lot Determination; 18.230, Monumentation, Survey, and Drafting Standards; 18.260; Variances; 18.280, Off-Street Parking and Loading Requirements; 18.300, Critical Areas; 18.320; Stormwater and Erosion Control; Archeological Resource Protection, 18.360.  |
| <b>RECOMMENDATION:</b>      | <b>APPROVAL</b> , subject to conditions  |

## I. CONTACT LIST

### APPLICANT

Edward and Julie Parmentier  
1440 Aspen Avenue  
La Center, Washington 98629  
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### OWNERS

Same as applicant

### APPLICANT'S REPRESENTATIVE

Same as applicant

### LA CENTER STAFF

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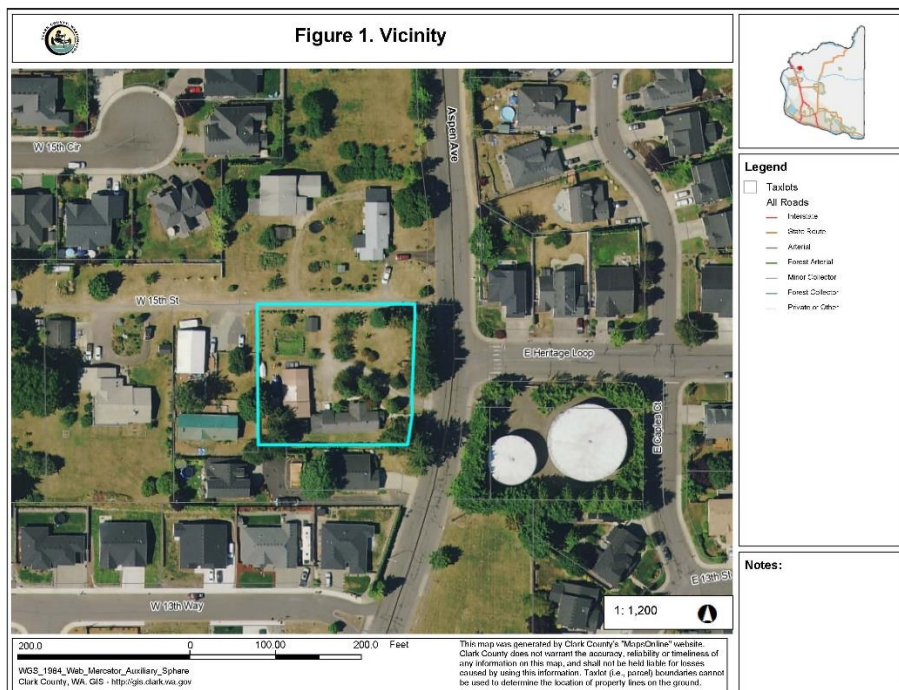
## II. OVERVIEW

The property under consideration consists of approximately 0.88 acres located on the southwest corner of Aspen Avenue and 15th Street, a private road (see Figure 1). The southwest corner of the property is developed with a single-family house and detached garage building. The applicant is proposing to subdivide the subject lot into two lots. The proposed lot would be 7,500 square feet and would be accessed from Aspen Avenue using the existing driveway. The remaining lot would be 23,455 square feet and would contain the existing residential building and associated out-buildings. The remainder lot also would contain the easements for accessing both lots.

The applicant is also requesting approval of Type II Variance concurrently with the preliminary short plat application. If approved, the remainder lot size would exceed the maximum lot size allowed in LDR-7.5 district (11,000 square feet maximum). The existing site currently exceeds the maximum lot size. The applicant proposes that the variance is necessary to keep the existing residence and outbuildings on one lot.

The site is zoned Low-Density Residential (LDR-7.5) and the comprehensive plan designation for the site is Urban Residential (UR). There are no critical areas mapped on the site by Clark County Maps Online. Surrounding properties are also zoned LDR-7.5.

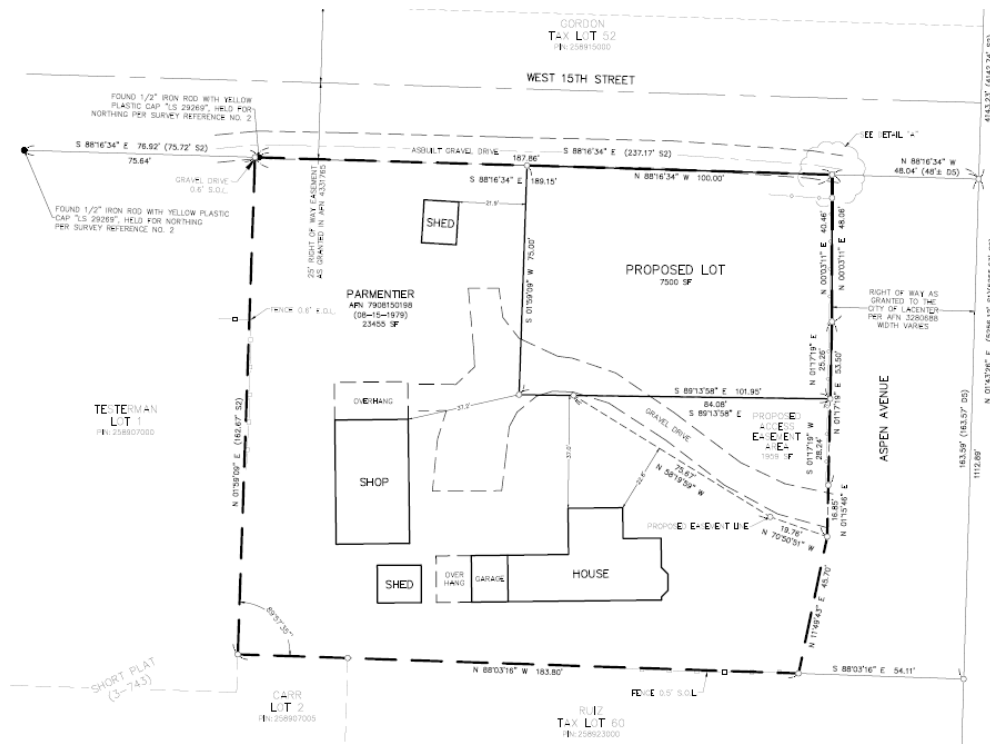
**Figure 1 – Project Location**



The lot is served by public utilities including sanitary sewer (City of La Center) and potable water (Clark Public Utilities) from lines in Aspen Avenue.

The application requests reviews for the preliminary subdivision and variance.

Figure 2 – Proposed Preliminary Short Plat



### III. REVIEW

#### III. A Jurisdiction

The site is within La Center City limits and is zoned Low Density Residential (LDR-7.5). The City of La Center provides sanitary sewer service and Aspen Avenue is a City street providing access bordering the east side of the existing lot. Clark Public Utilities provides potable water service. The project is within the La Center School District and the Clark-Cowlitz Fire and Rescue service area.

#### III.B Public Notice

On October 3, 2023, the City of La Center issued a notice of application of the Type II preliminary short plat and variance review. The notice of application comment period closed on October 17, 2023 with no public comments received.

#### III.C Key Issues

The relevant issues to consider for a successful public hearing review include:

1. **Variance for maximum lot size:** exceeding the maximum lot area for the remaining lot to preserve existing residential building and accessory uses under a Type II variance review.

#### III.D Land Use Analysis

**LCMC Title 18, Development Code.**

**LCMC 18.30 Procedures**

A pre-application conference was held with the applicant on August 18, 2021. Since preapplication conferences expire after one year, the applicant received a pre-application waiver from the City. A completeness review was conducted on September 29, 2023. The City publicly noticed the application on October 3, 2023 for 14 days and did not receive any public comments. The city issued the staff report on November 8, 2023, within the 56-day period for Type II reviews.

**LCMC 18.130 (Low Density Residential District)**

LCMC 18.130.030 states that single-family detached dwelling units and accessory buildings are permitted outright in the LDR-7.5 zone. New lots subject to 18.130 shall provide a minimum density of no less than four dwelling units per acre.

The minimum lot size in the LDR-7.5 district is 7,500 square feet and the maximum lot size is 11,000 square feet. Maximum building lot coverage should not exceed 35 percent. Setbacks must comply with standards included in Table 18.130.080, included below.

*Table 18.130.080  
– Lot Coverage and Dimensions (feet)*

| <i>District</i> | <i>Minimum Lot Width</i> | <i>Minimum Lot Depth</i> | <i>Minimum Front Yard Setback</i> | <i>Minimum Side Yard Setback</i> | <i>Minimum Street Side Yard Setback</i> | <i>Minimum Rear Yard</i> |
|-----------------|--------------------------|--------------------------|-----------------------------------|----------------------------------|---|--------------------------|
| LDR-7.5         | 60                       | 90                       | 20                                | 7.5                              | 10                                      | 20                       |

**Findings:** The proposed new lot would be 7,500 square feet. No structures are proposed on the new lot at this time, so setback minimum standards do not apply. The remaining lot would be 23,455 square feet, exceeding the maximum lot size of 11,000 square feet for the LDR-7.5 zone. The applicant has also requested approval of a Type II Variance to exceed the maximum lot size in order to keep the existing residential building and accessory uses on one lot. Setbacks for any new unit build on the proposed lot would need to comply with code requirements at the time of building permit approval, as conditioned.

With the oversized remainder lot, the proposed short plat would not provide a minimum density of four dwelling units per acre. The applicant submitted a master lot plan (see Exhibit A) showing how the minimum density could be met with further subdivision of the site in compliance with LCMC 18.130.

LCMC 18.130.100 states that developments in the LDR-7.5 zone provide street trees spaced 30 feet on center in planter strips along each street frontage. Type, location, and planting method shall be approved by the public works director. A condition of approval will require that, prior to engineering approval, the applicant provide a final landscape plan with street trees spaced no greater than 30 feet on center or preserve the existing trees on Aspen Avenue to serve as street trees with spacing not to exceed 30 feet on center.

**As a condition of approval,** proposed residential units shall comply with setback requirements at the time of building permit approval.

**As a condition of approval,** prior to building permit approval, the applicant shall provide a final landscape plan with street trees spaced no greater than 30 feet on center or preserve the existing trees on Aspen Avenue to serve as street trees with spacing not to exceed 30 feet on center.

**LCMC 18.200 (General Provisions)**

All division of land is subject to the applicable portions of Chapter 58.17 RCW and other applicable city regulations. LCMC 18.200.060 states that division of developed land may be reviewed and approved under the same process as undeveloped land. Existing development shall be considered and may be relevant to adjustments, modifications, and variations.

The existing lot is considered ‘developed land’ because of the existence of a home and accessory structures. The existing structures play a role in how the proposed preliminary short plat is configured to preserve the existing residence and accessory buildings on one lot.

**As a condition of approval**, consistent with RCW 58.17.060, the land within the boundaries of the subject property may not be further divided in any manner within five years with the filing of a final plat, except to create no more than four lots within the boundaries of the subject short plat.

**LCMC 18.205 (Short Plat Provisions)**

**18.205.010 Pre-application review.**

- (1) A preliminary short plat is subject to pre-application review as provided in LCMC [18.30.020](#).
- (2) An applicant for pre-application review of a preliminary short plat shall submit the requisite fee, a completed pre-application review form provided for that purpose by the city, and the information listed in LCMC [18.30.020](#)(3).

**Findings:** A pre-application waiver was approved for the applicant. This criterion is met.

**18.205.030 Preliminary short plat application contents.**

*An applicant for a preliminary short plat shall submit the requisite fee, a completed application review form provided for that purpose by the city, and 10 copies of the following information [...]*

**Findings:** The applicant provided the necessary applicable materials. The application was deemed fully complete on September 29, 2023.

**18.205.040 Approval criteria for a preliminary short plat.**

- (1) *The review authority shall approve a preliminary short plat if he or she finds:*
  - (a) *The applicant has sustained the burden of proving that the application complies with the following regulations of the La Center Municipal Code to the extent relevant:*
    - (i) Chapter [12.05](#) LCMC, Sidewalks, and Chapter [12.10](#) LCMC, Public and Private Road Standards;
    - (ii) Chapter [18.300](#) LCMC, Critical Areas;
    - (iii) Chapter [18.310](#) LCMC, Environmental Policy;
    - (iv) Chapter [18.320](#) LCMC, Stormwater and Erosion Control;
    - (v) Chapter [15.05](#) LCMC, Building Code and Specialty Codes;
    - (vi) Chapter [15.35](#) LCMC, School Impact Fees; and
    - (vii) LCMC Title [18](#), Development Code;
  - (b) *That the application can comply with those regulations by complying with certain conditions of approval, and those conditions are adopted; or that necessary adjustments, exceptions, modifications or variations have been approved or are required to be approved before the final short plat is approved;*
  - (c) *The application makes appropriate provision for potable water supplies and for disposal of sanitary wastes; and*
  - (d) *The application complies with RCW [58.17.010](#).*

*(2) If the application includes the creation of one or more flag lots, those lots shall comply with LCMC [18.210.040](#)(3).*

**Findings:** Refer to the appropriate sections in this staff report that address the aforementioned chapters of the LCMC. Conditions of approval are outlined throughout the document and listed in Section III of this staff report. A building permit will be required in compliance with LCMC Chapter 15.05 as a condition of approval. The applicant is requesting approval of a variance for lot size. The reason for the variance is to contain the existing residential and accessory buildings on the remainder lot. Future division of the remainder lot can comply with all applicable La Center Development Code requirements including lot size, width, and depth requirements.

Potable water and sanitary waste services are available at the site. Clark Public Utilities completed a utility review for water availability for the lot and concluded that Clark Public Utilities has the capacity to serve the proposed development. The new lot would be connected to City of La Center public sewer and would comply with LCMC 13.10.

RCW 58.17.010 regulates the subdivision of land. The proposed short plat is subdivision of land that shall be administered in a uniform manner by the City of La Center under the provisions of LCMC 18.205. The proposed short plat will provide for the housing needs of the citizens by creating a new lot for future residential development. Prior to the issuance of building permits, the applicant shall pay all system development fees, park, school, and traffic impact fees.

The applicant is not proposing creation of flag lots and is not required to comply with LCMC 18.210.040(3).

**As a condition of approval,** the applicant shall apply for and obtain a building permit prior to constructing a unit on the proposed lot.

**As a condition of approval,** the applicant shall submit final plat, and building permit documents in compliance with the preliminary plat documents unless otherwise modified by conditions of approval in this staff report or as approved by the City through subsequent approvals.

**As a condition of approval,** prior to the issuance of occupancy for building permits, the applicant shall pay all system development fees, park, school, and traffic impact fees in effect at the time.

### ***LCMC 18.210 (Subdivision Provisions)***

**The proposed subdivision of land is less than 10 acres and the proposed short plat would not result in a remainder lot larger than five acres, therefore the provisions of 18.210.100 would not apply.**

### ***LCMC 18.225 Legal Lot Determinations***

According to LCMC 18.225.010(2), the legal lot determination standards apply to all short plat applications. Per 18.225.010(3)(a), the lot of record status may be formally determined as part of a development request for parcels that are not part of a platted land division and shall be reviewed by the City for compliance with the criteria standards of this section.

*(4) Application and Submittal Requirements. The following shall be submitted with all applications for lot determination, or applications for other development review in which a lot determination is involved. Applicants are encouraged to submit material as necessary to demonstrate compliance with this section:*

- (a) Prior city/county short plat, subdivision, lot determination or other written approvals, if any, in which the parcel was formally created or determined to be a lot of record;*
- (b) Sales or transfer deed history dating back to 1969;*
- (c) Prior segregation request, if any;*
- (d) Prior recorded survey, if any;*
- (e) At the discretion of the applicant, any other information demonstrating compliance with criteria of this section.*

*(5) Approval Criteria.*

- (a) Basic Criteria. Parcels which meet both of the following basic criteria are lots of record:*
  - (i) Zoning. The parcel meets minimum zoning requirements, including lot size, dimensions and frontage width, in effect currently or at the time the parcel was created; and*
  - (ii) Platting.*
    - (A) The parcel was created through a subdivision or short plat recorded with Clark County;*
    - or*
    - (B) The parcel is five acres or more in size and was created through any of the following:*
      - (VII) The parcel was segregated at any time and is 20 acres or more in size;*

**Findings:** Any lots established prior to 1969 would be considered legal lots of determination. The subject parcel was first described in deeds dating back to 1948, which predates the Washington State subdivision control act and is therefore a legal lot of record.

### **LCMC 18.230 Monumentation, Survey, and Drafting Standards**

#### **18.230.030 Property line monumentation**

*All front corners, rear corners, and beginnings and endings of curves shall be set with monuments, except as provided in LCMC [18.230.050](#). In cases where street curbs are concentric and/or parallel with front right-of-way lines, front property line monumentation may be provided by brass screws or concrete nails at the intersections of curb lines and the projections of side property lines. If curb monumentation is used, it shall be noted on the plat, and also that such monumentation is good for projection of line only and not for distance.*

**Findings:** As a condition of approval, the applicant shall comply with provisions regarding monumentation outlined in Chapter 18.230 prior to final plat approval.

**As a condition of approval,** as outlined in LCMC 18.230.090, the final plat shall be drawn with ink upon three-millimeter Mylar film, or equivalent; said sheets are to be 30 inches by 21 inches, with a one-inch border on each side or as otherwise directed by the Clark County recording agency.

### **Chapter 18.245 Supplementary Development Standards**

**The standards in this chapter apply to development generally within the city of La Center. They can be used in any review process where applicable to evaluate or condition approval of an application.**

**Findings:** According to the submitted narrative, no fences or hedges are proposed.



The site is zoned LDR-7.5 and properties to the north and west are zoned LDR-7.5. Adjacent lots are also zoned LDR-7.5. According to Table 18.245.060, LDR sites abutting other LDR sites do not require landscape buffering.

As a condition of approval, if any fences or hedges are proposed prior to the final plat, the applicant must provide information to the extent as regulated by LCMC 18.245.020.

**LCMC 18.260 Variances**

The applicant is applying for a variance to exceed the maximum lot size in the LDR-7.5 zone by greater than 10 percent, and therefore the application is subject to a Type II variance process. The applicant submitted a Type II variance application and fee.

**18.260.040 Approval Criteria**

*The review authority shall approve or approve with conditions an application for a variance if he or she finds the applicant has sustained the burden of proving that:*

- (1) Unusual circumstances or conditions, such as size, shape or topography of a site, or the location of an existing legal development apply to the property and/or the intended use that do not generally apply to other properties in the vicinity or zone. An unusual circumstance could also include another obligation under a different municipal code section or a state or federal requirement;*

**Findings:** The applicant demonstrated that the remainder lot, which will exceed the maximum lot size, has an existing layout of residential and outbuilding structures on 21,496 square feet of usable land, and the unusual conditions of the existing size of the site and layout of buildings requires a variance to include the buildings on one legal lot of record. This criterion is met.

- (2) The unusual circumstance cannot be a result of actions taken by the applicant;*

**Finding:** The existing house and accessory buildings were built on site in 1938 and the legal lot has existing since 1948, prior to the current applicant owning the lot. Therefore, the arrangement of existing uses, which precludes subdivision of the remainder lot while keeping all uses on one lot, is not a result of actions taken by the applicant. This criterion is met.

- (3) The variance request is necessary for the preservation of a substantial property right of the applicant which is possessed by the owners of other properties in the vicinity or zone;*

**Finding:** Preservation of a home on a non-conforming legal lot of record is the legal right of the applicant. The City cannot require that the applicant separate their existing residential and accessory buildings on separate lots. Further subdivision of the remainder lot will not be precluded by approval of this short plat.

- (4) The variance request is the least necessary to relieve the unusual circumstances or conditions identified in subsection (1) of this section;*

**Findings:** The proposed remainder lot size is the minimum necessary to preserve the existing residential and accessory buildings on one lot. This criterion is met.

*(5) Any impacts resulting from the variance are mitigated to the extent practical; and*

**Findings:** The proposed short plat would not meet minimum density requirements due to the oversized remainder lot. The applicant has provided a master lot plan showing how the minimum density could be met with further subdivision of the site. Further subdivision of the remainder lot would not be precluded by the short plat application.

