



# City of Stevenson

## Planning Department

(509)427-5970

7121 E Loop Road, PO Box 371  
Stevenson, Washington 98648

**TO:** City Council  
**FROM:** Ben Shumaker  
**DATE:** December 10<sup>th</sup>, 2020  
**SUBJECT:** Zettler-Powers Street Vacation

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This memo provides a short analysis from the Planning Department of the proposed Zettler-Powers Street Vacation. The analysis is limited to the plat's background and identification of potential evaluation factor's related to the vacation.

### **Background**

The following timeline is relevant to the plat wherein the proposed vacation is located. This timeline includes more entries than expected for a road vacation, indicating to staff a lack of appropriate planning has vexed subsequent property owners.

- **1961** – The “Meaghers Subdivision” is approved by the Skamania County Board of Commissioners. A 40' wide street named “Biscayne Street” was located in the approximate location of this proposal and served lots 13, 14, 17, 18, and 19. Lot 18 also connected to an unnamed lane intersection with Hot Springs Alameda.
- **1964** – The “Meagers Addition to Stevenson Washington” is approved by the Town of Stevenson as a full replat of the Meaghers Subdivision. A 20' wide right-of-way remains in the general area of Biscayne Street, now providing access to lots 14, 18, and 19. The unnamed lane intersecting with Hot Springs Alameda no longer connects to Lot 18. View Point Road now connects to Lot 19.
- **1975** – A portion of View Point Road is vacated by the City of Stevenson. View Point no longer connects to Lot 19.
- **1978** – The unnamed lane intersecting with Hot Springs Alameda is vacated by the City of Stevenson.
- **2020** – The owners of lots 14, 18, and 19 petition the City of Stevenson for vacation of the 20' wide right-of-way in the vicinity of the former Biscayne Street.

### **Evaluation Factors**

The following factors may assist the City Council's discussion:

- **Developed Nature of Street** – No street or public utilities have ever been developed in this location. Terrain at the intersection of the right-of-way with Impala Street is steep and development of a street is likely infeasible for the City. The City Council could consider reserving an easement for future installation of utilities, but planning staff does not see the necessity in this case.
- **Connection to Lots** – As a result of the 1975 vacation of View Point Road, Lot 19 now relies solely on this right-of-way for access. Lots 14 and 18 have alternate access. Lots 18 and 19 share common ownership and are developed with an existing home straddling their shared lot line. As a contingency of the vacation the Council could consider 1) requiring a lot line elimination, 2) recording an easement across Lot 18 for the benefit of Lot 19, or 3) recording a covenant requiring an easement prior to sale of Lot 19.

- **Ownership of Vacated Territory** – The territory of the vacated streets typically is divided between adjacent owners. In this case, the 1975 vacation of View Point Road provided no territory to Lot 19 while removing its access and provided a strip of land ~20'x180' to Lot 14. The area of this street naturally appears to be part of Lot 18 (so much so that the Assessors Tax Parcel maps have included it within that lot for a number of years). The Council could consider addressing this issue in some way (with legal counsel assistance) to designate a single recipient of the vacated area.

Attachments:

- 1- Meaghers Subdivision
- 2- Meaghers Addition
- 3- Ordinance 660
- 4- Ordinance 721

58415

MEAGHERS SUBDIVISION  
 SKAMANIA COUNTY, WASHINGTON  
 SECTION 36 TWN. 3 N., R. 7 E. W.M.

SCALE 1" = 100'  
 MONUMENTS DENOTED

DESCRIPTION

Beginning at the Northwest Corner of Block 3 Johnson's Addition, being also the Southwest Corner of Block 2 of Cascades Addition as shown by Official Plat on file in the Office of the County Auditor, said point being North 460.0 ft. and East 36.5 ft. from the quarter corner on the South side of Section 36 Township 3 North Range 7 E. W.M., thence from the point of beginning South 66.89 ft., thence North 74°00' West 160.00 ft., thence North 11°19' West 185.14 ft., thence North 87°34' West 229.56 ft., thence North 24°53' West 353.65 ft., thence South 89°41' East 78.60 ft., thence North 00°19' East 181.49 ft., thence South 77°00' East 137.52 ft., thence North 16°59' East 101.25 ft., thence South 62°57' East 162.36 ft., thence South 30°07' West 85.95 ft., thence South 00°19' West 90.85 ft., thence South 89°41' East 176.00 ft. to the North and South Center line of Section 36, thence South 00°39' East 178.14 ft. along said center line of Section, thence East 46.18 ft. to the Northwest Corner of Lot 8 of Cascade Addition, thence South 310.00 ft. along West side of Cascade Addition, to the point of beginning.

