

FERRY COUNTY
LONG SUBDIVISION
ORDINANCE 2000-07
AMENDING ORDINANCE #73-1

REVISED

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FERRY COUNTY
Planning Department
147 N. Clark Ave., Suite 7
P.O. Box 305
Republic, WA 99166

**FERRY COUNTY LONG SUBDIVISION ORDINANCE #2000-07
AMENDING ORDINANCE #73-1**

AN ORDINANCE RELATING TO SUBDIVISIONS OF FIVE (5) OR MORE LOTS
AND PLATS THEREOF

Ordinance Number 2000-07, REVISED, Relating To Subdivisions And Plats; Defining Crimes; Prescribing Penalties; And Repealing Prior Ordinance Relating To The Same Subject.

WHEREAS, Protection of the public health, safety and general welfare requires that the division of land into five (5) or more tracts, parcels, sites, lots or any division when the lots created are less than 20 acres for the purpose of sale, lease or transfer of ownership, proceed in accordance with controls, standards and procedures set forth in this ordinance; to facilitate the appropriate development of land in accordance with the ability of the natural resources of Ferry County to accommodate such development; to prevent the overcrowding of land with development; to lessen congestion in the streets and highways and provide proper ingress and egress; to facilitate adequate provision for water, drainage, access, sewage disposal, parks and recreation areas, fire protection, schools, and other public and general uses; and to assure uniform monumentation and conveyance by accurate legal description; to provide penalties for violation; and

WHEREAS, This Board had enacted an ordinance regulating the division of land into five (5) or more lots in the unincorporated areas of Ferry County, and has been vested with authority by Chapter 271, Laws of 1969 and Chapter 134, Laws of 1974, First Executive Session, and RCW 58.17., to regulate what are referred to in the said statutes as subdivisions; and

WHEREAS, This Board deems the controls, standards, procedures and penalties set forth in this ordinance to be essential to the protection of the public health, safety and general welfare of the citizens of Ferry County; and the adoption thereof to be in the public interest;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FERRY COUNTY, STATE OF WASHINGTON:

Ferry County Long Subdivision Ordinance #2000-07

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SECTION 01.00 APPLICABILITY. Every subdivision of land into parcels within the unincorporated area of Ferry County having a total of five (5) or more lots, shall proceed in compliance with this ordinance, when the lots created are less than 20 acres. Land divided into less than five (5) lots may proceed in compliance with provisions set forth in Ordinance # 2000-06 for short subdivisions. If land which has been previously divided as a short subdivision is to be re-subdivided, it must be in accordance with this ordinance or wait a full five (5) years from the date of recording. No resubdivision of a long plat may occur may occur except through the long plat rules and regulations.

SECTION 02.00 EXEMPTIONS. The provisions of this ordinance shall not apply to:

02.01 Any cemetery or burial plot, while used for that purpose;

02.02 Any division of land not containing a dedication, in which the smallest lot created by the division is twenty (20) acres or more in area;

02.03 Any division of land made by testimony provision, the laws of descent, upon court order; or divisions of land under threat of condemnation or sale by an agency or division of government vested with the power of condemnation;

02.04 Any tract heretofore or hereafter designated by the United States Government as a lot or tract so long as such lot or tract retains its designated size and remains patented;

02.05 Any division made in compliance with Ordinance 89-04 Binding Site Plan, for the purpose of renting or leasing lots, sites, tracts or parcels for RV sites, mobile home parks, industrial or commercial uses where no sale or transfer of title is desired. These are only allowed within designated Small Town, Cross Road Commercial Areas, or designated shoreline areas of Curlew Lake and Twin Lakes areas.

SECTION 03.00 DEFINITIONS. Whenever the following words and phrases appear in this ordinance they shall be given the meaning attributed to them by this section. When not inconsistent with the context, words used in the present tense shall include the future, the singular shall include the plural, and plural the singular. The word "shall" is always mandatory, and word "may" indicates a use of discretion in making a decision.

03.01 **ADJOINING.** touching other property along a common boundary at least thirty (30) feet in length.

03.02 **ADJACENT.** Real property, as shown by the records of the county assessor, located 300 feet of any portion of the boundary of the proposed subdivision.

- 03.03 ADMINISTRATOR. Ferry County Planning Director or the Director's designee.
- 03.04 BACKBONE POWER. Electrical supply from an approved electric company to satisfy domestic needs.
- 03.05 BINDING SITE PLAN. See RCW 58.17.020(7).
- 03.06 BOARD. Is the Board of County Commissioners of FERRY COUNTY.
- 03.07 BOUNDARY LINE ADJUSTMENT. An alteration by adjusting boundary lines that does not create any additional lots or parcels. Boundary line adjustment approvals are good for one year.
- 03.08 COMMISSION. The Ferry County Planning Commission.
- 03.09 COMMON AREA. Is any area contained within the boundaries of the proposed land division and to be owned by the lot owners as tenants-in-common but not to be used for residential, commercial or industrial purposed.
- 03.10 COMPREHENSIVE PLAN. Is the current goals, objectives, policies, documents, and maps of Ferry County adopted by the Board pursuant to State Law to guide the physical development of the County.
- 03.11 CONTIGUOUS. Property adjoining and touching other property along a common boundary at least thirty (30) feet in length. Also see "adjoining."
- 03.12 COVENANT. An agreement promising performance or non-performance of certain acts or stipulating certain uses or non-uses of property. Covenants are generally filed as part of the approval process, are controlled by the lot owners association and enforced by civil law.
- 03.13 CUL-DE-SAC. Is a road closed at one end by a circular area of 60 feet, sufficient size for turning emergency service vehicles around.
- 03.14 DEDICATION. See RCW 58.17.020(3).
- 03.15 DRAINAGE. the process by which surface waters are moved from a given area.
- 03.16 DRIVEWAY. A strip of land for vehicular traffic servicing only one lot and used by only the owners of said lot, or their licensees.
- 03.17 EASEMENT. Is a grant by a property owner to specific persons or to the

public to use their property for a specific purpose or purposes.

