ALTERATION TO LYNCH COVE # 3
RESOLUTION _114-95_

On June 30, 1969, the Plat of Lynch Cove #3, located in the S.E.
1/4 of Section 36, Township 23 North, Range 2 West, W.M., was
recorded in Volume 8, Pages 25 through 26 records of Mason
County, Washington.

WHEREAS, The Dedication included in Lynch Cove # 3 is as follows:

Know all men by these presents that Allen A. Bowden and Wanda L.
Bowden, President and Secretary Treasure respectively of M & A
Development Corporation, a Washington Corporation, the
undersigned, owners in fee simple of the land hereby platted and
Richard T. Sweeney, Paula A. Sweeny his wife, Sidney M. Casteel
and Marjorie D. Casteel, his wife mortgagees, [BLANK] and
[BLANK], President and Secretary respectively of Pacific Small
Business Investment Company, a Washington Corporation mortgagees,
[ILLEGIBLE] AND [ILLEGIBLE], President and Secretary respectively
of Kitsap County Bank, a Kitsap County Bank Corporation
mortgagees, thereof hereby declare this plat and dedicate to the
use of the public forever all streets, avenues, places, and sewer
easements or whatever public property there is shown on the plat
and the use thereof for any public purposes not inconsistent with
the use thereof for public high-way purposes. Also, the right to
make all necessary slopes for cuts and fills upon lots, blocks,
tracts, e.t.c., shown on this plat in the reasonable original
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
lots where water might take a natural course after the street or
streets are graded.

WHEREAS, The final plat contains Protective Covenants recorded
under AFN 244057, in which number C reads as follows:

Easements within five feet of all lot lines (or ten feet where
the property line is not in common with another lot) are hereby
reserved for drainage, water system pipes, sewage system pipes,
storm sewers and utilities, including right of maintenance.

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, Edward J. and Donna M. Yates, owners of Lots 93, 94, &
95, all in Lynch Cove # 3, have made application with the Mason
County Board of County Commissioners requesting an alteration to
the easements running approximately northwest to southeast an
average of 153 feet, for the purpose of legitimizing an existing
home that encroaches into the easement.

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 Lynch Cove Community Division 3 Representative,
Aquarias Utilities, PUD #3, U.S. West Communications, Falcon
Cable 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 November 14, 1995, at 9:15
AM, in the Commissioners Chambers;

WHEREAS, after due consideration it appears to be in the best public interest to approve the request made by Edward J. and Donna M. Yates;

NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described 10' easement between Lots 94 & 95 of Lynch Cove #3, with the understanding that there is no drainage in effect on this property line and that the combination is for the purpose of legitimizing the location of an existing home which is currently encroaching into said easement.

PASSED IN REGULAR SESSION this 14th day of November, 1995.

APPROVED AS TO FORM

M'K Platt, CHIEF
Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

William Hunter
CHAIRMAN

M. L. Faughender
COMMISSIONER

ATTEST:

Rebecca Rogers
CLERK OF THE BOARD

Mary Jo Cady
COMMISSIONER