

RESOLUTION NO. 17-88

A RESOLUTION relating to the intention of the Board of Mason County Commissioners to condemn certain properties within Mason County for public use.

WHEREAS, the properties described below is necessary in order to provide sufficient land for the relocation of Mason County Road No. 90100, known as the Shelton-Matlock Road, County Road Project 1042, and

WHEREAS, the use of the land in question is a public use; and

WHEREAS, the property to be acquired is necessary to said public use; and

WHEREAS, the County has been unable to reach an agreement with the property owners of that certain parcel described below with respect to the purchase thereof; and

WHEREAS, pursuant to Chapter 8.08 RCW, Mason County has the authority to condemn property within the County for public use.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MASON COUNTY that it is necessary for county purposes to acquire a portion of the following described properties:

Parcel No. 90100-1042- 2: Joseph A. & Bonnie S. MacRae
90100-1042-12: Joseph A. & Bonnie S. MacRae

Parcel No. 90100-1042-49: Simpson Timber Co. Railroad R/W
90100-1042-60: " " " " "
90100-1042-61: " " " " "
90100-1042-71: " " " " "
90100-1042-72: " " " " "
90100-1042-73: " " " " "

Parcel No. 90100-1042- 9: Leloy & Marie E. Gonzales

Parcel No. 90100-1042-58: Donald Lee and Gail Edmiston

Parcel No. 90100-1042-16: Keith A. Tibbits and Linda R. Tibbits

Parcel No. 90100-1042-35: Ernest Nolan

Parcel No. 90100-1042-55: G. Patrick and Pamela J. Robinson

Parcel No. 90100-1042-63: Kirk I. and Sherry L. Petersen

Said portions are more particularly described as follows:

Joseph A. MacRae and Bonnie S. MacRae

Parcel No. 90100-1042-2: That part of the Northwest ten acres of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 26, Township 20 North, Range 4 West, W.M., described as follows: Beginning at a point on the West Line of said subdivision 540.44 feet S3°38'13"E of the Northwest Corner thereof; running thence S80°26'43"E 53.74 feet; thence along a curve to the left having a radius of 765.00 feet a distance of 47.85 feet; thence N5°58'15"E radially to said curve 5.00 feet; thence Easterly along a curve whose radius point bears N5°58'15"E 760.00 feet distant an arc distance of 30.28 feet to the East Line of the West 130 feet of said subdivision; thence S3°38'13"E along said East Line to the Northerly right-of-way Line of the Shelton-Matlock County Road; thence Westerly along said Northerly right-of-way line to the West Line of said

subdivision; and thence N3°38'13"W along said West Line to the point of beginning; Mason County, Washington.

Parcel No. 90100-1042-12: That part of the East Half (E1/2) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of section 27, Township 20 North, Range 4 West, A.M., described as follows: Beginning at a point on the East Line of said subdivision 617.47 feet S3°38'13"E of the Northeast Corner thereof; running thence N80°26'43"W 122.55 feet to a point that bears N3°38'13"W of a point on the South Line of said subdivision 120.00 feet Westerly of the Southeast Corner thereof; thence N3°38'13"W to the Southerly right-of-way line of the Shelton-Matlock County Road; thence Easterly along said Southerly right-of-way line to the East Line of said subdivision; and thence S3°38'13"E along said East Line to the point of beginning; Mason County, Washington.

Simpson Timber Co. Railroad Right-of-Way

Parcel No. 90100-1042-49: That part of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section 16, Township 20 North, Range 4 West, W.M., described as follows: Beginning at a point on the West Line of said subdivision 461.59 feet S2°12'01"W of the Northwest Corner thereof; said point is on a curve the radius point of which bears N22°11'24"E 2065.00 feet distant; thence Southeasterly along said curve 329.85 feet; thence S76°57'43"E 140 feet, more or less, to the Southwesterly right-of-way line of a 100 foot railroad right-of-way as conveyed to Simpson Logging Company in Quit Claim Deed and Assignment recorded April 11, 1936, under Auditor's File No. 77596; thence Northwesterly along said Southwesterly right-of-way line to the West Line of said subdivision; and thence N2°12'01"E along said West Line 35 feet, more or less, to the point of beginning; Mason County, Washington.

