

# MASON COUNTY PUBLIC WORKS DEPARTMENT

## RIGHT OF WAY USE PERMIT

(County Road Standards Category 1, 2 or 3 Permits)

### Return to:

**Mason County Public Works Department**

100 W Public Works Drive, Bldg. 1

Shelton, WA 98584

[pwpermits@masoncountywa.gov](mailto:pwpermits@masoncountywa.gov)

(360) 427-9670 Ext. 450

### OFFICE USE ONLY

PERMIT NUMBER: \_\_\_\_\_

PERMIT FEE: \$ \_\_\_\_\_

PAID WITH: \_\_\_\_\_

RECEIPT # \_\_\_\_\_

APPLICANT NAME: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

DAYTIME TELEPHONE: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

This form is to be completed by the applicant and returned to the County Engineer, along with the permit fee. The County Engineer will return a copy of the completed form to the applicant with the requirement notes.

The applicant is applying for a Permit in accordance with Mason County Ordinance No. 2024-028 to use unimproved, unmaintained County road right-of-way and current Mason County Road Standards Manual.

**Check the requested Type of Right of Way Use Permit below.**

**Category 1:** Improvement to unopened right of way or unmaintained road w/in County right of way when applicant desires the County to assume maintenance responsibilities for the road and drainage improvements to be constructed or when such improvements are required in connection with other development approvals.

**Category 2:** Improvement to unopened right of way when the maintenance responsibilities for the improvement will rest with the applicant and all abutting property owners using the improvement.

**Category 3:** Use of and improvements to an unopened County right of way or unmaintained road for the specific purpose of providing bike/pedestrian/equestrian access for trail purposes.

**The permit is to access to the following described parcel of property (include the legal description with section, township, range, and Assessor's Parcel Number).**

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**State the proposed use of the above property and provide proof of appropriate subdivision ordinance approval or if exempt from the platting process an assessor's map showing the lots served.**

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**CATEGORY 1 PERMIT ONLY:** The following three name choices are requested for this road (If a road name is nonexistent, a road name shall be applied for through the Addressing Division in Mason County Department of Community Development by the applicant):

	<u>Nonexistent</u>
1.	<input type="checkbox"/>
2.	<input type="checkbox"/>
3.	<input type="checkbox"/>

The following conditions are hereby made a part of this permit and are agreed to as a condition of the permit:

1. This permit is not valid to access property for subdivisions, short plats, commercial or industrial use.
2. Emergency vehicles, service vehicles and the general public will not be denied the right to use this right-of-way. Approval of this permit shall not diminish public ownership or grant any exclusive privileges to the permittee.
3. The permittee(s) accept sole responsibility for construction and maintenance of the permitted roadway.
4. The permittee shall obtain all other required permits and approvals including environmental review.
5. The permittee shall be responsible for coordination with adjacent property owners and relocate or dispose of any affected fences within the right-of-way, as directed by the County Engineer.

**MASON COUNTY PUBLIC WORKS DEPARTMENT**

**RIGHT OF WAY USE PERMIT**

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- 6. The County Engineer has determined that the permittee  shall  shall not be required to have the right-of-way surveyed.
- 7. The County Engineer has determined that the permittee  shall  shall not be required to deed additional right of way to Mason County.
- 8. The County Engineer has determined that the permittee  shall  shall not be required to provide a drainage study.
- 9. The County Engineer has determined that the permittee  shall  shall not be required to provide \_\_\_\_\_ sets of detailed engineering and drainage plans.
- 10. The County Engineer has determined that a bond for road construction as provided for in the County Road Standards adopted by Ordinance No. 2024-028  is  is not required. The amount of the bond shall be \$ \_\_\_\_\_.
- 11. The County Engineer has determined that the permittee  shall  shall not be required to provide liability insurance in the amount of \$ \_\_\_\_\_. Mason County is to be named as an additional insured on the policy.
- 12. The County Engineer has determined that the following road standards shall apply:

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- 13. The County Engineer has determined that the following signing shall be installed:

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- 14. The County Engineer has determined that the following valuable materials exist on the right-of-way and shall be disposed in the following manner.

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15. The permit applicant **shall** ~~shall not~~ be required to record a covenant running with the land and for the benefit of the county which contains:

- A legal description of the lot(s) or parcel(s) to be served by the right-of-way use permit;
- A statement stating that access to such parcel is across a county right-of-way that is not maintained by the county, that the county is not responsible for maintenance of the right-of-way and that responsibility for maintenance of the road rests jointly and equally with the permit holder or assigns;
- A prohibition against subdividing such parcel without obtaining either plat or short plat approval therefore, or if exempt from platting, a right-of-way use permit for the additional lots being created;
- A statement that the right-of-way use permit conditions are binding on the successors and assigns of the owner unless the permit is cancelled per terms of this ordinance; and
- The acknowledged signature(s) of the owner of such parcel(s).

16. The permittee(s) shall assume sole responsibility for the safe and adequate operation and maintenance of any improvements to the county right-of-way during the period of time the permit is in effect. For those roads accepted into the county road system, Mason County will assume responsibility for all operation and maintenance following formal establishment proceedings.

17. The requirements herein shall be covenant that remains with the land being served. This covenant shall be binding upon the heirs, successors, and assigns of the property.

REQUIREMENTS APPROVED BY: \_\_\_\_\_  
Mason County Engineer Date

**If construction requirements are not completed within \_\_\_\_\_ year(s) of the above date, this application for a Right-of-way Use Permit shall become null and void.**

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**Do not sign until requirements are approved by the County Engineer or their designee.**

We, the undersigned, hereby acknowledge and agree to the terms and conditions set forth in this permit, Permit No. \_\_\_\_\_, and confirm compliance with the requirements established by the County Engineer and the Mason County Road Standards, as adopted by Ordinance No. 2024-028.

Signed this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Signature of Applicant

DATE: \_\_\_\_\_

STATE OF WASHINGTON,            )  
  )  
County of \_\_\_\_\_            )

On this date personally appeared before me (applicant) \_\_\_\_\_, to me known to be the individual(s) described in and who executed the forgoing instrument and acknowledged that his / her / their signed the same as his / her / their free and voluntary act for the uses and purposes therein stated.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Washington,

DATE: \_\_\_\_\_

residing at \_\_\_\_\_

My appointment expires: \_\_\_\_\_

This permit is not valid for obtaining a mobile home placement permit or building permit until the County Engineer has signed the following statement and this document has been recorded with the Mason County Auditor's Office.

All requirements of this permit have been completed or bonded for completion:

\_\_\_\_\_  
Mason County Engineer

\_\_\_\_\_  
Date