



DEPT COMM DEV



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09/30/1999 01:43P
Mason Co, WA

ALTERATION TO COLONY SURF, NUMBER TWO
RESOLUTION 107-99

On May 22, 1967, the Plat of Colony Surf, Number Two, located in Section 9, Township 23 North, Range 3 West, W.M., was recorded in Volume 6, Pages 107 through 109 records of Mason County, Washington.

WHEREAS, The Dedication included in Colony Surf, Number Two, is as follows:

Know all men by these presents that the undersigned, executors of Estate of John Muller, his wife, owners in fee simple of the land hereby platted and Richard E. Jacobson, D. Alson Vanderstaay and Chesterfield Development Corporation, contract purchasers thereof, hereby declare this plat and dedicate to the use of the Colony Surf Community Club forever, all streets, avenues, places, and easements. Also the right to make all necessary slopes for cuts and fills upon lots, blocks, tracts, etc., shown on this plat in the reasonable original grading of all streets, avenues, places, etc., 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 street or streets are originally graded.

WHEREAS, The final plat contains Protective Covenant number six which reads as follows:

Easements within 5 feet of all lot lines are hereby reserved for drainage, water system pipes, sewage systems pipes, storm sewers and utilities, including right of maintenance.

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, John and Margie McNeil, owners of Lot 101 of Colony Surf Division Two and a unplatted parcel known as Tract 10, have made application with the Mason County Board of County Commissioners requesting an alteration to the easements running approximately southeast to northwest an average of 89.45 feet, for the purpose of building a garage over the existing easement, these two parcels having been legally combined in 1985.

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 Colony Surf Club and Water System, PUD # 1, U.S. West Communications and Hood Canal 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 21, 1999, at 10:00 AM, in the Commissioners Chambers;

WHEREAS, after due consideration it appears to be in the best public interest to approve the request made by John & Margie McNeil;



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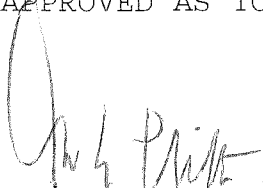
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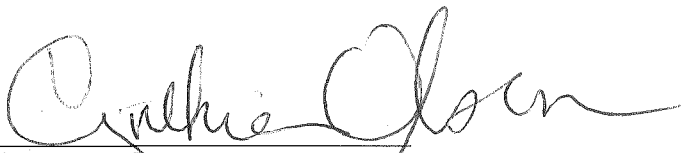
NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described 5' easement between Lot 101, Colony Surf, Division Two and the unplatted parcel known as Tract 10, with the understanding that there is no drainage in effect on this property line and that this action is rectifying a problem created when these parcel were legally combined in 1985.

PASSED IN REGULAR SESSION this 21st day of September, 1999.

APPROVED AS TO FORM

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


CH-DPA
Prosecuting Attorney


CHAIRMAN


COMMISSIONER

ATTEST:


CLERK OF THE BOARD


COMMISSIONER