

RESOLUTION NO. 68-81

A Resolution vacating portions of certain Mason County Roads, namely: Skookum Street, Easterly of the West line of Main Street, and Main Street, northerly of the South line of Skookum Street, including the intersection of Skookum and Main Streets, as shown within the original Plat of the Town of Arkada, Volume 1, Page 6, in the Plat Book of the Mason County Auditor, all of which streets and intersection noted above will hereinafter be referred to as the STREETS

WHEREAS, the Plat of Arkada was recorded in 1859 and again in 1889; and

WHEREAS, the STREETS were never opened for public use; and

WHEREAS, the Laws of the State of Washington of 1889-1890, Chapter XIX, Section 32, Page 603 mandated that "Any county road . . . which remains unopened for public use for the space of five years after . . . the authority (is) granted for opening the same, shall be and the same is hereby vacated . . . "; and

WHEREAS, the Supreme Court of Washington has mandated in Turner v. Davisson, 47 Wn2d 375 (1955), that the above law shall govern the vacation of unopened roads in any plat recorded before 1909;

NOW, THEREFORE, BE IT RESOLVED that the STREETS are hereby vacated by order of law and that the vacation shall be and is considered to be effective as of 1894; and,

BE IT ALSO RESOLVED that the Mason County Treasurer be directed to refund to Dr. B. N. Collier the \$100 deposit deposited by him as a condition for petitioning the Mason County Board of Commissioners to vacate the STREETS which were already vacated by operation of law.

DATED this 22nd day of June, 1981.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Annette S. McGee
Chairman

William O. Hunter
Commissioner

Ed Johnston
Commissioner

ATTEST:

Peggy Cleveland
Auditor & Ex-Officio Clerk
of the Board

APPROVED AS TO FORM:

John H. Buchwalter DPA
Prosecuting Attorney
of Mason County

cc: Cmmrs
Auditor/Treasurer
Engineer
Dr. Collier