

616164

Rerecord

616950

REEL 692 FR 240

REEL 690 FR 237

RESOLUTION NO. 108-95

A resolution vacating the total alley in Block 53; Hood Canal Land & Improvement Company's Addition to Union City, as recorded in Volume 1 of Plats, Page 9 in the Mason County Auditor's office on March 16, 1889.

WHEREAS, the Plat of Union City was recorded on April 6, 1889; and

WHEREAS, the STREET was never opened for public use; and

WHEREAS, the Laws of the State of Washington of 1889-1890, Chapter XIX, Section 32, Page 603 mandated that "Any county road...which remains unopened for public use for the space of five years after...the authority (is) granted for opening the same, shall be and the same is hereby vacated...;" and

WHEREAS, the Supreme Court of Washington has mandated in Turner v. Davisson, 47 Wn2d 375 (1955), that the above law shall govern the vacation of unopened roads in any plat recorded before 1909;

WHEREAS, the Board of Mason County Commissioners held a public hearing on October 19, 1995;

** 17012*

NOW, THEREFORE, BE IT RESOLVED that the STREET is hereby vacated by order of law and that the vacation shall be and is considered to be effective as of 1895; and

BE IT FURTHER RESOLVED that this is subject to any existing utility easements of record.

DATED this 17th day of October, 1995.

** rerecord to correct hearing date*

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Rebecca S. Rogers
Rebecca S. Rogers, Clerk of the Board

William O. Hunter
William O. Hunter, Chairperson

APPROVED AS TO FORM:

Michael Cliff

Chief Prosecuting Attorney
Michael Cliff

M. L. Faughender
M.L. Faughender, Commissioner

Mary Jo Cady
Mary Jo Cady, Commissioner

c: File
Auditor
Assessor
Public Works
Petitioner

RECORDED *n/c* FILED
REEL 690 FRAME 237
AUDITOR MASON COUNTY
ALLAN T. BROTCHE

RECORDED *n/c* FILED
REEL 692 FRAME 240
AUDITOR MASON COUNTY
ALLAN T. BROTCHE

95 NOV -8 AM 10:35

95 OCT 25 PM 5:00

REQUEST OF:

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Mason Co. Commissioners