

RESOLUTION NO. 73-16

APPROVAL OF TRANSFER OF SQUAXIN ISLAND TIDELANDS TO SQUAXIN ISLAND TRIBE

WHEREAS, Mason County property records indicate that Mason County is the owner of approximately 29.21 acres of tidelands on Squaxin Island, parcel numbers 22021-34-60670 and 22034-10-60620; and

WHEREAS, the 1854 Treaty of Medicine Creek exclusively reserved to the Squaxin Island Tribe the entire Island Reservation, including all of its tidelands. However the State of Washington "sold" these tidelands to M.J. Cunningham and Mason County acquired these tidelands through a 1913 tax foreclosure. A federal court decision in a 1904 lawsuit known as *United States v. O'Brien* confirmed the Tribe's ownership of the tidelands. The effect of the *O'Brien* decision was to cancel the State of Washington's tideland sale contract with MJ Cunningham. However, Mason County's tax rolls continued listing the 29.21 acres of Squaxin Island tidelands as surplus lands that the County had acquired through the tax foreclosure process;

WHEREAS, the Squaxin Island Tribe has requested Mason County clear the title by correcting the record and deeding the tidelands back to the Tribe;

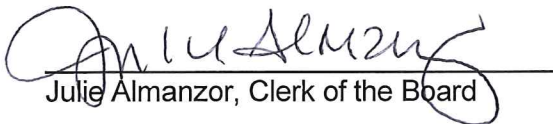
WHEREAS, the Prosecuting Attorney's office has researched the issue and the Board of County Commissioners is willing to deed these 29.21 acres of tidelands on Squaxin Island to the Squaxin Island Tribe;

WHEREAS, a public hearing was held on October 25, 2016 to consider this transaction;

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mason County Board of County Commissioners to deed parcel numbers 22021-34-60670 and 22034-10-60620 to the Squaxin Island Tribe and authorize the Chair to sign all necessary documents.

DATED this 25th day of October 2016.

ATTEST:


Julie Almanzor, Clerk of the Board

APPROVED AS TO FORM:


Tim Whitehead, Chief DPA

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Terri Jeffreys, Chair

Absent
Tim Sheldon, Commissioner


Randy Neatherlin, Commissioner