

MASON COUNTY
RESOLUTION NO. 5-08

WHEREAS, Lakewood Plat A includes road names that are a duplication of road names already in use in Mason County.

WHEREAS, it is in the best interest of the citizens of Mason County to rename the road system for the Lakewood Plat A, and in the interest of the City of Shelton Police Department Communication Division, the City of Shelton Master Street Address Guide, and the Mason County Department of Community Development;

WHEREAS, the Mason County Board of Commissioners hereby adopts the Findings of Fact as stated in Attachment A;


THEREFORE IT IS RESOLVED that the Department of Community Development shall re-name the roadways located in Lakewood Plat A in a manner consistent with the Findings of Fact attached hereto and in such manner as to avoid duplication of names of existing roadways.

Dated this 15 of January, 2008

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

ATTEST:


TIM SHELDON, Chair


REBECCA S. ROGERS
Clerk of the Board


LYNDA RING ERICKSON, Commissioner


ROSS GALLAGHER, Commissioner

APPROVED AS TO FORM:


MONTY COBB
Chief Prosecuting Attorney

Cc Prosecuting Attorney
Department of Community Development
City of Shelton – Communications Center
Mason County Sheriffs Office

Attachment A

FINDINGS OF FACT

1. Lakewood Plat A is a non-vacated plat within unincorporated Mason County, Washington.
2. Lakewood Plat A includes road names that are a duplication of road names already in use in Mason County.
3. An address change or street name change within a plat would not rise to the level of a "Plat Alteration" governed by RCW 58.17.215.
4. A change in the name of a street or roadway is an administrative act.
See for example:

Eldridge v. Fawcett, 128 Wash. 615 (1924) (a case involving the city of Tacoma which concluded that the "right to change the name of a street is an attribute of legislative power which does not become exhausted by previous exercise of that power."").

Heider v. Seattle, 100 Wn.2d 874, 877 (1984) (involving the City of Seattle's action to change the name of Empire Way to Martin Luther King Jr. Way), the court held that a change in the name of a street is an administrative act and expressly ruled that owners of property abutting a street have no constitutionally cognizable property interest in the name of the street, therefore, the owners were not entitled to compensation for costs incurred in the street name change. In the City of Seattle case, however, extensive notice was provided for the street name change.
5. The Department of Community Development will invoke Title 14.28.120 Procedure for Private Road Naming, allowing property owners to chose, vote and sign the roadways within the Lakewood Plat A as described in Mason County Title 14.28.120.