Also Lot 9 of Block 2 Cascades Addition to be dedicated as a street.

DEDICATION

Know all men by these presents that the undersigned owners of the land hereby platted, declare this plat and dedicate to the use of the public forever all roads, streets, avenues and lanes as shown on the plat.

In witness whereof we have hereunto set our hands and seals this 15<sup>th</sup> day of May, 1961.

*Clark H. Eldridge*  
 Registered Professional Engineer

RESERVATIONS

Any service, installation or construction charges for sewer, water or electricity are not covered by this plat.

ENGINEER'S CERTIFICATE

I hereby certify that the Plat of Meagher's Sub-division is based upon an actual survey and that the distances and courses of angles are shown thereon correctly, and monuments have been set and all lot corners have been staked on the ground.



*Clark H. Eldridge*  
 Registered Professional Engineer

ACKNOWLEDGEMENT

State of Washington )  
 County of Skamania ) ss

This is to certify that on the 15 day of May, A.D. 1961 before me the undersigned, a notary public in and for the State of Washington duly commissioned and sworn, personally appeared before me *Clark H. Eldridge* and *Clark H. Meagher*, to me known to be the individuals described in and who executed the foregoing instrument and acknowledged to me that they signed and sealed the same as their free and voluntary act and for the uses and purposes mentioned therein.

*Clark H. Eldridge*  
 Notary Public in and for the State of Washington, residing at Stevenson

I, Mildred O'Donnell, Treasurer of Skamania County, Washington hereby certify that all taxes on the above property are fully paid up and including 1960.

*Mildred O'Donnell*  
 Skamania County Treasurer

Approved by me this 15 day of May, 1961.

*Clark H. Eldridge*  
 Skamania County Engineer

Approved by the Board of County Commissioners this 15 day of May, A.D. 1961.

Attest:  
*Frederic O'Neal*  
 County Auditor and Clerk of the Board of County Commissioners.

*James L. ...*  
 Chairman, Board of County Commissioners.

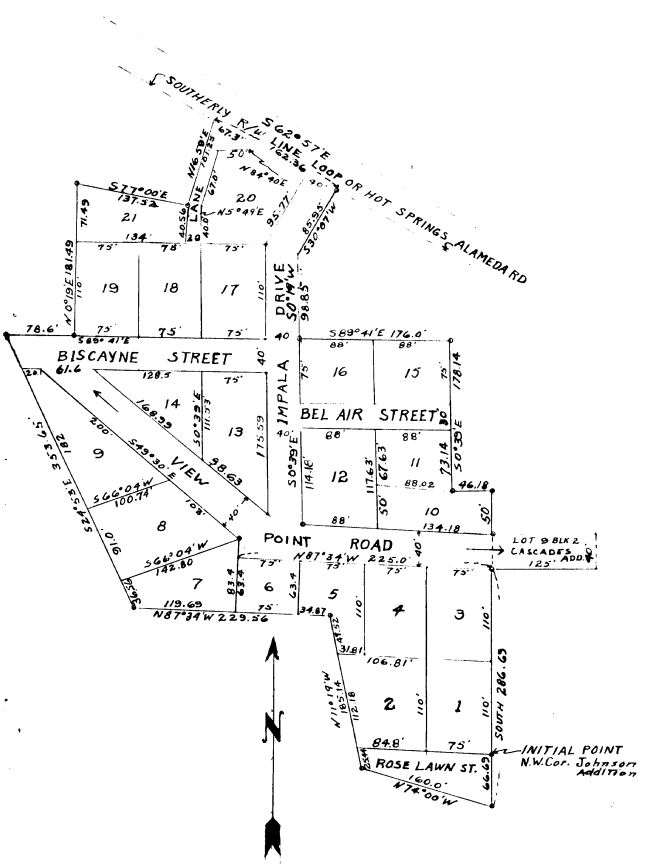
Filed for record at the request of *Clark H. Meagher* on May 15, 1961 at 11:00 o'clock and recorded in Volume A of Plats, Page 108 Records of Skamania County.

