EXHIBIT E

DEPARTMENT OF THE CLARK COUNTY HISTORIC PRESERVATION COMMISSION

TO: Brent Jacobs, Applicant and Interested Parties

FROM: Robert Freed, Chair
Clark County Historic Preservation Commission

DATE: December 18, 2007


NOTICE TO PARTIES OF RECORD
CASE No. HST 2007-0003, Jefferson Davis Highway Marker Certificate of Appropriateness Design Review for the relocation of the marker to a private park – Brent Jacobs, Owners/Applicants

The attached decision of the Clark County Historic Preservation Commission will become final and conclusive unless a written appeal therefrom is filed with the Clark County Board of Commissioners, 1300 Franklin Street, Vancouver, Washington, 98666 no later than 5:00 p.m. on January 2, 2008 (14 calendar days after written notice of the decision is mailed).

All appeals must be written and must contain the case number designated by the County and the name of the applicant; the name and signature of each petitioner for the appeal and a statement showing that each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H); the specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error.

The Board of County Commissioners shall hear appeals of decisions on the record, including all materials received in evidence at any previous stage of the review, an audio or audio/visual tape of the prior hearing(s) or transcript of the hearing(s) certified as accurate and complete, the final order being appealed, and argument by the parties. No new evidence will be accepted.

*The Board of County Commissioners may either decide the appeal at the designated meeting or continue the matter to a limited hearing for receipt of oral argument. If so continued, the Board shall designate the parties or their representatives to present argument, and the permissible length thereof, in a manner calculated to afford a fair hearing of the issues specified by the Council. At the conclusion of its public meeting or limited hearing for receipt of oral legal argument, the Board may affirm, reverse, modify or remand an appealed decision.

The case file is available for review at 1300 Franklin Street, Vancouver, WA between 8:00 am and 5:00 PM M-F. Contact Jacqui Kamp, (360) 397-2280, ext. 4913.

Mailed on: December 19, 2007
EXHIBIT I
HST 2007-0003, Jefferson Davis Highway Marker

PARTIES OF RECORD
December 11, 2007 Public Hearing

Brent Jacobs
11918 SE Division Street #193, Portland, OR 97266-CERTIFIED MAIL

OTHER INTERESTED PARTIES
None
BEFORE THE HISTORIC PRESERVATION COMMISSION
OF CLARK COUNTY, WASHINGTON

HST 2007-0003 – Jefferson Davis Highway Marker
NW Maple Crest Road, Ridgefield, Washington
Design Review/Certificate of Appropriateness

Regarding an application by Brent Jacobs for a Certificate of Appropriateness
design review for the relocation of the marker from the grounds of the Clark County
Historical Museum to a private park on NW Maple Crest Road in Ridgefield,
Washington, #32 OF SEC 27 T4N R1EWM 23A. (Assessor’s Parcel #215362000)

I. SUMMARY

1. The Jefferson Davis Highway Marker was located at 1511 Main Street, Vancouver, WA.
The applicant was asked by the Clark County Historic Museum and the Mayor of
Vancouver to move the Marker from the museum grounds/City of Vancouver property to
another location. The applicant purchased a private lot on NW Maple Crest Road to place
the marker. The applicant requested a Certificate of Appropriateness for the relocation of
the marker to another site.

2. Comprehensive Plan/ Zoning Designations: R-5, Clark County

3. The applicant submitted an application for a Certificate of Appropriateness design review
from the Clark County Historic Preservation Commission on November 8, 2007.

4. On December 11, 2007, at a duly advertised public hearing, the Clark County Historic
Preservation Commission voted two to one to issue a Certificate of Appropriateness, with
conditions, for the relocation of the marker and its continued listing on the Clark County
Heritage Register. A condition was imposed to require the applicant to display a plaque at
the marker to explain the significance of the grassroots effort made by the Washington
Division of the United Daughters of the Confederacy to designate Highway 99 to Jefferson
Davis.

