

623919

ALTERATION TO RUSTLEWOOD
RESOLUTION 28-96

On October 1, 1970, the Plat of Rustlewood, located in Section 27, Township 21 North, Range 2 West, W.M., was recorded in Volume 8, Page 108 to 110 records of Mason County, Washington.

WHEREAS, The Dedication included in Rustlewood, is as follows:

Know all men by these presents that the Midfork INC, a Washington Corp. by Thomas G. Morris President, James O. Tallman Secretary, and Sun Point Investment INC by [BLANK] President, [BLANK] Secretary-Treasurer and Elizabeth Burzloff and Russell W. Tritle and Audrey F. Tritle husband and wife, owners in fee simple of the land hereby platted 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 and all public purpose not inconsistent with the use thereof for public highway purposes. Also the right to make all necessary slopes for cuts and fills upon lots, blocks, tracts, 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 streets are graded.

WHEREAS, The final plat contains a Covenant which reads as follows:

All lots shall be subject to an easement 5 feet in width and parallel and adjacent to all lot lines, except that this easement shall be 10 feet in width along lot lines where lots are not contiguous for purpose of installation and maintenance of all utilities and drainage and all lot lines shall also be subject to the right of overhang of 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, William & Virginia Merifield, owners of Lots 83 and 84 of the Plat of Rustlewood, have made application with the Mason County Board of County Commissioners requesting an alteration to the easements running approximately east to west an average of 155 feet. The applicant will subsequently seek a boundary line adjustment for the purposes of legitimizing the location of an existing shed;

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 Rustlewood Home Owners Association, the Utilities Division of the Mason County Department of Community Development, PUD # 3, U.S. West Communications, 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 February 27, 1996, at 9:45 AM, in the Commissioners Chambers;

WHEREAS, after due consideration it appears to be in the best public interest to approve the request made by William & Virginia Merifield;

NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described 10' easement between lots 83 and 84, in the Plat of Rustlewood, with the understanding that there is no drainage in effect on these property lines and that the purpose is for a future boundary line adjustment.

PASSED IN REGULAR SESSION this 27th day of February, 1996.

APPROVED AS TO FORM

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

[Handwritten signature]

Prosecuting Attorney

[Handwritten signature]
CHAIRMAN

[Handwritten signature]
COMMISSIONER

ATTEST:

[Handwritten signature]
CLERK OF THE BOARD

[Handwritten signature]
COMMISSIONER

RECORDED ⁸⁰⁰ FILED
REEL 708 FRAME 852-853
AUDITOR MASON COUNTY
ALLAN T. BROTCHE

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REQUEST OF:

return. COMMUNITY DEVELOPMENT DIRECTOR