*Frederic O'Neal*  
 Skamania County Auditor

*S. Wilson*  
 By Deputy Auditor

Approved by Councilmen of Town of Stevenson this \_\_\_\_\_ day of A.D. 19 \_\_\_\_\_

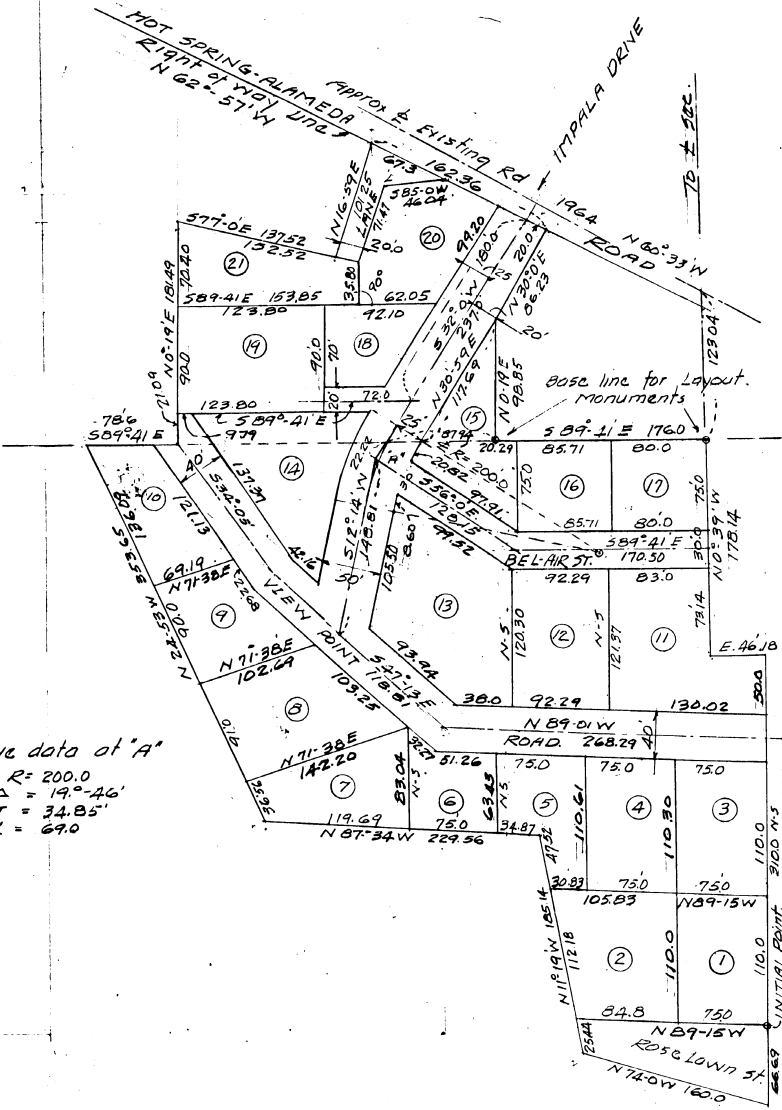
Mayor \_\_\_\_\_  
 Councilman \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



MEAGHERS ADDITION TO STEVENSON WASHINGTON

A RE-PLAT OF MEAGHERS SUBDIVISION FILED MAY 15 1961

SCALE 1" = 60'



Curve data of 'A'

$R = 200.0$

$\Delta = 19^\circ - 46'$

$T = 34.85'$

$L = 69.0$

DESCRIPTION

Beginning at the Northwest Corner of Block 3 Johnson's Addition, being also the Southwest Corner of Block 2 of Cascades Addition as shown by Official Plat on file in the Office of the County Auditor, said point being North 460.0 ft. and East 36.5 ft. from the quarter corner on the South side of Section 36, Township 3 North, Range 7 E.W.M., thence from the point of beginning South 66.69 ft., thence North 74° 00' West 160.00 ft., thence North 11° 19' West 185.14 ft., thence North 87° 34' West 229.56 ft., thence North 24° 53' West 353.65 ft., thence South 89° 41' East 78.50 ft., thence North 00° 19' East 181.69 ft., thence South 77° 00' East 137.52 ft., thence North 16° 59' East 101.25 ft., thence South 62° 57' East 162.36 ft., thence South 30° 00' West 85.95 ft., thence South 00° 19' West 96.85 ft., thence South 89° 41' East 136.00 ft. to the North and South Center line of Section 36, thence South 00° 39' East 178.14 ft. along said center line of Section 36, thence East 46.18 ft. to the Northwest Corner of Lot 8 of Cascade Addition, thence South 310.00 ft. along West side of Cascade Addition to the point of beginning.