Staff have not identified any additional impacts from the variance request.

*(6) The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity and zone in which the property is situated.*

**Findings:** Both the remainder lot and proposed lot will be served by public utilities. The remainder lot can be further divided in the future in compliance with City requirements. Therefore, the granting of the variance for lot size will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity and zone in which the property is situated.

***LCMC 18.280 Off-Street Parking and Loading Requirements***

Chapter 18.280 applies to all new development. Single-family detached residential units must provide a minimum of two parking spaces per unit. The property has a gravel drive that provides access to parking for the existing single-family detached building on the property. Parking for a new unit on the proposed lot will be verified prior to building permit approval.

**Findings: As a condition of approval,** the applicant must provide a minimum of two parking spaces per unit for future development of the new lots on the property per LCMC 18.280. The applicant shall verify that adequate parking is provided prior to building permit approval.

**III.E Critical Areas Review / SEPA Analysis**

***LCMC 18.300, Critical Areas***

Clark County MapsOnline, does not show indications for critical areas and a critical areas permit is not required. These standards are not applicable.

***Chapter 18.310 LCMC Environmental Policy***

This chapter requires submittal of a SEPA environmental checklist and provides authority for issuing Threshold Determination. Because four or less units will be developed on the site and a short subdivision, the application is exempt from SEPA review per LCMC 18.310.080 and WAC 197-11-800(6)(d).

***LCMC 18.360 Archaeological Resource Protection***

The proposed site is located within the predictive class 4 (moderate-high) as per Clark County's archeological predictive model. Any activity that has a greater than 'low potential impact' requires a predetermination in areas mapped as predictive class 4.

**Findings:** Since the proposed residential use of the property would result in ground disturbing activities including the placement of a house foundation more than one-foot below grade and trenching for utilities, an archaeological predetermination report is required.

The applicant submitted an archaeological predetermination report completed in 2021. The report recommended no further archaeological work in the project area. Staff find that an archaeological survey is not required. This criterion is met.

### III.F Public Works and Engineering Analysis

***Chapter 12.05 LCMC, Sidewalks’ Chapter 12.10 LCMC, Public and Private Road Standards; Chapter 18.320 LCMC, Stormwater and Erosion Control; and Chapter 15.05 LCMC, Building Code and Specialty Codes, Chapter 15.35 LCMC, School Impact Fees;***

#### ***LCMC Title 12, Streets, Sidewalks and Public Ways***

##### **LCMC 12.05 Sidewalks**

**This chapter regulates the provisions of public roads, private roads, and driveways.** Public improvements along Aspen Avenue, including sidewalks and curbs.

**As a condition of approval,** the applicant is responsible for the repair or re-construction of sidewalk if deemed necessary because of damage, modifications or ADA accessibility standards.

##### **Chapter 12.10 Public and Private Road Standards**

This chapter regulates the provision of public roads, private roads, and driveways. Street improvements along Aspen Avenue have already been completed, and no widening is needed with this project to comply with standards.

**Street Lighting.** Streetlights have already been installed as part of the street widening that has previously been completed. No additional street lights are required.

#### ***LCMC Title 15, Buildings and Construction***

##### **Chapter 15.05 Building Code and Specialty Codes**

This chapter establishes the minimum construction standards for development. The Fire Code establishes the minimum life safety and fire protection standards for development. Future construction is subject to compliance with adopted building and specialty codes. However, the applicant has not proposed construction at this time and the act of short plating property itself would not trigger building or fire code review.

**As a condition of approval,**

- The applicant shall obtain building permits in compliance with LCMC 15.05 prior to construction.
- The applicant shall obtain approval from CPU for connection to the existing main in Aspen Avenue or a utility easement for water service along an easement corridor.
- The applicant shall obtain approval from Clark Cowlitz Fire and Rescue for fire life safety to the new lot.

### **Chapter 15.35 School Impact Fees**

This chapter provides for the assessment of school impact fees. Short platting is not subject to payment of school impact fees. Future residential development will be subject to school impact fees for each dwelling unit created.

As a **condition of approval**, prior to the issuance of building permits, the applicant shall pay all system development fees, park, school, and traffic impact fees in effect at the time.

### ***LCMC 18.320 Stormwater and Erosion Control***

Section 18.320.120 (1) LCMC states that ground-disturbing activities of more than 500 square feet are subject to the requirements of *City of La Center Erosion Control Guidelines*. Section 18.320.120 (2)(a) LCMC limits the creation of more than, 2,000 square feet of impervious surface for residential structures is subject to stormwater regulation.

LCMC 18.320.340 Allows an exemption of the stormwater regulations for a single-family residence. For lots of 15,000 SF or less, as long as there is a roof downspout system that connects directly to an underground storm system or to the concrete gutter in the street by a curb drain.

**As a condition of approval,**

- The building plans shall show the connection of the downspouts to a new curb drain or underground storm system per the Engineering Standards.
- Erosion control measures complying with the City Engineering Standards shall be included as part of the building permit.

### **Chapter 13.10 -- Sewer System Rules and Regulations**

**Finding(s):** Connection to public sewer is required. LCMC 13.10. All work is to be performed by a duly licensed contractor in the City of La Center. LCMC 13.10.230. Work will be performed using an open trench method unless otherwise approved. LCMC 13.10.200. All costs associated with installing the side sewer shall be borne by the applicant. LCMC 13.10.110.

The sewer mapping shows there is an existing sewer lateral stub to 1440 Aspen. Likely this is a 4" diameter service lateral. The LCMC 13.10.110 (2) requires that "A separate and independent side sewer shall be provided for every building.

**As a condition of approval,**

A connection to the existing sewer main in Aspen Avenue shall be provided for new residential structures on the lot. The applicant shall obtain a City Right-of-Way permit and install a new 4<sup>th</sup> inch lateral to the new lot from the existing 8-inch sewer main in Aspen Avenue.

## **IV. CONCLUSIONS & RECOMMENDATION**

The review authority finds the applicant has sustained the burden of proving the application complies with the applicable provisions of the La Center Municipal Code. The subject application should be **APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS.**

### **IV.A Planning Conditions**

1. Proposed residential units shall comply with setback requirements at the time of building permit approval.
2. Prior to building permit approval, the applicant shall provide a final landscape plan with street trees spaced no greater than 30 feet on center or preserve the existing trees on Aspen Avenue to serve as street trees with spacing not to exceed 30 feet on center.
3. The land within the boundaries of the subject property may not be further divided in any manner within five years with the filing of a final plat, except to create no more than four lots within the boundaries of the subject short plat.
4. The applicant shall apply for and obtain a building permit prior to constructing a unit on the proposed lot.
5. The applicant shall submit final plat, and building permit documents in compliance with the preliminary plat documents unless otherwise modified by conditions of approval in this staff report or as approved by the City through subsequent approvals.
6. The applicant shall comply with provisions regarding monumentation outlined in Chapter 18.230 prior to final plat approval.
7. As outlined in LCMC 18.230.090, the final plat shall be drawn with ink upon three-millimeter Mylar film, or equivalent; said sheets are to be 30 inches by 21 inches, with a one-inch border on each side or as otherwise directed by the Clark County recording agency. A PDF of the final plat shall be provided to the city.
8. If any fences or hedges are proposed prior to the final plat, the applicant must provide information to the extent as regulated by LCMC 18.245.020.
9. The applicant must provide a minimum of two parking spaces per unit for future development of the new lots on the property per LCMC 18.280. The applicant shall verify that adequate parking is provided prior to building permit approval.

### **FIV.B Public Works and Engineering Conditions**

1. The applicant is responsible for the repair or re-construction of sidewalk if deemed necessary because of damage, modifications or ADA accessibility standards.
2. The applicant shall obtain building permits in compliance with LCMC 15.05 prior to construction.
3. Prior to the issuance of building permits, the applicant shall pay all system development fees, park, school, and traffic impact fees in effect at the time.
4. The building plans shall show the connection of the downspouts to a new curb drain or underground storm system per the Engineering Standards.
5. Erosion control measures complying with the City Engineering Standards shall be included as part of the building permit.
6. A connection to the existing sewer main in Aspen Avenue shall be provided for new residential structures on the lot. The applicant shall obtain a City Right-of-Way permit and install a new 4<sup>th</sup> inch lateral to the new lot from the existing 8-inch sewer main in Aspen Avenue.

#### **IV.D CCFR Fire Conditions**

1. Applicant must comply with all applicable requirements and receive approval through Clark Cowlitz Fire & Rescue.

#### **IV.E CPU Conditions**

1. Applicant must comply with all applicable requirements and receive approval through Clark Public Utilities.

#### **V. APPEALS**

The applicant, applicant's representative, or any person, agency or firm with an interest in the matter may appeal the Critical area decision. The appellant shall file the appeal together with the requisite fee and information within 14 calendar days of the date of the decision being appealed. (18.030.130 LCMC.)

Bryan Kast, P.E.,  
Public Works Director  
City of La Center

Anthony Cooper, P.E.  
City Engineer  
City of La Center

### **Exhibits**

#### **Exhibit A – Application Materials**

- A. Land Use Application
- B. Project Narrative
- C. Preliminary Short-Plat
- D. Property Title Report
- E. Property Deed History
- F. Master Lot Plan
- G. Variance Narrative
- H. Pre-application Conference Notes (2021)
- I. Archaeological Report – Contact Bryan Kast
- J. Clark Public Utility Water Report
- K. Pre-Application Waiver

#### **Exhibit B – Staff Report**

# Master Land Use Application



City of La Center, Planning Services

210 E 4th Street

La Center, WA 98629

[www.ci.lacenter.wa.us](http://www.ci.lacenter.wa.us)

Ph. 360.263.7665 Fax: 360.263.7666

[www.ci.lacenter.wa.us](http://www.ci.lacenter.wa.us)

## Property Information

Site Address 1440 Aspen Ave. La Center Wa. 98629

Legal Description SEC 34 T5N R1EWM .88A

Assessor's Serial Number 258895000

Lot Size (square feet) 38,333 sq. ft. / 0.88 acres

Zoning/Comprehensive Plan Designation Low Density Residential (LDR7.5), Urban Low Density Residential.

Existing Use of Site Single family residence

## Contact Information

### APPLICANT:

Contact Name Edward / Julie Parmentier

Company n/a

Phone 360 263 2236

Email eiparm@tds.net

Complete Address 1440 Aspen Ave. La Center WA 98629

Signature Edward Parmentier / Julie Parmentier  
(Original Signature Required)

### APPLICANT'S REPRESENTATIVE:

Contact Name \_\_\_\_\_

Company \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

Complete Address \_\_\_\_\_

Signature \_\_\_\_\_

(Original Signature Required)

### PROPERTY OWNER:

Contact Name Edward / Julie Parmentier

Company n/a

Phone 360 263 2263

Email eiparm@tds.net

Complete Address 1440 Aspen Ave. La Center Wa. 98629

Signature Edward Parmentier / Julie Parmentier  
(Original Signature Required)

**Development Proposal**

**Project Name**

**Type(s) of Application** Preliminary Review for Short Plat

**Previous Project Name and File Number(s), if known** Parmentier Short Plat, File# 2021-029-PAC

**Pre-Application Conference Date and File Number** Aug 18, 2021, File# 2021-029-PAC

**Description of Proposal** Preliminary review for short plat which consists of subdividing the existing lot to create 2 lots. New lot will be 7500 square feet. Existing lot to remain developed with residence, shop and outbuildings remain. Variance for oversized lot is also submitted to accomodate this residual oversized lot.

**Office Use Only**

**File #** \_\_\_\_\_

**Fees: \$** \_\_\_\_\_

**Received By** \_\_\_\_\_

**Date Paid:** \_\_\_\_\_

**Date Received:** \_\_\_\_\_

**Receipt #** \_\_\_\_\_

- Procedure:**  Type I  
 Type II  
 Type III  
 Type IV

**Notes** \_\_\_\_\_



## **Narrative for Parmentier Short Plat**

**Project Location:** The proposed project is located on Aspen Avenue. North boundary is West 15<sup>th</sup> Street, which is a private street. East boundary is Aspen Avenue.

**Proposed Project:** To subdivide the existing lot to create an additional lot (two total lots). The proposed lot would be 7500 square feet and would be accessed from Aspen Avenue using the existing driveway which will be shared between the two lots. The existing lot residence, shop/garage and sheds / out buildings will remain. After split of the 7500 square foot lot, the remains of the existing lot (258895000) will exceed max lot size for LDR 7.5 zoning of 11,000 square feet and therefore requires a Variance for approval. Variance request is included in this packet.

### **3.35 – Impact Fees**

Impact fees shall be paid at time of a building permit issuance as per codes as stated in section 3.35.140.

## **Title 12 – Streets, Sidewalks and Public Ways**

### **12.05 Sidewalks:**

Sidewalks currently reside along Aspen Avenue. No improvements required for this project.

### **12.10 Public and Private Road standards:**

The new lot will be accessed from Aspen Avenue using the existing driveway. This, results in both lots using the existing (shared) access to Aspen Avenue. No street improvements required for this project.

### **12.10.350 Street Trees and Landscaping**

There are currently fir trees along Aspen Avenue. In the event, they are removed new trees would be planted to meet the requirements of LCMC 18.130.100.

### **12.10.360 Street Lighting:**

No street lighting improvements required for this project.

## **Title 13 - Public Utilities**

### **13.10 - Sewer Systems Rules and Regulations:**

The new lot will be connected to the sewer as required and will comply with LCMC 13.10.

Any costs associated with sewer installation will be paid by applicant as required per LCMC 13.10.110.

Excavation would be open trench method as per LCMC 13.10.200. Work would be performed by a duly licensed contractor in the city of La Center as required per LCMC 13.10.230. A new 4 inch lateral will be installed to the new lot from the 8-inch sewer main in Aspen Avenue. It is understood that a sewer impact fee for a single family residence would be charged per LCMC 13.10.350

### **Water:**

Existing home is supplied by Clark Public Utility water supply. Water for new lot will also be supplied by connection to Clark Public Utility water supply.

### **Power:**

Existing home is supplied by Clark Public Utility electricity. Electricity for new lot will also be sourced from Clark Public Utilities.

**15.05 Building Code and Specialty Codes**

Code compliance would be adhered to with any building construction.

**15.35 School Impact Fees**

Impact fees shall be paid at time of building permit issuance per section LCMC 15.35.030

**Title 18 – Development Code**

**18.40 Front Lot Line**

Aspen Avenue will be the front lot line. The new lot will be accessed from Aspen Avenue via the existing driveway being shared between the two lots.

**18.130 Low Density Residential District (LDR-7.5):**

18.130.070 Height Regulations: Building height for new lot will meet Max 35 feet height requirements.

**18.130.080 Density and dimensional requirements:**

New lot will be 7500 square feet and meet the stipulated Lot size requirements. Buildings will meet lot coverage requirements, and therefore will not exceed 35 percent lot coverage. Max impervious surface area shall not exceed 50 percent. Setbacks shall meet requirements as stated in table 18.130.080. The setbacks will be met based on Aspen Avenue being the front lot line.

**Table 18.130.080 – Lot Coverage and Dimensions**

| District | Minimum Lot Width (feet) | Minimum Lot Depth (feet) | Minimum Front Yard Setback (feet) <sup>1, 2</sup> | Minimum Side Yard Setback (feet) <sup>2</sup> | Minimum Street Side Yard Setback (feet) <sup>2</sup> | Minimum Rear Yard (feet) <sup>2, 3</sup> |
|----------|--------------------------|--------------------------|---|---|--|--|
| LDR-7.5  | 60                       | 90                       | 20  | 7.5   | 10   | 20                                       |

LDR 7.5 Lot Size: After the 7500 square feet lot is split from existing lot 258895000, the residual of the remaining lot will exceed the 11,000 square foot lot maximum requirement for LDR 7.5 zoning.

A variance request for approval is included with this packet.

A Master Plan for large lots that could be subdivided in the future is also attached.

The Master Plan allows for 3 lots. All lots would be accessed from Aspen Avenue using the existing driveway with easement for access dedicated to all three lots.

Lot 1 - on South East corner bordering Aspen . The lot would also contain the access easements for all 3 lots. Lot size would be 12863 square feet including the easements. 9151 square feet not including the easement access area. This is the lot where the original home resides.

Lot 2 - on North East corner bordering Aspen and 15<sup>th</sup> street. This is the lot being split from the original lot. Lot size is 7500 square feet.

Lot 3 - on North West corner of property. North property line is 15<sup>th</sup> street. East Property line borders lot 2 and South property line borders Lot 1. Lot size is 10592 square feet.

**18.130.100 Street trees:** Street trees required in planter strips, at a minimum of 30 foot intervals. It is understood that the fir trees along Aspen Avenue meet these requirements. There is a possibility that these trees would be removed. In the event they are removed, new trees would be planted to meet requirements.

### **18.130.110 Active open space – Family parks**

Not applicable to this project.

### **18.200 General Provisions**

#### **18.200.060 Divisions of Developed land**

The existing lot (258895000) is developed land. The existing lot residence, shop/garage and sheds / out buildings will remain. The lot remains after the lot split will exceed the maximum lot size requirements for LDR 7.5 zoning of 11,000 square feet and therefore requires a Type II Variance. Variance request is included in this packet.

### **18.245 Supplementary Development Standards**

18.245.020 Height of fences and hedges: Will comply with standards of this section.

18.245.030 Solid Waste: : Will comply with standards of this section.

18.245.040 Lighting: Lighting will comply with the standards of this section.

18.245.050 Noise: Any work on this site shall comply with the standards of this section.

18.245.060 Landscaping: Code Table indicates LDR requirements as None. Any landscaping would meet requirements and conditions of this section.

### **18.260 Variances**

After the 7500 square foot lot is split from existing lot 258895000, the residual of the remaining lot will exceed the 11,000 square foot lot maximum requirement for LDR 7.5 zoning. A variance request for approval is included with this packet.

### **18.280 Off-street Parking and Loading Requirements:**

18.280.04: 2 parking spaces will be allotment per code requirements.

18.280.050: Parking design size standards will be met per code requirements.

### **18.282 Outdoor Lighting**

Street lighting upgrades for Aspen Avenue have already been completed. No additional improvements are required for this project.

8.282.060 Residential lighting for new construction: Any new construction lighting shall comply with this code.

**18.30 Critical Areas:** Lot is relatively flat ground with only a gentle slope. No geologically hazardous areas and no wetlands are on the site. Clark County MapsOnline and the cities critical areas maps indicate there are no critical areas on this site. No critical areas permits required.

**Wetlands study** - not required for this project. No Wetlands on site.

**Geotechnical study** - not required for this project. No fill will be placed on the site. No fill will be removed from site. Land is only gently sloping.

### **18.310 Environmental Policy:**

#### **18.310.235 Critical areas:**

Clark county MapsOnline shows the existing and proposed lot to be located within a moderate-high probability designation for encountering archaeological resources.

A SEPA checklist has been completed and submitted with this application.

An Archaeological predetermination was conducted and report is submitted with this application.

**18.320 Stormwater and Erosion Control**

18.320.120: *All ground-disturbing activities in excess of 500 square feet must follow the requirements of the "City of La Center Erosion Control Guidelines" (June 1998 or latest edition):*

Less than 2000 square feet of impervious surface would be created with this project. Erosion control guidelines would be followed. This lot is relatively flat with only gentle slope. The only ground disturbance for this project would be for utility installation and to excavate for a crawl space in the event a single family residence is constructed. In this event, a silt filter fence and straw bales & wattle can be used to control sediment during construction if required.

**18.320.340 Single-family home construction:** *The construction of single-family homes, ... and their structures that fall into one of the categories below and meet conditions stated for that category are exempt for the provisions of Article II (standard requirements) and Article IV (other provisions) of this chapter.*

Per regulation, the above stated exemption applies for allowance for single family home construction when the lot size is less than 15000 square ft. The lot will be 7500 square ft. Conditions of storm water runoff will be met by with a single family home constructed with a roof downspout system that will connect to the concrete gutter in the street by the storm drain on Aspen Avenue.