Parcel No. 90100-1042-60: That part of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section 17, Township 20 North, Range 4 West, W.M., described as follows: Beginning at a point on the East Line of said subdivision 461.59 feet S2°12'01"W of the Northeast Corner thereof; said point is on a curve the radius point of which bears N22°11'24"E 2065.00 feet distant; thence Northwesterly along said curve a distance of 390.87 feet; thence N56°57'54"W 358.40 feet; thence along a curve to the right having a radius of 2065.00 feet a distance of 158.71 feet to the North Line of said subdivision; thence N89°31'31"W along said North Line 20 feet, more or less, to the Southwesterly right-of-way line of a 50 foot railroad right-of-way as conveyed to Simpson Logging Company in Quit Claim Deed and Assignment recorded April 11, 1936, under Auditor's File No. 77596; thence Southeasterly along said Southwesterly right-of-way line to the East Line of said subdivision; and thence N2°12'01"E along said East Line 10 feet, more or less, to the point of beginning; Mason County, Washington.

Parcel No. 90100-1042-61: That part of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section 17, Township 20 North, Range 4 West, W.M., described as follows: Beginning at a point on the West Line of said subdivision 424.17 feet N2°15'52"E of the Southwest Corner thereof; running thence S49°03'38"E 531.70 feet; thence along a curve to the left having a radius of 2065.00 feet a distance of 126.17 feet to the South Line of said subdivision; thence N89°31'32"W along said South Line 60 feet, more or less, to the Southwesterly right-of-way line of a 100 foot railroad right-of-way as conveyed to Simpson Logging Company in Quit Claim Deed and Assignment recorded April 11, 1936, under Auditor's File No. 77596; thence Northwesterly along said

Southwesterly right-of-way line to the West Line of said subdivision; and thence N2°15'52"E along said West Line 40 feet, more or less, to the point of beginning; Mason County, Washington.

Parcel No. 90100-1042-71: That part of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section 17, Township 20 North, Range 4 West, W.M., described as follows: Beginning at a point on the East Line of said subdivision 216.21 feet N2°19'43"E of the Southeast Corner thereof; running thence N48°33'43"W 7.94 feet; thence along a curve to the right having a radius of 919.93 feet a distance of 193.55 feet; thence N36°30'26"W 270 feet, more or less, to the Southwesterly right-of-way line of a 50 foot railroad right-of-way as conveyed to Simpson Logging Company in Quit Claim Deed and Assignment recorded April 11, 1936, under Auditor's File No. 77596; thence Southeasterly along said Southwesterly right-of-way line to the East Line of said subdivision; and thence N2°19'43"E to the point of beginning.

ALSO, that part of said Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) described as follows: Beginning at a point on the East Line of said subdivision 216.21 feet N2°19'43"E of the Southeast Corner thereof; running thence N48°33'43"W 7.94 feet; thence along a curve to the right having a radius of 919.93 feet a distance of 193.55 feet; thence N36°30'26"W 611.98 feet to the TRUE POINT OF BEGINNING; thence N53°29'34"E 5.00 feet; thence N36°30'26"W 1.77 feet; thence along a curve to the left having a radius of 994.93 feet a distance of 206.54 feet; thence S41°35'55"W radially to said curve 5.00 feet; thence Northwesterly along a curve whose radius point bears S41°35'55"W 989.93 feet distant an arc distance of 112.12 feet; thence S54°53'27"W 176.93 feet; thence along a curve to the left having a radius of 989.93 feet a distance of 135 feet, more or less, to the Southwesterly right-of-way line of a 50 foot railroad right-of-way as conveyed to Simpson Logging Company in Quit Claim Deed and Assignment recorded April 11, 1936, under Auditor's File No. 77596; thence Southeasterly along said Southwesterly right-of-way line to a point that bears S36°30'27"E of the TRUE POINT OF BEGINNING; and thence N36°30'27"W 115 feet, more or less, to the TRUE POINT OF BEGINNING, Mason County, Washington.