Also Lot 9 of Block 2, Cascades Addition to be dedicated as a street.

RESERVATIONS

Any service, installation or construction charges for sewer, water or electricity are not covered by this plat.

DEDICATION

Know all men by these presents that the undersigned owners of the land hereby platted, declare this plat and dedicate to the use of the public forever all roads, streets, avenues and lanes as shown on the plat.

In witness whereof we have hereunto set our hands and seals this 30th day of March, 1964.

*Mildred Meagher*  
*Ruth Meagher*

ACKNOWLEDGEMENT

State of Washington )  
 ) ss  
 County of Skamania )

This is to certify that on the 30th day of March, A.D. 1964 before me the undersigned, a notary public in and for the State of Washington duly commissioned and sworn, personally appeared before me *Mildred Meagher* and *Ruth Meagher*, to me known to be the individuals described in and who executed the foregoing instrument and acknowledged to me that they signed and sealed the same as their free and voluntary act and for the uses and purposes mentioned therein.

*[Signature]*  
 Notary Public in and for the  
 State of Washington, residing  
 at Stevenson, Washington.

ENGINEER'S CERTIFICATE

I hereby certify that the Plat of Meagher's Sub-Division is based upon actual survey and that the distances and courses of angles are shown thereon correctly, and monuments have been set and all lot corners have been staked on the ground.

*[Signature]*  
 Clark H. Eldridge  
 Registered Professional Land Surveyor

Approved by Councilmen of Town of Stevenson this 22 day of  
 MAR 22, 1964.

*[Signature]*  
 Mayor  
*[Signature]*  
 Councilman  
*[Signature]*  
 Councilman  
*[Signature]*  
 Councilman

I, Mildred O'Donnell, Treasurer of Skamania County, Washington, here by certify that all taxes on the above property are fully paid up and including 1964.

*Mildred O'Donnell*  
 Skamania County Treasurer

Filed for record at the request of *Ruth Meagher* on  
 April 2, 1964 at 20 minutes past 3 o'clock  
 and recorded in Volume A of Plats, Page 120 Records of  
 Skamania County.

*[Signature]*  
 Skamania County Auditor  
 Deputy Auditor

ORDINANCE NO. 660

AN ORDINANCE DECLARING VACATION OF STREET

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WHEREAS, heretofore a petition having been presented to the Town Council of the Town of Stevenson for the purpose of vacating a portion of a certain street as hereinafter described, and further, a resolution having been passed by the Town Council of the Town of Stevenson for such purpose; and it being made further shown to appear by the records and proceedings herein that a hearing has been duly had pursuant to publication thereof said notice of hearing for the purpose of hearing objections to the vacation of said street; and,

WHEREAS, it being made shown to appear that after such hearing upon the vacation of said street by the Town Council of the Town of Stevenson, after having been presented to it the evidence in support of such vacation by the abutting owners thereof consisting of more than two-thirds of the abutting owners, and no objections having been filed thereto, and it appearing to the best interests of the petitioners and the Town of Stevenson that the said street hereinafter described be vacated and abandoned,


NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Stevenson that the following described portion of street in the Town of Stevenson, Skamania County, State of Washington, to wit:

Being all that part of Viewpoint Road lying North and West from a line extending across Viewpoint Road from the southernmost corner of Lot 14 of Meagher's Addition to the Town of Stevenson, Washington, in a southeasterly direction to the southeast corner of Lot 9 of Meagher's Addition to the Town of Stevenson, according to the official plat thereof on file at Page 120 of Volume A of Plats, Records of Skamania County, Washington.