03.18 ENVIRONMENTAL CHECKLIST. A form prescribed by the administrator and the State of Washington to be filled out by the applicant, listing briefly the potential environmental impacts of a given proposal.

03.19 ENVIRONMENTAL ASSESSMENT: A written review of some or all of the potential impacts of a given project; an expanded environmental checklist; normally requested by the administrator or by other affected agencies as per the regulations of the State Environmental Policy Act.

03.20 ENVIRONMENT STATEMENT. A detailed written review which analyzes all of the potential impacts of a given project or proposal, possible alternatives, mitigation measures, and unavoidable environmental impacts.

03.21 FACTS AND FINDINGS. Written reasons for the approval or denial of any proposal as provided in RCW 58.17.110.

03.22 FEE. Cost based on estimated costs to be incurred by the agency and set by the legislative authority.

03.23 FINAL PLAT. The final drawing of a subdivision of land prepared for recording with the County Auditor, accomplished by a licensed surveyor, and containing all elements and requirements set forth in this ordinance and by RCW 58.17.

03.24 IMPROVEMENTS. Any building, structure, well, sewage disposal system, or improvements of the land on which they are situated making physical betterment of real property.

03.25 LEGAL FENCE. A lawful fence shall be of at least four barbed, horizontal, well-stretched wires, spaced so that the top wire is forty-eight inches, plus or minus four inches, above the ground and the other wires at intervals below the top wire of twelve, twenty-two, and thirty-two inches. These wires shall be securely fastened to substantial posts set firmly in the ground as nearly equidistant as possible, but not more than twenty-four feet apart. If the posts are set more than sixteen feet apart, the wires shall be supported by stays placed no more than eight feet from each other or from the posts.

03.26 LOT. Is a fractional part of subdivided lands having fixed boundaries, being no smaller than 200' wide and 2 1/2 acres in area, unless within designated areas of the county. Provided, lots along shorelines of the state shall have 200 feet of shoreline frontage. Designated areas are the rural service areas as designated in Section 7.12.3 of the Comprehensive Plan. The minimum lot size within these areas

and the urban growth area are subject to Section 7.8.2 of the Comprehensive Plan and Policy L2.1 and L2.2 of the Curlew Lake Sub Area Plan. The term also includes tracts, parcels, sites or divisions.

03.27 LOT OWNERS ASSOCIATION. A nonprofit association made up of the lot owners in a subdivision, responsible for enforcing the covenants and managing other community affairs.

03.28 OPEN SPACE. That part of the countryside which has not been developed and is desirable for preservation in its natural or cultivated state. Land which qualifies for this reduced property tax rate under chapter 84.34 RCW.

03.29 PLANNING COMMISSION. See Commission

03.30 PLAT. A map or representation of a division of land, or a re-plat; showing thereon the division of a parcel of land into lots, roads, dedications, common areas, restrictions, and easements, as regulated by this ordinance.

03.31 PLAT AMENDMENT. An alteration of any subdivision or altering of any portion thereof.

03.32 PLAT VACATION. The removal of lots, boundaries, roads, dedications, restrictions, or easements of a recorded plat.

03.33 POTABLE WATER. Water suitable for drinking by the public.

03.34 PRELIMINARY PLAT. Is a neat and approximate drawing of a proposed subdivision showing the general layout of roads and alleys, lots, blocks and restrictive covenants to be applicable to the subdivision and other elements of a plat or subdivision which shall furnish a basis for the approval or disapproval of the general layout of a subdivision.

03.35 PROTECTIVE ZONE. Area typically surrounding wells, water or wetlands, in which no potential source of contamination may be constructed or maintained such as septic tanks, drainfields, sewerlines, enclosures for fowl or animal manure, liquid or dry chemical storage, herbicides, insecticides, hazardous waste or garbage of any kind.

03.36 RECORDING. the filing of an approved land division, survey, or deed with the Ferry County Auditor.

03.37 RECREATION LOT. A lot for the purpose of recreation in which no permanent dwelling shall be allowed.

03.38 ROAD. Is an improved and maintained public or private right-of-way or

easement which provides vehicular access to adjoining properties, and which may also include provisions for public utilities, pedestrian walkways, public open spaces and recreation areas, cut and fill slopes, and drainage.

03.39 SETBACK. Setbacks are areas in which no new development shall occur. Setbacks are typically from any water or wetlands, property lines and road right of ways.

03.40 SHORELINES PERMIT. This is an action for certain development along shorelines of the state and shorelines of statewide significance as regulated within the Ferry County Critical Areas Ordinance.

03.41 SHORT SUBDIVISION. Is the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions less than 20 acres for the purpose of sale, lease, or transfer of ownership. Land previously subdivided must follow the procedures of the Ferry County Long Subdivision Ordinance 2000-07 or wait a full five years from the date of recording with the Ferry County Auditor.

03.42 SUBDIVIDER. Is a person, including a corporate person, who undertakes to create a subdivision.

03.43 SUBDIVISION. Is the division of land into parcels less than twenty acres, for the purpose of sale, lease or transfer of ownership, into five (5) or more lots, tracts, parcels, or sites, and shall include all re-subdivision of land.

03.44 VARIANCE. Is any change, modification or variation in the requirements, rules or regulations as set forth within this ordinance.

03.45 VICINITY. Near, surrounding or adjoining.

SECTION 04.00 ADMINISTRATION. The Administrator is vested with the duty of administering the provisions of this ordinance within the unincorporated areas of the county, and may require the use of such forms as are essential to their administration. These forms may include Environmental Checklist, Shorelines and SEPA Permits, and preparation of an EIS if necessary.

SECTION 05.00 PROCEDURE - APPLICATION AND FEES. Any person desiring to create a subdivision in an unincorporated area of Ferry County shall submit an application for Long Plat to the Administrator. The application shall be accompanied by fees. These fees are established by resolution of the Board and are subject to change. Please contact the Planning Department for current fees.

