

593766

RE 635FR923

RECORDED 8:00 FILED
REC 635 FRAME 923-924
AUDITOR MASON COUNTY
ALLAN T. BROTCHE

94 AUG 23 AM 10: 03

REQUEST OF:

ALTERATION TO LAKE CUSHMAN, DIVISION 12
RESOLUTION 85-94

COMMUNITY DEVELOPMENT DIRECTOR

On September 21, 1970 the Plat of Lake Cushman, Division 12, located in Section 16, Township 22 North, Range 4 West, W.M., was recorded in Volume 8, Pages 100 through 104 records of Mason County, Washington.

WHEREAS, The Dedication included in Lake Cushman, Division 12, 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, easements, and greenbelts 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.

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

All lots shall be subject to an easement 5 feet in width, and parallel and adjacent to all lot lines, except that this easement shall be 10 feet in width along lot lines where lot lines 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. Curtis D. and Charlene S. Andersen, owners of Lots 54 and 55 in the Plat of Lake Cushman, Division 12, has made application with the Mason County Board of County Commissioners requesting an alteration to the easement running approximately southeast to northwest an average of 105 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, U.S. West Communications, and Mason County Public Works 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 August 16, 1994, at 7:15 PM, in the Commissioners Chambers;


WHEREAS, after due consideration it appears to be in the best public interest to approve the request made by Curtis and Charlene Andersen;

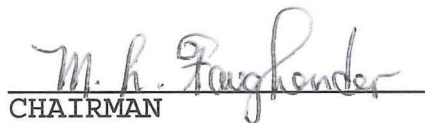
NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described 10' easement between lots 54 and 55 in the Plat of Lake Cushman, Division 12 with the understanding that there is no drainage in effect on these property lines and that the combination is for the purpose of placing a residence over and across existing easements.

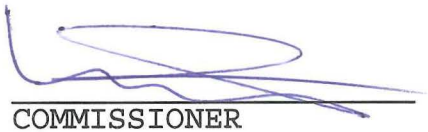
PASSED IN REGULAR SESSION this 16th day of August, 1994.

APPROVED AS TO FORM

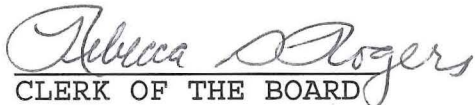
BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


CHIEF
Prosecuting Attorney


CHAIRMAN


COMMISSIONER

ATTEST:


CLERK OF THE BOARD


COMMISSIONER

c: Community Development
Assessor
Auditor
Curtis & Charlene Andersen