Parcel No. 20100-1042-72: That part of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of Section 17, Township 20 North, Range 4 West, W.M., described as follows: Beginning at a point on the East Line of said subdivision 424.17 feet N2°15'52"E of the Southeast Corner thereof; running thence N49°03'38"W 349.69 feet; thence along a curve to the right having a radius of 11,424.16 feet an arc distance of 99.39 feet; thence N48°33'43"W 55.50 feet; thence N41°26'17"E 10.00 feet; thence N48°33'43"W 300.00 feet; thence S41°26'17"W 10.00 feet; thence N48°33'43"W 549.77 feet to the North Line of said subdivision; thence Westerly along said North Line to the Southwesterly right-of-way line of a 50 foot railroad right-of-way as conveyed to Simpson Logging Company in Quit Claim Deed and Assignment recorded April 11, 1936, under Auditor's File No. 77596; thence Southeasterly along said Southwesterly right-of-way line to the East Line of said subdivision; and thence N2°15'52"E along said subdivision 10 feet, more or less, to the POINT OF BEGINNING; Mason County, Washington.

Parcel No. 90100-1042-73: That part of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section 17, Township 20 North, Range 4 West, W.M., described as follows: Beginning at a point on the West Line of said subdivision 216.21 feet N2°19'43"E of the Southwest Corner thereof; running thence S48°33'43"E 329.40 feet to the South Line of said subdivision; thence Westerly along said South Line 40 feet, more or less, to the Southwesterly right-of-way line of a 100 foot railroad right-of-way as conveyed to Simpson Logging Company in Quit Claim Deed and Assignment recorded April 11, 1936, under Auditor's File No. 77596; thence Northwesterly along said Southwesterly right-of-way line to the West Line of said subdivision; and thence N2°19'43"E along said West Line to the point of beginning; Mason County, Washington.

Leloy Gonzales and Maria E. Gonzales

Parcel No. 90100-1042-4: That part of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 26, Township 20 North, Range 4 West, W.M., described as follows: Beginning at a point on the East Line of said subdivision 445.79 feet S1°09'27"E of the Northeast Corner thereof; running thence S81°02'51"W 153.90 feet; thence S8°57'09"E 5.00 feet; thence S81°02'51"W 250.00 feet; thence S8°57'09"E 10.00 feet; thence S81°02'51"W 100 feet; thence N8°57'09"W 5.00 feet; thence S81°02'51"W 7.92 feet to a point on the Easterly Boundary of tract as described under Auditor's File No. 323089 and to the TRUE POINT OF BEGINNING; running thence S81°02'51"W 142.08 feet; thence N8°57'09"W 5.00 feet; thence S81°02'51"W 50.00 feet; thence N8°57'09"W 5.00 feet; thence S81°02'51"W 109.19 feet to the Westerly Boundary of tract as described under Auditor's File No. 323089; thence N1°09'27"W along said Westerly boundary to the Southerly right-of-way line of the Shelton-Matlock County Road; thence Easterly along said Southerly right-of-way line to a point that bears N1°09'27"W of the TRUE POINT OF BEGINNING; and thence S1°09'27"E to the TRUE POINT OF BEGINNING; Mason County, Washington.

Donald Lee Edmiston and Gail Y. Edmiston

Parcel No. 90100-1042-58: That part of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of Section 17, Township 20 North, Range 4 West, W.M., described as follows: Beginning at a point on the Northwesterly Boundary of Tract 1 of Short Plat No. 1297 as recorded under Auditor's File No. 417302, a distance of 265.06 feet N22°43'33"E of the most Westerly Corner thereof; thence S48°33'43"E 182.79 feet to the Southeasterly Boundary of said Tract 1; thence N14°00'56"E along the said Southeasterly boundary to the Southwesterly right-of-way line of Shelton-Matlock County Road; thence Northwesterly along said Southwesterly right-of-way line to a point that bears N22°43'33"E of the point of beginning; and thence S22°43'33"W to the point of beginning; Mason County, Washington.

Keith A. Tibbits and Linda R. Tibbits

Parcel No. 90100-1042-16: That part of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 27, Township 20 North, Range 4 West, W.M., described as follows: Beginning at a point on the North Line of said subdivision 1356.73 feet N89°21'45"W of the Northeast Corner thereof; said point is on a curve the radius point of which bears N62°58'30"E 955.00 feet distant; running thence Southeasterly along said curve 289.55 feet to a point on the Northerly Line of Tract 2 of Survey recorded under Auditor's File No. 284486; thence N78°09'19"E along said Northerly Line to the Southwesterly right-of-way line of the Shelton-

SHELTON-MATLOCK ROAD

RESOLUTION

Page 4

Matlock County Road; thence Northwesterly along said Southwesterly right-of-way line to the North Line of said subdivision; and thence N89°21'45"W along said North Line to the point of beginning; Mason County, Washington.

