

614440

RESOLUTION NO. 83-95

A resolution vacating all that portion of Fir Street between Lot 1 in Block 5 and Lot 5 in Block 6 southerly to the center of the alley and the easterly 1/2 of Fir Street adjoining Lot 6 in Block 6 northerly to the center of the alley.

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 July 18, 1995;

NOW, THEREFORE, BE IT RESOLVED that the STREET is hereby vacated by order of lay^{and} 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 15th day of August, 1995.

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 *685* FRAME *540*
AUDITOR MASON COUNTY
ALLAN T. BROTCHE

95 SEP 25 AM 11:41

REQUEST OF:

M.C. Comm