

RESOLUTION NO. 117-96

A resolution vacating the south half of the ALLEY adjacent to the north end of Lots 30, 31, and 32 in Block 62 of Hood Canal Land & Improvement Co.'s Addition to Union City, Volume 1 of Plats, Page 9 in the Mason County Auditor's office.

WHEREAS, the Plat of Hood Canal Land & Improvement Co.'s Addition to Union City was recorded on April 6, 1889; and

WHEREAS, the south half of the ALLEY adjacent to the north end of Lots 30, 31, 32 in Block 62 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 8 & 15, 1996;

NOW, THEREFORE, BE IT RESOLVED that the south half of the ALLEY adjacent to the north end of Lots 30, 31, 32 in Block 62 of Hood Canal Land & Improvement Co.'s Addition to Union City is hereby vacated by order of law and that the vacation shall be and is considered to be effective as of 1895; and

DATED this 15th day of October, 1996.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Mary Jo Cady
Mary Jo Cady, Chairperson

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

William O. Hunter
William O. Hunter, Commissioner

ATTEST:

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

APPROVED AS TO FORM:
Michael Clift
Chief Prosecuting Attorney
Michael Clift

- c: File
- Auditor
- Assessor
- Public Works
- Petitioner

RECORDED *NC* FILED
REEL *741* FRAME *605*
AUDITOR MASON COUNTY
ALLAN T. BROTCHE

96 OCT 24 PM 2:08

REQUEST OF:
Mason Co. Commissioners