

589106

ALTERATION TO Lake Cushman, Division 16
RESOLUTION 49-94

On March 12, 1973 the Plat of Lake Cushman, Division 16, located in Section 16, Township 22 North, Range 4 West, W.M, was recorded in Volume 9 of Plats, Pages 73 through 77 records of Mason County, Washington.

WHEREAS, The Dedication included in Lake Cushman, Division 16, 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 use of the Lake Cushman Maintenance Co. all streets, avenues, places and easements and greenbelts as shown on the plat and the non-exclusive use thereof for the residents and occupants therein, their guests 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 all lots, blocks, tracts, etc. shown on this plat in the reasonable grading of all the streets, avenues, places, etc., 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 approved.

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, Mr. and Mrs. Wayne Peska, owner of Lots 40 and 41 in the Plat of Lake Cushman, Division 16, has made application with the Mason County Board of Commissioners requesting an alteration to the easement running approximately northwest to southeast an average of 110 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 Lake Cushman Maintenance Company, Tacoma Public Utilities, PUD #3, U.S. West Communications, Inc., Lake Cushman Development Co. 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 May 24, 1994, at 10:45AM, in the Commission Chambers;


WHEREAS, after due consideration it appears to be in the best public interest to approve the request made by Mr. and Mrs. Wayne Peska;


NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described easement lots 40 and 41 in the Plat of Lake Cushman, Division 16, 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 24th day of May, 1994.

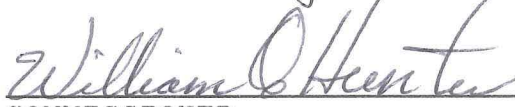
APPROVED AS TO FORM

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Deputy Prosecuting
Attorney


CHAIRMAN

ATTEST:


COMMISSIONER


CLERK OF THE BOARD

absent
COMMISSIONER

RECORDED 800 FILED
REEL 625 FRAME 095096
AUDITOR MASON COUNTY
ALLAN T. BROTCHE

94 JUN -3 AM 11:56

REQUEST OF:
COMMUNITY DEVELOPMENT DIRECTOR