SECTION 06.00 PROCEDURE - PRELIMINARY PLAT REQUIREMENTS. A

subdivider shall submit with his application two (2) copies of a preliminary plat. The Administrator shall, within two (2) weeks check the plat to see that the following information has been included:

- 06.01 Location of the property to be subdivided and location of existing features such as improvements, roads, easements, railroads, buildings, bodies of water, utilities, critical areas, resource lands, and other pertinent features;
- 06.02 Proposed layout of subdivision showing general location and dimensions of roads, streets, lots and blocks;
- 06.03 Plans within the long plat show road and drainage design that meet the requirements of the current County Road Standards or current Local Agency Guidelines Manual, Washington State Dept. of Transportation, whichever is more stringent.
- 06.04 Proposed name of subdivision;
- 06.05 Location of known monuments;
- 06.06 Location of any land to be set aside for recreation areas, schools, parks and other public uses;
- 06.07 Plans showing proposed utility easements, plans of proposed water distribution systems, sewage disposal systems, and drainage systems (as required), indicating locations.

The following information shall either be included on the plat or submitted as supplement information:

- 06.07.01 Legal description of property to be subdivided;
- 06.07.02 Name, address and telephone number of all persons, firms, or corporations holding an interest in the property;
- 06.07.03 Statement as to what provisions are to be made for water supply, sanitary sewage disposal, storm drainage, utilities and fire protection;
- 06.07.04 A vicinity sketch of adjacent properties showing owners of the adjacent property;
- 06.07.05 Copy of any restricted covenants which are proposed to be placed;
- 06.07.06 Any provisions of this ordinance for which a variance is to be requested and the reason therefore;
- 06.07.07 Plans of proposed water distribution systems (as required), indicating locations;
- 06.07.08 In subdivisions proposed to be served by individual septic tanks, the location of soil log holes together with data regard log holes;
- 06.07.09 A legal description of each resulting lot;
- 06.07.10 A certificate bearing the typed or printed names of all persons having a vested interest in the divided land, signed and acknowledged by them before a notary public, which states their consent to the division of the land.
- 06.07.11 Plans showing the proposed layout of utility easements approved by

concerned utility, or a statement by the utility that they now exist. Final Plat shall have BACKBONE SYSTEM installed as required by Sec. 51.09;

- 06.07.12 Complete Environmental Checklist;
- 06.07.13 Statement from Assessor indicating "Open space and Forest Land" status or other restrictions:
- 06.07.14 Provide a recent Plat Certificate from a Title Company.

SECTION 07.00 PROCEDURE - ADEQUACY AND DISTRIBUTION OF PLATS AND PLANS. When the Administrator determines that the Preliminary Plat contains sufficient elements and data to furnish a basis for its approval, the Administrator shall request from the subdivider one copy of the plat to be distributed to the following:

- (1) Clerk of the Board
- (2) Tri-County Health District
- (3) Ferry County Engineer
- (4) Appropriate Fire Protection Official
- (5) Appropriate Superintendent of Schools
- (6) Appropriate District Forest Ranger
- (7) Washington State Highway Department
- (8) Water and Power Company
- (9) Telephone Company
- (10) Department of Ecology
- (11) Department of Natural Resources
- (11) CCT Planning Dept. if within the bounds of the reservation.
- (12) Ferry County Planning Commission
- (13) Ferry County Planning Department.
- (14) Appropriate agencies required by SEPA

The Administrator shall make the distribution by mail within two (2) days with a deadline given for opportunity to comment in writing. The deadline shall be approximately three (3) weeks after the date of distribution. The deadline for comment in writing shall not prevent anyone from making comments at the public hearing.

SECTION 08.00 PROCEDURE - BOARD HEARING DATE. The Board, at their first meeting after distribution, shall set a date for the public hearing approximately one (1) week after the deadline for comments in writing.

SECTION 09.00 PROCEDURE - NOTICE OF HEARING. The Administrator shall give notice of the public hearing through the United States mail, postmarked at least ten (10) days before the hearing to the following:

- 09.00.01 The legislative authority of any city or town adjacent to or within one (1) mile of the proposed subdivision;

09.00.02 The Public Utilities District or power supplier, contemplated for use in the proposed subdivision;

09.00.03 The Washington State Department of Transportation if the proposed subdivision is adjacent to the right-of-way or impacts any state highway;

09.00.04 The State Department of Ecology or its successor, if the proposed subdivision lies adjacent to lands covered by water;

09.00.05 Local offices of governmental agencies and/or The Colville Confederated Tribes, having an interest in adjoining and/or abutting property.

09.00.06 Landowners, per plat certificate, adjacent and directly across a public or private road from property to be subdivided.

09.01 By notifying the County Engineer, Assessor, Treasurer, Tri-County Health District, and the appropriate Fire Protection Official, the Planning Commission, and appropriate School District Officials;

09.02 By arranging for publication of a notice of the hearing in the official county newspaper, to appear at least ten (10) days prior to the hearing date;

09.03 By arranging for the posting of at least three (3) copies of a notice of hearing, on brightly colored paper, at conspicuous places on the boundary of the proposed subdivision.

SECTION 10.00 HEARING - RECOMENDATIONS ON ROAD, SEWER, WATER AND FIRE PROTECTION SYSTEMS. At the hearing called pursuant to this section, and at any continued hearing thereof, the Board shall consider the recommendation, reports, and comments of the Administrator, County Engineer, Tri-County Health, CCT, and the appropriate Fire and School officials, and all interested parties, respectively, as to the adequacy of the proposed systems for roads, sewage disposal and water supply, and fire protection within the subdivision.

SECTION 11.00 HEARING- PLANNING COMMISSION RECOMENDATIONS. The Board shall also consider the recommendations of the Planning Commission as to whether the proposed subdivision conforms to the goals and policies of the County Comprehensive Plan.

SECTION 12.00 HEARING - APPROPRIATE FACILITIES AND IMPROVEMENTS. Following consideration of all reports and recommendations, and all other relevant evidence presented, including any statement by interested parties in writing and/or attending the hearing, the Board shall determine whether the proposal includes appropriate provisions for drainage, roads, alleys and other public ways, water supplies, sanitary wastes, public utilities,

playgrounds, parks, fire protection facilities, school sites and grounds, and other public and private facilities and improvements.

