



Mason County
Dept. of Community Development
P.O. Box 578
Shelton, WA 98584

Please print neatly or type information

Document Title(s)

Resolution #23-99 _____

Reference Number(s) of related documents

DPC # 99-05 _____

Additional Reference #'s on page _____

Grantor(s) (Last, First and Middle Initial)

Bye, Arthur R.
Bye, Barbara, A.

Additional grantors on page _____

Grantee(s) (Last, First and Middle Initial)

The Public

Additional legal is on page _____

Legal Description (abbreviated form: i.e. lot, block, plat or section, township, range, quarter/quarter)

Lots 38 & 39 Block 3, Lake Cushman #18 _____

Assessor's Property Tax Parcel/Account Number

42205-51-03038 42205-51-03039 _____

Additional grantors on page _____

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.



ALTERATION TO LAKE CUSHMAN, DIVISION 18
RESOLUTION 23-99

On June 18, 1980 the Plat of Lake Cushman, Division 18, located in Sections 4, 5, 8 & 9, Township 22 North, Range 4 West, W.M., was recorded in Volume 10, pages 41 through 50 records of Mason County, Washington.

WHEREAS, The Dedication included in Lake Cushman, Divisions 18, is as follows:

Know all men by these presents that the undersigned, Lake Cushman Co., lessee of the land hereby platted, hereby declares this plat and dedicates to the Lake Cushman Maintenance Co., all streets, avenues, places, and easements as shown on the plat and the non-exclusive use thereof for the residents and occupants therein, their guest and service to said residents not inconsistent with use in common with other residents and lessees.

Also, the Lake Cushman Maintenance Co. shall have the right to make all necessary slopes for cuts and fills upon lots, blocks and tracts shown on this plat in the reasonable grading of all the streets, avenues, places, e.t.c. shown hereon. Also, the right to drain all streets over and across any lot or common area where water might take a natural course after the street or streets are finally improved. Also claims for damages against any governmental authority are waived which may be occasioned to the adjacent land by the established construction, drainage, and maintenance of said roads in witness whereof we have set our hands and seals this 18th day of June, 1980. Lake Cushman Co.

WHEREAS, The final plats contains SPECIAL COVENANT #1, which states:

All lots shall be subject to an easement five feet in width, and parallel and adjacent to all lot lines, except that this easement shall be ten feet in width along lot lines where lots are not contiguous, for purposes of installation and maintenance of all utilities and drainage and all lots shall also be subject to the right of overhead easements for 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, A. R. and Barbara Bye, owners of Lots 38, & 39 in the plat of Lake Cushman, Division 18, have made application with the Mason County Board of County Commissioners requesting an alteration to the easement running approximately southeast to northwest 146 feet between these said lots, for the purpose of combining lots through a Declaration of Parcel Combination;

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 subdivisions or portion thereof;

WHEREAS, the Lake Cushman Maintenance Co, Pacific Land Associates, Tacoma Public Utilities, PUD #3, 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 February 16th, 1999, at 10:15 A.M., in the Commissioners Chambers;

WHEREAS, after due consideration it appears to be in the best public interest to approve the request made by A. R. & Barbara Bye;

NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described 10' easements between Lots 38 & 39 in the Plat of Lake Cushman, Division 18, with the understanding that there is no drainage in effect on this property line and that the easement is being removed for the purpose of performing a Declaration of Parcel Combination for building purposes.

PASSED IN REGULAR SESSION this 16th day of February, 1999.

APPROVED AS TO FORM

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Prosecuting Attorney

Excused Absence 2/16/99
CHAIRMAN

COMMISSIONER

ATTEST:

CLERK OF THE BOARD
COMMISSIONER