Ernest Nolan

Parcel No. 90100-1042-36: That part of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) and the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section 22, Township 20 North, Range 4 West, W.M., described as follows: Beginning at a point on the South Line of said Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) 167.30 feet S88°55'05"E of the Southwest Corner thereof; running thence N27°33'50"W 45.43 feet; thence N62°26'10"E 5.00 feet; thence N27°33'50"W 450.00 feet; thence S62°26'10"W 10.00 feet; thence N27°33'50"W 54.25 feet to the Westerly extension of the North Line of the South 480 feet of said Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4); thence Westerly along said Westerly extension to the Easterly right-of-way line of the Shelton-Matlock County Road; thence Southerly along said Easterly right-of-way line to the South Line of said Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4); and thence S88°55'05"E along said South Line to the point of beginning; Mason County, Washington.

G. Patrick Robinson and Pamela J. Robinson

Parcel No. 90100-1042-55: That part of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section 17, Township 20 North, Range 4 West, W.M., described as follows: Beginning at a point on the West Line of said subdivision 334.51 feet N2°15'52"E of the Southwest Corner thereof; running thence S49°03'38"E 90.73 feet; thence S40°56'22"W 5.00 feet; thence S49°03'38"E 150.00 feet; thence N40°56'22"E 5.00 feet; thence S49°03'38"E 234.94 feet; thence along a curve to the left having a radius of 2135.00 feet a distance of 39.95 feet to the South Line of said subdivision; thence S89°31'32"E along said South Line to the Southwesterly right-of-way line of Shelton-Matlock County Road; thence Northwesterly along said Southwesterly right-of-way line to the West Line of said subdivision; and thence S2°15'52"W along said East Line to the point of beginning; Mason County, Washington.

Parcel No. 90100-1042-63: That part of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section 17, Township 20 North, Range 4 West, W.M., described as follows: Beginning at a point 685.86 feet N53°37'52"E of a point on the South Line of said subdivision 805.00 feet N89°34'21"W of the Southeast Corner thereof; running thence S36°30'26"E 1.60 feet; thence S53°29'34"W 10.00 feet; thence S36°30'26"E 111.98 feet; thence along a curve to the left having a radius of 999.93 feet a distance of 196.88 feet; thence N42°12'41"E radially to said curve 10.00 feet; thence Southeasterly along a curve whose radius point bears N42°12'42"E 989.93 feet distant an arc distance of 13.36 feet; thence S48°33'43"E 66.17 feet to the line to the Southwesterly right-of-way line of Shelton-Matlock County Road; thence Northwesterly along said Southwesterly right-of-way line to a point that bears N53°37'52"E of the point of beginning; and thence S53°37'52"W to the point of beginning; Mason County, Washington.


More particularly shown on the official map of County Road Project No. 1042 on file in the office of the County Engineer and hereto attached; all in Mason County, Washington.

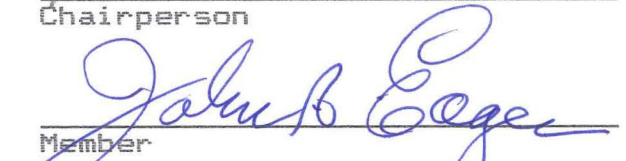
The total amount of right-of-way acquired is **2.31** acre(s).

BE IT FURTHER RESOLVED, that the Board of County Commissioners, finding that it is unable to reach agreement with the owners for the purchase of the properties described herein, hereby requests the Prosecuting Attorney of Mason County to petition the Superior Court pursuant to Chapter 8.08 RCW for the acquisition of such properties by means of a condemnation action.

ADOPTED: February 2, 1988.


BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Chairperson

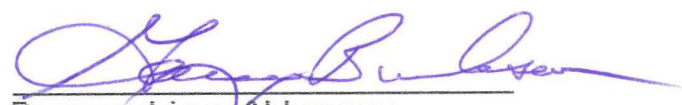

Member


Member

ATTEST:


Clerk of the Board

APPROVED AS TO FORM:


Prosecuting Attorney