**18.320.350 Small residential projects.**

Treatment and Runoff Control Requirements will be met by use of roof downspout systems for the residential structure that will connect to the concrete gutter in the street by the storm drain on Aspen Avenue.

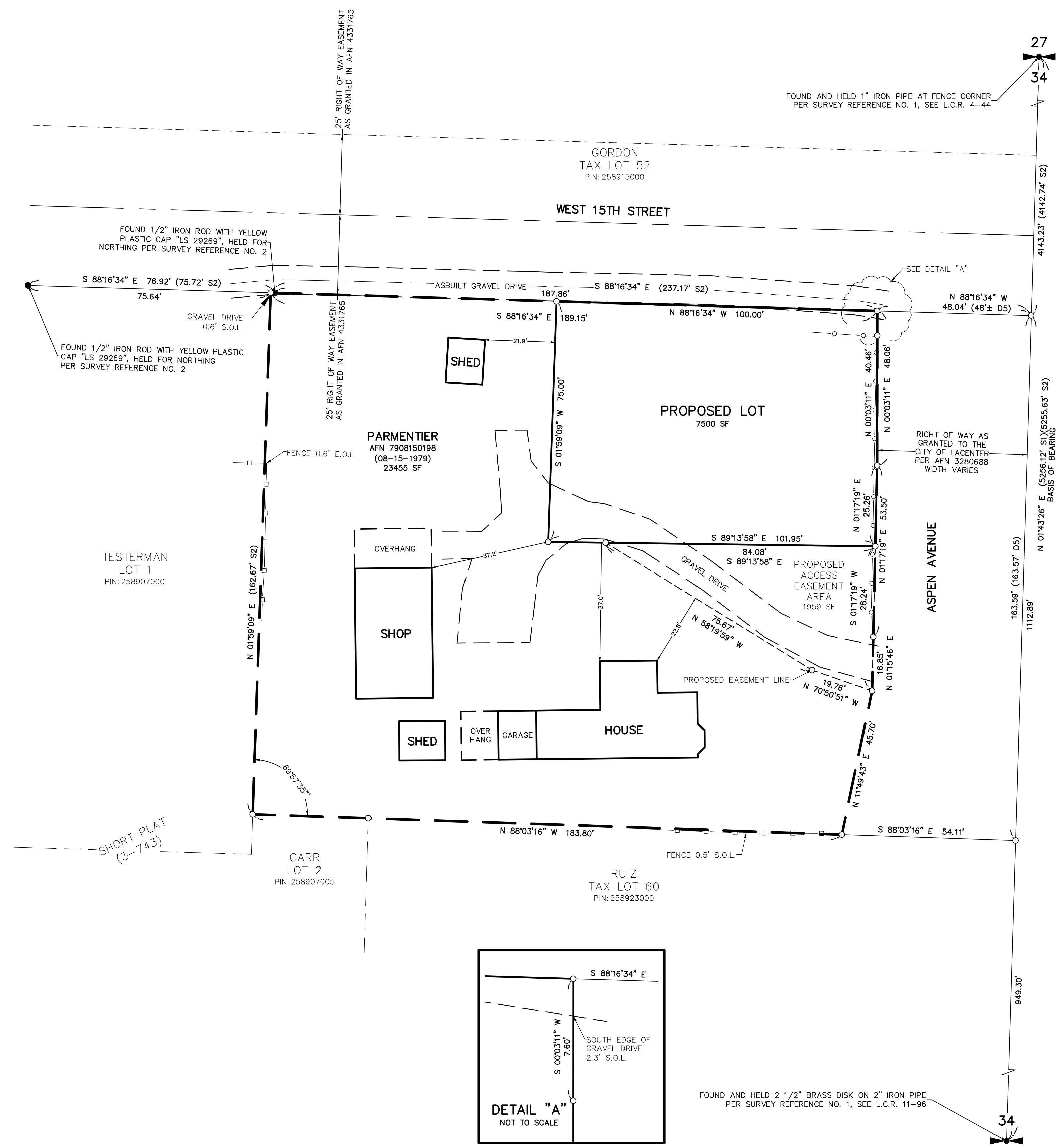
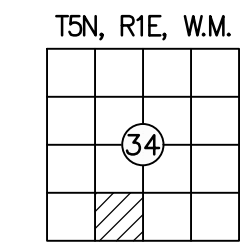
**18.360 Archaeological Resource Protection**

Archeology predetermination was done. Report is included with this packet.

PLAT NOTES:

# PRELIMINARY SHORT PLAT

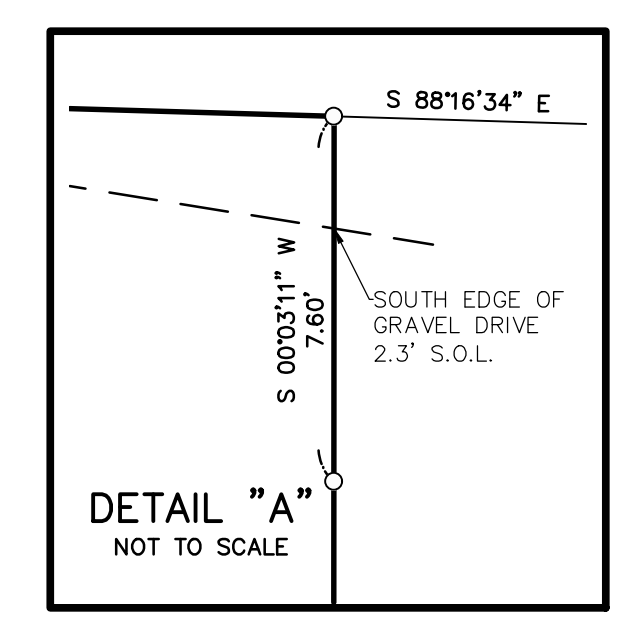
IN THE SE 1/4 OF THE SW 1/4 OF SECTION 34 T. 5 N., R. 1 E., W.M. CITY OF LACENTER, CLARK COUNTY, WASHINGTON



- DEED REFERENCES:**
- (D1) GRANTOR: IVAN J. BAILEY & GENA C. BAILEY  
GRANTEE: EDWARD J. PARMENTIER  
AFN 7908150198  
(08-15-1979)
  - (D2) GRANTOR: STEVEN S. TESTERMAN & TIA E. TESTERMAN  
GRANTEE: EDWARD J. PARMENTIER  
AFN 4242966  
(11-01-2006)
  - (D3) GRANTOR: JOHN R. REMMERS & TONI MARIA REMMERS  
GRANTEE: THEODORE R. WEBBER  
AFN 4002269  
(06-14-2005)
  - (D4) GRANTOR: R & J DIVERSIFIED SERVICES LLC  
GRANTEE: ANAHI RUIZ ROBLES & SEMARIA RUIZ  
AFN 5930319  
(06-30-2021)
  - (D5) GRANTOR: EDWARD & JULIE PARMENTIER  
GRANTEE: CITY OF LACENTER  
AFN 3280688  
(01-05-2001)

- LEGEND:**
- (S#) INDICATES RECORD DATA PER SURVEY REFERENCE NO.
  - AFN: INDICATES AUDITOR'S FILE NUMBER
  - PIN: INDICATES PARCEL IDENTIFICATION NUMBER
  - E.O.L. INDICATES EAST OF LINE
  - S.O.L. INDICATES SOUTH OF LINE
  - L.C.R. INDICATES LAND CORNER RECORD
  - INDICATES MONUMENT FOUND AS NOTED
  - INDICATES CALCULATED POSITION
  - INDICATES EDGE OF GRAVEL
  - INDICATES CHAINLINK FENCE LINE
  - INDICATES WOOD FENCE LINE
  - - - - - INDICATES PROPOSED ACCESS EASEMENT

- SURVEY REFERENCE:**
- (S1) MINISTER AND GLAESER BOOK 67, PAGE 53
  - (S2) BLUHM SHORT PLAT BOOK 3, PAGE 743



**LA CENTER MAYOR:**  
APPROVED BY: \_\_\_\_\_ MAYOR OF LA CENTER \_\_\_\_\_ DATE \_\_\_\_\_

**LA CENTER DIRECTOR OF PUBLIC WORKS:**  
APPROVED BY: \_\_\_\_\_ DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

**CITY ENGINEER:**  
APPROVED BY: \_\_\_\_\_ CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

**LA CENTER FINANCE DIRECTOR/CITY CLERK:**  
APPROVED BY: \_\_\_\_\_ FINANCE DIRECTOR / CITY CLERK \_\_\_\_\_ DATE \_\_\_\_\_

**CLARK PUBLIC UTILITIES:**  
THIS PLAT MEETS THE REQUIREMENTS FOR CLARK PUBLIC UTILITIES FOR WATER SERVICE  
APPROVED BY: \_\_\_\_\_ CLARK PUBLIC UTILITIES REPRESENTATIVE \_\_\_\_\_ DATE \_\_\_\_\_

**AUDITOR'S CERTIFICATE:**  
FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_,  
IN BOOK \_\_\_\_\_ OF PLATS, AT PAGE \_\_\_\_\_, AT THE  
REQUEST OF \_\_\_\_\_,  
AUDITOR'S FILE NUMBER \_\_\_\_\_

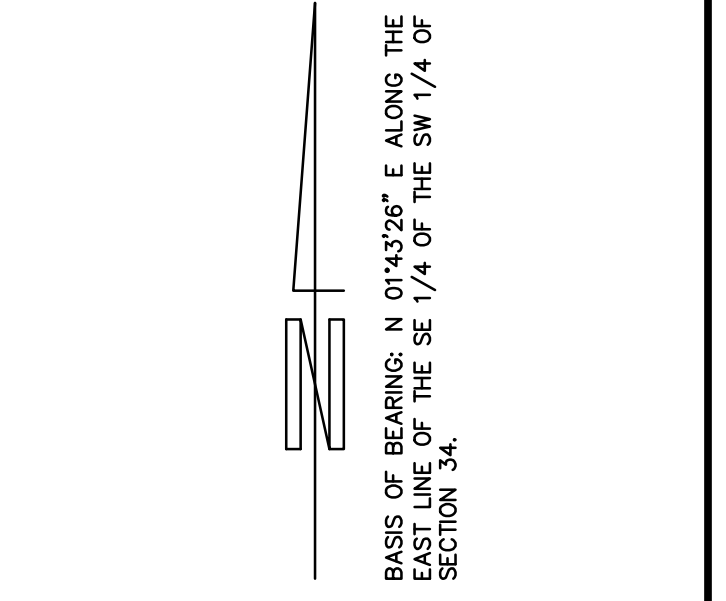
CLARK COUNTY AUDITOR \_\_\_\_\_

**CLARK COUNTY ASSESSOR:**  
THIS PLAT MEETS THE REQUIREMENTS OF RCW 58.17.170, LAWS OF WASHINGTON, 1961, TO BE KNOWN AS \_\_\_\_\_ BLANKS SHORT PLAT  
PLAT NO. \_\_\_\_\_ CLARK COUNTY, WASHINGTON.

CLARK COUNTY ASSESSOR \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S CERTIFICATE:**  
I, DANIEL ADOLPH RENTON, A PROFESSIONAL SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT OF BLANK SHORT PLAT IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTIONS 3, TOWNSHIP 5 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN; THAT THE DISTANCES, COURSES, AND ANGLES ARE SHOWN THEREON CORRECTLY AND THAT MONUMENTS AND LOT CORNERS HAVE BEEN SET ON THE GROUND AS SHOWN ON THE PLAT.

DANIEL ADOLPH RENTON, PROFESSIONAL LAND SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_  
PLS # 37535



**MINISTER-GLAESER SURVEYING INC.**  
2200 E. EVERGREEN BLVD.  
VANCOUVER, WA 98661  
(360) 694-3313

SCALE: 1"=20'  
JOB NO. 22-002  
DATE: 08-16-23  
CALC BY: DAR  
DRAWN BY: JDR  
CHECKED BY: DAR  
SHEET 1 OF 1

# ALTA COMMITMENT FOR TITLE INSURANCE

Issued By agent:



Commitment Number:

**612884069**

## NOTICE

**IMPORTANT - READ CAREFULLY:** THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

## COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, Fidelity National Title Insurance Company, a Florida corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I-Requirements have not been met within one hundred eighty (180) days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

### Fidelity National Title Insurance Company

By:

Michael J. Nolan, President

Attest:

Marjorie Nemzura, Secretary

Countersigned By:

Authorized Officer or Agent

Phil Archer

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**Transaction Identification Data for reference only:**

| ISSUING OFFICE:  | FOR SETTLEMENT INQUIRIES, CONTACT:  |
|--|---|
| Title Officer: Luke Bennier<br>Fidelity National Title Company of Washington, Inc.<br>655 W. Columbia Way, Suite 200<br>Vancouver, WA 98660<br>Phone: 360-624-1046 Fax: 877-675-5393<br>Main Phone: (360)750-3686<br>Email: Luke.Bennier@fnf.com | Escrow Officer: Fernando Gutierrez<br>Minister & Glaeser Surveying, Inc.<br>2200 E. Evergreen Boulevard<br>Vancouver, WA 98661<br>Phone: (360)694-3313<br>Main Phone: (360)694-3313<br>Email: NG@mgsurvey.com |

**Order Number: 612884069**

**SCHEDULE A**

1. Commitment Date: March 30, 2022 at 08:00 AM
2. Policy to be issued:
  - (a) ALTA Owner's Policy 2006  
Proposed Insured: Purchaser with contractual rights under a purchase agreement with the vested owner identified at Item 4 below.  
Proposed Policy Amount: \$10,000.00  
Premium: \$ 249.00  
Tax: \$ 21.17  
Rate: General Schedule Standard  
Work Charge (includes Tax): \$ 271.25  
Total: \$ 541.42
3. The estate or interest in the Land described or referred to in this Commitment is:  
Fee Simple
4. The Title is, at the Commitment Date, [vested in:](#)  
Edward J. Parmentier and Julie Parmentier, husband and wife
5. The Land is described as follows:  
  
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**END OF SCHEDULE A**

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**EXHIBIT "A"**  
Legal Description

**For APN/Parcel ID(s): 258895-000**

---

That portion of the Southeast quarter of the Southwest quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington, described as follows:

BEGINNING at a point 904 feet North of the Southeast corner of said Southwest quarter; thence West 3.165 chains; thence North 208.89 feet (3.165 chains); thence East 208.89 feet (3.165 chains); thence South 208.89 feet (3.165 chains) to the Point of Beginning.

EXCEPT the South 52 feet thereof;

ALSO EXCEPT any portion lying within Aspen Avenue.

TOGETHER WITH that portion of the Southeast quarter of the Southwest quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington, described as follows:

BEGINNING at a point that is 1112.89 feet (16.86 chains) North and 208.89 feet (3.165 chains) West of the Southeast corner of the Southwest quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington; thence South 158.89 feet (2.38 chains); thence West 27 feet (1.63 rods); thence North 156.89 feet (2.38 chains); thence East 27 feet (1.63 rods) to the Point of Beginning.

TOGETHER WITH that portion of the Southeast quarter of the Southwest quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington, described as follows:

COMMENCING at the South quarter corner of said Section 34; thence North 01° 43'42" East along the center line of said Section a distance of 956.00 feet; thence North 88° 16'18" West a distance of 51.78 feet to the Westerly right of way of Aspen Avenue and the true point of beginning; thence continuing North 88° 16'18" West a distance of 150.11 feet; thence South 01° 43'42" West a distance of 5.92 feet; thence South 88° 03'00" East a distance of 148.80 feet to the Westerly right of way of Aspen Avenue; thence Northerly along said right of way a distance of 6.62 feet to the true point of beginning.

TOGETHER WITH that portion of the Southeast quarter of the Southwest quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington, described as follows:

COMMENCING at the South quarter corner of said Section 34; thence North 01° 43'42" East along the center line of said Section a distance of 1112.89 feet; thence North 88° 16'18" West a distance of 235.89 feet to the true point of beginning; thence continuing North 88° 16'18" West a distance of 1.28 feet; thence South 01° 59'25" West a distance of 162.67 feet; thence South 88° 03'00" East a distance of 2.02 feet; thence North 01° 43'42" East a distance of 162.68 feet to the true point of beginning.

TOGETHER WITH that portion of the Southeast quarter of the Southwest quarter of Section 34, Township

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AMERICAN  
LAND TITLE  
ASSOCIATION





**EXHIBIT "A"**  
Legal Description

5 North, Range 1 East of the Willamette Meridian, Clark County, Washington, described as follows:

COMMENCING at the South quarter corner of said Section 34; thence North 01° 43'42" East along the center line of said Section a distance of 956.00 feet; thence North 88° 16'18" West a distance of 201.89 feet to the true point of beginning; thence continuing North 88° 16'18" West a distance of 34.00 feet; thence South 01° 43'42" West a distance of 5.79 feet; thence South 88°03'00 East a distance of 34.00 feet; thence North 01° 43'42" East a distance of 5.92feet to the true point of beginning.

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AMERICAN  
LAND TITLE  
ASSOCIATION



**SCHEDULE B, PART I  
REQUIREMENTS**

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Additional requirements and/or exceptions may be added as details of the transaction are disclosed to, or become known by the Company.
6. The application for title insurance was placed by reference to only a street address or tax identification number. The proposed Insured must confirm that the legal description in this report covers the parcel(s) of Land requested to be insured. If the legal description is incorrect, the proposed Insured must notify the Company and/or the settlement company in order to prevent errors and to be certain that the legal description for the intended parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.
7. The Proposed Policy Amount(s) must be increased to the full value of the estate or interest being insured, and any additional premium must be paid at that time. An Owner's policy should reflect the purchase price or full value of the Land. A Loan Policy should reflect the loan amount or value of the property as collateral. Proposed Policy Amount(s) will be revised and premiums charged consistent therewith when the final amounts are approved.
8. For each policy to be issued as identified in Schedule A, Item 2; the Company shall not be liable under this commitment until it receives a designation for a Proposed Insured, acceptable to the Company. As provided in Commitment Condition 4, the Company may amend this commitment to add, among other things, additional exceptions or requirements after the designation of the Proposed Insured.
9. In the event that the Land is occupied or intended to be occupied by the owner and a spouse or registered domestic partner as a homestead, the conveyance or encumbrance of the Land must be executed and acknowledged by both spouses or both registered domestic partners, pursuant to RCW 6.13 which now provides for an automatic homestead on such Land.
10. If the proposed insured is a married person or member of a registered domestic partnership acquiring title as a separate estate, the Company will require a Deed be executed by the spouse or registered domestic partner of the proposed insured to establish separate property.

A deed from the spouse or registered domestic partner will not eliminate the requirement that both spouses or registered domestic partners execute any new monetary encumbrances to comply with the automatic homestead provisions of RCW 6.13.060 if both spouses or registered domestic partners intend to reside on the Land.

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**SCHEDULE B, PART I  
REQUIREMENTS**  
(continued)

11. If the Seller or Borrower intends to sign documents required to insure the transaction utilizing a remote online notary, please notify the Company immediately as additional underwriting requirements will need to be satisfied.
12. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.

**END OF REQUIREMENTS**

**NOTES**

The following matters will not be listed as Special Exceptions in Schedule B of the policy. There will be no coverage for loss arising by reason of the matters listed below because these matters are either excepted or excluded from coverage or are not matters covered under the insuring provisions of the policy.

Note A: Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

Note B: Note: The Public Records indicate that the address of the improvement located on said Land is as follows:

1440 Aspen Avenue  
La Center, WA 98629

Note C: Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.