II. HEARING AND RECORD

1) The Clark County Historic Preservation Commission received testimony at the public hearing
on this application December 11, 2007. A record of that testimony is included herein as Exhibit
I (Parties of Record) and Exhibit II (Taped Proceedings). These exhibits are filed at the Clark
County Department of Community Development, 1300 Franklin St., Vancouver, WA

2) At the hearing, Jacqui Kamp, County Planner II, summarized the Clark County Department of
Community Planning Staff Report and Recommendation to the Historic Preservation
Commission dated November 26, 2007. Pictures of the site are included in the case file.
a. Staff noted the background of the Jefferson Davis Marker and the reasoning for its initial removal from the Clark County Historical Museum grounds, which was due to construction, particularly ADA improvements for the museum.

b. The Certificate of Appropriateness design review criteria were presented to the Commission in the staff report. Number 2 of the Secretary of the Interior’s Standards for Rehabilitation were applicable. It is referenced below:

   The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

3) Staff stated findings indicating that the effort of the Washington Division of the United Daughters of the Confederacy was to designate a highway in the State of Washington to Jefferson Davis. The highway chosen and designated was Highway 99. The marker’s common name is “Jefferson Davis, Highway 99, Marker.” Two were placed in the state of Washington on Highway 99, one in Vancouver (south end) and another in Blaine (north end). Since the marker is now located on NW Maple Crest Road in Ridgefield and not on a part of the old Highway 99 route, it is no longer eligible to be listed on the Clark County Heritage Register.

4) The Historic Preservation Commission did not adopt the recommended ineligibility of the marker, but instead determined it was still eligible and would remain on the Clark County Heritage Register with the following condition:

   (a) The applicant must display a plaque at the marker to explain the significance of the grassroots effort made by the Washington Division of the United Daughters of the Confederacy to designate Highway 99 to Jefferson Davis.

II. TESTIMONY

1. The staff reviewed the report, HST 2007-0003. The applicant stated that nothing has changed except the location. It has had many homes over the years and that it wasn’t their idea to move it off the museum grounds. The reason that it no longer sits on Highway 99 is that the group could not afford any of the available land for sale along Highway 99. The applicant explained that when the marker was placed on the register in 2002, the significance had to do with the grassroots effort made by the United Daughters of the Confederacy and not as much as to the fact it was still located on Highway 99, now Main Street. He explained that the grassroots effort and significance is still present even now, with the same group still fighting to commemorate Jefferson Davis.
III. DISCUSSION

1. Commissioner Freed stated that the item that still stands out to him was the loss of context when the marker was moved off Highway 99. He stated that he has learned a great deal about Jefferson Davis and his role in procurement of funding for transportation projects throughout the west. He continues to feel strongly that the marker is tied to Highway 99 and its locations in the past have been on Highway 99. He would feel that looking at the staff's recommendations and conclusions, specifically #3, the original location is critical in his mind to the significance of the marker. The nomination criterion fails to integrity of location. It is a difficult situation because the marker does not fall within a neat category of architectural resources that essentially the commission oversees. Therefore it is tough in terms of relating the Secretary of Interior Standards to a monument. The significance of the monument is related to Jefferson Davis' role. To him, the UDC effort was considerable, however how it relates to the monument; he still fails to see the tie. He would be inclined to recognize the role Jefferson Davis played in transportation efforts in the 1800s, but he does not see the significance in the monument any longer on the register because of its location no longer associated with Highway 99.

2. Commissioner Gregg questioned where the marker was originally placed. Commissioner Freed answered that it was originally placed on Highway 99 a ¼ north of the Vancouver city limits. Commissioner Gregg asked whether that was Highway 99 as we think of it today or Highway 99 originally. Commissioner Freed stated that he would guess, it was the original Highway 99. Commissioner Gregg figured that it must have been somewhere on what is now Hazel Dell Avenue. He stated that the disposition of whether it's ¼ of a mile west of where old Highway 99 is today may not be significant if you look back at where the original marker stood, but we don't know that exact location. The pictures submitted by the applicant shows that I-5 is within eye shot of the current location of the marker. When highways stopped being referred to as their interstate equivalent, there was a time when this was Interstate-5/Highway 99. There is going to be a period in history where Highway 99 was in fact in eye shot with what the federal government considered to be Highway 99. The physical location of Highway 99 has meandered over time, so maybe in fact this is closer. If you were to ask anybody where Highway 99 is today, they wouldn't say what we now call 20th Avenue. The other point he wanted to indicate was that there are precedents for this marker being moved. Thinking of other places of historic significance, like North Bonneville or Celilo Falls which have been obliterated by the construction of dams. We still have a place on I-84 that marks Celilo, but it is not anywhere close to where the original Celilo fell. Also we have historical significance of this group in Clark County. We have a scarcity of original monuments and we have a staff report that supports listing it. It seems to him that Commissioner Freed's real reservation is the physical proximity of the marker as it is cemented today versus where the original Highway 99 ran.