SECTION 13.00 HEARING - APPROVAL OR DISAPPROVAL. The Board shall determine whether the proposed subdivision serves the public use and interest, and may approve or disapprove the preliminary plat. Approval or disapproval may be granted at the initial hearing or any continuance of the hearing within the time limits allowed by law.

SECTION 14.00 HEARING - VARIANCE. The Board shall consider any request for variances for the proposed subdivision. If, in the opinion of the Board, requested variances are justified, they may grant such variances as requested, modified or revised by the Board.

SECTION 15.00 HEARING - RECORDS. Records of the Board's proceedings concerning a preliminary plat shall be kept by the Clerk of the Board, and shall be open to public inspection. If requested, a copy of the minutes shall be furnished the subdivider within ten (10) days after approval or disapproval of the preliminary plat.

SECTION 16.00 PRELIMINARY PLAT APPROVAL - AUTHORIZATION FOR SUBDIVIDER. Approval of the preliminary plat shall constitute authorization for the subdivider to develop the subdivision's facilities and improvements in strict accordance with standards established by this ordinance and any conditions imposed by the Board. No lot, tract, parcel or site which is a part of the subdivision, may be sold or offered for sale until the final plat is approved, signed by the Board, and filed for the record with the Ferry County Auditor.

SECTION 17.00 PRELIMINARY PLAT - EXPIRATION AND TIME EXTENSION. Preliminary plat approval shall be effective for twenty-four (24) months. An application for extension by the applicant shall be submitted to the Board in the form of a letter. Upon receipt of a letter requesting extension, the Administrator shall, with the Clerk of the Board, set a meeting at which the Board shall determine whether the preliminary plat still serves the public use and interest, and complies with the comprehensive plan. Based on the findings, the Board may extend its approval for up to one (1) additional twelve (12) month period. The fee for an extension shall be one-half the fee paid for the original application. If changes have been made which require additional checking of the plat, the Board may require payment of an amount up to the amount of the original checking fee. If a final plat is not recorded within three (3) years from the date of original approval by the Board, such approval of the preliminary plat shall be null and void.

SECTION 18.00 DEDICATION - REQUIRED. No plat shall be approved unless adequate provisions are made in the subdivision for such drainage ways, roads and road easements, alleys, utility easements, parks, playgrounds, sites for schools, school grounds, and other general purposes as may be required to protect the public health, safety and welfare. All dedications shall be clearly and precisely indicated on the face of the plat.

SECTION 19.00 DEDICATIONS. Land designated for public use by the subdivider may be acquired by:

- 19.01 Dedicating land for public use on the face of the plat;
- 19.02 By reserving land for future public acquisition and development;
- 19.03 By conveying land or easements to a non-profit corporation or Home Owner's Association for use by all or a limited segment of the public.

SECTION 20.00 DEDICATIONS - TO CORPORATIONS OR ASSOCIATIONS. A subdivider who wishes to convey dedications to a non-profit corporation or homeowners association shall supply the Board with copies of the grantee's organization's articles of incorporation and bylaws, and evidence of the conveyance, which shall be recorded with the final plat. The following paragraphs shall be included on the plat to clarify responsibility in regard to construction and maintenance of roads, streets and alleys:

The cost of construction, maintaining and snow removal of all private roads, streets, and alleys within this plat, and all access roads to this plat shall be the responsibility and obligation of a corporation or homeowners association composed of all the owners of the lots of the plat and any additional plats that may be served by these roads, streets and alleys. It shall be the responsibility of the developer to make sure this statement is noted on each deed or contract.

In the event that the above mentioned non-profit corporation shall petition the Board to include the roads in the County Road System, it is understood that the roads shall first be built to minimum county standards by said non-profit corporation.

In addition to the above, it shall not be incumbent on Ferry County to provide flood protection on any area so involved.

SECTION 21.00 DEDICATIONS - ACCESS TO LOTS. Every lot shall be provided with an adequate approved and permitted public or private access to an existing public road. Such access may be provided either by an existing road or by an easement which is permanent and inseparable from the land. Easement recording numbers are required to be placed on the face of the plat. If there is property behind the proposed lot that needs access then the easement shall continue through the lot and connect with such adjacent lots. Existing road approach permits must be re-approved by the County Engineer, at the time of subdivision application, as the use will change.

SECTION 22.00 DESIGN - CONFORMANCE TO COMPREHENSIVE PLAN AND ZONING. All subdivisions shall conform to the Ferry County Comprehensive Plan and all zoning regulations in effect at the time any plat of a subdivision is submitted for preliminary approval.

SECTION 23.00 DESIGN - LOT SIZE. No proposed lot or parcel, outside of the boundaries of a designated Small Town, Cross Road Commercial Area, or designated

shoreline areas of the Curlew Lake and Twin Lakes areas, shall be less than 2 1/2 acres in area. All proposed lots shall have at least 200 feet of frontage on a dedicated road or easement. Provided, lots along shorelines of the state shall have 200 feet of shoreline frontage. Lots shall be designed to give adequate room for 50 foot setbacks from all waters and wetlands. Minimum lot size within the rural service areas as designated in Section 7.12.3 of the Comprehensive Plan and the urban growth areas are subject to Section 7.8.2 of the Comprehensive Plan and Policy L2.1 and L2.2 of the Curlew Lake Sub Area Plan.

SECTION 24.00 DESIGN - TOPOGRAPHICAL HAZARDS, PROTECTIVE IMPROVMENTS. Land on which exist any topographical conditions hazardous to the safety or general welfare of persons or property in or near a proposed subdivision shall not be subdivided unless the construction of protective improvements will eliminate the hazards or unless land subject to the hazard is reserved for uses as will not expose persons or property to the hazard. Protective improvements shall be constructed prior to final approval. Protective improvements and restrictions on use shall be clearly noted on the final plat.

