

ALTERATION TO LAKE CUSHMAN, DIVISION 18
RESOLUTION 115-94

On July 24, 1980 the Plat of Lake Cushman, Division 18, located in Section 5, Township 22 North, Range 4 West, W.M., was recorded in Volume 10, Pages 41 through 50 records of Mason County, Washington.

WHEREAS, The Dedication included in Lake Cushman, Division 18, is as follows:

Know all men by these presents that the undersigned, Lake Cushman Co. lessee of the land hereby platted, hereby declares this plat and dedicates to the Lake Cushman Maintenance Co., all streets, avenues, places, and easements, as shown on the plat and the non-exclusive use thereof for the residents and occupants therein, their guest and service to said residents not inconsistent with use in common with other residents and lessees.

Also, the Lake Cushman Maintenance Co. shall have the right to make all necessary slopes for cuts and fills upon lots, blocks and tracts shown on this plat in the reasonable grading of all the streets, avenues, places, e.t.c. shown hereon. Also, the right to drain all streets over and across any lot or common area where water might take a natural course after the street or streets are finally improved. Also, all claims for damages against any governmental authority are waived which may be occasioned to the adjacent land by the established construction, drainage, and maintenance of said roads in witness whereof we have set our hands and seal this 18th day of June, 1980, Lake Cushman Co.

WHEREAS, The final plat contains a SPECIAL COVENANT in which item One reads as follows:

All lots shall be subject to an easement five feet in width, and parallel and adjacent to all lot lines, except that this easement shall be ten feet in width along lot lines where lots are not contiguous, for purposes of installation and maintenance of all utilities and drainage and all lots shall also be subject to the right of overhead easements for electric and telephone wires over portions of lots where roadway curvature causes the same to occur.

WHEREAS, RCW 58.17.215 - Alteration of subdivision - Procedure, provides a method by which a person interested in the alteration of any subdivision or the altering of any portion thereof may proceed;

WHEREAS, Mr. and Mrs. Howard P. and Judy L. Hulen, owners of Lots 105 and 106, Block 1, in the Plat of Lake Cushman, Division 18, has made application with the Mason County Board of County Commissioners requesting an alteration to the easement running approximately southwest to northeast an average of 177 feet for the purpose of placing a new residence over and across both lots;

WHEREAS, the application contains the signatures of the majority of those persons having an ownership interest of lots, tracts, parcels, sites, or divisions in the subject subdivision or portion thereof;

WHEREAS, the Lake Cushman Maintenance Co, Pacific Land Associates, Tacoma Public Utilities, PUD #3, and U.S. West Communications have all relinquished their interest in the easement.

WHEREAS, the Mason County Board of County Commissioners did notify the effected landowners as required by R.C.W. 58.17.215;

WHEREAS, a public hearing was held on October 25, 1994, at 9:45 AM, in the Commissioners Chambers;


WHEREAS, after due consideration it appears to be in the best public interest to approve the request made by Howard P. & Judy L. Hulen;

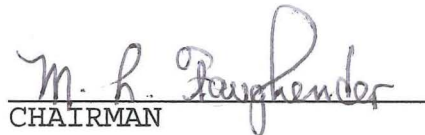
NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described 10' easement between lots 105 and 106, Block 1, in the Plat of Lake Cushman, Division 18 with the understanding that there is no drainage in effect on these property lines and that the combination is for the purpose of placing a residence over and across existing easements.

PASSED IN REGULAR SESSION this 25th day of October, 1994.

APPROVED AS TO FORM

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


A. H. DPA
Prosecuting Attorney


M. H. Doughender
CHAIRMAN


William O. Heuts
COMMISSIONER

ATTEST:


Rebecca S. Rogers
CLERK OF THE BOARD


COMMISSIONER

RECORDED ⁸⁰⁰ FILED
REEL 646 FRAME 294-295
AUDITOR MASON COUNTY
ALLAN T. BROTCHE

94 NOV -3 AM 10: 29

REQUEST OF:

COMMUNITY DEVELOPMENT DIRECTOR