3. Commissioner Freed stated that the original intent of the marker was to commemorate Highway 99 at locations at the north and south ends of the state. Some of the references to Celilo Falls and North Bonneville are true but those are markers or signs that commemorate those locations, but here we are talking about a monument that is on the register. For that reason, he believed the significance is tied to Highway 99.
4. Commissioner Lee stated he can see this as a monument to the highway, a monument to Jefferson Davis and a monument to the United Daughters of the Confederacy. The contextual issues are an interesting point.

5. Commissioner Freed stated that they could agree or disagree with the staff report. Staff made some good comments, but we are not tied to go with what is recommended. However, he agreed with the statement by staff that if the monument has been moved from a location on Highway 99, in his mind it has lost its significance. He further stated that he believes that the recognition of the effort to place the marker as a highway marker to recognize Jefferson Davis' role in the appropriation of the transportation efforts would still be in tact, but he strongly feels that the monument at this time has lost its association with its landscape and context for the Heritage Register. Freed further explained that if it remained on the register, any development around the marker would have to go before the Historic Preservation Commission for design review.

IV. FINDINGS

The CCHPC deliberated on December 11, 2007 and made the following findings:

1. Approve the Certificate of Appropriateness for the relocation of the Jefferson Davis Highway Marker and its continued listing on the Clark County Heritage Register with conditions.

V. MOTION

Commissioner Freed entertained a motion to remove it from the register. The motion was not seconded.

Commissioner Lee entertained a motion to continue the hearing. The motion was not seconded.

Commissioner Lee entertained a motion to keep the marker on the register and approve the Certificate of Appropriateness as recognition of the efforts of the Washington Division of the United Daughters of the Confederacy with the condition that the story of their effort be documented and displayed at the marker to explain the significance to visitors of the site. Commissioner Gregg seconded the motion.

VOTE: Lee-AYE, Gregg-AYE, Freed- NAYE.

VI. DECISION

The Clark County Historic Preservation Commission hereby issues a Certificate of Appropriateness for the relocation of the Jefferson Davis Highway Marker and its continued listing on the Clark County Heritage Register, with the conditions cited in Section V, above. Any future
alteration or new construction not covered in this decision on the site would have to be reviewed for a Certificate of Appropriateness in accordance with CCC 40.250.030 and the Rules and Procedures of the Clark County Historic Preservation Commission.
Clark County Historic Preservation Commission
DESIGN REVIEW
EVALUATION
December 11, 2007

NAME OF OBJECT: Jefferson Davis Highway Marker
ADDRESS: NW Maple Crest Road

Ridgefield, Washington

OWNER: United Daughters of the Confederacy

APPLICANT: Brent Jacobs

LIST OF FEATURES SIGNIFICANT TO DESIGNATION: N/A

OBSERVATION FROM SITE VISIT: Monument relocated to a cleared vacant site near Ridgefield, on NW Maple Crest, adjacent to Interstate 5.

PROPOSED CHANGES TO PROPERTY: N/A

The Commission reviewed whether the Marker was still eligible for listing on the Clark County Heritage Register since it was relocated from the site of its original listing (Clark County Historic Museum) to a site on NW Maple Crest Road in Ridgefield.

EVALUATION:

1. While the marker was relocated to a site no longer along the old Highway 99 route, the commission determined that the marker’s major significance lies with the grassroots effort made by the United Daughters of the Confederacy to commemorate Jefferson Davis by designating a Highway for his contributions to the State of Washington.

   X CHANGES ARE SIGNIFICANT. ISSUE CERTIFICATE OF APPROPRIATENESS WITH CONDITIONS.

   Motion by Gregg, seconded by Lee to:

   Approve the Certificate of Appropriateness with conditions and allow the Jefferson Davis Highway Marker to remain on the Clark County Heritage Register.

   Motion carried.