SECTION 25.00 DESIGN - FIRE PROTECTION FACILITIES AND WATER SUPPLIES. Water sources and facilities adequate for fire protection purposes shall be provided in every subdivision. A proposed plan for fire protection for the plat shall be included with the final plat which shall include pertinent information on source of water for fire protection, location, size and capacities of water line and fire hydrants, if any, location and dimensions of access to public bodies of water which may be used for fire protections, and any other pertinent information. The Board shall be the judge as to whether or not, in its opinion, the plan is adequate. In making its decision, the Board may ask for a review of the plan by fire protection district officials of the district within which the subdivision is located. Where fire hazards exist the Board may require the removal of flammable vegetation from an area used as a fire break around or within a subdivision.

SECTION 26.00 DESIGN - SUBDIVISION ROADS.

- 26.01 All subdivisions shall be served by one (1) or more public roads providing ingress and egress to and from the subdivision at not less than two (2) points unless approved otherwise by the board;
- 26.02 Major roads within every subdivision shall conform with the current comprehensive plan Level of Service B or better (Ref. Comp Plan Table 8-1). The class of road will be assigned by the Ferry County Engineer. The following additional requirements will also apply to roads within subdivisions:
- 26.03 All roads within subdivisions shall provide for the continuation of major roads which serve property contiguous to the subdivision;
- 26.04 Road intersections shall be as nearly at right angles as is practicable and in no event shall be less than Seventy Five (75) degrees. They will be constructed

and have adequate sight distance as specified by the Ferry County Road Approach Ordinance (Ord 90-05);

- 26.05 Streets ending in cul-de-sac shall be no longer than 600 feet and shall be designed as to provide a circular turnaround right-of-way at the closed end which has a minimum radius of sixty (60) feet;
- 26.06 Road networks shall provide ready access for fire and other emergency vehicles and equipment, and routes of escape for inhabitants;
- 26.07 If there is property behind the proposed lot that needs access then the easements shall continue through the lot and connect with the adjoining property;

SECTION 27.00 DESIGN – BLOCKS WITHIN THE RURAL SERVICE BOUNDARY DESIGNATED IN THE FERRY COUNTY COMPREHENSIVE PLAN SECTION 7.12.1 THROUGH 7.12.5. Blocks shall be so designed as to assure traffic safety and ease of traffic control and circulation. Blocks shall be wide enough to allow for two (2) tiers of lots unless the topography or other factors dictates the use of one (1) tier of reverse frontage lots or unless the Board approves the design of irregularly shaped blocks indented by cul-de-sacs within a particular subdivision.

SECTION 28.00 DESIGN- REVERSE FRONTAGE LOTS WITHIN THE RURAL SERVICE AREAS DESIGNATED IN THE FERRY COUNTY COMPREHENSIVE PLAN SECTIONS 7.12.1 THROUGH 7.12.5.

- 28.01 No residential lots shall have road frontage along two (2) opposite boundaries unless topographical features or the need to provide separation of the lots from arterials, railways, commercial activities or industrial activities justify the designing of reverse frontage lots;

SECTION 29.00 DESIGN - LOT ACCESS.

- 29.01 Every lot shall be provided with an approved access, permitted by the Ferry County Public Works Dept. or Washington State Department of Transportation, connecting to an existing public or private road or easement which is permanent and inseparable from the lot served;
- 29.02 Lots adjacent to a road which has been designated an arterial by the Board shall be provided with access other than the arterial, unless the Board grants exemption to this requirement;
- 29.03 The plat of a subdivision containing lots adjacent to a designated arterial shall not be approved unless the plat recites a waiver of right of direct access to the

arterial, or the Board grants specific exemptions to this requirement.

SECTION 30.00 DESIGN - LOT LINE ANGLES. Where practicable, side lot lines shall be straight lines at or near right angles to the road upon which the lots front. Side lot lines on curved roads should run at or near radially to the curve.

SECTION 31.00 DESIGN - SIDEWALKS. When sidewalks or sidewalk easements are included in residential subdivisions, they shall be at least five (5) feet wide and in business district subdivisions they shall be at least eight (8) feet wide. Sidewalks or sidewalk easements shall be properly located and sufficient to meet the circulation needs of the subdivision.

SECTION 32.00 DESIGN - DRAINAGE AND STORM SEWER EASEMENTS. Easements for drainage channels and ways shall be of sufficient width to assure that the same way may be maintained and improved. Easements for storm sewers shall be provided and shall be of sufficient width and proper location to permit future installations.

SECTION 33.00 DESIGN - UTILITY EASEMENTS. Easements for electric, telephone, water, gas and similar utilities shall be of sufficient width to assure future maintenance. When initial installation of such facilities will be other than underground, easements for the same shall be sufficiently wide and so located as to permit future installation of underground utilities.

SECTION 34.00 DESIGN - UNDERGROUND UTILITY INSTALLATION. Subdivisions shall provide for underground utility lines, including, but not limited to those for electricity, communications and street lighting. Where topography, soil, or other conditions make underground installation impracticable and the Board so finds upon written evidence presented by the suppliers of such utilities, it may waive requirement for underground utilities.

SECTION 35.00 DEVELOPMENT OF IMPROVEMENTS - ROADS, ETC. All roads, bridges, drains, culverts and related structures and facilities shall be constructed in accordance with current standards promulgated by the Board in effect at the time of construction.

SECTION 36.00 DEVELOPMENT OF IMPROVEMENTS - WATER AND SANITARY SEWER DISPOSAL.

36.01 Water Supply facilities adequate to provide potable water within the subdivision shall be in conformity to the standards of the State Department of Health. A statement affixed to the plat that states specifically which lots have an existing potable water source and which lots do not. If water is not provided to each individual lot, a statement that the county make no guarantee of its existence or quality.

36.02 Each lot shall be served with a sanitary sewer system approved by the State Department of Health or Northeast Tri-County Health (depending on the number of lots). On site disposal systems may be used for each lot if approved by Tri-County Health or the State Department of Health; based upon ground and topographic conditions including adequate soil logs. Tri-County Health shall determine the number and location of test holes required.

