

585409

ALTERATION TO COLONY SURF NO. 6  
RESOLUTION 38-94

On October 19th, 1970 the Plat of Colony Surf, Division 6, located in NE 1/4 of the SW 1/4 of Section 9, Township 23 North, Range 3 West, W.M, was recorded in Volume 8 of Plats, Pages 117 through 118 records of Mason County, Washington.

WHEREAS, The Dedication included in Colony Surf, Division 6, is as follows:

Know all men by these presents that the undersigned, Chesterfield and Hoss Properties Inc., owners in fee simple of land hereby platted, hereby declare this plat and dedicate to the use of the Colony Surf Community Club forever, all streets, avenues, places and easements, also the right to make all necessary slopes for cuts and fills upon all lots, blocks, tracts, etc. shown on this plat in the original grading of all streets, avenues, places, etc., shown hereon. Also the right to drain all streets over and across any lot or lots where water might take a natural course after the street or streets are originally graded.

WHEREAS, The final plat contains an EASEMENT PROVISION which reads as follows:

All lots shall be subject to an easement five feet in width, parallel with 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 easement 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, Merlin Montgomery, owner of Lots 47 and 48 in the Plat of Colony Surf, Division 6, has made application with the Mason County Board of Commissioners requesting an alteration to the easement running approximately northwest to southeast an average of 117 feet for the purpose of constructing a 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 Colony Surf Homeowners Association, U.S. West Communications, Inc., PUD #1 have all relinquished their interest in the easement.

WHEREAS, the Mason County Board of Commissioners did notify the effected landowners as required by RCW 58.17.215;

WHEREAS, a public hearing was held on March 29, 1994, at 10:15AM, in the Commission Chambers;

WHEREAS, after due consideration it appears to be in the best public interest to approve the request made by Mr. Merlin Montgomery;

NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described easement lots 47 and 48 in the Plat of Colony Surf, Division #6, with the understanding that there is no drainage in effect on these property lines and that the combination is for the purpose of building a single-family dwelling in the center of these lots.

PASSED IN REGULAR SESSION this 29nd day of March, 1994.

APPROVED AS TO FORM

Amie Platt, CHIEF DPA  
Deputy Prosecuting  
Attorney

ATTEST:

Rebecca Rogers  
CLERK OF THE BOARD

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

M. K. Faughender  
CHAIRMAN

William Hunter  
COMMISSIONER

[Signature]  
COMMISSIONER

c: Planning

RECORDED 800 FILED  
REEL 616 FRAME 115-114  
AUDITOR MASON COUNTY  
ALLAN T. BROTCHE

94 APR -6 PM 3: 19

REQUEST OF:

COMMUNITY DEVELOPMENT DIRECTOR