Note D: Note: FOR INFORMATIONAL PURPOSES ONLY:

The following may be used as an abbreviated legal description on the documents to be recorded, per Amended RCW 65.04.045. Said abbreviated legal description is not a substitute for a complete legal description within the body of the document:

Tax Lot 10, Section 34, Township 5 North, Range 1 East  
[Tax Account No.: 258895-000](#)

Note E: Note: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

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**SCHEDULE B, PART I  
REQUIREMENTS**  
(continued)

Note F: Recording Charge (Per Document) for closings on July 26, 2021 and after is the following:

| County            | First Page                       | Each Additional Page        |
|-------------------|----------------------------------|-----------------------------|
| Clark and Cowlitz | Deed \$203.50                    | \$1.00 each additional page |
| Clark and Cowlitz | Deed of Trust Basic Fee \$204.50 | \$1.00 each additional page |

Note: When possible the company will record electronically. An additional charge of \$4.00 plus sales tax applies to each document recorded electronically. As of 11/8/2021 this fee will increase to \$4.25 plus sales tax per document.

Note: A multiple transaction document bears an additional fee for each additional title.

Note: A document that fails to conform to certain formatting and page one requirements bears an additional \$50.00 charge.

RECORDING AND PROCESSING CHARGES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

Send all Recording Packages to:

Recording Department  
655 W. Columbia Way, Ste 200  
Vancouver, WA 98660

Email all Releases to:  
ClarkWArecordings@fnf.com

**END OF NOTES**

**END OF SCHEDULE B, PART I**

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**SCHEDULE B, PART II  
EXCEPTIONS**

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

**GENERAL EXCEPTIONS**

- A. Rights or claims of parties in possession, or claiming possession, not shown by the Public Records.
- B. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
- C. Easements, prescriptive rights, rights-of-way, liens or encumbrances, or claims thereof, not shown by the Public Records.
- D. Any lien, or right to a lien, for contributions to employee benefit funds, or for state workers' compensation, or for services, labor, or material heretofore or hereafter furnished, all as imposed by law, and not shown by the Public Records.
- E. Taxes or special assessments which are not yet payable or which are not shown as existing liens by the Public Records.
- F. Any lien for service, installation, connection, maintenance, tap, capacity, or construction or similar charges for sewer, water, electricity, natural gas or other utilities, or for garbage collection and disposal not shown by the Public Records.
- G. Unpatented mining claims, and all rights relating thereto.
- H. Reservations and exceptions in United States Patents or in Acts authorizing the issuance thereof.
- I. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
- J. Water rights, claims or title to water.
- K. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.

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**SCHEDULE B, PART II  
EXCEPTIONS**  
(continued)

SPECIAL EXCEPTIONS

1. Payment of the real estate excise tax, if required.

The Land is situated within the boundaries of local taxing authority of Clark County.

The rate of real estate excise tax for properties which are not formally classified and specially valued as timberland or agricultural land is:

State portion: 1.10% on any portion of the sales price of \$500,000 or less;  
1.28% on any portion of the sales price above \$500,000, up to \$1,500,000;  
2.75% on any portion of the sales price above \$1,500,000, up to \$3,000,000;  
3.00% on any portion of the sales price above \$3,000,000;

Local portion: 0.50% on the entire sales price.

An additional \$5.00 State Technology Fee must be included in all excise tax payments.

If the transaction is exempt, an additional \$5.00 Affidavit Processing Fee is required.

Any conveyance document must be accompanied by the official Washington State Excise Tax Affidavit, which can be found online [HERE](#). The applicable excise tax must be paid and the affidavit approved at the time of the recording of the conveyance documents. (NOTE: Real Estate Excise Tax Affidavits must be printed as legal size forms).

2. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year:

|                            |                   |
|----------------------------|-------------------|
| Year:                      | 2022              |
| <u>Tax Account No.:</u>    | <u>258895-000</u> |
| School District/Levy Code: | 101000            |
| Assessed Total:            | \$319,856.00      |
| Millage Rate:              | 10.3156664549     |
| Location Code:             | 0603              |

General and Special Taxes:

|                     |            |
|---------------------|------------|
| First Half Billed:  | \$1,653.51 |
| Second Half Billed: | \$1,653.44 |
| Unpaid:             | \$3,306.95 |

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

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**SCHEDULE B, PART II  
EXCEPTIONS**  
(continued)

3. Assessments, if any, levied by City of La Center.
4. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

In favor of: City of LaCenter  
Purpose: right of way  
Recording Date: January 5, 2001  
[Recording No.: 3280688](#)

**END OF SCHEDULE B, PART II**

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## COMMITMENT CONDITIONS

### 1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I-Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I-Requirements;
- (f) Schedule B, Part II-Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

### 4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

### 5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  - (i) comply with the Schedule B, Part I-Requirements;
  - (ii) eliminate, with the Company's written consent, any Schedule B, Part II-Exceptions; or
  - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I-Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

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(continued)

**6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II-Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

**7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

**8. PRO-FORMA POLICY**

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

**END OF CONDITIONS**

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## RECORDING REQUIREMENTS

Effective January 1, 1997, document format and content requirements have been imposed by Washington Law. Failure to comply with the following requirements may result in rejection of the document by the county recorder or imposition of a \$50.00 surcharge.

### First page or cover sheet:

3" top margin containing nothing except the return address.

1" side and bottom margins containing no markings or seals.

Title(s) of documents.

Recording no. of any assigned, released or referenced document(s).

Grantors names (and page no. where additional names can be found).

Grantees names (and page no. where additional names can be found).

Abbreviated legal description (Lot, Block, Plat Name or Section, Township, Range and Quarter, Quarter Section for unplatted). Said abbreviated legal description is not a substitute for a complete legal description which must also appear in the body of the document.

Assessor's tax parcel number(s).

Return address (in top 3" margin).

\*\*A cover sheet can be attached containing the above format and data if the first page does not contain all required data.

### Additional Pages:

1" top, side and bottom margins containing no markings or seals.

### All Pages:

No stapled or taped attachments. Each attachment must be a separate page. All notary and other pressure seals must be smudged for visibility. Font size of 8 points or larger.



Inquire before you wire!

## WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.  
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. **DO NOT** use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** **DO NOT** send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do **NOT** reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

**Federal Bureau of Investigation:**  
<http://www.fbi.gov>

**Internet Crime Complaint Center:**  
<http://www.ic3.gov>

## **FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE**

Effective January 1, 2021

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

### **Collection of Personal Information**

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

### **Collection of Browsing Information**

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

### **Other Online Specifics**

**Cookies.** When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

**Web Beacons.** We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

**Do Not Track.** Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

### **Use of Personal Information**

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

### **When Information Is Disclosed**

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

### **Security of Your Information**

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

### **Choices With Your Information**

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

### **Information From Children**

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

### **International Users**

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

### **FNF Website Services for Mortgage Loans**

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

### **Your Consent To This Privacy Notice; Notice Changes; Use of Comments or Feedback**

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

### **Accessing and Correcting Information; Contact Us**

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, visit FNF's [Opt Out Page](#) or contact us by phone at (888) 934-3354 or by mail to:

Fidelity National Financial, Inc.  
601 Riverside Avenue,  
Jacksonville, Florida 32204  
Attn: Chief Privacy Officer

## EXHIBIT "A"

Order No.: 612884069

For [APN/Parcel ID\(s\): 258895-000](#)

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That portion of the Southeast quarter of the Southwest quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington, described as follows:

BEGINNING at a point 904 feet North of the Southeast corner of said Southwest quarter; thence West 3.165 chains; thence North 208.89 feet (3.165 chains); thence East 208.89 feet (3.165 chains); thence South 208.89 feet (3.165 chains) to the Point of Beginning.

EXCEPT the South 52 feet thereof;

ALSO EXCEPT any portion lying within Aspen Avenue.

TOGETHER WITH that portion of the Southeast quarter of the Southwest quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington, described as follows:

BEGINNING at a point that is 1112.89 feet (16.86 chains) North and 208.89 feet (3.165 chains) West of the Southeast corner of the Southwest quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington; thence South 158.89 feet (2.38 chains); thence West 27 feet (1.63 rods); thence North 156.89 feet (2.38 chains); thence East 27 feet (1.63 rods) to the Point of Beginning.

TOGETHER WITH that portion of the Southeast quarter of the Southwest quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington, described as follows:

COMMENCING at the South quarter corner of said Section 34; thence North 01° 43'42" East along the center line of said Section a distance of 956.00 feet; thence North 88° 16'18" West a distance of 51.78 feet to the Westerly right of way of Aspen Avenue and the true point of beginning; thence continuing North 88° 16'18" West a distance of 150.11 feet; thence South 01° 43'42" West a distance of 5.92 feet; thence South 88° 03'00" East a distance of 148.80 feet to the Westerly right of way of Aspen Avenue; thence Northerly along said right of way a distance of 6.62 feet to the true point of beginning.

TOGETHER WITH that portion of the Southeast quarter of the Southwest quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington, described as follows:

COMMENCING at the South quarter corner of said Section 34; thence North 01° 43'42" East along the center line of said Section a distance of 1112.89 feet; thence North 88° 16'18" West a distance of 235.89 feet to the true point of beginning; thence continuing North 88° 16'18" West a distance of 1.28 feet; thence South 01° 59'25" West a distance of 162.67 feet; thence South 88° 03'00" East a distance of 2.02 feet; thence North 01° 43'42" East a distance of 162.68 feet to the true point of beginning.

## **EXHIBIT "A"**

(continued)

TOGETHER WITH that portion of the Southeast quarter of the Southwest quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington, described as follows:

COMMENCING at the South quarter corner of said Section 34; thence North  $01^{\circ} 43'42''$  East along the center line of said Section a distance of 956.00 feet; thence North  $88^{\circ} 16'18''$  West a distance of 201.89 feet to the true point of beginning; thence continuing North  $88^{\circ} 16'18''$  West a distance of 34.00 feet; thence South  $01^{\circ} 43'42''$  West a distance of 5.79 feet; thence South  $88^{\circ}03'00''$  East a distance of 34.00 feet; thence North  $01^{\circ} 43'42''$  East a distance of 5.92feet to the true point of beginning.



700



THIS SPACE PROVIDED FOR RECORDER'S USE.

FILED FOR RECORD  
CLARK CO. WASH.  
Julie Parmentier  
FEB 1 9 45 AM '94

Filed for Record at Request of

Name..... ELIZABETH A LUGE  
Address..... 34300 NE Northfork Ave  
City and State..... La Center, WA 98629

### Quit Claim Deed

THE GRANTOR Robert E. Carter and Elaine A. Carter, husband and wife,  
for and in consideration of the mutual agreement of the parties with no monetary  
exchange to legitimize long standing property lines,  
conveys and quit claims to

Edward J. Parmentier and Julie Parmentier, husband and wife  
the following described real estate, situated in the County of Clark State of Washington,  
together with all after acquired title of the grantor(s) therein:

Beginning at a point that is 1112.89 feet (16.86 chains) North  
and 208.89 feet (3.165 chains) West of the Southeast corner of  
the Southwest Quarter of Section 34, Township 5 North, Range 1  
East of the Willamette Meridian, Thence South 156.89 feet (2.38 chains)  
thence West 27 feet (1.63 rods), thence North 156.89 feet (2.38 chains)  
thence East 27 feet (1.63 rods) to the place of beginning.

Real Estate Excise Tax  
Ch. 11 Rev. Laws 1951  
EXEMPT

Affid.# 362624 Date 2-1-94  
For details of tax paid see

Affid.# \_\_\_\_\_  
Doug Lasher  
Clark County Treasurer  
By [Signature] Deputy

Dated Jan. 28, 1994

[Signature] (Individual)  
Elaine A. Carter (Individual) By \_\_\_\_\_ (President)  
By \_\_\_\_\_ (Secretary)

0155

STATE OF WASHINGTON }  
COUNTY OF Clark } ss.

STATE OF WASHINGTON }  
COUNTY OF \_\_\_\_\_ } ss.

On this day personally appeared before me Robert Carter/ Elaine A. Carter to me known to be the individual 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.

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 \_\_\_\_\_

GIVEN under my hand and official seal this 28 day of \_\_\_\_\_, 1994

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 is the corporate seal of said corporation.

[Signature] Notary Public in and for the State of Washington, residing at \_\_\_\_\_

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 \_\_\_\_\_



Chicago Title Insurance Company

FILED FOR RECORD AT REQUEST OF

THIS SPACE PROVIDED FOR RECORDER'S USE.

FILED FOR RECORD  
CLARK CO. WASH.

FEB 7 2 51 PM '94

AUDITOR  
ELIZABETH A. LUCE

WHEN RECORDED RETURN TO

Name

Address

City, State, Zip

34300 N.E. Spritlock Ave  
La Center WA 98629

Quit Claim Deed

THE GRANTOR Edward J. Parmentier

for and in consideration of the establishment of community property.

conveys and quit claims to Edward J. Parmentier and Julie Parmentier, husband and wife.

the following described real estate, situated in the County of Clark State of Washington, together with all after acquired title of the grantor(s) therein:

That portion of the Southeast quarter of the Southwest quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian in Clark County, Washington, described as follows: Beginning at a point 904 feet North of the Southeast quarter of said Southwest quarter; thence West 3.165 chains; thence North 3.165 chains; thence East 3.165 chains; thence South 3.165 chains to the point of beginning. EXCEPT the South 52 feet thereof. ALSO EXCEPT County Roads.

Real Estate Excise Tax  
Ch. 11 Rev. Laws 1951

EXEMPT

Real Estate Excise Tax  
Ch. 11 Rev. Laws 1951

Affid. # 362889 Date 2-7-94  
For details of tax paid see Recpt. # Date has been paid

Dated February 4, 1994

Edward J. Parmentier (Individual)

Julie Parmentier

CATHY A. WINSTON  
NOTARY PUBLIC  
STATE OF WASHINGTON  
COMMISSION EXPIRES  
DECEMBER 11, 1996

Doug Lasher  
Clark County Treasurer

Sec. 01, see Aid. No.  
Doug Lasher  
Clark County Treasurer

By (President) 0653

By (Secretary)

STATE OF WASHINGTON }  
COUNTY OF Clark } ss.

On this day personally appeared before me Edward J./Julie Parmentier to me known to be the individual 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 4th day of February, 1994

Cathy A. Winston  
Notary Public in and for the State of Washington, residing at La Center, WA 98629

STATE OF WASHINGTON }  
COUNTY OF } ss.

On this day of 1994 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 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

02-07-94

4242965 D

RecFee - \$35.00 Pages: 5 - NORTHSTAR EQUITIES LLC  
Clark County, WA 11/01/2006 02:47

AFTER RECORDING MAIL TO:

Name Northstar Equities, LLC

Address 6539 NE 239<sup>th</sup> Street

City, State, Zip Battle Ground, WA 98604

Filed for Record at Request of: Dan Davis

Real Estate Excise Tax  
Ch. 11 Rev. Laws 1951

Affd. 600908 EXEMPT Date 11-2-06  
For Details of tax paid see

Affd. # \_\_\_\_\_  
Doug Lasher  
Clark County Treasurer

By \_\_\_\_\_  
Deputy

**QUIT CLAIM DEED**

THE GRANTOR(S), NORTHSTAR EQUITIES, LLC., A Washington limited liability company, for and in consideration of No Monetary Consideration (Boundary Line Adjustment to resolve property line dispute) conveys and quit claims to EDWARD J. PARMENTIER and JULIE PARMENTIER, husband and wife, the following described real estate, situated in the County of Clark, State of Washington, together with all after acquired title of the grantor(s) therein:

**SEE ATTACHED EXHIBITS "A" and "B"**

*Sec 34, TSN, RIE, W.M.*

Assessor's Property Tax Parcel/Account Number: Portion of 258923-000

Dated: 8/14, 2006

NORTHSTAR EQUITIES, LLC a Washington limited liability company

By *Stephen Melber*

Title member member

STATE OF WA )  
COUNTY OF Clark )-ss )

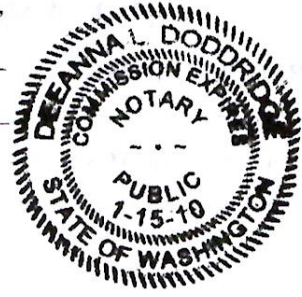
On this 14 day of August, 2006, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Theodore R Webber to me known to be the member of Northstar Equities, LLC, a Washington limited liability company, the company that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of the said company, for the uses and purposes therein mentioned, and on oath stated the he/she is authorized to execute the said instrument.

WITNESS my hand and official seal hereto affixed the day and year in the certificate above written

Dee L Doddrick  
Notary Public in and for said County and State of Washington,

Residing at Vancouver

My Commission Expires 1-15-10



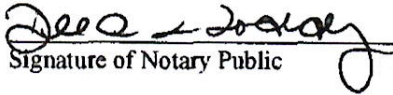
**STATE OF WASHINGTON**

ss.

**COUNTY OF CLARK**

On this day 16 of August, 2006, before me, the undersigned, A Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Dan Davis to me known to be the Member of Northstar Equities LLC the entity that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of the said entity, for the uses and purposes therein mentioned, and on oath stated that he is \_\_\_\_\_ authorized to execute the said instrument on behalf of the said entity.

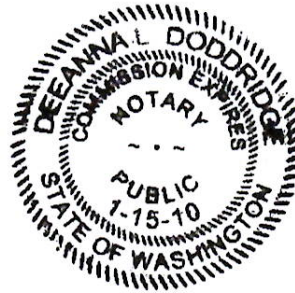
WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.

  
Signature of Notary Public

Notary Public in and for the State of Washington

Residing at Vancouver

My Commission Expires: 1-15-10



*Acknowledgment - Corporation - Trust or - Partnership*

# **Bluhm & Associates**

LAND SURVEYORS, INC.

---

PO BOX 1104  
1068 S. MARKET BLVD.  
CHEHALIS, WA 98532

PHONE(360)748-1551  
FAX (360)748-6282

05-459 COMP.KB  
July 10, 2006

## **EXHIBIT "A"**

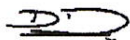
Northstar Equities, LLC to Parmentier  
Portion of Serial No. 258923-000

A portion of the Southeast Quarter of the Southwest Quarter of Section 34, Township 5 North, Range 1 East, Willamette Meridian, Clark County, Washington more particularly described as follows:

Commencing at the South Quarter Corner of said section 34; thence N01°43'42"E along the Center Line of said Section a distance of 956.00 feet; thence N88°16'18"W a distance of 51.78 feet to the Westerly right of way of Aspen Avenue and the True Point of Beginning; thence continuing N88°16'18"W a distance of 150.11 feet; thence S01°43'42"W a distance of 5.92 feet; thence S88°03'00"E a distance of 148.80 feet to the Westerly right of way of Aspen Avenue; thence Northerly along said right of way a distance of 6.62 feet to the True Point of Beginning.

Together with and subject to easements and conditions of record.