SECTION 37.00 SURVEY - SLIDE AREAS. Where a subdivision or plat appears to be in a potential or active slide area as shown on the maps prepared by the United States Bureau of Reclamation (USBR) it shall be the duty of the subdivider to submit an engineering report prepared and stamped by a licensed engineer.

SECTION 38.00 SURVEY - PREPARATION OF PLATS. The survey of every proposed subdivision and the preparation of preliminary and final plats thereof shall be made by, or under, the supervision of a licensed land surveyor who shall certify that it is a true and correct representation of the land actually surveyed. All surveying shall conform to standard practices and principals for land surveying.

SECTION 39.00 SURVEY - SURVEY NOTES, ACCURACY. The surveyor shall furnish the Ferry County Engineer with a full set of survey notes; which shall clearly show:

- 39.01 The ties to each permanent monument;
 - 39.02 At least three (3) durable, distinctive reference points or monuments;
 - 39.03 Sufficient data to determine readily the bearing and length of each line;
 - 39.04 The base meridian referred to:
- A traverse of the boundaries of the subdivision and all lots and blocks shall close within an error of one (1) foot in five thousand (5000) feet.

SECTION 40.00 SURVEY - ORIENTATION OF THE SUBDIVISION. Primary survey control points shall be referenced to section corners and monuments. Corners of adjoining subdivisions or portions thereof, shall be identified and ties shown.

SECTION 41.00 SURVEY - PERMANENT CONTROL MONUMENTS. Permanent control monuments shall be established at:

- 41.01 All controlling corners on the boundaries of the subdivision;
- 41.02 The intersections of centerlines of roads within the subdivision;
- 41.03 The beginning and ends of curves on centerlines, or the point of intersection of tangents;
- 41.04 All block tangents.

Permanent control monuments may be placed on offset lines. The position and type of every permanent monument shall be noted on all plats of the subdivision. Permanent control monuments shall be set in 2" pipe, 24" long set in concrete or shall be

constructed of an approved equivalent.

All monuments marking corners of the public land surveys reestablished or perpetuated during the course of a survey made for a plat or subdivision shall be plainly marked for identification as set forth in the latest edition of Manual of Surveying Instructions issued by the United States Department of the Interior, Bureau of Land Management and shall also show the year, name, and registration number of the licensed surveyor causing such monument to be placed.

SECTION 42.00 SURVEY - PERMANENT CONTROL MONUMENTS IN ROADS.

Permanent control monuments within the streets shall be set after the roads are graded. In the event a final plat is approved before the roads are graded, the surety deposited to secure grading shall be sufficient to pay the costs estimated by the Ferry County Engineer of setting such monuments.

SECTION 43.00 SURVEY - LOT CORNERS. Every lot corner shall be marked by 5/8" re-bar with aluminum or brass caps or equal with the lot numbers stamped there on, driven at least two (2) feet into the ground and flush with the ground. To expedite inspection of the subdivision, the lot corners shall be marked with a flagged pole of two (2) inch square stake four (4) feet long, driven securely into the ground at least one (1) foot, if possible. If back from the road and difficult to find, either markers at the road side shall be provided to indicate the approximate location of the lots. All monuments and markers shall be shown on the face of the plat.

SECTION 44.00 SURVEY - PROPERTY CONTIGUOUS TO WATER. If any land in a subdivision is contiguous to a body of water, a meander line shall be established along the shore at a safe distance back from the ordinary high-water mark. Property lying beyond the meander line shall be defined by the distances along the side property lines extended from the meander line.

If the thread of a stream lies within a subdivision or forms the boundaries of a subdivision, such thread shall be defined by bearing and distances as it exists at the time of the survey.

Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals.

SECTION 45.00 FINAL PLAT STANDARDS. Every final plat is required to be recorded with the Ferry County Auditor. Each plat shall consist of one (1) or more pages, clearly and legibly drawn, on stable base mylar polyester film 24" x 36. All drawing and lettering on the final plat shall be in permanent black ink.

The perimeter of the subdivision shall be depicted with heavier lines than appear elsewhere on the plat. A marginal line shall be drawn completely around each sheet leaving an entirely blank margin of 3" on the left side, 1" on remaining sides.

Each sheet of the final plat shall contain the subdivision's name, the scale and legend, the north point, and shall be stamped with the seal of the licensed land surveyor in charge of surveying.

All signatures affixed to a final plat shall be original signatures written in permanent black ink.

Every final plat shall include an accurate map of the subdivided land based upon a complete survey thereof, which shall include:

- 45.01 All section, township, municipal and county lines lying within or adjacent to the subdivision;
- 45.02 The legal description of land contained within the subdivision including total acreage statement;
- 45.03 The location of all monuments or other evidence used as ties to establish the subdivision's boundaries;
- 45.04 The location of all permanent control monuments found and established within the subdivision;
- 45.05 The boundary of the subdivision with complete bearings and lineal dimensions;
- 45.06 The boundaries and acreage of each resulting lot.
- 45.07 The length of each lot line, together with bearings and other data necessary for the location of any lot line in the filed plat;
- 45.08 The boundaries of all parcels dedicated or reserved for public or community uses.
- 45.09 Vicinity Map. The vicinity map shall also show all roads and easements along with the Auditor's File No. of the recorded easement.
- 45.10 The length and bearings of all straight lines, the radii, arc and semi-tangents of all curves;
- 45.11 The location, dimensions, centerline, and name or number of all roads, rights of ways, and approaches within and adjoining the subdivision ;
- 45.12 The location, dimensions, names, purpose, and Auditor's file no., of all easements;
- 45.13 Numbers assigned to all lots and blocks within the subdivision;

