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

REEL 863FR852
FEE 10⁰⁰
REEL 863 FRAME 852-854
AUDITOR MASON COUNTY
ALLAN T. BROTCHE

1998 OCT -2 P 1:54

REQUEST OF:

Please print neatly or type information

Document Title(s)

Resolution # 104-98

Reference Number(s) of related documents

Declaration of Parcel Combination # 98-28

Additional Reference #'s on page _____

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

Rothenberg, Steven
Rothenberg, Patricia

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 13 & 14 Plat of View Ridge Heights, Div 3

Assessor's Property Tax Parcel/Account Number

2 2202-59-00013 2 2202-59-00014

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 VIEW RIDGE HEIGHTS

RESOLUTION 104-98

On January 2, 1980, the Plat of View Ridge Heights, Division 3, located in Section 2, Township 22 North, Range 2 West, W.M., was recorded in Volume 10, Page 29 & 30 records of Mason County, Washington.

WHEREAS, The Dedication included in View Ridge Heights, Division 3, is as follows:

Know all men by these presents that Earl D. Lincoln and Gloria J. Lincoln, husband and wife, and Washington Central Credit Union do hereby declare this plat and dedicate to the use of the public forever all streets, avenues, place and easements shown on this plat and the use thereof for any and all public purposes. Also the right to make all necessary slopes for cuts and fills upon lots, block, tracts, etc., shown on this plat, in the reasonable original grading of all streets, avenues, places, etc., shown hereon. Also, the right to drain all streets over and across any lot or where it might take a natural course after the street or streets over and across any lot or lots where water might take a natural course after the street or streets are graded. Also, all claims for damages against governmental authority are waived which may be occasioned to the adjacent land by the established construction, drainage, and maintenance of said roads.

WHEREAS, Protective Covenant 1 reads as follows:

All lots shall be subject to an easement five 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 of 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, Steven J. and Patricia Rothenberg, owners of Lots 13 and 14 of View Ridge Heights, Division 3, has made application to the Mason County Board of County Commissioners requesting an alteration to said lots for the purposes of obtaining a Declaration of Parcel Combination in order to place a home across the current easement and property line;

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, View Ridge Heights Community Association, Mason County Public Works, U.S. West, PUD 3, Earl Lincoln Construction (water provider) and Falcon Cable have relinquished their interest in said 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 September 29, 1998, at 9:45 AM, in the Commissioners Chambers;

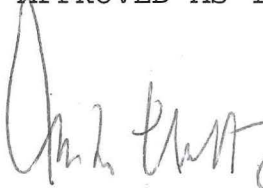
WHEREAS, after due consideration it appears to be in the best public interest to approve the request made by Steven J. and Patricia Rothenberg;


NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described 10' easement as it affects Lots 13 and 14 of View Ridge Heights, for the purposes of obtaining a Declaration of Parcel Combination in order to place a home over and across the location of said easement and existing property line.

PASSED IN REGULAR SESSION this 29th day of September, 1998.


APPROVED AS TO FORM

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Mark Hunt CHIEF DPA
Prosecuting Attorney


Mark Boland
CHAIRMAN

ATTEST:


Cathie Olsen
COMMISSIONER


Rebecca S. Rogers
CLERK OF THE BOARD


Mary Jo Cady
COMMISSIONER