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Page: 1 of 2
05/09/2003 12:15P

MASON COUNTY COMMISSIONERS RESOL 0.00 Mason Co, WA

RETURN ADDRESS

Mason County Commissioners
411 North Fifth Street
Shelton, WA 98584

Document Title

Resolution

Reference Number of related documents

Resolution No. 146B-02

Grantor

Mason County Commissioners

Grantee

Jeff Metzger

Legal Description

All of Pearl Avenue adjacent to Lots 1 and 2 of Block 10, the southerly 30 feet of Johnston Street, adjacent to Lots 1 and 8 of Block 10, and the westerly 30 feet of McArdle Avenue adjacent to Lots 7 and 8 of Block 10, in the Plat of Townsends Addition to Union City, Volume 1 of Plats, Page 26, records of the Mason County Auditor, located in Section 6; Township 21 North, Range 3 West W.M

Assessor's Property Tax Parcel/Account Number

Abuts the following parcels. Parcel 32106-51-10007; 32106-51-10001



1781337

Page: 2 of 2
05/09/2003 12:15P

MASON COUNTY COMMISSIONERS RESOL 0.00 Mason Co, WA

RESOLUTION NO. 146B-02

WHEREAS, the Board of Mason County Commissioners has received a petition to vacate a public right-of-way in the Plat of Townsend Addition to Union City;

WHEREAS, the petition to vacate describes the following roads, streets and alleys:

All of Pearl Avenue adjacent to Lots 1 and 2 of Block 10, the southerly 30 feet of Johnston Street, adjacent to Lots 1 and 8 of Block 10, and the westerly 30 feet of McArdle Avenue adjacent to Lots 7 and 8 of Block 10, in the Plat of Townsends Addition to Union City, Volume 1 of Plats, Page 26, records of the Mason County Auditor, located in Section 6; Township 21 North, Range 3 West W.M. (Parcel 32106-51-10007; 32106-51-10001)

WHEREAS, the laws of the State of Washington of 1889 - 1890, Chapter XIX, Section 32, Page 603 mandated that "Any county road . . . which remains unopened for public use for the space of five years after . . . the authority (is) granted for opening the same, shall be and the same is hereby vacated . . ." and

WHEREAS, the Supreme Court of Washington has mandated in Turner v. Davisson, 47 Wn. 2d 375 (1955), that the above law shall govern the vacation of roads unopened for five (5) years prior to March 12, 1909 in any plat recorded before March 12, 1904.

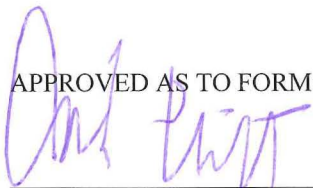
WHEREAS, there is no evidence that the petitioned right-of-way was improved or opened for public use during the first five years after the filing date, nor is it evident that said right-of-way was ever open to the public;

NOW, THEREFORE BE IT RESOLVED, that the Board of Mason County Commissioners recognizes that said petitioned right-of-way was vacated by operation of law and is considered to be effective as of June 13, 1895;

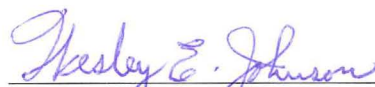
BE IT FURTHER RESOLVED that this is subject to any existing utility easements of record.

DATED this 5th day of November, 2002 .

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

APPROVED AS TO FORM:


Chief Prosecuting Attorney




Wesley E. Johnson, Chairperson



Herb Baze, Commissioner

ATTEST:



Rebecca S. Rogers, Clerk of the Board

Bob Holter, Commissioner

C: \O:\USER\ebcommon\index\roads\321.v.doc
Assessor
Auditor
Engineer
Petitioner - Jeff Metzger 3600 Hwy 106, Union, WA 98592
Vacation File No. 321