

**MASON COUNTY
RESOLUTION OF INTENTION NO. 56-98**

A Resolution of the Board of County Commissioners of Mason County, State of Washington, superseding Resolution of Intention No. 52-98; and reaffirming the Board's declaration to improve the road commonly known as Rivendell Road commencing at the intersection with Anthony Road (County Road No. 62670) at mile post 2.2, and extending westerly for 0.51 miles, located in Section 16, Township 21 North, Range 2 West, W.M., Mason County, Washington.

WHEREAS, an informal petition has been filed requesting the improvement of the road commonly known as Rivendell over, across and through the following described tract of land:

Commencing at an intersection with Anthony Road at mile post 2.2, in Section 16, Township 21 North, Range 2 West, W.M.

Thence northwesterly following, more or less, the alignment of the existing road, commonly known as Rivendell Road, lying within a sixty foot private road, utilities and maintenance easement for 0.51 miles and ending in a cul-de-sac centered on the lot corner shared by lots 7, 8, 9, and 10, as shown in Volume 4, page 53 of Plats, recorded under Auditor's File Number 347604; and

WHEREAS, the improvements described in the petition appear beneficial to the property; therefore,

BE IT RESOLVED by the Board of County Commissioners of Mason County, State of Washington, as follows:

SECTION I: . . . It is the intention of the Board of Commissioners of Mason County, Washington to order the improvement of, and subsequently adopt as a County Road, the above described Rivendell Road. It is also the intent of the Board of Commissioners of Mason County to purchase the following described land which will be required to complete the improvements to Rivendell Road in a safe and acceptable manner:

A triangular portion, approximately one-half (1/2) acre in size, of the North East corner of lot 2 as shown in Volume 4, Page 53 of Plats,

And a triangular portion, approximately one-half (1/2) acre in size, of the Southwesterly corner of that portion of the South one-half (1/2) of Section 15, Township 21 North, Range 2 West, W.M. which lies Northwesterly of Anthony Road, said tract filed under Auditor's File Number 548566,

This road shall be built to meet the Design Standards and Specifications for Plat Roads within Mason County Title 16 and the intersection with Anthony Road shall be built to meet other related county road design standards adopted by the Board of Commissioners of Mason County.

In an effort to minimize the expense associated with the construction of Rivendell Road to acceptable standards, it is the intention of the Board of Commissioners of Mason County, Washington to accept the free and voluntary dedication of the existing road area for public use,

More specifically defined as follows:

A Sixty foot (60') private road, utilities and maintenance easement, beginning on Anthony Road and ending in a cul-de-sac centered on the lot corner shared by lots 7,8,9 and 10, as shown in Volume 4, page 53 of plats, recorded under Auditor's File Number 347604.

SECTION II: . . . The estimated cost and expense of said improvement is hereby declared to be approximately **\$338,535.00** and it is the intention of the Board of Commissioners that all engineering cost and expense of the above-described improvements and land acquisitions shall be borne by the property owners; and, that the remaining construction cost of said improvements shall be borne by and assessed against the property included in the assessment district herein proposed to be established, the boundaries of which are specifically described as:

The South West Quarter of the North East Quarter and that portion of the South East Quarter of the South East Quarter of the North West Quarter lying Easterly of Deer Creek and the North West Quarter of the South East Quarter and the North East Quarter of the South East Quarter excepting Lot D of Short Plat Number 833 and a tract lying Southeasterly of Anthony Road, All lying within Section 16, Township 21 North, Range 2 West, W.M., Mason County, Washington.

SECTION III . . . It is the intention of the Board of Commissioners to establish a Road Improvement District to be known and designated as "Mason County Road Improvement District No. 10" which said district shall include all the property lying within the boundaries as described above in Section II.

SECTION IV . . . All owners of property within the aforesaid assessment district and all persons who may desire to object to the construction of the aforesaid improvement and the formation of the aforesaid assessment district are hereby notified to appear and present such objections at a meeting of the Board of Commissioners to be held in the Mason County Courthouse in Shelton, Washington, at 11:00 am on June 30, 1998, which time and place is hereby fixed for hearing of matters relating to said proposed improvements and all objections thereto, and for determining the method of payment of said improvements.

SECTION V . . . The County Road Engineer is hereby directed to submit to the Board at or prior to the date fixed for such hearing a diagram or print showing thereon the lots, tracts and parcels of land and other property which will be specifically benefited thereby and the estimated amount of cost and expense of such improvement to be borne by each lot, tract or parcel of land or other property and also designating thereon all property which is being purchased under contract from the county.

SECTION VI . . . The Clerk of the Board is hereby directed as follows:

6.1 The resolution of intention shall be published in at least two consecutive issues of a newspaper of general circulation in such county, the date of the first publication to be at least fifteen days prior to the date fixed by such resolution for hearing before the Board of County Commissioners.

6.2 Notice of the adoption of the resolution of intention shall be given each owner or reputed owner of any lot, tract or parcel of land or other property within the proposed improvement district by mailing said notice to the owner or reputed owner of the property as shown on the tax rolls of the County Treasurer at the address shown thereon at least fifteen days before the date fixed for the public hearing. The notice shall refer to the resolution of intention and designate the proposed improvement district by number. Said notice shall also set forth the nature of the proposed improvement, the total estimated cost, the proportion of total cost to be borne by assessments, the estimated

amount of the cost and expense of such improvement to be borne by the particular lot, tract or parcel, the date and place of the hearing before the Board of County Commissioners, and shall contain the directions hereinafter provided for withdrawal or addition of their names to the petition requesting the road improvement.

6.3 The Clerk of the Board shall specifically instruct all recipients of the notice described in Section 6.2 above that the addition or withdrawal of their names on the petition requesting the road improvement shall constitute their statement of record in support or opposition of the formation of the road improvement district. The Clerk of the Board shall also inform all recipients that the Board of County Commissioners shall determine at said hearing whether the road improvement district shall be formed by the determination of the number of signatures on said petition. Per RCW 36.88.050, said property owners "May withdraw their names from the petition or add their names thereto at any time prior to five o'clock p.m. of the day before the hearing." With the date of the hearing set in Section IV at June 30, 1998, property owners may add or withdraw their names from said petition until 5 o'clock p.m. on June 29, 1998. Per RCW 36.88.060, the board shall find at said hearing "whether the petition including all additions thereto or withdrawals therefrom made prior to 5 o'clock p.m. of the day before the hearing is sufficient within the boundaries of the district so established at said hearing by the board. If said petition shall be found insufficient the board shall by resolution declare the proceedings terminated. . . After the hearing the board may proceed to adopt a resolution creating the district and ordering the improvement. . . Upon adoption of the resolution establishing the district, the board shall have jurisdiction to proceed with the improvement. The board's finding on the sufficiency of petitions. . . shall be conclusive upon all persons."

6.4 The notice of adoption of the resolution of intention shall also contain the above directions, and in addition thereto, shall state the rules by which the petition for the formation of the road improvement district shall be found sufficient or insufficient.

ADOPTED this 2nd day of June, 1998.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Absent

JOHN A. BOLENDER, Chairperson

Cynthia Olsen

CYNTHIA D. OLSEN, Member

Mary Jo Cady

MARY JO CADY, Member

ATTEST:

Rebecca Rogers

Clerk of the Board