Rob Freed, Chairperson,
Clark County Historic Preservation Commission

H:\LONG RANGE PLANNING\PROGRAMS\HISTORIC\COMMISSION\DECISION\2007
Staff Report and Recommendations to the Clark County
Historic Preservation Commission

TO: Clark County Historic Preservation Commission
FROM: Jacqui Kamp, Planner II
DATE: November 26, 2007
FILE: HST #2007-00003, Certificate of Appropriateness for Relocation of the Jefferson Davis Highway Marker

I. SUMMARY

The Jefferson Davis National Highway Marker was located on the grounds of the Clark County Historical Museum (Carnegie Library) and listed on the Clark County Heritage Register on August 26, 2002. The applicant, Brent A. Jacobs is applying for a Certificate of Appropriateness for the relocation of the marker from the grounds of the Clark County Historical Museum to a location outside of Ridgefield. The items to be reviewed as part of this case are the relocation of the marker and whether it is still eligible to be listed on the Clark County Heritage Register.

II. BACKGROUND

On June 10, 2006, the Clark County Historical Museum received approval to their revised Certificate of Appropriateness application from the Clark County Historic Preservation Commission for the ADA accessibility renovations, including the installation of a new elevator. The condition pertaining to the Jefferson Davis Highway Marker is as follows:

*If the Jefferson Davis Monument cannot be left in place during construction, the applicant shall submit a letter to the City for a Type I administrative review with the terms for storing and replacing the marker at the completion of the construction.*

The museum submitted a request to the City of Vancouver to remove and store the Jefferson Davis Marker and interpretive sign during the construction of the approved ADA improvements to the museum. The museum stated that the marker would be stored in the museum’s collection storage located in the basement
of the museum. The city informed the museum that the marker should be replaced back to its location within 60 days of the completion of the construction.

On March 13, 2007, the Executive Director of the Clark County Historical Museum was before the Historic Preservation Commission regarding the placement of the Jefferson Davis marker. It was explained to the commission that the museum board had met and that they had concerns about placing the marker back on the museum grounds since it has no relevance to the museum or the site. It was further stated that because the museum does not own the marker, the board no longer wanted to be responsible for it.

On March 19, 2007, the applicant testified in front of the Vancouver City Council and Mayor asking for the city’s assistance in placing the Jefferson Davis Marker back at the Clark County Historical Museum grounds since the construction had been completed. Mayor Pollard explained that the City would be happy to store the marker until they [UDC] could find a spot to place it, but that there was no legal documentation to support placing it on public property. He said the City would ship the marker anywhere they requested at the City’s expense. He said that the City Manager would be happy to meet with them to assist in finding an appropriate location. (March 19, 2007 Council Meeting Minutes)

On November 13, 2007, the applicant submitted an application for a Certificate of Appropriateness for the relocation of the marker to a site on NW Maple Crest Road outside of Ridgefield.

III  HISTORIC NAME

Jefferson Davis Highway Marker

IV.  COMMON NAME

Jefferson Davis, Highway 99, Marker

V.  BOARD RESPONSIBILITY

Under Clark County Ordinance 40.250.030(G) Historic Preservation Ordinance, the Clark County Historic Preservation Commission has the responsibility for conducting design review of Register properties within the County and for jurisdictions with which there is a valid interlocal agreement.

VI.  PHYSICAL DESCRIPTION

The nomination staff report states, “the physical design and appearance of the marker do not play a significant part of the debate about the historic importance of the movement that brought it into being”. Therefore, its physical description was not part of the nomination staff report. The staff report finds that the significance of the marker is that it “exemplifies or reflects special elements of the County’s history”. The special element of the county’s history is the grassroots effort by the Daughters of the Confederacy for the designation and commemoration of Highway 99 as the Jefferson Davis Highway in the State of Washington. As is stated in Section 8, page one, of the National Register attachment of the staff report nomination, “The Jefferson Davis Highway from coast to coast is the largest project ever accomplished by an American women’s organization...”
VII. STAFF REVIEW AND COMMENT

Design Review Criteria:

The design review criteria are listed in the adopted rules and regulations of the Clark County Historic Preservation Commission (May 28, 1996). The standard used is that of the Secretary of the Interior. Applicable standards and findings are in bold.

Secretary of the Interior's Standards for Rehabilitation:

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure or site and its environment, or to use a property for its originally intended purposes.

2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.

Findings: The Jefferson Davis Highway marker is a memorial to Jefferson Davis and his contribution to the development of Washington State. As Secretary of War, Jefferson Davis directed exploration and helped secure funds for railroads and roads to move military and civilians for the growth of Washington Territory. In 1928, members of the Washington Division of the United Daughters of the Confederacy proposed a plan to commemorate Davis' contributions by naming a highway running through the State of Washington. In 1939, the first marker was erected in Vancouver, Washington on Highway 99, with the cooperation and permission of the Washington Highway Department.

