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REEL 690 FR 580

RECORDED 8.00 - FILED
REEL 690 FRAME 580-581
AUDITOR MASON COUNTY
ALLAN T. BROTCHE

95 OCT 27 PM 3:01

REQUEST OF:

ALTERATION TO LAKE CUSHMAN, DIVISION 12
RESOLUTION 98-95

COMMUNITY DEVELOPMENT DIRECTOR

On September 16, 1970 the Plat of Lake Cushman, Division 12, located in Section 16, Township 22 North, Range 4 West, W.M., was recorded in Volume 86, 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 an Easement Provision which states:

All lots shall be subject to an easement five feet in width, and parallel 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 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, Mrs. Betty Jean Eldridge, owner of Lots 162 and 163, 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 northwest to southeast an average of 100 feet between said two lots, for the purpose of placing a home across the existing property line;

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, and U.S. West Communications 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 September 26, 1995, at 10:15 A.M., in the Commissioners Chambers;


WHEREAS, after due consideration it appears to be in the best public interest to approve the request made by Betty Jean Eldridge;

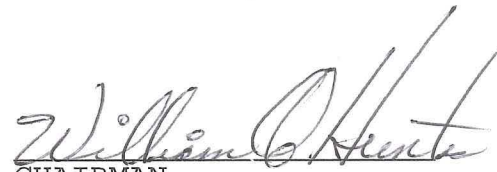
NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described 10' easement between lots 162 and 163, in the Plat of Lake Cushman, Division 12, with the understanding that there is no drainage in effect on these property lines and that the easements are being removed for the purpose of combining the two lots in order to place a home across the existing lot line.


PASSED IN REGULAR SESSION this 26th day of September, 1995.

APPROVED AS TO FORM


BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Mark Pitt, CHIEF DPA
Prosecuting Attorney


William O. Hunter
CHAIRMAN


M. H. Fargender
COMMISSIONER

ATTEST:


Rebecca S. Rogers
CLERK OF THE BOARD


Mary Jo Cody
COMMISSIONER