- 45.14 Names for all public and private roads;
- 45.15 Location of developed water sources, utilities, existing important natural features and improvements within the subdivision;
- 45.16 Names of owners of land adjacent to the subdivision and across any right of way, and the names of any adjacent subdivisions;
- 45.17 The name of the subdivision;
- 45.18 Ferry County Subdivision No. _____ (This number will be established by the Administrator at the time of filing.)
- 45.19 Developer shall acknowledge on the face of the plat that the subdivision is made with the free consent and in accordance with the desires of the owner(s). The owner(s) recite a dedication by them of all land shown on the plat to be dedicated for public uses;
- 45.20 Surveyor's Certificate which states: This plat correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of (developer) in _____, 19__
- 45.21 A statement of approval signed by the Ferry County Board of Commissioners.
- 45.22 A statement of approval signed by the Assessor: All assessments regarding Open Space and Forest Land have been paid, satisfied or discharged.
- 45.23 A statement of approval signed by the Ferry County Treasurer: All current taxes and special assessments for the full year have been paid, satisfied or discharged.
- 45.24 A statement of approval signed by the County Engineer.
- 45.25 A statement of approval signed by Northeast Tri-County Health District. This subdivision has been reviewed as a residential subdivision with one single family dwelling unit per lot. Conversion to another occupancy must be preceded by separate application and review process.
- 45.26 Auditor's Certificate: Filed for record this __ day of __ 199__, at ___ M, page __, book __, of Short Plats, at the request of (developer) AUDITOR'S FILE NO. _____ signed by the Ferry County Auditor
- 45.27 A statement of approval signed by the Ferry County Platting Administrator.

- 45.28 A statement affixed to the plat that states specifically which lots have an existing potable water source and which lots do not.
- 45.29 If water is not provided to each individual lot, a statement that the county makes no guarantee of its existence or quality. A statement stating that water source development should allow for a 100 foot radius around the supply within the lot boundaries, as a protection from potential sources of contamination.
- 45.30 Community wells or water sources shall include the following statements affixed to the plat:
- 45.30.01 The undersigned grantors, their heirs and assigns, will not construct, maintain, or suffer to be constructed or maintained upon the said land described within 100 feet of the well herein, so long as the same is operated to furnish water for public consumption, any potential source of contamination, such as septic tanks and drainfields, sewerlines, underground storage tanks, railroad tracks, barns, feed stations, enclosures for maintaining fowl or animal manure, liquid or dry chemical storage herbicides, insecticides, hazardous waste, or garbage of any kind or description.
- 45.30.02 A public/community water system has been approved for use within this plat and said system is to be operated in accordance with the regulations governing public/community water systems as provided by WAC 246-290. The drilling of individual private wells on any lot within the subdivision is prohibited.
- 45.31 A statement affixed on the plat and on the deed apprising the purchaser of his or her responsibilities under state law regarding construction of a legal fence in open range country.
- 45.32 A statement affixed to the plat: The purchaser is apprised of his/her responsibility to maintain access and easement roads that are not officially adopted county roads and agree to hold the county harmless for all cost of construction and maintenance of these roads and/or easements;
- 45.33 A statement affixed to the plat: The subject property is within or near designated agricultural, forest, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development.
- 45.34 A statement affixed to the plat: Real property located within Ferry County

may be subject to state, local, and tribal regulations concerning open range, historic or archaeological sites, wetlands, shorelines, floodplains and other critical areas.

In addition to the map or maps, the following information shall be either included on the map, or attached to separate sheets:

- 45.35 A statement: Additional permits from other jurisdictions, agencies or homeowner's associations may be necessary for this project. It is the responsibility of the applicant to acquire said permits and to comply with applicable rules, regulations, ordinances, and/or restrictive covenants.
- 45.36 A statement: The purchaser is apprised of his/her responsibility to show proof of potable water before a certificate of occupancy for a residence can be issued.
- 45.37 A statement: The purchaser is apprised of his/her responsibility to control the spread of noxious weeds on all vehicle corridors. Ref. RCW 17.10 Noxious Weed Law.
- 45.38 A statement of approval that this plat has been reviewed by the Northeast Tri-county Health District for the use of on-site sewage disposal systems in accordance with regulations in effect at the time the plat application was received. Unless stated otherwise, approval of this plat does not warrant or imply the issuance of a permit to install any specific type of on-site sewage disposal system. Permits for on-site sewage disposal systems will be issued based upon requirements of regulations in effect at the time the permit application is submitted.
- 45.39 A statement: Prior to construction, placement or development of any living quarters well site or roadway within this plat, a permit to install an individual sewage disposal system shall be secured from the Northeast Tri-county Health District.
- 45.40 A statement of the Chairman of the Planning Commission that the subdivision conforms to the Comprehensive plan;
- 45.41 If any portion of the subdivision lies within a flood control zone, a statement of approval signed by the Director of the State Department of Ecology, or their successor;
- 45.42 Developer will show evidence that the "BACKBONE POWER SYSTEM" will be installed to make power available to each lot, or a statement that it now exists;

- 45.43 A statement of approval signed by the FERRY COUNTY Engineer as to:
- 45.43.01 Survey data;
 - 45.43.02 Layout of roads, alleys and easements;
 - 45.43.03 Road names and numbers;
 - 45.43.04 The design and/or construction of protective improvements, bridges, sewerage and drainage systems;
 - 45.43.05 Approval of all necessary road approaches. If the approaches are to a State Highway approval by the appropriate official.
- 45.44 Where access to and from a proposed subdivision is not by a county road, proof of easements, including easement recording numbers, granting such access must be included with each copy of the application; granting easement, if necessary, to adjoining property.
- 45.45 If any portion of the subdivision lies within an area under the jurisdiction under the Shoreline Management Act, a permit (where applicable) signed by the Ferry County Shorelines Administrator and approved by the State Department of Ecology;
- 45.46 If all or part of the land used for roads, streets, drainage systems and utilities which are normally dedicated to public use are retained in private ownership, they shall be clearly indicated as such on the map, and listed in the written data with a notarized certificate to the effect that Ferry County accepts no responsibility for construction and maintenance of such facilities, and they shall list the name of the individual or corporation who shall have such responsibility;
- 45.47 If any portion of the subdivision appears to be in a potential or active slide area per Section 37.00, further, there should be language on the plat map which reflects that the subdivision is located on the slide plane and the county cannot make any warranty that a building permit will be issued on any such subdivision lot.
- 45.48A certificate of consent bearing the typed or printed names of all persons or corporations having a vested interest in the land to be subdivided, signed and acknowledged by them before a notary public which states their consent to the division of the land; recites a dedication by them of all land shown on the plat to be dedicated for public uses.