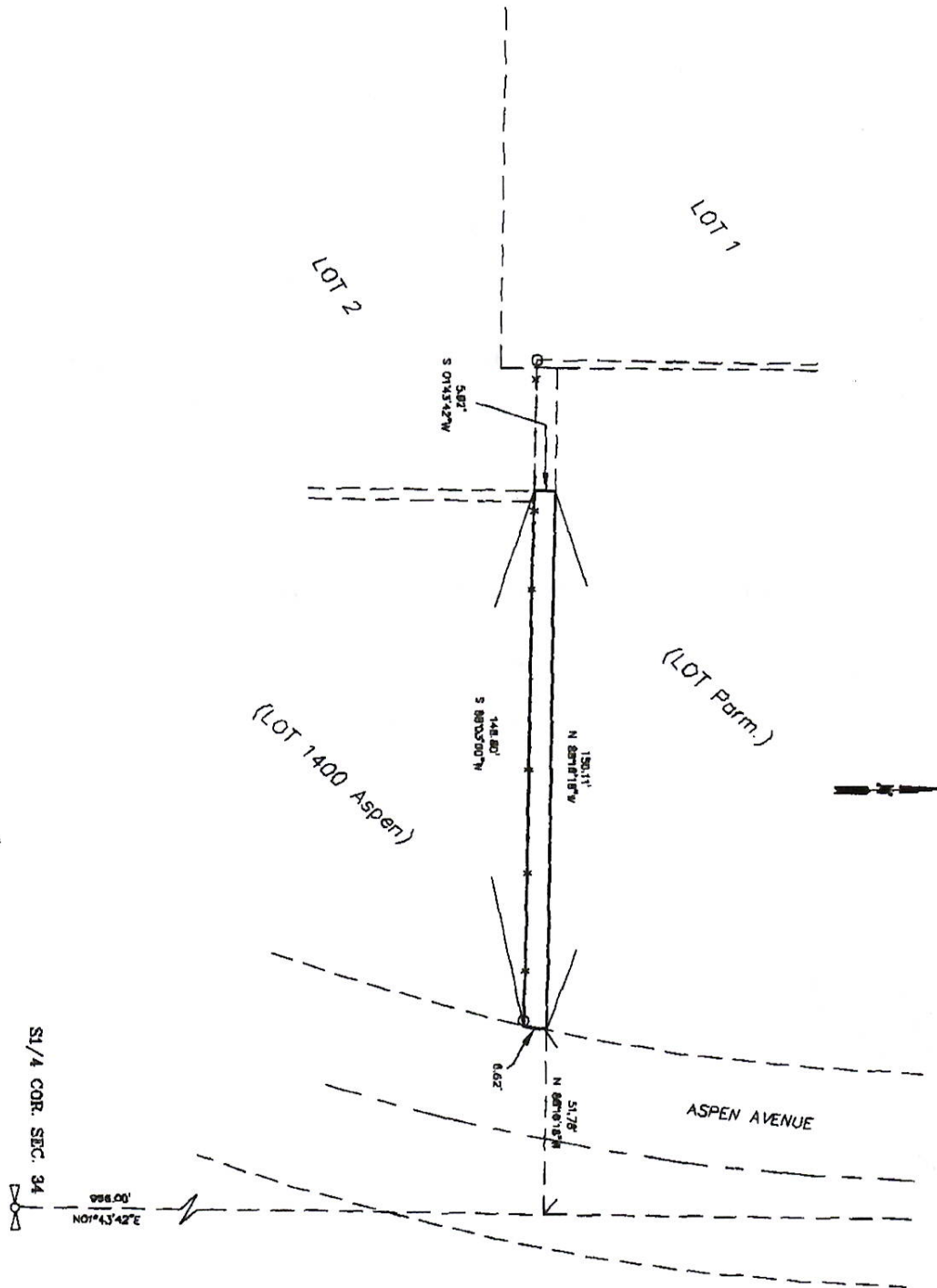
Initials:



\_\_\_\_\_

# EXHIBIT "B"

## Location Drawing



4242966 D

RecFee - \$37.00 Pages: 6 - NORTHSTAR EQUITIES LLC  
Clark County, WA 11/01/2006 02:47

ln

AFTER RECORDING MAIL TO:

Name Northstar Equities, LLC

Real Estate Excise Tax  
Ch. 11 Rev. Laws 1951

Address 6539 NE 239<sup>th</sup> Street

Affd. 0009109 Date 11-2-06  
EXEMPT  
For Details of tax paid see

City, State, Zip Battle Ground, WA 98604

Affd. # \_\_\_\_\_  
Doug Lasher  
Clark County Treasurer

Filed for Record at Request of: Dan Davis

By \_\_\_\_\_  
Deputy

**QUIT CLAIM DEED**

**THE GRANTOR(S), STEVEN S. TESTERMAN and TIA E. TESTERMAN, husband and wife, for and in consideration of No Monetary Consideration (Boundary Line Adjustment to resolve property line dispute) conveys and quit claims to EDWARD J. PARMENTIER and JULIE PARMENTIER, husband and wife, the following described real estate, situated in the County of Clark, State of Washington, together with all after acquired title of the grantor(s) therein:**

**SEE ATTACHED EXHIBITS "A-1", "A-2", "B-1" and "B-2"**

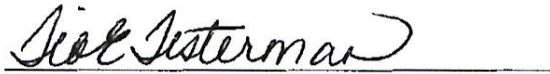
*Sec 34, T5N, R1E, W.M.*

Assessor's Property Tax Parcel/Account Number: Portion of 258907-000

Dated: Sept. 18, 2006



Steven S. Testerman



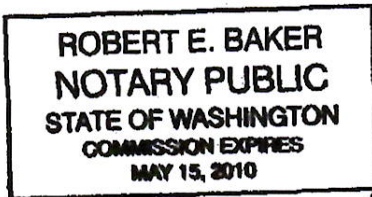
Tia E. Testerman



STATE OF WASHINGTON     )  
  :SS  
County of CLARK            )

I certify that I know or have satisfactory evidence that Steven S. Testerman and Tia E. Testerman is/are the persons who appeared before me, and said persons acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 9-18, 2006.



*Robert E. Baker*  
Notary Public in and for said County and State of Washington  
residing at La Cantar  
My Appointment Expires May 15 2010

# **Bluhm & Associates**

LAND SURVEYORS, INC.

PO BOX 1104  
1068 S. MARKET BLVD.  
CHEHALIS, WA 98532

PHONE(360)748-1551  
FAX (360)748-6282

05-459 COMP.KB  
July 10, 2006

## **EXHIBIT "A-1"**

Testerman to Parmentier  
Portion of Serial No. 258907-000

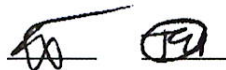
A portion of the Southeast Quarter of the Southwest Quarter of Section 34, Township 5 North, Range 1 East, Willamette Meridian, Clark County, Washington more particularly described as follows:

Commencing at the South Quarter Corner of said section 34; thence N01°43'42"E along the Center Line of said Section a distance of 1112.89 feet; thence N88°16'18"W a distance of 235.89 feet to the True Point of Beginning; thence continuing N88°16'18"W a distance of 1.28 feet; thence S01°59'25"W a distance of 162.67 feet; thence S88°03'00"E a distance of 2.02 feet; thence N01°43'42"E a distance of 162.68 feet to the True Point of Beginning.

Together with and subject to easements and conditions of record.

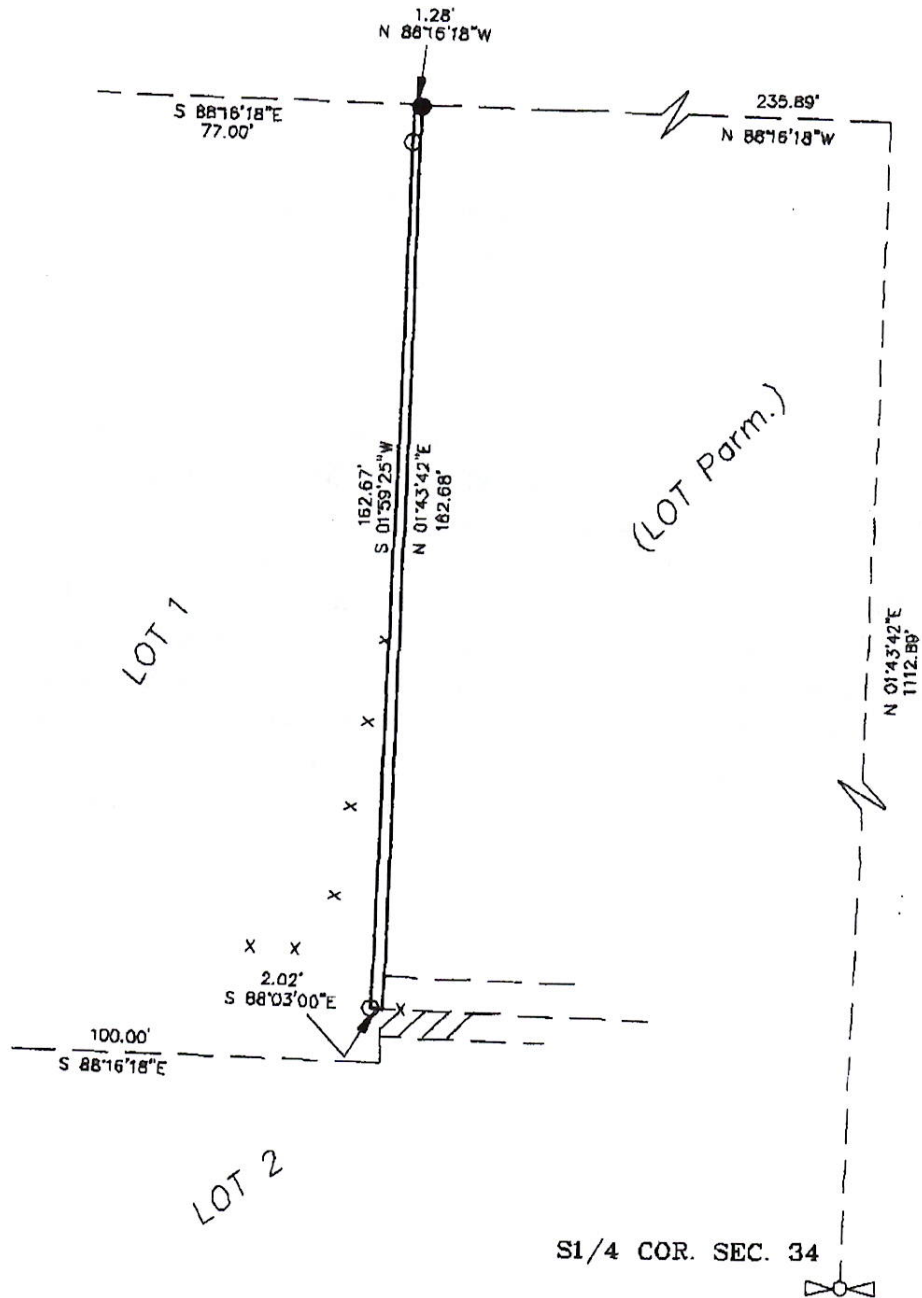
Initials:

\_\_\_\_\_



# EXHIBIT "A-2"

## Location Drawing



# **Bluhm & Associates**

LAND SURVEYORS, INC.

PO BOX 1104  
1068 S. MARKET BLVD.  
CHEHALIS, WA 98532

PHONE(360)748-1551  
FAX (360)748-6282

05-459 COMP.KB  
July 10, 2006

## **EXHIBIT "B-1"**

Testerman to Parmentier  
Portion of Serial No. 258907-000

A portion of the Southeast Quarter of the Southwest Quarter of Section 34, Township 5 North, Range 1 East, Willamette Meridian, Clark County, Washington more particularly described as follows:

Commencing at the South Quarter Corner of said section 34; thence N01°43'42"E along the Center Line of said Section a distance of 956.00 feet; thence N88°16'18"W a distance of 201.89 feet to the True Point of Beginning; thence continuing N88°16'18"W a distance of 34.00 feet; thence S01°43'42"W a distance of 5.79 feet; thence S88°03'00"E a distance of 34.00 feet; thence N01°43'42"E a distance of 5.92 feet to the True Point of Beginning.

Together with and subject to easements and conditions of record.

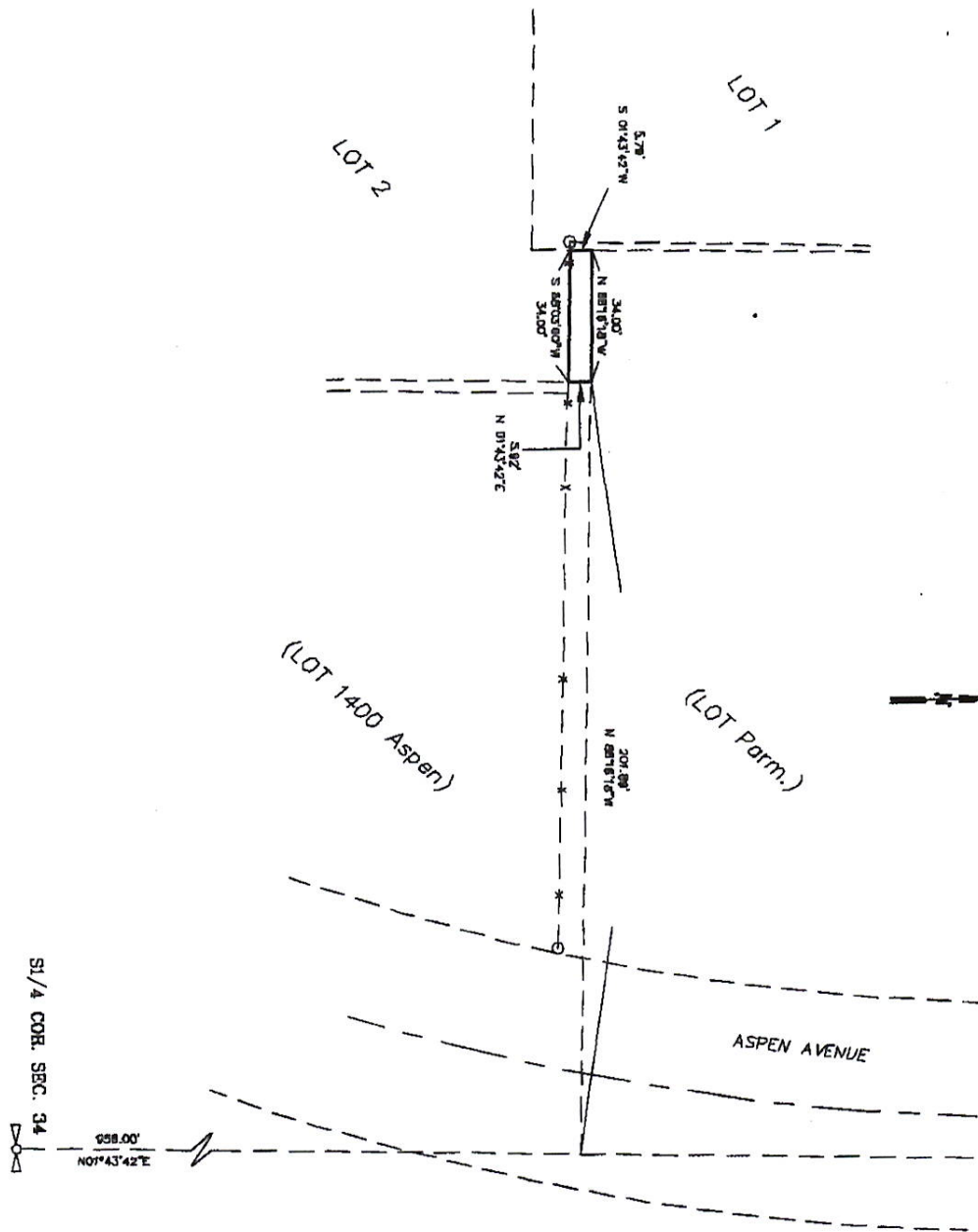
Initials:

\_\_\_\_\_

SA      PC

# EXHIBIT "B-2"

## Location Drawing





When recorded return to:  
Edward & Julie Parmentier  
1440 Aspen Ave  
La Center Wa. 98629

6136419 EAS 08/10/2023 12:11  
Total Paper & Rec Fees \$216.50  
JULIE PARMENTIER  
Registered in Clark County, WA

## EASEMENT AND RIGHT OF WAY UTILITY EASEMENT

THIS AGREEMENT, made and entered into on the date set forth below, by and between Kenneth Gordon and Claudia Gordon (Grantors), and Edward Parmentier and Julie Parmentier (Grantees).

for and in consideration of no monetary exchange, Grantors hereby grant and convey to the Grantees, and its successors a permanent easement and right away on, over and through the property identified by the legal description attached hereto as Exhibit "A", for the purpose of installing, accessing ingress and egress, repairing, and maintaining utilities.

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


SEE EXHIBIT "A" AND "B" ATTACHED HERETO AND MADE A PART HEREOF

Abbreviated Legal: #52 SEC 34 T5N R1EWM 1.32A

Tax Parcel Number(s): 258915000

Dated this day 23 of June, 2023

  
\_\_\_\_\_  
Kenneth Gordon

  
\_\_\_\_\_  
Claudia Gordon

State of WASHINGTON

County of COWLITZ

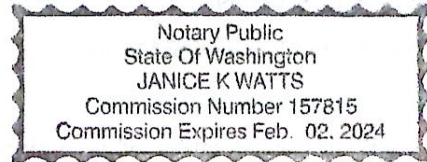
I certify that I know or have satisfactory evidence that Kenneth Gordon and Claudia Gordon are the persons who appeared before me and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes therein mentioned in this instrument.

Dated this day 23<sup>rd</sup> of June, 2023

Janice K. Watts  
Notary Public in and for the State of Washington

Residing at: COWLITZ CO.

My appointment expires: 02/02/2024





**EXHIBIT "A"**

A portion of the Gordon tract as recorded in September 2014 under Auditors file number 5107398. That portion currently known as 15<sup>th</sup> Street.

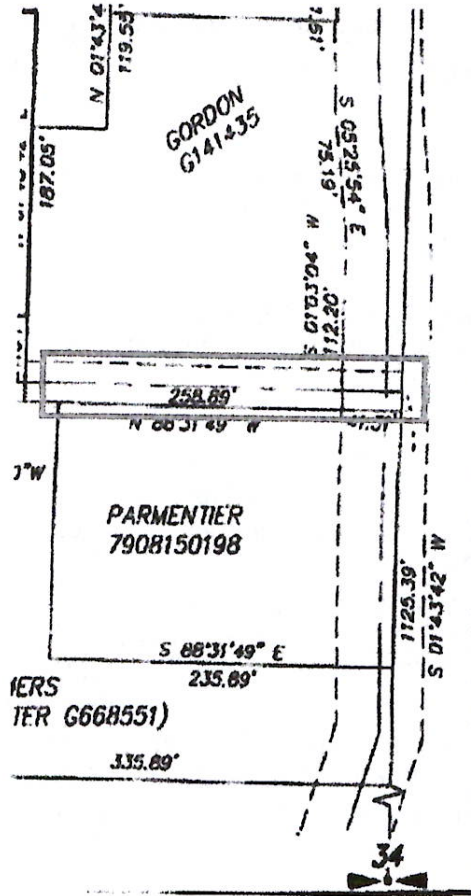
An easement for the purpose of accessing ingress and egress, installing, repairing, and maintaining utilities 25 feet in width, lying 12.50 feet to each side of the following described centerline:

That portion of the Southeast quarter of the Southwest quarter of Section 34, Township 5 North, Range 1 East, Willamette Meridian, Clark County, Washington, described as follows:

BEGINNING at the Southeast corner of the Southwest quarter of said Section 34; thence North 01°43'42" East, along the East line of said Southwest quarter, 1112.89 feet to the Northeast corner of that tract conveyed to "Thomas Kane" by the Directors of School District No. 19, as recorded in Book 75, page 301, Clark County Deed Records; thence continuing North 01°43'42" East, along said East line, 12.5 feet to the TRUE POINT OF BEGINNING of this centerline description; thence North 88°31'49" West, parallel with the North line of said "Kane tract" and 12.50 feet North thereof when measured perpendicular to said North line) 235.89 feet to the terminus of this centerline description at a point on the West line of the "Parmentier tract" as recorded by deed under Clark County Auditor file No. 150198 in August 1979. (The sidelines of said easement shall be extended or shortened so as to terminate on said West line of the "Parmentier tract".)

