

ORDINANCE NO. 151

AN ORDINANCE establishing procedures for the vacation of County roads, and providing for compensation to Mason County.

WHEREAS, under the provisions of Chapter 185, Laws of 1969, First Extraordinary Session, Mason County may require compensation as a condition precedent to the vacation of County roads.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MASON COUNTY COMMISSIONERS, STATE OF WASHINGTON, as follows:

SECTION 1. Authority. County roads may be vacated in accordance with the provisions of RCW 36.87 as amended by Chapter 185, Laws of 1969, First Extraordinary Session, and Mason County may require as a condition precedent to said vacation the receipt of just compensation from the person or persons benefiting from said vacation.

SECTION 2. Classification. All County roads are hereby declared classified in accordance with the provisions and mandates of RCW 36.87 of paragraph 1, Chapter 185, Laws of 1969, First Extraordinary Session.

SECTION 3. Compensation. Any person or persons desiring to have any portion of any County road vacated may be required by the Mason County Board of County Commissioners as a condition precedent to said vacation to compensate the County prior to said vacation. The compensation shall include, but not be limited to, all or a percentage of the appraised, fair market value of the vacated road as of the effective date of the vacation, and the costs of any and all appraisals deemed necessary by the Board of County Commissioners together with any and all other administrative costs incurred by the County in vacating the road.

SECTION 4. Manner of Payment. Payment shall be made to the Mason County Treasurer and may be credited to the County Road Fund in those cases where the right-of-way was obtained through the use of County Road Funds, and in all other cases, shall be credited to the County Current Expense Fund.

cc: Cmmrs.
✓ Auditor
Engineer
Prosecutor

SECTION 5. Deposit. Each petition for vacation of a road shall be accompanied by a bond or cash deposit of \$100.00, which shall be used to defray examination, report, publication, investigation and other costs connected with the application. On rejected petitions, any unused portion of such deposit shall be returned to the petitioner. On petitions where vacation is recommended by the Board of County Commissioners, the unused balance of said deposit shall be applied towards the cost of appraisal. When deemed necessary by the Board of County Commissioners, they may require an additional deposit to cover appraisal costs.

DATED this 8th day of March, 1971.

MASON COUNTY BOARD OF COMMISSIONERS

William C. Hunter
Chairman

Martin Guetta

John B. ...

ATTEST:

Paul ...
County Auditor & Clerk of the Board

Approved as to Form:

Raymond E. McCluskey
Prosecuting Attorney, Mason County