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ALTERATION TO EMERALD LAKE, DIV. 3
RESOLUTION 53-96

REQUEST OF:

COMMUNITY DEVELOPMENT DIRECTOR

On January 12, 1971, the Plat of Emerald Lake, Division 3, located in Section 24, Township 21 North, Range 3 West, W.M., was recorded in Volume 9, Page 6 to 8 records of Mason County, Washington.

WHEREAS, The Dedication included in Emerald Lake Division 3, is as follows:

Know all men by these presents that Alpine Evergreen Co., a Washington Corp. by Paul E. Reid President, and Roger J. Reid Secretary, and Albert L. Odmark and Gertrude T. Odmark wife, owners in fee simple of the land platted hereby, and Fairview Estates INC., a Washington Corporation by John A. Bishop, President, and Paul E. Reid, Secretary purchasers on contract 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 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, Dean & Debbie Norton, owners of Lots 5 and 6 of the Plat of Emerald Lake, Division 3, have made application with the Mason County Board of County Commissioners requesting an alteration to the easements running approximately northeast to southwest an average of 283 feet. The applicant will subsequently seek a Declaration of Parcel Combination for building purposes;

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 Emerald Lake community Club, 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 April 9, 1996, at 10:15 AM, in the Commissioners Chambers;

WHEREAS, after due consideration it appears to be in the best public interest to approve the request made by Dean & Debbie Norton;

NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described 10' easement between lots 5 and 6, in the Plat of Emerald Lake Division 3, with the understanding that there is no drainage in effect on these property lines and that this action is for building purposes only.

PASSED IN REGULAR SESSION this 9th day of April, 1996.

APPROVED AS TO FORM

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Amie Pitt, CHIEF DPA
Prosecuting Attorney

Mary Jo Cady
CHAIRMAN

M. R. Fugender
COMMISSIONER

ATTEST:

Rebecca O Rogers
CLERK OF THE BOARD

William O Hunt
COMMISSIONER