In 2002, it was relocated to the Clark County Historical Museum on Main Street, which was originally part of old Highway 99. It has since been placed on NW Maple Crest Road, ¾ of a mile west from the old Highway 99 route.

3. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.

4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right and this significance shall be recognized and respected.

5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.

6. Deteriorated architectural features shall be repaired rather than replaced whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications or features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.

8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.

9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural
material, and such design is compatible with the size, scale, color, materials, and character of the property, neighborhood or environment.

10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

VIII. STAFF CONCLUSIONS & RECOMMENDATIONS

The August 26, 2002 nomination staff report stated that the nomination for the object met all four criteria as identified in the CCC 18.328A.050. They included:

1. Erected in 1939, The Jefferson Davis Highway Marker was over 50 years old.
2. It was significantly associated with the history and cultural heritage of the community. Specifically stating that the highway and the women’s movement to commemorate it are part of the county’s history.
3. Even though the marker was no longer sited in its original location, it does have its original design, materials and feelings.
4. Although staff found that the marker was not associated with events that have made a significant contribution to the broad patterns of national, state, or local history, staff did find that the marker “exemplifies or reflects special elements of the county’s history”. The special element of the county’s history is that of the Washington Division of the Daughters of the Confederacy’s grassroots effort to designate and commemorate Highway 99 to Jefferson Davis.

Since the marker has been relocated to a site that is not on the old Highway 99 route, the question becomes whether or not it should remain on the register. It is hard to assess this determination because there seems to be two important elements to the marker’s significance. The marker is significant, in staff’s opinion, because of: 1) its location and relevance to Highway 99 and 2) the grassroots effort made by the Daughters of the Confederacy to commemorate the highway. The marker has now been relocated and is no longer on Highway 99, therefore does it lose its significance for listing on the Clark County Heritage Register? There is no mention in the original nomination staff report regarding the fact that the marker’s location on the museum’s grounds on Main Street is part of the old Highway 99 route therefore still relevant to the original highway it commemorates. Staff’s recommendation to list it on the register focused generally on the grassroots effort by the UDC.

The effort by the United Daughters of the Confederacy is significant in the State of Washington’s history; however is it still appropriate to be on the Clark County Heritage Register now that it no longer has an association to the road its purpose was to designate?

It seems that the effort of the Washington Division of the United Daughters of the Confederacy was to designate a highway in the State of Washington to Jefferson Davis. The highway chosen and designated was Highway 99. The marker’s common name on the August 2002 staff report is “Jefferson Davis, Highway 99, Marker. Two were placed in the state of Washington on Highway 99, one in Vancouver and the other in Blaine. Since the marker is now located on NW Maple Crest Road in Ridgefield and not on a part of the old Highway 99 route, it is no longer, in staff’s opinion, eligible for the Clark County Heritage Register.

However, if the Historic Preservation Commission believes the significance does not fully lie with the location of the marker but rather the effort made by the Washington Division of the United Daughters of the Confederacy, than staff recommends that the story of their effort be documented and displayed at the marker to explain the significance to visitors of the site. It appears that there was such a display when it was located at the museum, however does not seem to be exhibited at the new site. If it remains as a Highway 99 marker no longer on Highway 99, visitors should understand the reasoning and significance for its placement on the Clark County Heritage Register.
IX. EXHIBIT

a. August 26, 2002 Clark County Heritage Register Staff Report and Nomination
b. Certificate of Appropriateness application
c. Map indicating the marker’s new location in relation to old Highway 99
d. Aerial map showing marker’s new location
CLARK COUNTY
HISTORIC PRESERVATION COMMISSION

Application for Certificate of Appropriateness

1. Property Address _______ 24024 NW Maple Crest Road, Ridgefield, WA 98642

2. Name (Business or Property) _______ Jefferson Davis Park

3. Applicant _______ Brent A. Jacobs _______ Phone _______ 971-340-9127
   Address _______ 11918 SE Division #193, Portland, OR _______ Zip Code _______ 97266

4. Property Owner* _______ Jefferson Davis Park, Inc. _______ Phone _______ Same
   Address _______ Same _______ Zip Code _______ Same

