



Return Address

Dept of Community Dev.
P.O. Box 279
Shelton, WA 98584

DOCUMENT TITLE (S)

Resolution # 139-02

REFERENCE NUMBER (S) of related documents

N/A
Additional Reference #'s on page _____

GRANTOR (S) Last, First and Middle Initial

McClure, Howard
Additional Grantors on page _____

GRANTEE (S) Last, First and Middle Initial

The Public
Additional Grantees on page _____

LEGAL DESCRIPTION (Abbr. Form: quarter/quarter, section, township & range, plat, lot, & block)

Lots 21 & 22 Rustlewood, Div 2
Additional Legal Descriptions on page _____

PARCEL NUMBER

22127-52-00021 22127-52-00022

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RESOL 21.00
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ALTERATION TO RUSTLEWOOD, DIVISION 2
RESOLUTION 139-02

On December 21, 1981, the Plat of Rustlewood, Division 2, located in Section 27, Township 21 North, Range 2 West, W.M., was recorded in Volume 10, Pages -66 through 67 records of Mason County, Washington.

WHEREAS, The Dedication included in Rustlewood, Division 2, is as follows:

Know all men by these presents that A. Sether and Geil Sether dba, Sether Construction No.2, the undersigned, husband and wife owners, in fee simple of the land hereby platted and Peninsula Sate Bank mortgages thereof; Eugene O. Pearson, President and J. Spencer Nordfors, Vice President hereby declare this plat and dedicate to the use of the public forever all streets, avenues, places, and sewer easements, or whatever property there is shown on this plat and the use thereof for any and all public purposes not inconsistent with the use thereof for public highway purposes. Also the right to make all necessary slopes for cuts and fills upon lots, blocks, 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 lots where water might take a natural course after the street or streets are graded. 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.

WHEREAS, The final plat contains a covenant, which state:

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 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, Howard McClure owner of Lots 21 and 22 in Rustlewood, Division 2 has made application with the Mason County Board of County Commissioners requesting the elimination of the easement running parallel to the side property lines of above said lots, for the purpose of combining said lots through a declaration of parcel combination;

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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 Rustlewood Association, Mason County Utilities and Waste Management, Q west, PUD 3 and Mason County Public Works 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 October 15, 2002, at 10:15 AM, in the Commissioners Chambers;

WHEREAS, after due consideration it appears to be in the best public interest to approve the request made on behalf of Howard McClure, as these easements serve no public use or interest;

NOW THEREFORE BE IT RESOLVED that the Board authorizes the elimination of the previously described five (5) foot easements between Lots 21 and 22 in the Plat of Rustlewood, Division 2, with the understanding that the purpose is to allow the combination of said lots through a declaration of parcel combination.

PASSED IN REGULAR SESSION this 15th day of October 2002.

APPROVED AS TO FORM

BOARD OF COUNTY COMMISSIONERS,
MASON COUNTY, WASHINGTON

Don Nitroch DPA
PROSECUTING ATTORNEY

Wesley E. Johnson
CHAIRMAN

ATTEST:

Alueca P Rogers
CLERK OF THE BOARD

[Signature]
COMMISSIONER

Bob [Signature]
COMMISSIONER