SECTION 46.00 FINAL PLAT - FILING PERIOD AND CHECKING FEES. At any time within three (3) years following the Board approval of a preliminary plat the subdivider may file the original and six (6) copies of a proposed final plat with the Administrator. At the time

the final plat is filed, it shall be accompanied by a plat checking fee and filing fee. These fees are established by resolution of the Board and are subject to change. Please contact the Planning Department for current fees.

SECTION 47.00 FINAL PLAT - REVIEW BY THE BOARD. The Board shall satisfy itself:

- 47.01 That the final plat meets all standards established by state law and this ordinance relating to final plats;
- 47.02 That the proposed final plat bears the certificates and statements of approval required by this ordinance;
- 47.03 The plat certificate furnished by the subdivider confirms the title of the land in the proposed subdivision is vested in the name of the owners whose signatures appear on the plat;
- 47.04 That the facilities and improvements required to be provided by the subdivider have been completed or alternately, that the subdivider will provide bond in a form acceptable to the Prosecuting Attorney, and in an amount and with sureties commensurate with improvements remaining to be completed securing to the county the construction and installation of the improvements within one (1) year's time from approval of final plat.

SECTION 48.00 FINAL PLAT - DETERMINATION OF BOARD - APPROVAL OR DISAPPROVAL. The Board shall, at its next public meeting or any continued meeting within thirty (30) days from the date of filing, determine:

- 48.01 Whether conditions imposed when the preliminary plat was approved have been met;
- 48.02 Whether the bond, if there be one, by its essential terms assures completion of improvements;
- 48.03 Whether the requirements of state law and this ordinance have been satisfied by the subdivider. The board shall thereupon approve or disapprove the proposed final plat. If the Board approves the plat, the Administrator shall forward one (1) copy thereof to the Ferry County Engineer, one (1) copy to the Ferry County Assessor, and shall transmit the original and all documentation to the Ferry County Auditor for filing, with the proper fee supplied by the subdivider.

SECTION 49.00 DISAPPROVAL – NOTICE OF APPEAL. See RCW 36.70C.

SECTION 50.00 AMENDMENT OR VACATION OF SUBDIVISION. Any person interested in the alteration or vacation of a subdivision or any portion of a subdivision shall submit an application, accompanied by fees, to the Administrator with final approval by the Board of County Commissioners. If the subdivision has restrictive covenants which the amendment or vacation would violate, the application shall also contain an agreement signed by all parties subject to the covenants which states their agreement to terminate or alter the relative covenants. If the proposed amendment or vacation involves a public dedication, it shall be processed in accordance with RCW 58.17. and notice shall be given as provided in RCW 58.17.080 and 58.17.090. If the proposed amendment or vacation does not involve a public dedication, the altered subdivision shall be processed in accordance with the following provisions:

50.01 The altered subdivision must comply with the procedures and requirements of this chapter for original plat approval. A new survey shall be required when new lines are created by the amendment or vacation.

50.02 The title of the amended subdivision shall be: The original subdivision name and no. _____, followed by, AMENDED SUBDIVISION NO. _____

50.03 The amended subdivision shall show all of the land shown on the original plat and shall bear the acknowledged signatures of all parties having ownership interest in the affected lots within the original plat as shown by a current plat certificate.

50.04 Minor corrections not involving the location of lot lines, minor survey, spelling, mathematical or drafting error, or omitted signature which does not in anyway materially subvert the approval of the original document by changing lot areas so as to effect zoning approvals, easements, conditions of approval or access roadways may be corrected by the surveyor upon approval by the Administrator. An affidavit must be recorded with the county Auditor specifically referencing the long plat name and number and the correction.

SECTION 51.00 PENALTIES - VIOLATION OF THE ORDINANCE. Any person who violates any court order or injunction issued pursuant to this ordinance, and for which no punishment is specifically covered by RCW App. 58.1, etc. being Ch. 271, Laws 1st Sess. 1969 and Ch. 134, Laws of 1974, shall be guilty of a gross misdemeanor, and shall be punished by imprisonment in the County Jail for not more than one (1) year, or by a fine of five thousand dollars (\$5,000.00), or both. Enforcement of this section shall be by the Prosecuting Attorney of FERRY COUNTY or Attorney General under Section 13 State Act.

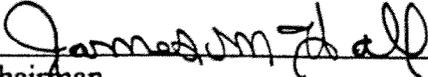
SECTION 52.00 SEVERABILITY. If any provision of this ordinance or its application to any person or circumstances is held invalid, the remainder of this ordinance or the application of the provision to other persons or circumstances shall not be affected.

SECTION 53.00 REPEALER. FERRY COUNTY Ordinance 73-1, enacted 6 November, 1972 and REVISED 10 December 1973, 6 March 1978, 1 January 1981, 5 January 1985, November 15, 1999, relating to the subdividing and platting of land, is repealed, effective as of the effective date of this revised ordinance. This shall not apply or effect pending plat applications to the extent prohibited by the vested rights doctrine.

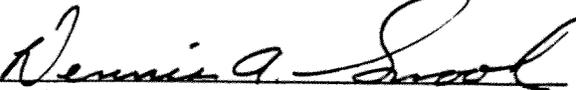
SECTION 54.00 EFFECTIVE DATE. This REVISED ORDINANCE shall come into full force and effect, as revised the 9th day of October, 2000.

DATED this 9th day of October, 2000.

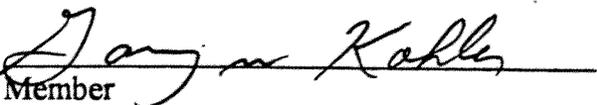
FERRY COUNTY BOARD OF COMMISSIONERS
FERRY COUNTY, WASHINGTON



Chairman



Member



Member





Clerk of the Board