5. Architect _______ N/A _______ Phone _______ --
   Address _______ -- _______ Zip Code _______ --

6. Contractor _______ J’s Custom Projects, LLC _______ Phone _______ 360-521-1479
   Address _______ 3507 NE 78th St., Vancouver _______ Zip Code _______ 98665

7. BRIEF DESCRIPTION OF ALL PROPOSED WORK (including repairs, and signs).

The Jefferson Davis Highway-99 monument was placed on the Clark County Historic register about the time it was installed on the grounds of the Clark County Historical Museum in 2002. After it was removed from the museum property and subsequently not allowed to be placed back by the Vancouver City Council, the local United Daughters of the Confederacy Chapter and the local Sons of Confederate Veterans Camp have since raised more than $38,000 and purchased a quarter of an acre for $19,500 as a new home for the marker. The property has been leveled and graded, and now seeded and fertilized. The Jefferson Davis Highway marker has been permanently anchored into concrete in the middle of the property, and will be the centerpiece of the Jefferson Davis Park. In the Spring of 2008 a small plaza will be built around the marker with memorial fundraising bricks that have been for sale, and a couple of flagpoles and signage will be installed. A dedication ceremony is planned for the park on Sunday, April 27, 2008. All work regarding the marker itself has been completed already.
ALL PROPOSED WORK WILL BE REVIEWED FOR CONFORMANCE WITH PUBLISHED STANDARDS.

8. DOCUMENTATION ATTACHED (see instructions)
   a. ✓ Photographs
   b. n/a Material or Color Samples
   c. n/a Plans, Elevations & Sections
   d. n/a Site or Plot Plan
   e. ✓ Other Copies of legal documents pertaining to property details, ownership, non-profit status, etc.

9. Applicant ________________________
   Owner* __________________________

*If this is a condominium, the Chairperson of the Condominium Association must sign.

SCALE DRAWINGS AND PHOTOGRAPHS OF EXISTING CONDITIONS AND ALL PROPOSED WORK MUST BE SUPPLIED BY THE APPLICANT. INSUFFICIENT DOCUMENTATION AND INCOMPLETE APPLICATIONS WILL BE RETURNED.
I, SAM REED, Secretary of State of the State of Washington and custodian of its seal, hereby issue this

CERTIFICATE OF INCORPORATION

to

JEFFERSON DAVIS PARK

a/an WA Non-Profit Corporation. Charter documents are effective on the date indicated below.

Date: 7/10/2007

UBI Number: 602-742-828

Given under my hand and the Seal of the State of Washington at Olympia, the State Capital

Sam Reed, Secretary of State
QUIT CLAIM DEED

THE GRANTOR
TNM Properties

For and in consideration of
0 NW Maplecrest Road, Ridgefield, WA

conveys and quit claims to
Jefferson Davis Park

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

SEE ATTACHED

Tax Account Number: 215362000

Abbreviated Legal: #32 OF SEC 27 T4NR1EWM.23A

DATED: August 30, 2007

BY: Managing Partner
TNM Properties, LLC

BY: 

BY:

STATE OF WASHINGTON )
COUNTY OF Clark )

I, Joe Martin, Managing Partner, TNM,
the person(s) who appeared before me, and said person(s) acknowledged that
acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: August 30, 2007

Notary Public in and for the State of Washington,
Residing at Vancouver, WA
My appointment expires: 11/19/2010
Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shorty before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

If you distribute funds to other organizations, your records must show whether they are exempt under section 501(c)(3). In cases where the recipient
organization is not exempt under section 501(c)(3), you must have evidence the funds will be used for section 501(c)(3) purposes.

If you distribute funds to individuals, you should keep case histories showing the recipient's name and address; the purpose of the award; the manner of selection; and the relationship of the recipient to any of your officers, directors, trustees, members, or major contributors.

Sincerely,

Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Publication 4221-PC
Statute Extension
Part X  Public Charity Status (Continued)

e 509(a)(4)—an organization organized and operated exclusively for testing for public safety. 

f 509(a)(1) and 170(b)(1)(A)(i)—an organization operated for the benefit of a college or university that is owned or operated by a governmental unit.

g 509(a)(1) and 170(b)(1)(A)(v)—an organization that receives a substantial part of its financial support in the form of contributions from publicly supported organizations, from a governmental unit, or from the general public.

h 509(a)(2)—an organization that normally receives not more than one-third of its financial support from gross investment income and receives more than one-third of its financial support from contributions, membership fees, and gross receipts from activities related to its exempt functions (subject to certain exceptions).

i A publicly supported organization, but unsure if it is described in 5g or 5h. The organization would like the IRS to decide the correct status.