EXCEPT any portion lying within Public Roads

EXHIBIT "B"

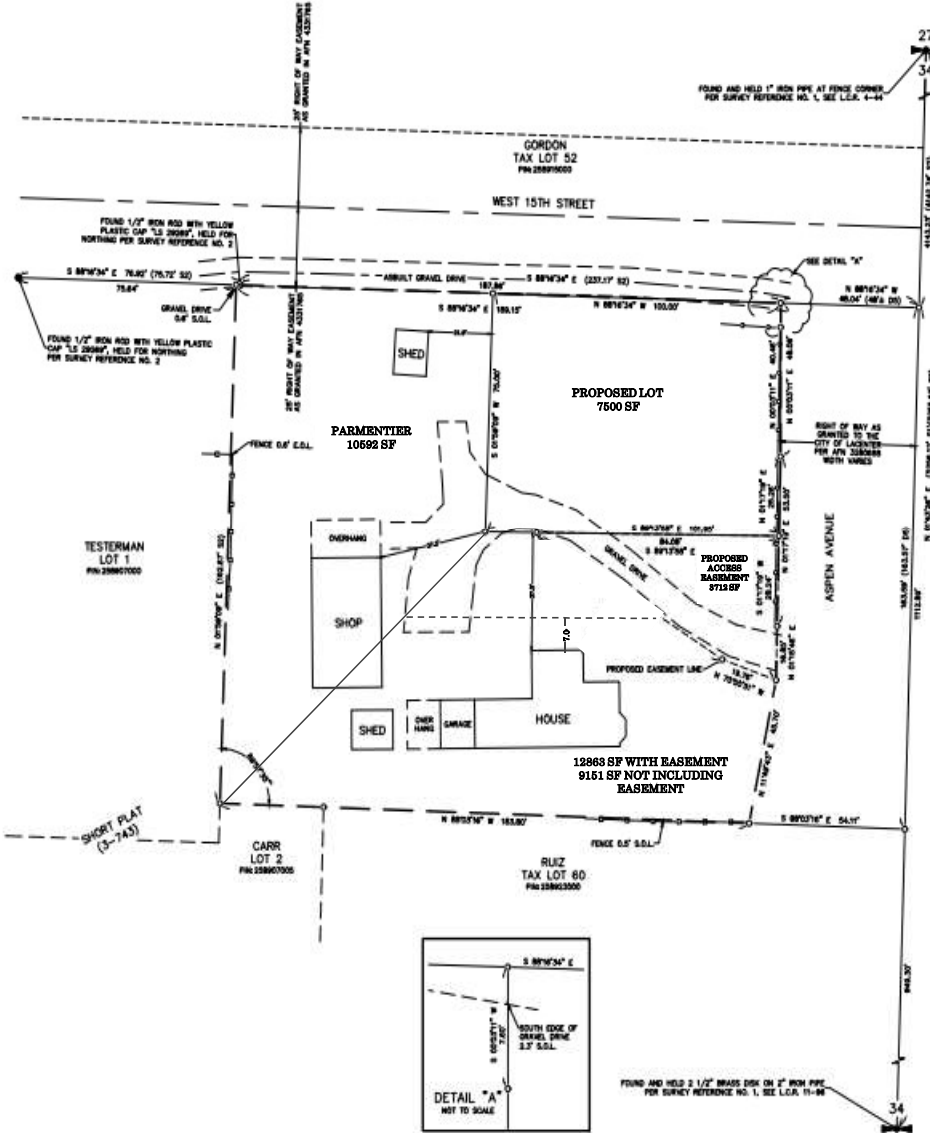


MASTER LOT MAP

PLAT NOTES:

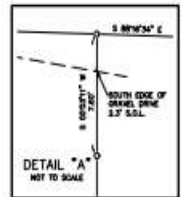
MASTER LOT SHORT PLAT

IN THE SE 1/4 OF THE SW 1/4 OF SECTION 34 T. 5 N., R. 1 E., W.M. CITY OF LACENTER, CLARK COUNTY, WASHINGTON



- DEED REFERENCES:**
- (21) GRANTOR: IVAN J. BAILEY & OENA C. BAILEY  
GRANTEE: EDWARD J. PARMENTER  
APN: 705052548  
(08-15-1979)
  - (22) GRANTOR: STEVEN S. TESTERMAN & TA K. TESTERMAN  
GRANTEE: EDWARD J. PARMENTER  
APN: 4212464  
(11-01-2004)
  - (23) GRANTOR: JOHN S. ROMERS & TOM MARA ROMERS  
GRANTEE: THEODORE R. REBER  
APN: 4202289  
(04-14-2000)
  - (24) GRANTOR: R & J DIVERSIFIED SERVICES LLC  
GRANTEE: JAVAN RUIZ ROBLES & SOUHAN RUIZ  
APN: 5833219  
(04-30-2021)
  - (25) GRANTOR: EDWARD & JULIE PARMENTER  
GRANTEE: CITY OF LACENTER  
APN: 3252440  
(01-25-2007)

- LEGEND:**
- (DN) INDICATES RECORD DATA FOR SURVEY REFERENCE NO.
  - APN: INDICATES ADVERTISER'S FILE NUMBER
  - PRN: INDICATES PARCEL IDENTIFICATION NUMBER
  - E.S.L. INDICATES EAST OF LINE
  - S.S.L. INDICATES SOUTH OF LINE
  - L.C.R. INDICATES LAND CORNER RECORD
  - ⊙ INDICATES MONUMENT FOUND AS NOTED
  - INDICATES CALCULATED POSITION
  - INDICATES EDGE OF GRAVEL
  - o-o- INDICATES CHAINLINK FENCE LINE
  - d-d- INDICATES WOOD FENCE LINE
  - - - - - INDICATES PROPOSED ACCESS EASEMENT



LA CENTER MAYOR: \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED BY: MAYOR OF LA CENTER \_\_\_\_\_ DATE \_\_\_\_\_

LA CENTER DIRECTOR OF PUBLIC WORKS: \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED BY: DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

CITY ENGINEER: \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED BY: CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

LA CENTER FINANCE DIRECTOR/CITY CLERK: \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED BY: FINANCE DIRECTOR / CITY CLERK \_\_\_\_\_ DATE \_\_\_\_\_

CLARK PUBLIC UTILITIES: \_\_\_\_\_ DATE \_\_\_\_\_

THIS PLAT MEETS THE REQUIREMENTS FOR CLARK PUBLIC UTILITIES FOR WATER SERVICE

APPROVED BY: CLARK PUBLIC UTILITIES REPRESENTATIVE \_\_\_\_\_ DATE \_\_\_\_\_

AUDITOR'S CERTIFICATE: \_\_\_\_\_ DATE \_\_\_\_\_

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

IN BOOK \_\_\_\_\_ OF PLATS, AT PAGE \_\_\_\_\_, AT THE REQUEST OF AUDITOR'S FILE NUMBER \_\_\_\_\_

CLARK COUNTY AUDITOR \_\_\_\_\_ DATE \_\_\_\_\_

CLARK COUNTY ASSESSOR: \_\_\_\_\_ DATE \_\_\_\_\_

THIS PLAT MEETS THE REQUIREMENTS OF RCW 56.17.170, LAWS OF WASHINGTON, 1984, TO BE KNOWN AS \_\_\_\_\_ BLOCK, \_\_\_\_\_ PLAT, \_\_\_\_\_ PLAT NO. \_\_\_\_\_ CLARK COUNTY, WASHINGTON.

CLARK COUNTY ASSESSOR \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S CERTIFICATE:**

I, DANIEL ADOLPH PENTON, A PROFESSIONAL SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT OF BLANK SHEET PLAT IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 34, TOWNSHIP 5 NORTH, RANGE 1 EAST, MERIDIAN NEBRASKA THAT THE DISTANCES, COORDINATES, AND ANGLES ARE SHOWN THEREON CORRECTLY AND THAT MONUMENTS AND LOT CORNERS HAVE BEEN SET ON THE GROUND AS SHOWN ON THE PLAT.

DATE OF SURVEY: \_\_\_\_\_

SCALE 1 INCH = 20 FEET

## Variance Request (Type II) for Oversize Lot Narrative

**Project Location:** The proposed project is located on Aspen Avenue. North boundary is West 15<sup>th</sup> Street, which is a private street. East boundary is Aspen Avenue.

**Project:** To subdivide the existing lot to create an additional lot (two total lots). The proposed lot would be 7500 square feet and would be accessed from Aspen Avenue using the existing driveway which will be shared between the two lots. The existing lot residence, shop/garage and sheds / out buildings will remain.

**Existing conditions:** The existing lot (258895000) is developed land, which is 38333 square ft, of which 30955 square feet is usable land and 7378 square ft is Aspen Avenue right of way. After splitting the 7500 square ft lot, the residual lot size will be 23455 square ft. This residual lot will also contain the easements for accessing both lots. The proposed easement area is 1959 square ft, leaving a balance of 21496 square ft of usable land, which will exceed the max lot size of 11,000 square ft for LDR 7.5 zoning and therefore requires a Type II Variance.

**Variance Request:** To approve residual of existing lot to exceed the max Lot size of 11.000 square ft for LDR 7.5 zoning . Since the layout of buildings prevents additional breakdown of the lot without creating the situation where buildings would overlay property lines or have to be demolished. Therefore this variance is necessary for the preservation of the existing residence and the outbuildings on the lot.

### Approval Criteria:

**(1) Unusual circumstances or conditions, such as size, shape or topography of a site, or the location of an existing legal development apply to the property and/or the intended use that do not generally apply to other properties in the vicinity or zone. An unusual circumstance could also include another obligation under a different municipal code section or a state or federal requirement:**

The existing lot (258895000) is developed land, which is 38333 square ft, of which 30955 square feet is usable land and 7378 square feet is Aspen Avenue right of way. After splitting the 7500 square foot lot, the residual lot size will be 23455 square feet. This residual lot will also contain the easements for accessing both lots. The proposed easement area is 1959 square feet, leaving a balance of 21496 square feet of usable land for the existing lot residual which contains the layout of the building structures.

This developed land contains a Single family residence, a Shop / Garage as well as other out building dating back to 1938. The building layout is dispersed across the lot. The residence and other building structures need to be preserved. The layout of buildings prevents additional breakdown of the lot without creating the situation where buildings would overlay property lines or have to be demolished. Therefore this variance for a lot larger than 11,000 square ft is necessary for the preservation of the existing residence and the outbuildings.

**(2) The unusual circumstance cannot be a result of actions taken by the applicant:**

The need for the variance is not the result of actions taken by the applicant for the following reasons. The existing lot size has always exceeded LDR 7.5 max lot size of 11,000 square ft. The lot is developed land. The layout contains a Single family residence, a Shop / Garage as well as other out buildings which will remain on the property. The original residence was constructed in 1938 therefore existing for 85 years. Other outbuildings also existed when the property was purchased in 1978. The layout of the residence and other buildings is dispersed across the lot. The layout of buildings prevents additional breakdown of the lot without creating the situation where buildings would overlay property lines or have to be demolished. This

variance for a lot larger than 11,000 square ft is necessary for the preservation of the existing residence and the outbuildings.

***(3) The variance request is necessary for the preservation of a substantial property right of the applicant which is possessed by the owners of other properties in the vicinity or zone;***

The developed land contains a Single family residence, a Shop / Garage as well as other out buildings which will remain on the property. The building layout is dispersed across the lot. The residence and other building structures need to be preserved. The layout of buildings prevents additional breakdown of the lot without creating the situation where buildings would overlay property lines or have to be demolished. Therefore this variance is necessary for the preservation of the existing residence and the outbuildings.

***4) The variance request is the least necessary to relieve the unusual circumstances or conditions identified in subsection (1) of this section:***

This variance for a lot larger than 11,000 square ft is the least necessary for the preservation of the existing residence and the outbuildings.

***5) Any impacts resulting from the variance are mitigated to the extent practical;***

This variance will not result in any adverse impacts. It will simply allow the residual of the existing lot to exceed 11,000 square ft so the current single family residence and current outbuildings can be preserved and remain on the developed lot.

***(6) The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity and zone in which the property is situated.***

Granting the variance will not affect the livability of the residential area or have any negative impacts. The developed lot is currently greater than 11,000 square ft. Granting the variance will not change that, but it will bring it closer in compliance with LDR 7.5 lot size requirements.

***Variances may not be used to change the required residential density or to allow uses that would not otherwise be permitted in a zone.***

The proposed project only intends to split one lot from the original lot with the intent to construct a single family residence which is the within the permitted use of LDR 7.5 zoning.

The oversized lot variance does not change any density or use of said property which is currently and will continue to remain a single family residence, with the same residence and out buildings remaining on the residual of the original lot.

**Summary :** Without the approval of this request, the functional ability of this lot will be decreased. As described above, the granting of this variance is not a result of actions taken by the applicant since the land was developed and the building layout existed when the applicants purchased the property in 1978. In addition, granting the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity in which the property is situated. It is the minimum necessary for the preservation of property rights.



**PRE-APPLICATION CONFERENCE NOTES**  
**Parmentier Short Plat (File # 2021-029-PAC)**

**PROJECT INFORMATION**

|                            |  |
|----------------------------|--|
| Site Address               | 1440 Aspen Ave, La Center WA 98629   |
| Parcel Numbers:            | 258895000  |
| Applicant                  | Edward/Julie Parmentier<br>1440 Aspen Ave, La Center WA 98629<br>Email: eiparm@tds.net<br>Contact number 360-263-2236  |
| Applicant's Representative | Same as applicant  |
| Property Owner             | Same as applicant  |
| Proposal                   | The applicant proposes to divide the existing lot into two lots. The applicant's proposal would create a 7,500 square foot lot in the northeast corner of the existing lot. Division into two lots is reviewed under the short plat process, a Type II review process under LCMC 18.205.020. A short plat requires a pre-application review but does not require a public hearing. |
| Meeting Date               | Wednesday, August 18, 2021 at 3:00 p.m.  |
| Date of Issue              | August 27, 2021  |

**SUMMARY**

The applicant is proposing to subdivide an existing lot using the short place process to create an additional lot (two total lots). The new lot would be 7,500 square feet and located in the northeast corner of the existing lot. The applicant's proposal is that the lot would have access from 15<sup>th</sup> Street. However 15<sup>th</sup> street is a private street and Aspen Avenue has an existing driveway. If 15<sup>th</sup> Street is used for access, the owner will need to provide documentation to the city to verify that the new lot will have legal access along the existing access easement. The short plat process is a Type II review that requires a pre-application conference, but not a public hearing. The final decision will be made by City staff.

The existing lot is developed with a residence, shop/garage, and a shed adjacent to 15th Street.

**PRELIMINARY REVIEW**

Subsequent application(s) shall address the following development standards. Failure of the City to cite specific requirements of the La Center Municipal Code (LCMC) in this report does not relieve the applicant of the responsibility to meet all applicable criteria. If the proposal changes from what was presented in the pre-application conference, it may trigger other review standards and processes than what is identified in this report.

**Applicable Criteria:** The application will be reviewed for compliance with the La Center Municipal Code (LCMC): 3.35 Impact Fees; Title 12, Streets, Sidewalks & Public Ways; Title 13, Public Utilities; Title 18, Development Code (18.30 Procedures; 18.130 Low Density Residential District; 18.200 General Provisions, 18.205 Short Plat Provisions, 18.230 Monumentation, Survey, and Drafting Standards; 18.245 Supplementary Development Standards; 18.260 Variances; 18.280 Off-Street Parking and Loading Requirements; 18.282 Outdoor Lighting; 18.310 Environmental Policy; 18.360 Archaeological Resource Protection).

## Public Works Engineering Analysis

### **Chapter 3.35 – Impact Fees**

**Finding(s):** The applicant will be assessed a traffic impact fee Per the LCMC for one peak hour trip for a single-family residence. The traffic impact fee is \$7,561 per PM Peak hour trip. The applicant will also be assessed a park impact fee of \$2,842 and a school impact fee of \$3,501.

### **Chapter 12.10 – Public and Private Street Standards**

**Finding(s):** Street improvements have already been completed previously along Aspen Avenue to Rural Major Collector Standards, and no widening needs to be done with this project to comply with the standards.

### **Chapter 13.10 -- Sewer System Rules and Regulations**

**Finding(s):** Connection to public sewer is required. LCMC 13.10. All work is to be performed by a duly licensed contractor in the City of La Center. LCMC 13.10.230. Work will be performed using an open trench method unless otherwise approved. LCMC 13.10.200. All costs associated with installing the side sewer shall be borne by the applicant. LCMC 13.10.110.

The sewer mapping shows there is an existing sewer lateral stub to 1440 Aspen. Likely this is a 4” diameter service lateral. The LCMC 13.10.110 (2) requires that “A separate and independent side sewer shall be provided for every building, if one building is at the rear of another under the same ownership, and no private sewer is available”. There are two options: (1) Replace the existing 4-inch sewer lateral with a new 6-inch diameter lateral from the 8-inch public sewer in Aspen Avenue to the property line, and then extend separate 4-inch diameter laterals to the existing house at 1440 Aspen Avenue and the new lot or (2) Install a new 4-inch lateral to the new lot from the 8-inch sewer main in Aspen Avenue.

Per LCMC 13.10.350 a sewer impact fee shall be charged for a single-family residence. The ERU is calculated for one residential unit on the site will be multiplied by the impact fee of \$7,800 per ERU to determine the total sewer impact fee.

### **Chapter 18.320 -Stormwater**

Section 18.320.120 (1) LCMC states that ground-disturbing activities of more than 500 square feet are subject to the requirements of *City of La Center Erosion Control Guidelines*. Section 18.320.120 (2)(a) LCMC limits the creation of more than, 2,000 square feet of impervious surface for residential structures is subject to stormwater regulation.

LCMC 18.320.340 Allows an exemption of the stormwater regulations for a single-family residence. For lots of 15,000 SF or less, as long as there is a roof downspout system that connects directly to an underground storm system or to the concrete gutter in the street by a curb drain.

**Street Lighting.** Streetlights have already been installed as part of the street widening that has previously been completed.

## Land Use Analysis

### LCMC 18.30 Procedures

#### **LCMC 18.30.090 Type II Procedures**

The request to divide the property into two lots under the short plat process will be reviewed as a Type II application. Type II applications are subject to a 28-day completeness review by staff once your application is submitted to ensure that all items required for the review have been submitted and contain enough information to complete the review. The City shortens the completeness period to 14 days if a pre-application meeting has been completed. Following the determination of completeness, the City is required to provide a 14-day comment period to surrounding property owners within 300 feet. The City is required to issue a decision within 56 days following completeness. The 56-day period does include time during which the applicant has been requested to provide additional information or answer questions. Type II processes do not require a public hearing before the City's hearings examiner.

#### **LCMC 18.30.050 Review for Technically complete status**

LCMC 18.30.050 provides a list of general submittal requirements applicable to all applications. **Bold** items are required for this application. Additional submittal items for short plat applications are contained in 18.205.030 and are also included below.

#### Submittal requirements

- ***An application form with original signatures by the applicant and property owners. If there is more than one property owner, separate application forms and signatures are required.***
- ***SEPA (State Environmental Policy Act (SEPA) Checklist***
- ***A preliminary short plat at a scale of no more than one inch equals 200 feet, with north arrow, date, graphic scale, existing and proposed lots, tracts, easements, rights-of-way and structures on the site, and existing lots, tracts, easements, rights-of-way and structures abutting the site; provided, information about off-site structures and other features may be approximate if such information is not in the public record. The applicant shall provide one copy of the plan reduced to fit on an eight-and-one-half-inch by 11-inch page. The short plat shall show the dimensions and areas of all proposed lots, tracts and dedications. The short plat shall show the distance from proposed lot lines to the nearest existing structures on the site unless those structures will be removed;***
- ***Proof of dedications of title, easements, or other interests to the city,***
- ***Proof of ownership document such as deeds***
- ***Legal description of the site***
- ***If a short plat contains large lots which at some future time could be resubdivided, the application shall include a master plan of all land under common ownership in order to provide for extension and opening of streets at intervals which will permit a subsequent division of each divisible parcel into lots of smaller size;***
- ***A copy of this pre-application conference summary***
- ***A written description of how the proposed preliminary short plat does or can comply with each applicable approval criteria for the preliminary short plat, and basic facts and other, substantial evidence that supports the description.***
- ***Names and addresses of owners of land within a radius of 300 feet:***



- ***The applicant shall submit a statement by the assessor’s office or a title company certifying that the list is complete and accurate, based on the records of the Clark County assessor within 30 days of when the list is submitted;***
- ***If the applicant owns property adjoining or across a right-of-way or easement from the property that is the subject of the application, then notice shall be mailed to owners of property within a 300-foot radius, as provided above, of the edge of the property owned by the applicant adjoining or across a right-of-way or easement from the property that is the subject of the application;***
- ***Applications necessarily associated with the proposal, such as applications for exceptions, adjustments or variances to dimensional requirements of the base or overlay zones or for modifications to the road standards in Chapter 12.10 LCMC that are required to approve the proposal;***
- ***A wetlands delineation and assessment as required by LCMC 18.300. (not applicable in this case)***
- ***A geotechnical study prepared by a geotechnical engineer or geologist, if the site contains substantial fill or the applicant proposes to place substantial fill on the site.***
- ***An archaeological predetermination based on the site’s moderate-high risk level for encountering resources.***
- ***Preliminary erosion control plans***
- ***Information about proposed utilities, including water and sanitary waste.***

**LCMC Chapter 18.130 (Low Density Residential District (LDR 7.5))**

The LDR-7.5 district is intended to implement the provisions of the La Center Comprehensive Plan, specifically the district is intended to 1) recognize and maintain established low-density residential areas, while encouraging appropriate infill and redevelopment; 2) Establish higher densities close to employment centers and transit corridors and lower densities in areas without urban services; 3) Create efficient residential areas which provide community services in a more economical manner, and facilitate utility-efficient design; 4) Provide for additional related uses such as schools, parks and utility uses necessary to serve immediate residential areas; 5) Maintain and enhance sensitive lands; and 6) Encourage traditional pedestrian-oriented neighborhoods.

