

ALTERATION TO LAKE CUSHMAN, DIVISION 17  
RESOLUTION 7-97

On February 19, 1975 the Plat of Lake Cushman, Division 17, located in Sections 9, Township 22 North, Range 4 West, W.M., was recorded in Volume 9, Pages 139 through 144 records of Mason County, Washington.

WHEREAS, The Dedication included in Lake Cushman, Division 17, 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, all 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 19th day of February, 1975.

WHEREAS, The final plat contains SPECIAL COVENANTS, the first article of 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, Mrs. Jamie Lee Hanny and Mr. Robert Lawrence Hanny, owners of Lots 105, and 106, in the Plat of Lake Cushman, Division 17, have made application with the Mason County Board of County Commissioners requesting an alteration to the easement running approximately northwest to southeast 110 feet between these said lots, for the purpose of placing an addition across the existing property lines;

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 Lake Cushman Maintenance Co, Pacific Land Associates, Tacoma Public Utilities, PUD #3, and U.S. West 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 11, 1997, 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 Jamie Lee and Robert Lawrence Hanny;

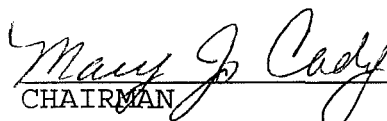
NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described 10' easement between lots 105 and 106, in the Plat of Lake Cushman, Division 17, with the understanding that there is no drainage in effect on these property lines and that the easements are being removed for the purpose of combining these two lots in order to place an addition across the existing lot line.

PASSED IN REGULAR SESSION this 11th day of February, 1997.

APPROVED AS TO FORM

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

  
C/1165- DPA  
Prosecuting Attorney

  
CHAIRMAN

  
COMMISSIONER

ATTEST:

  
CLERK OF THE BOARD

  
COMMISSIONER