6 If you checked box g, h, or i in question 5 above, you must request either an advance or a definitive ruling by selecting one of the boxes below. Refer to the instructions to determine which type of ruling you are eligible to receive.

a Request for Advance Ruling: By checking this box and signing the consent, pursuant to section 6501(c)(4) of the Code you request an advance ruling and agree to extend the statute of limitations on the assessment of excise tax under section 4940 of the Code. The tax will apply only if you do not establish public support status at the end of the 5-year advance ruling period. The assessment period will be extended for the 5 advance ruling years to 8 years, 4 months, and 15 days beyond the end of the first year. You have the right to refuse or limit the extension to a mutually agreed-upon period of time or issue(s). Publication 1035, Extending the Tax Assessment Period, provides a more detailed explanation of your rights and the consequences of the choices you make. You may obtain Publication 1035 free of charge from the IRS web site at www.irs.gov or by calling toll-free 1-800-829-3676. Signing this consent will not deprive you of any appeal rights to which you would otherwise be entitled. If you decide not to extend the statute of limitations, you are not eligible for an advance ruling.

Consent Fixing Period of Limitations Upon Assessment of Tax Under Section 4940 of the Internal Revenue Code

For Organization

[Signature of Officer, Director, Trustee, or other authorized official]

Marjorie A. Reeves

(Type or print name of signer)  

August 6, 2007

(Date)

DIRECTOR

(Type or print title or authority of signer)

For IRS Use Only

[Signature of IRS Official]

Robert Ortiz

IRs Director, Exempt Organizations  

SEP 26 2007

(Date)

b Request for Definitive Ruling: Check this box if you have completed one tax year of at least 8 full months and you are requesting a definitive ruling. To confirm your public support status, answer line 6b(i) if you checked box g in line 5 above. Answer line 6b(ii) if you checked box h in line 5 above. If you checked box i in line 5 above, answer both lines 6b(i) and (ii).

(i) (a) Enter 2% of line 8, column (e) on Part IX-A. Statement of Revenues and Expenses. 

(b) Attach a list showing the name and amount contributed by each person, organization, or gift that totaled more than the 2% amount. If the answer is "None," check this box.

(ii) (a) For each year amounts are included on lines 1, 2, and 9 of Part IX-A. Statement of Revenues and Expenses, attach a list showing the name of and amount received from each disqualified person. If the answer is "None," check this box.

(b) For each year amounts are included on line 9 of Part IX-A. Statement of Revenues and Expenses, attach a list showing the name of and amount received from each payer, other than a disqualified person, whose payments were more than the larger of (1) 1% of line 10, Part IX-A. Statement of Revenues and Expenses, or (2) $5,000. If the answer is "None," check this box.

7 Did you receive any unusual grants during any of the years shown on Part IX-A. Statement of Revenues and Expenses? If "Yes," attach a list including the name of the contributor, the date and amount of the grant, a brief description of the grant, and explain why it is unusual.

[Signature of IRS Official]

Robert Ortiz

IRs Director, Exempt Organizations  

SEP 26 2007

(Date)

Box

Yes  \(\checkmark\) No
DESCRIPTION:

A portion of the Southeast quarter of the Southwest quarter of the Southwest quarter and of the Southwest quarter of the Southeast quarter of the Southwest quarter of Section 27, Township 4 North, Range 1 East of the Willamette Meridian, Clark County, Washington, described as follows:

BEGINNING at a point 1294.8 feet East of the Southwest corner of said Section 27; thence North 12° West 320 feet to the TRUE Point of Beginning of this description; thence continuing North 12° West 210 feet; thence North 77° East 205.8 feet to the West right-of-way line of Primary State Highway No. 1 (Pacific Highway); thence South 77° East 210 feet following said West right-of-way line of highway to a point thereon, which is North 77° East of the TRUE Point of Beginning; thence South 77° West 205.5 feet to the TRUE Point of Beginning.

EXCEPT those portions conveyed to the State of Washington for highway purposes by deed recorded under Auditor’s File Nos. G 131336 and G 426452, records of Clark County, Washington.