The applicant proposes to subdivide the existing 0.88-acre lot and create a new 7,500 square foot lot. Short plats are regulated under LCMC 18.200 and 18.205.

Density and dimensional requirements for the LDR 7.5 district are shown in the table below. Minimum lot size for individual lots is 7,500 square feet. With an approved density transfer, 10 percent of the individual lots maybe as small as 6,000 square feet. Maximum lot size is 11,000 square feet.

| District | Min. Lot Width | Min. Lot Depth | Min Front Yard Setback | Min. Side yard setback | Min Street side yard setback | Min. Rear yard |
|----------|----------------|----------------|------------------------|------------------------|------------------------------|----------------|
| LDR 7.5  | 60             | 90             | 20                     | 7.5                    | 10                           | 20             |

The existing lot (258895000) is approximately 38,333 square feet; if a 7,500 square feet lot is created, the remaining lot would be approximately 30,833 square feet. As the maximum lot size in the LDR 7.5 zone is 11,000 square feet the newly configured lot would exceed this maximum threshold. The applicant will be required to submit a variance application to exceed the 11,000 square-foot lot maximum for the remaining lot. In addition, LCMC 18.200.030(9) requires you submit a master plan for large lots that could be subdivided in the future (please see further discussion in LCMC 18.205 below under this item).

LCMC 18.40 defines the front lot line for corner lots as the narrowest frontage, which would be Aspen Avenue in this case. If the applicant intends that the newly created lot will take access from 15<sup>th</sup> Street as stated in the pre-application narrative, the setbacks will continue to be met based on Aspen being the front lot line.

Per LCMC 18.130.100 new residential developments are required to provide street trees in planter strips. The planter strips shall contain trees at a minimum of 30-ft intervals along each street frontage. Aspen Avenue is the only public street the proposed lot would have frontage on; street trees are required at the specified interval along this frontage. The existing fir trees along Aspen can be used to satisfy this requirement unless they are removed in which case new trees would need to be planted to meet this requirement.

### **LCMC 18.200 General Provisions**

#### **18.200.060**

*Divisions of developed land may be reviewed and approved the same as undeveloped land; provided, existing and approved development on the site shall be considered by the review authority and may be relevant to adjustments, modifications and variations of standards that otherwise apply if consistent with this title or other applicable city regulation. For the purpose of this section, “developed land” means a lot, tract, or parcel upon which substantial construction has taken place (e.g., framing inspection approval has been granted). Such construction shall be a permanent building or structure.*

The existing lot is considered ‘developed land’ because of the existence of a home and accessory structures. Since the lot has existing structures those structures may play a role in how the proposed site plan is ultimately configured. A Type II variance application is required to address the remaining lot exceeding the 11,000 square-foot lot size maximum and will be greater than 10% of the permitted minimum lot size in the LDR 7.5 zone.

### **LCMC 18.205 Short Plat Provisions**

#### **LCMC 18.205.030**

In addition to the general submittal requirements short plats require some additional information for a complete application. These items are included in the list of submittal requirements in response to LCMC 18.30.050 above for clarity.

#### **LCMC 18.205.050**

A decision approving a preliminary short plat expires five years from the effective date of approval but there are options for that to be extended per 18.30.140. The director has the ability to extend an approval for one single year if they find that the relevant facts and the law have not changed substantially since the original approval.

#### **LCMC 18.205.040**

Approval Criteria for a preliminary short plat are codified under LCMC 18.205.040 and listed below. The applicant must respond to these approval criteria in their short plat narrative.

*(1) The review authority shall approve a preliminary short plat if he or she finds:*

*a. The applicant has sustained the burden of proving that the application complies with the following regulations of the La Center Municipal Code to the extent relevant:*

- i. Chapter [12.05](#) LCMC, Sidewalks, and Chapter [12.10](#) LCMC, Public and Private Road Standards;*
- ii. Chapter [18.300](#) LCMC, Critical Areas;*
- iii. Chapter [18.310](#) LCMC, Environmental Policy;*

- iv. Chapter [18.320](#) LCMC, Stormwater and Erosion Control;
- v. Chapter [15.05](#) LCMC, Building Code and Specialty Codes;
- vi. Chapter [15.35](#) LCMC, School Impact Fees; and
- vii. LCMC Title [18](#), Development Code;

Specific provisions that would impact this property are how the proposed property would be accessed. Aspen Avenue is designated as an Arterial/Collector and new access points to Aspen are not permitted from the newly created lot. However, the applicant could propose a shared access to Aspen for the two lots using the existing driveway from Aspen. Alternatively, the applicant could access the new lot from 15<sup>th</sup> Street provided permission is obtained from the private easement owners and a newly recorded easement is put in place which specifies that the new lot has access to 15<sup>th</sup> Street.

### **LCMC 18.230 Monumentation, Survey, and Drafting Standards**

The City's monumentation, survey, and drafting standards are contained in LCMC 18.230. Please make sure your surveyor or engineer have consulted this section and all submitted materials meet these standards.

### **18.245 Supplementary Development Standards**

18.245.020 Height of fences and hedges

*(1) Heights. Fences not more than six feet in height may be maintained along the side yard, street-side yard, or rear lot lines; provided, that such fence does not extend into the front yard area. The front yard area is the distance between the front property line and the nearest point of the building specified in the zoning districts under this title. Fences shall not exceed four feet (48 inches) in height in the front yard. Height shall be measured from grade level on which the fence is installed to the highest point on the fence structure.*

Fences are height limited to 6 feet along the side, street-side and rear lot lines.

### **LCMC 18.260 Variances**

The proposed short plat of the lot to create a new 7,500 square foot lot would result in the creation of a new lot that would 30,833 square feet which exceeds the maximum lot size in the LDR 7.5 zone. The maximum lot size in the LDR 7.5 zone is 11,000 square feet. A variance application may allow for the creation of a new lot that would exceed this standards. The variance would be reviewed concurrently with the short plat application. Per LCMC 18.260.020 (2) the review of a technically complete application for all variances greater than 10 percent are subject to a Type II process. The short plat would result in a lot which exceeds the maximum lot size by nearly three times and would therefore exceed the 10 percent threshold and be reviewed under a Type II process. Schedule and key milestones in the Type II review process are covered in response to LCMC 18.30 above.

In order to receive an approved variance, the application would need to provide evidence that the following standards are met. Approval criteria are found in LCMC 18.260.040 and are:

*(1) Unusual circumstances or conditions, such as size, shape or topography of a site, or the location of an existing legal development apply to the property and/or the intended use that do not generally apply to other properties in the vicinity or zone. An unusual circumstance could also include another obligation under a different municipal code section or a state or federal requirement;*

*(2) The unusual circumstance cannot be a result of actions taken by the applicant;*

*(3) The variance request is necessary for the preservation of a substantial property right of the applicant which is possessed by the owners of other properties in the vicinity or zone;*

*(4) The variance request is the least necessary to relieve the unusual circumstances or conditions identified in subsection (1) of this section;*

*(5) Any impacts resulting from the variance are mitigated to the extent practical; and*

*(6) The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity and zone in which the property is situated.*

The variance criteria must be addressed in the application narrative and the narrative must show how each of these criteria are met. The development on the existing lot including its location and size and construction dating back to the 1930s are relevant factors that should be discussed when responding to the unusual circumstances leading to the need for a lot that is larger than 11,000 square feet.

### **LCMC 18.280 Off-Street Parking and Loading Requirements**

Off-street parking requirements for residential uses require 2 spaces per dwelling unit for lots with one to three dwelling units. Off-street parking must provide a minimum of 18 feet of lineal parking between the street and the dwelling setback. Additionally, parking lots or outdoor storage of vehicles or recreational vehicles shall not be a primary use for any property located within a single-family residential zone per LCMC18.280.060.

### **LCMC 18.300 Critical Areas**

Based on staff's review of Clark County MapsOnline and the City's critical areas maps, there are no critical areas on the site. Therefore, no critical areas permits are required.

### **LCMC 18.310 Environmental Policy**

#### **18.310.235 Critical Areas**

- (1) Within the city of La Center, the categorical exemptions enumerated in WAC 197-11-800 and LCMC 18.310.080 will not apply in one or more critical areas identified in city plans, regulations and maps adopted pursuant to RCW 36.70A.060. The critical areas identified on the city's adopted comprehensive plan map or independent critical areas map(s) include: wetlands, floodways and floodpaths, riparian areas, habitat for threatened or endangered species, local habitat conservation areas, wellhead protection areas, critical aquifer recharge areas, geologically hazardous areas, steep slopes, historic and archaeological resources, and any adopted buffer area adjacent to the critical area.*

Clark County MapsOnline shows the existing and proposed lot as located within a moderate-high probability designation for encountering archeological resources. Since the proposal is located within an archaeologically sensitive area, the applicant must fill out and submit a SEPA checklist available on the City's planning services website. The City will conduct a SEPA review which includes a 14-day notice of application period, issuance of a determination, and another 14-day comment period following the determination. The archaeological predetermination report requirement discussed below can be included as an attachment to the SEPA checklist. The SEPA checklist should be submitted along with the other short plat and variance application items and will be reviewed concurrently.

### **LCMC 18.360 Archaeological Resource Protection**

The proposed site is located within the predictive class 4 (moderate-high) per the archeological predictive model per Clark County MapsOnline. Predeterminations are required when areas within certain predictive classes require ground disturbance or have not already been surveyed for cultural resources. Since the proposed residential use of the property would result in ground disturbing activities including the placement of a house

foundation more than one-foot below grade and trenching for utilities, an archaeological predetermination report will be triggered. Any activity that has a greater than 'low potential impact' requires a predetermination in areas mapped as predictive class 4. Low potential impact activities are defined as those activities involving no ground disturbance, normal maintenance and repair of existing structures, lands that have been substantially disturbed to a depth of more than 8 inches, and areas that have been adequately surveyed in the past with no discovery of resources.

A predetermination meeting the standards in LCMC 18.360.080 (below) is required: A licensed archaeologist must prepare the report.

*(4) Predetermination Standards. Predeterminations shall include at a minimum the following elements and be carried out according to the following minimum standards:*

*(a) Predeterminations shall be performed by a professional archaeologist. Documentation shall be sufficient to allow another archaeologist to repeat the investigation and reach a similar conclusion. Adequacy shall be determined by the city planner.*

*(b) Predeterminations shall be performed in accordance with the best available technology and techniques commonly accepted as standards in the profession of archaeology.*

*(c) No artifacts shall be collected during a predetermination.*

*(d) A thorough review of records, documentation, maps, and other pertinent literature shall be performed.*

*(e) A visual inspection of the ground surface shall be completed when conditions yield at least 50 percent visibility of the soil. When conditions yield less than 50 percent visibility of the soil, subsurface investigation shall be required in accordance with subsection (4)(f) of this section.*

*(f) Subsurface investigation shall be conducted as follows:*

*(i) Subsurface investigation shall be performed:*

*(A) When conditions yield less than 50 percent visibility of the soil; or*

*(B) When otherwise considered necessary by the archaeologist.*

*(ii) When performed, the following standards shall apply:*

*(A) Subsurface probes shall be no less than eight inches in diameter (12 inches or more preferred) at the ground surface, no less than eight inches in diameter at the base, and shall delve no less than 20 inches deep into natural soil deposits whenever possible.*

*(B) The most appropriate number of and locations for subsurface probes shall be determined by the archaeologist.*

*(C) All material excavated by subsurface probes shall be screened using both one-quarter-inch and one-eighth-inch hardware mesh cloths or equivalent.*

### **FEES**

Based upon the information provided to date, we estimate that the land use application fees will include:

- Preliminary Short Plat (4 lots or less)-\$850 +\$125/lot
- Final Plat - \$425+\$85/lot
- Variance, Type II- \$850
- Reimbursement for staff time (time and materials): The City's fee schedule requires that staff time for engineering review and some types of planning review be reimbursed. Please complete a reimbursement agreement.

In addition to the above application fees the following system development charges and impact fees are required to be paid prior to issuance of a building permit for a new single-family residence on the proposed lot:

- Traffic Impact Fee for 1 PM peak hour trip: \$7,561
- Park Impact Fee: \$2,842
- School Impact Fee: \$3,501

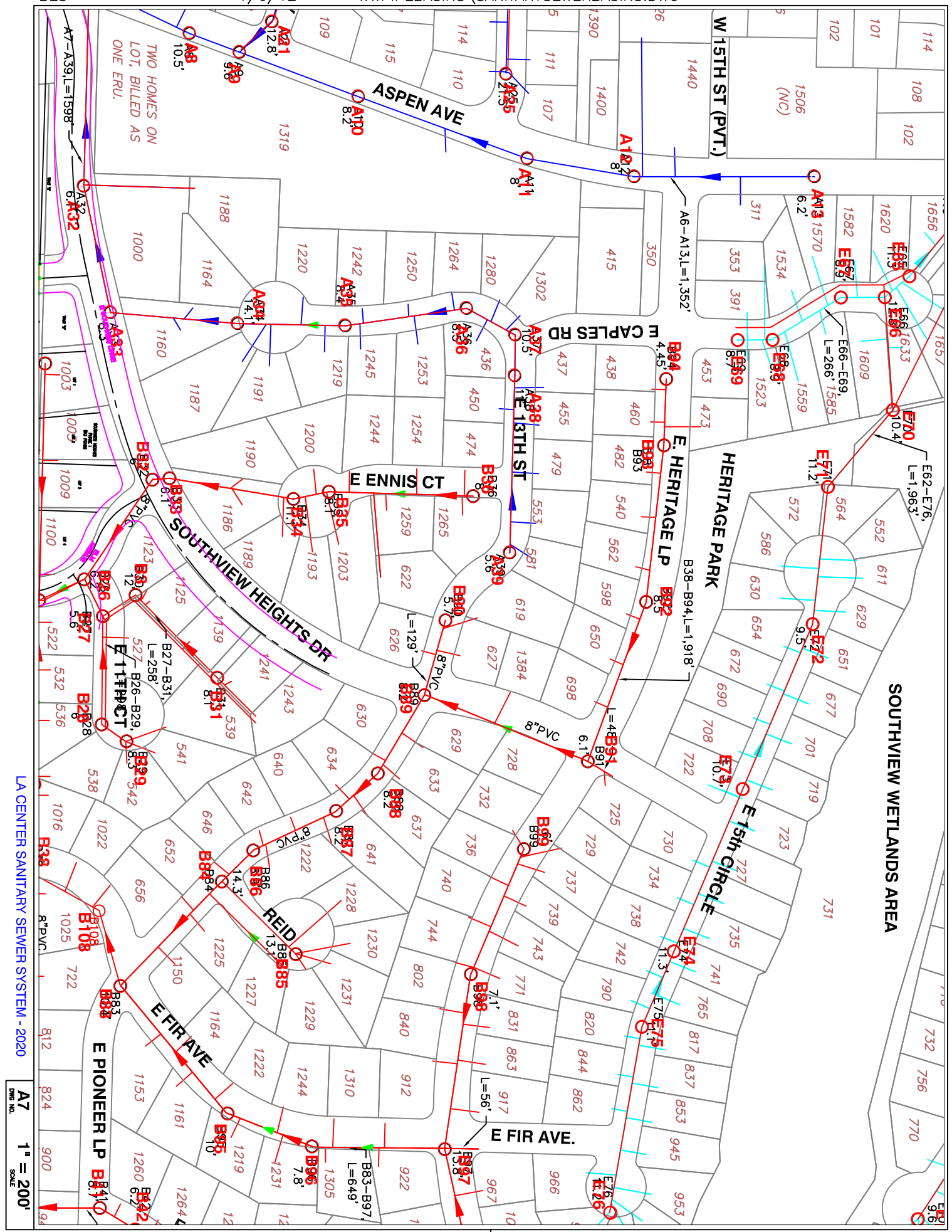
- Sewer system development charge: \$7,800

**ATTENDANCE**

| <b>Name</b>  | <b>Address</b>  | <b>Phone</b> | <b>Email</b>              |
|--|---|--------------|---------------------------|
| Edward Parmentier  | 1440 Aspen Ave, La Center<br>WA 98629                                 | 360-263-2236 | eiparm@tds.net            |
| Julie Parmentier   | 1440 Aspen Ave, La Center<br>WA 98629                                 | 360-263-2236 |                           |
| Sarah Dollar, Permit<br>Technician, City of La<br>Center                 | 305 Northwest Pacific<br>Highway, La Center 98629                     | 360-263-7665 | sdollar@ci.lacenter.wa.us |
| Tony Cooper, City<br>Engineer, City of La<br>Center                      | 305 Northwest Pacific<br>Highway, La Center 98629                     | 360-263-2889 | acooper@ci.lacenter.wa.us |
| Ethan Spoo, Consulting<br>Planner for City of La<br>Center, WSP USA Inc. | 210 East 13 <sup>th</sup> Street, Suite<br>300<br>Vancouver, WA 98660 | 360-823-6138 | ethan.spoo@wsp.com        |
| Josh Taylor, Deputy Fire<br>Marshal, Clark Cowlitz<br>Fire Rescue        | 911 N 65th Avenue<br>Ridgefield, WA 98642                             | 360-887-4609 | josh.taylor@clarkfr.org   |

**ATTACHMENTS**

- A: Sewer lateral schematic drawing
- B: Picture Showing Public Improvements in Aspen Avenue
- C: Clark Public Utilities Pre-application Conference Notes



LA CENTER SANITARY SEWER SYSTEM - 2020

A7 1" = 200'  
 SHEET NO. SCALE

SPEED  
LIMIT  
25









# CULTURAL RESOURCES REPORT COVER SHEET

DAHP Project Number: **2021-10-07196** (Please contact the lead agency for the project number. If associated to SEPA, please contact [SEPA@dahp.wa.gov](mailto:SEPA@dahp.wa.gov) to obtain the project number before creating a new project.)

Author: Emily C. Taber, Bill R. Roulette, and Aimee A. Finely

Title of Report: Archaeological Predetermination Survey for Short-Platting 1440 Aspen Avenue, La Center, Clark County, Washington  
Applied Archaeological Research Report No. 2527

Date of Report: November 11, 2021

County(ies): Clark Section: 34 Township: 5N Range: 1E

Quad: 1990 Ridgefield, WA Acres: 0.88

PDF of report submitted (REQUIRED)  Yes

Historic Property Inventory Forms to be Approved Online?  Yes  No

Archaeological Site(s)/Isolate(s) Found or Amended?  Yes  No

TCP(s) found?  Yes  No

Replace a draft?  Yes  No

Satisfy a DAHP Archaeological Excavation Permit requirement?  Yes #  No

Were Human Remains Found?  Yes DAHP Case #  No

DAHP Archaeological Site #:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

- Submission of PDFs is required.
- Please be sure that any PDF submitted to DAHP has its cover sheet, figures, graphics, appendices, attachments, correspondence, etc., compiled into one single PDF file.
- Please check that the PDF displays correctly when opened.

