

ALTERATION TO LAKE CUSHMAN, DIVISION 17 & 18
RESOLUTION 124-97

On February 19th, 1975 the Plat of Lake Cushman, Division 17, located in Sections 9 and 16, Township 22 North, Range 4 West, W.M., was recorded in Volume 9, pages 139 through 144 records of Mason County, Washington.

AND

On June 18th, 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 both Lake Cushman, Divisions 17 and 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, 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 18th day of June, 1980.

WHEREAS, The final plats 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, Mr. David A. Dades and Mrs. Susan E. Dades, owners of Lot 60 in the Plat of Lake Cushman, Division 18,
AND

The Trinity Church as represented by Gilbert R. Martin, owners of Lot 65 of 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 southeast to northwest 218.92 feet between these said lots, for the purpose of adjusting a boundary line to accommodate an existing encroachment;

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, 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 October 21, 1997, at 9:15 A.M., in the Commissioners Chambers;

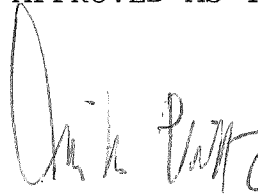
WHEREAS, after due consideration it appears to be in the best public interest to approve the request made by David A. and Susan E. Dades, and The Trinity Church;

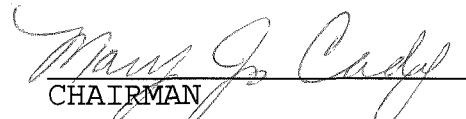
NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described 10' easements between lot 60 in the Plat of Lake Cushman, Division 18, and Lot 65 in the Plat of Lake Cushman, Division 17, with the understanding that there is no drainage in effect on this property line and that the easement is being removed for the purpose of a common boundary line adjustment.

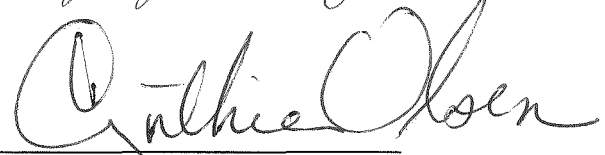
PASSED IN REGULAR SESSION this 21th day of October, 1997.

APPROVED AS TO FORM

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Mark P. Watt CHIEF DPA
Prosecuting Attorney


Mary Jo Cady
CHAIRMAN


Cynthia Olsen
COMMISSIONER

ATTEST:


Rebecca J. Rogers
CLERK OF THE BOARD


Mark Boland
COMMISSIONER