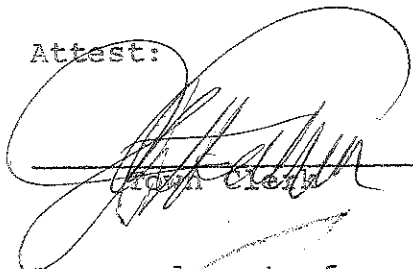
be and the same is hereby declared legally vacated for all purposes and intents; and that a copy of this ordinance be mailed by the Clerk of the Town of Stevenson to the County Treasurer of Skamania County, Washington.

BE IT FURTHER ORDAINED by the Town Council of the Town of Stevenson that the Town shall reserve and does by these presents, reserve an easement with respect to such vacated street for the purpose of repair or maintenance of public utilities and/or services.

Passed by the Town Council of the Town of Stevenson this 12<sup>th</sup> day of May, 1975.

  
Mayor, Town of Stevenson

Attest:

  
Clerk

Approved as to form and entry:

  
City Attorney

ORDINANCE NO. 721

AN ORDINANCE DECLARING  
VACATION OF STREET

WHEREAS, heretofore a petition having been presented to the City Council of the City of Stevenson for the purpose of vacating a portion of a certain street as hereinafter described, and further, a resolution having been passed by the City Council of the City of Stevenson for such purpose; and it being made further shown to appear by the records and preceeding herein that a hearing has been duly had pursuant to service thereof said Notice of Hearing for the purpose of hearing objections to the vacation of said street; and,

WHEREAS, it being made shown to appear that after such hearing upon the vacation of said street by the City Council of the City of Stevenson, after having been presented to it the evidence in support of such vacation by the abutting owners thereof, consisting of more than two-thirds of the abutting owners, and no objection having been filed thereto, and it appearing to the best interests of the petitioners and the City of Stevenson that the said street hereinafter described be vacated and abandoned,

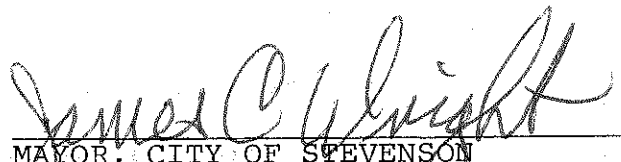
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Stevenson that the following described portion of str-et in the City of Stevenson, Skamania County, State of Washing-  
ton, to-wit:

Beginning at the NE corner of Lot 21 Meaghers Addition to Stevenson according to the replat thereof, recorded at Book A, page 120 of Skamania County Plat Records; thence N 77°0' W 20 ft. to a point in the N line of said Lot 21; thence N 16°59' E 101.25 ft. to a point in the S right of way line of Hot Spring-Alameda Road, said point bears N 62°57' W 162.36 ft. from the intersection of the easterly right of way of Impala Drive with the S right of way line of Hot Spring-Alameda Road; thence southeasterly along said S right of way line 67.3 ft. to a point; thence S 85°0' W 46.04 ft. to a point; thence S 16°59' W 71.47 ft. to the point of beginning.

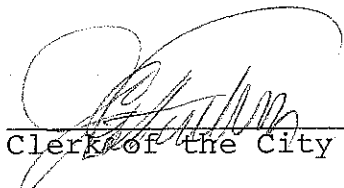
be and the same is hereby declared vacated for all purposes and intents; and that a copy of this Ordinance be mailed by the Clerk of the City of Stevenson to the County Treasurer of Skamania County, Washington.

BE IT FURTHER ORDAINED by the City Council of the City of Stevenson that the City shall reserve and does by these presents reserve an easement with respect to such vacated street for the purpose of repair or maintenance of public utilities and/or services.

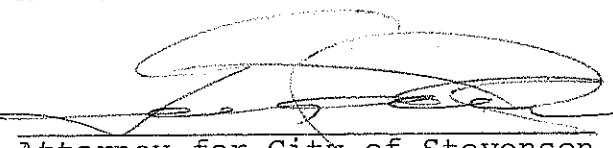
PASSED BY THE CITY COUNCIL OF THE CITY OF STEVENSON  
this 14 day of <sup>DECEMBER</sup> ~~November~~, 1978.

  
MAYOR, CITY OF STEVENSON

ATTEST:

  
Clerk of the City of Stevenson

APPROVED AS TO FORM:

  
Attorney for City of Stevenson