CLARK COUNTY ARCHAEOLOGICAL PREDETERMINATION SURVEY  
**Applied Archaeological Research Report No. 2527**

*Parcel Nos.:* 258895000

*Owner:* Julie and Edward Parmentier  
*Address:* 1440 Aspen Avenue  
La Center, Washington, 98629

*Project Contact:* Edward Parmentier  
*Address:* 1440 Aspen Avenue  
La Center, Washington, 98629

*File/Permit Number:*

*Staff Planner:*

*Date:* November 11, 2021

*Location:* The project area has the curb address of 1440 Aspen Avenue, La Center. It is in the northern part of the community, approximately 0.64-mile northeast of the East Fork Lewis River and 1.74 miles east of Interstate-5 (Figure 1).

*Quadrangle:* 1990 Ridgefield, WA, 7.5-minute topographic quadrangle (Figure 1).

*Township/Range/Section/Quarter Section:* SW ¼ of Section 34, Township 5 North, Range 1 East, Willamette Meridian (WM)

*Number of Acres:* 0.88 acre

*Description of Proposed Activity:* The project area is proposed to be short-platted.

*Reason Archaeological Predetermination is needed:* To comply with State Environmental Policy Act and Title 40.570.080 (c)(3)(k) of Clark County Code.

**Field Inspection:** *Date of Inspection:* October 21, 2021

*Describe the proposed project's locational characteristics including topography, hydrology, wetlands, and any prominent features located on or near the proposed project:* The project area is composed of one parcel that is a mostly rectangular-shaped tract, but which has a somewhat irregular eastern edge. It measures maximally 165 feet (ft) north-to-south and 185 ft east-to-west. It encompasses 0.88 acre of which around a third is currently developed. Aspen Avenue runs along its eastern edge. Its northern edge is bounded by W 15<sup>th</sup> Street. In other directions it is defined by property lines (Figure 2). The parcel features rolling topography that slopes to the south with elevations at about 283 ft above mean sea level (amsl). It is in a semi-rural part of Clark County. Lands directly to its south and east have been extensively developed into residential and commercial properties especially in areas surrounding the urban core of La Center. Lands in other directions are primarily used for raising crops and grazing livestock. The project area is situated on a broad terrace that is part of the common land surface comprising much of the interior of Clark County. It is situated atop a steep-sided knoll between Jenny and Breeze creeks that are tributaries of the East Fork. The East Fork is a tributary of the Lewis River, which in turn is a tributary of the Columbia River further west.

The project area is in the interior, upland part of the Portland Basin, which comprises a part of the northern half of the Willamette Valley physiographic province (Franklin and Dyrness 1973:15). The Portland Basin is one of several topographic and structural basins that as a group comprise the Puget-Willamette trough. The basin begins where the Columbia River debouches from its gorge through the Cascade Mountains in the neighborhood of Washougal. It extends to the north and west to the Longview-Kelso area where the Columbia River begins its westward turn through the Willapa Hills of the Coast Range. The basin includes the Columbia River floodplain, which because of a minimal river gradient, features numerous lakes, islands, marshes, drainage channels, and sloughs. The project area is elevated above the floodplain in a topographic sub-area of the basin that includes the tablelands of interior Clark County.

The tablelands are the main land surface in the interior part of the county. They are composed of an extensive terrace that has the appearance of a rolling plain. The current appearance of the tablelands was shaped toward the end of the Pleistocene by the Missoula floods. An unknown number of flood events occurred between about 17,000 and 12,700 years ago (Clague et al. 2003; Waitt 1994). The floodwaters originated in glacial Lake Missoula; a body of water formed when the Purcell Trench Lobe of the Cordilleran ice sheet blocked the Clark Fork River in Montana. When the waters of Lake Missoula breached the ice dam, the resulting floods rushed across the landscape scouring the surface and eroding and plucking away the bedrock. The ice dam formed multiple times and at each breaching a new flood was released. The flood waters moved cross country and created the scablands of eastern Washington. They entered the Columbia River system and as they raced through its gorge through the Cascade Mountains, they changed its profile. Exiting the gorge, they swept through the Portland Basin eroding and oversteepening hillsides and sculpting land surfaces. As floodwaters continued downriver, they reached a narrowing of the river valley at Kalama which caused them to slow and backup. The backup inundated the basin and spilled down into the Willamette and Tualatin Valleys. Locally, the slackwater was up to 400 ft deep (Allen et al. 1986:190). Each flood surge carried a tremendous bed load. The material dropped from waters as they exited the gorge and entered the Portland Basin. The material is coarsest near the gorge and gets finer with distance from it. When the surge slackened due to the downstream constriction, massive quantities of finer-grained material dropped from the impounded waters. The pre-flood land surface in the La Center area in which the project area is situated was scoured repeatedly by the floodwaters. It was mantled by finer-grained slack-water flood deposits (Evarts 2004).

The soil mapped in the project area is Hillsboro silt loam, 3 to 8 percent slope (McGee 1972, sheet 15). Hillsboro series soils are generally thought to have formed in flood slack water deposits (Evarts 2004). However, they may have formed in sedimentary bodies composed of or that include aeolian deposits (O'Connor et al. 2016). Such deposits mantle many upland areas in Clark County. They are massive and unconsolidated bodies of sand and silt with minor lithic fragments. They likely were formed by easterly winds entraining cataclysmic-flood deposits and Columbia River beach and bar sand. The accumulation of the aeolian deposits (.i.e., loess) appears to have continued into early- and mid-Holocene times (Punke et al. 2009).

A typical profile for the Hillsboro series consists of an A horizon that is about 7 inches deep and composed of dark brown (when moist) silt loam. Hillsboro soils are extensively used for agriculture and the upper part of the A horizon is a plowzone (Ap horizon). Beneath the A horizon are a series of B horizons that extend to a depth of more than 4.5 ft. The uppermost B horizon is dark brown (when moist) silt loam that is similar in appearance to the overlying A horizon but which has greater structure. It overlies a sequence of heavy loam to silt loam layers (McGee 1972:17–18).

*Describe current use of the proposed project area:* The project area is a residential lot with a house and attached garage, carport, general purpose building, and two small sheds (Figure 3). Most of these are in its southern part and accessible by a large graveled driveway and parking area (Figure 4). According to Clark County Tax Assessor's records, the structures were built in 1938. The landowner stated that the

eastern half of the house was constructed in 1938 and all other structures dated to around the 1980s. All existing structures are to remain following the short-platting.

*Describe Vegetation:* Based on the main types of soil that are mapped in it, and under the historical climatic regime, native vegetation in the project area and vicinity would have consisted of a mixed coniferous and deciduous forest with Douglas-fir, grand fir, bigleaf maple, western dogwood, redcedar, Oregon white oak, and red alder as the major overstory species with an understory of red huckleberry, ferns, vine maple, salal, and Oregon grape (McGee 1972:13,15,17). Currently, the vegetation throughout the project area consists of lawn grasses, patches of Himalayan blackberry brambles, garden vegetable plants and fruit trees such as apple trees in its northern part, scattered grape vines, and a variety of deciduous and coniferous decorative plants including rhododendron, Bigleaf maple, western redcedar, birch, and Douglas-fir (Figure 5).

*Records Review:* Background research included a thorough search and analysis of site inventory record forms, historical maps, and literature pertaining to archaeological research conducted in the vicinity of the project area. A review of records on file at the Washington State Department of Archaeology and Historic Preservation (DAHP) indicates that the project area has not been previously surveyed and contains no archaeological resources. The DAHP's archaeological model evaluates at having a high risk of containing archaeological resources.

Nine cultural resource investigations have been conducted within one-half mile of the project area (Table 1). The projects have consisted mainly of predetermination and formal surveys that together have examined about a hundred acres of nearby lands. As a result of the studies, five archaeological resources located within one-half mile of the project area have been identified. The resources include pre-contact isolates 45CL692, 45CL693, 45CL743, 45CL1446 and historic-era site 45CL532.

The closest of these isolates is 45CL692, which is 0.3 mile to the west. It consists of three pieces of lithic debitage (Bryant and Gall 2006:4). Note that under current DAHP guidelines, the resource would be designated a site. Isolate 45CL693 contains one piece of lithic debitage (Bryant and Gall 2006:4). Isolate 45CL743 is a cobble chopper (Easton 2007), and isolate 45CL1446 is a flake fragment (Haddad and Gall 2020).

Historic-era site 45CL532 is a scatter of architectural and household debris that has been interpreted as representing the remains of Brevik's Garage, a doctor's office, and the La Center Post Office, which were destroyed by fires in 1930 (Mills 2002).

Based on reports that describe the context of artifact recovery, locally, artifacts are found between the ground surface and around 55 centimeters (cm) below surface (cmbs).

No developments or improvements are in the project area on nineteenth-century maps (Downing 1883; GLO 1854). Project lands do not appear to have been included in a donation land claim (GLO 1863). Habersham's 1888 map of Clarke (sic) County shows them as owned by J. Banger (Habersham 1888). They later were owned by L. D. Gordon (Metsker 1937).

As noted above, Clark County Assessor's records indicate that a house and garage were built on the property in 1938. The house is seen on a 15-minute topographic map published by the U.S. Army Corps of Engineers in 1940 (Army Corps of Engineers 1940). It is shown on subsequent maps through the twentieth century (USGS 1940, 1954, 1970, 1990).

*Describe search procedures:* The surface of the project area was surveyed on October 21, 2021. The surface survey employed a series of east-to-west oriented pedestrian transects spaced no more than 20 meters (m) apart. Skies were overcast and it was cloudy at the time of fieldwork.

Table 1. List of Cultural Resource Studies Conducted Within 1 Mile of the Project Area

| Author(s) of Report/Year      | Type of Investigation   | Size of Project Area | Remarks  |
|-------------------------------|-------------------------|----------------------|--|
| Wilson and Mills 2005         | Predetermination survey | 3.87 acres           | No archaeological resources identified                 |
| Bryant and Gall 2006          | Predetermination survey | 36 acres             | 45CL692 and 45CL693 recorded                           |
| Easton 2007                   | Predetermination survey | 12.6 acres           | 45CL743 recorded                                       |
| Mastrangelo and Holschuh 2014 | Formal survey           | 3 acres              | No archaeological resources identified                 |
| Colón and Holschuh 2016       | Predetermination survey | 4.38 acres           | No archaeological resources identified                 |
| Pattee et al. 2018            | Predetermination survey | 28 acres             | No archaeological resources identified                 |
| Lynch and Roulette 2019       | Predetermination survey | 0.23 acres           | No archaeological resources identified                 |
| Haddad and Gall 2020          | Predetermination survey | 2 acres              | 45CL1446 recorded                                      |
| Williams-Larson et al. 2020   | Formal survey           | 10.7 acres           | No archaeological resources identified within 0.5 mile |

*Indicate the percent of mineral soils exposed in the survey area:* In areas that were not obscured by existing structures or the graveled driveway and parking areas, ground surface visibility varied greatly between zero percent in grassy areas and one hundred percent in the garden beds.

*Describe and quantify the amount of subsurface probing and/or manual surface exposing activities that were conducted:* Two STPs were excavated across the project area on October 21, 2021. Skies were overcast and it was cloudy during the excavations. The STPs were between 30 and 40 centimeters (cm) in diameter and were excavated to a minimum depth of 55 cmbs. The STPs were placed opportunistically to avoid the graveled areas, structures, garden beds, and the southern part of the property south of the house, where the landowner noted several unmarked utilities and electrical lines.

*Were soils screened? If yes, indicate screen mesh size:* 1/4- and 1/8-inch

*Describe soils:* Soil profiles observed in the STPs did not match a typical Hillsboro series soil description (Table 2). They were generally composed of an upper layer of very dark grayish brown silty clay loam, about 40 cm thick. This overlaid a layer of dark yellowish brown silty clay loam although in STP 2, these two layers were mixed beginning at 15 cmbs. STP 2 also included a third layer, at the base of the STP, which was of a slightly stickier dark yellowish brown silty clay loam. Few sub-angular rocks were scattered throughout. Both STPs included objects which were not demonstrably historical in the upper 20 cm which included sparse fragments of colorless flat and vessel glass and sparse fragments of undecorated white ceramic. Because these objects were non-diagnostic they were not recorded as archaeological.

*Results:* No artifacts were identified on the surface or in the STPs.

The historic-era house and attached garage have not previously been evaluated. They will not be removed as a part of this project. As part of the current project they were evaluated and added to the DAHP's WISAARD under project 2021-10-07196, with the identification number 561454. They have been assessed as not eligible to be listed on the National Register of Historic Places (NRHP).

*Recommendations:* The excavation of two STPs within the approximately 0.88-acre project area represents adequate coverage that AAR believes would have resulted in the identification of archaeological resources had they been present. For that reason, AAR recommends no further archaeological work within the project area.

Table 2. Summary of Shovel Test Probe Results

| STP | UTM Coordinates (Zone 10N) | Depth (cmbs) | Description  | Results      |
|-----|----------------------------|--------------|--|--------------|
| 1   | 525563 5079556             | 0-40         | 10YR 3/2 very dark grayish brown sticky silty clay loam. Few sub-angular rocks.  | No artifacts |
|     |                            | 40-55        | 10YR 3/6 dark yellowish brown silty clay loam. Few sub-angular rocks.  |              |
| 2   | 525520 5079539             | 0-15         | 10YR 3/2 very dark grayish brown sticky silty clay loam. Few sub-angular rocks.  | No artifacts |
|     |                            | 15-50        | Mixed 10YR 3/2 and 10YR 3/6 silty clay loam. Few sub-angular rocks.  |              |
|     |                            | 50-60        | Mixed soils as above with 10YR 4/6 dark yellowish-brown mottling. Few sub-angular rocks. At 60 cmbs, soils transition into uniform 10YR 4/6 silty clay loam. |              |

Although considered unlikely, there is always a possibility than an archaeological resource may be discovered during future development activity on the property. For that reason, the applicant and any contractors that may work on the property need to be aware that under Washington State law, RCW 27.53.060, it is unlawful to knowingly damage, deface, or destroy an archaeological site on public or private land in Washington. Washington State law RCW 27.44.040 also makes it a class C felony to knowingly remove, mutilate, deface, injure, or destroy any cairn or grave of any native Indian. Thus, in the event that archaeological materials, Indian cairns, or human remains are encountered during the development of the property, all construction activities must stop in the vicinity of the finds and the Clark County Archaeological Permit Coordinator and the DAHP should immediately be notified and work halted in the vicinity of the finds until they can be inspected and assessed. Procedures outlined under WAC 25-48 will be followed and work will not resume until mitigation measures have been agreed upon.

As for the extant buildings on the property that are demonstrably 45 years of age or older it is AAR’s opinion that they do not meet the registration requirements for listing on the NRHP and should not be considered to be historic properties when assessing impacts of the proposed project. All available and pertinent information for them was collected during the predetermination survey. No further work is recommended as it is unlikely to provide additional information of a nature that would change their eligibility status.

*Name(s) of archaeologist(s) completing this form:* Emily C. Taber, M.S., RPA 17399, Bill R. Roulette, M.A., RPA 11132, and Aimee A. Finley, M.S.

*Address:* 4001 NE Halsey, Suite 3, Portland, Oregon 97232

*Affiliation:* Applied Archaeological Research, Inc.



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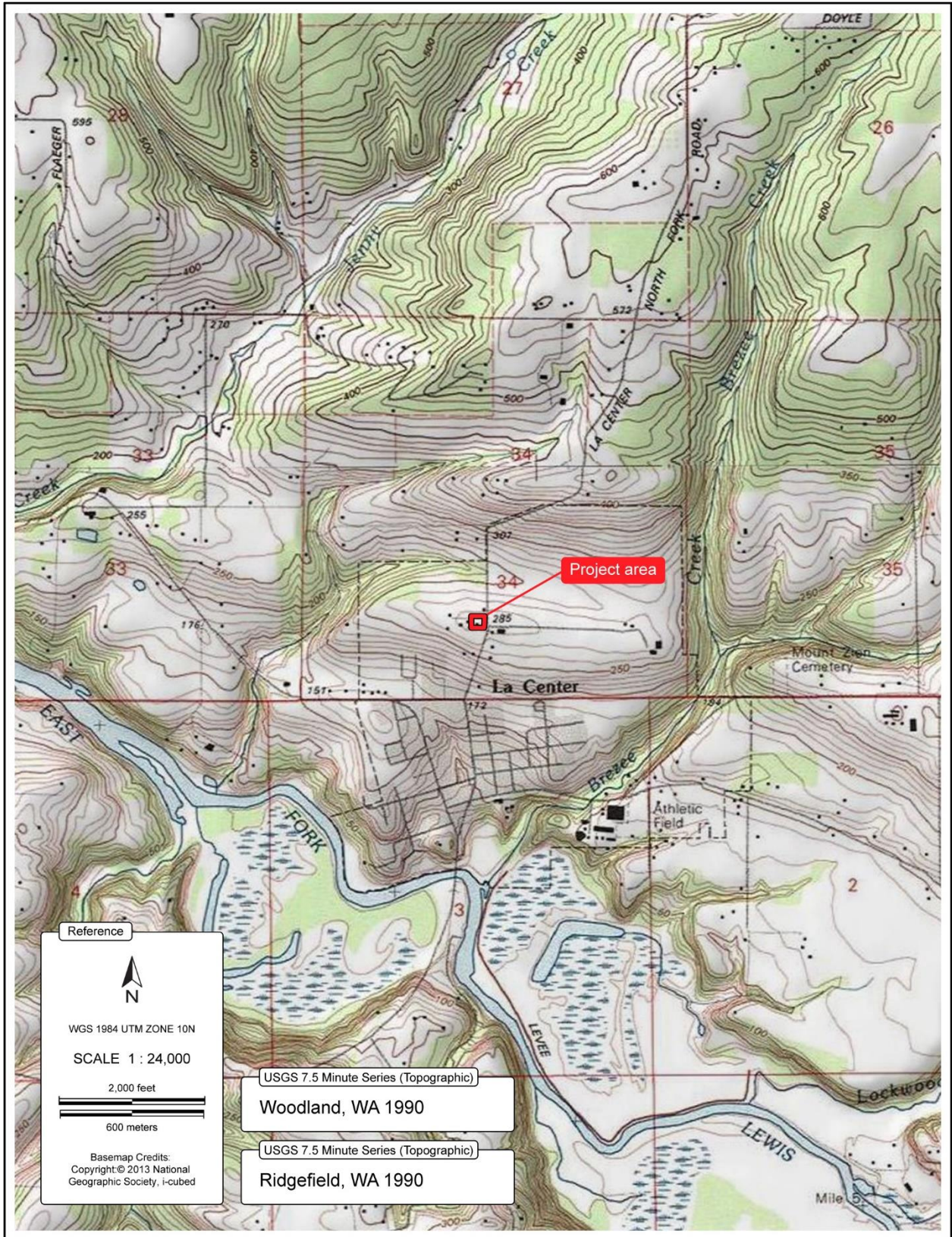


Figure 1. Topographic map showing the location of the project area.



Figure 2. Aerial photomap showing the project area, shovel test probes (STPs) and pedestrian transects.



Figure 3. Representative overview of the project area near the house showing typical ornamental vegetation in its vicinity. View is south.



Figure 4. View looking northwest of project area showing graveled area and scattered equipment. Note vegetable plots in back right.



Figure 5. Representative overview of the northern part of the project area showing fruit trees. Note gravel drive, shed, and gravel drive. View is east.

### CLARK PUBLIC UTILITY WATER – Location

- Water meter connection to existing parcel is located in the South East corner of lot.
- Water meter for new lot would be located on East property line along Aspen Avenue on south half of proposed lot.

