

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LEWIS COUNTY, WASHINGTON**

**IN THE MATTER OF THE PROPOSED VACATION OF }
A PORTION OF THE FRED MOHORIC ROAD NO. 926 }**

RESOLUTION NO. 13 221

WHEREAS, on the 3rd day of April, 2013, the Engineer's Report on the matter of the proposed vacation of the following described portion of Fred Mohoric Road No. 926 was filed in the office of the County Commissioners of Lewis County, Washington, to wit:

All that part of the Fred Mohoric Road No. 926 as established on February 21st, 1955 in the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section 35, Township 13 North, Range 3 West, W.M; and the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 26, Township 13 North, Range 3 West, W.M lying West of the currently maintained Mohoric Road as shown on Large Lot Simple Segregation No. SS10-00028, recorded under Auditor File No. 3354587 and 20 feet East of the easterly bank of an unnamed creek.

WHEREAS, the report and all related materials having been reviewed by the Board and found appropriate for further proceedings,

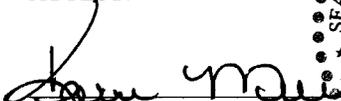
NOW, THEREFORE, BE IT RESOLVED that the 13th day of May, 2013 at or after the hour of 10:00 a.m., in the Commissioners Hearing Room on the 2nd floor of the Historical Courthouse in Chehalis, Washington, has been fixed by the Board as the time and place for the hearing on the Engineer's Report, when and where all persons may appear and be heard upon the report and upon the matter of the vacation of the roads.

BE IT FURTHER RESOLVED that the Clerk of the Board is hereby instructed to proceed with all necessary notifications, posting and publication.

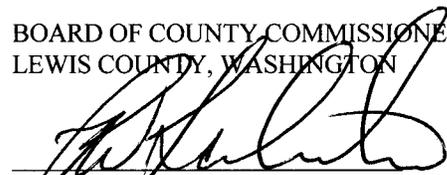
DATED this 15th day of April, 2013

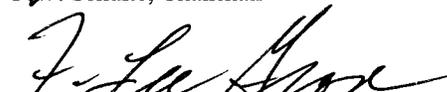


ATTEST:


Karri Muir, Clerk of the
Board County Commissioners

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON


P.W. Schulte, Chairman


F. Lee Grose, Vice Chairman


Edna J. Fund, Member

APPROVED AS TO FORM:

Jonathan L. Meyer,
Prosecuting Attorney


Civil Deputy

IN THE MATTER OF THE ORDER OF THE }
LEWIS COUNTY BOARD OF COMMISSIONERS }
FOR THE PROPOSED VACATION OF A PORTION } ENGINEERS REPORT
OF THE FRED MOHORIC ROAD }

TO THE BOARD OF COUNTY COMMISSIONERS:

I, the undersigned County Engineer of Lewis County, Washington, to whom was referred on the 4th day of March, 2013 by Resolution 13-076, ordering me to examine all that part of the Fred Mohoric Road No. 926 as established on February 21, 1955 in the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section 35, Township 13 North, Range 3 West, W.M., and the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 26, Township 13 North, Range 3 West, W.M.; all lying West of the currently maintained Mohoric Road as shown on Large Lot Simple Segregation No. SS10-00028, recorded under Auditor File No. 3354587, and 20 feet East of the easterly bank of an unnamed creek, stating that said Board intends to proceed to determine whether said road should be vacated and abandoned for the reason that it is useless as a part of the County road system and that the public will be benefited by its vacation and abandonment, herewith submit my report thereon:

FIRST: This right of way is part of the Fred Mohoric Road No. 926, established as a county road February 21, 1955 at a width of 40 feet, by petition.

SECOND: The road in the area proposed for vacation is located north of and outside the established right of way. Although no title has been conveyed to the County for the maintained portion of the road in this area, the County claims the right of way pursuant to its years of maintenance as provided by RCW 36.75.070. Although this RCW provides sufficient rights for the roadway, a deed from the property owner would clear the title. The property owner requesting this vacation of right of way holds title to half of the right of way in this location and I recommend that the conveyance of that portion of right of way be a condition of this road vacation.

THIRD: The right of way proposed for vacation is approximately 360 feet in length.

FOURTH: There have been no previous vacations of Fred Mohoric Road.

FIFTH: The right of way is adjoined by one property owner, John G. Smith and Jan B. Smith who have requested the vacation.

SIXTH: Utility companies known to service the general area have been notified and have responded to the proposed vacation with no opposition.

SEVENTH: The portion of right of way does not directly abut a body of water and public travel to this body of water is preserved in this action. Nor is the right of way necessary as part of the county road system.

EIGHTH: The \$700.00 Administration fee for the vacation has been paid by the applicant. The applicant has also deposited \$250.00 for legal publication fees. No compensation is required for that portion of right of way per LCC 12.15.040.

In my opinion, this portion of right of way should be vacated for the reason that the public will be benefited by its vacation, returning the property to the tax rolls.

I include with this report a map showing the road proposed to be vacated.

Respectfully submitted this 1 day of March, 2013.



Tim Elsea, P.E.,
Director/County Engineer

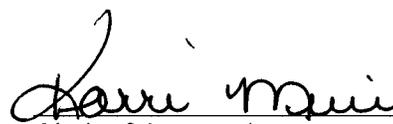
NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that on the 3rd day of April, 2013, the Engineer's Report on the matter of the proposed vacation of a portion of Fred Mohoric Road No. 926 was filed in the office of the County Commissioners of Lewis County, Washington, said road described as follows, to wit:

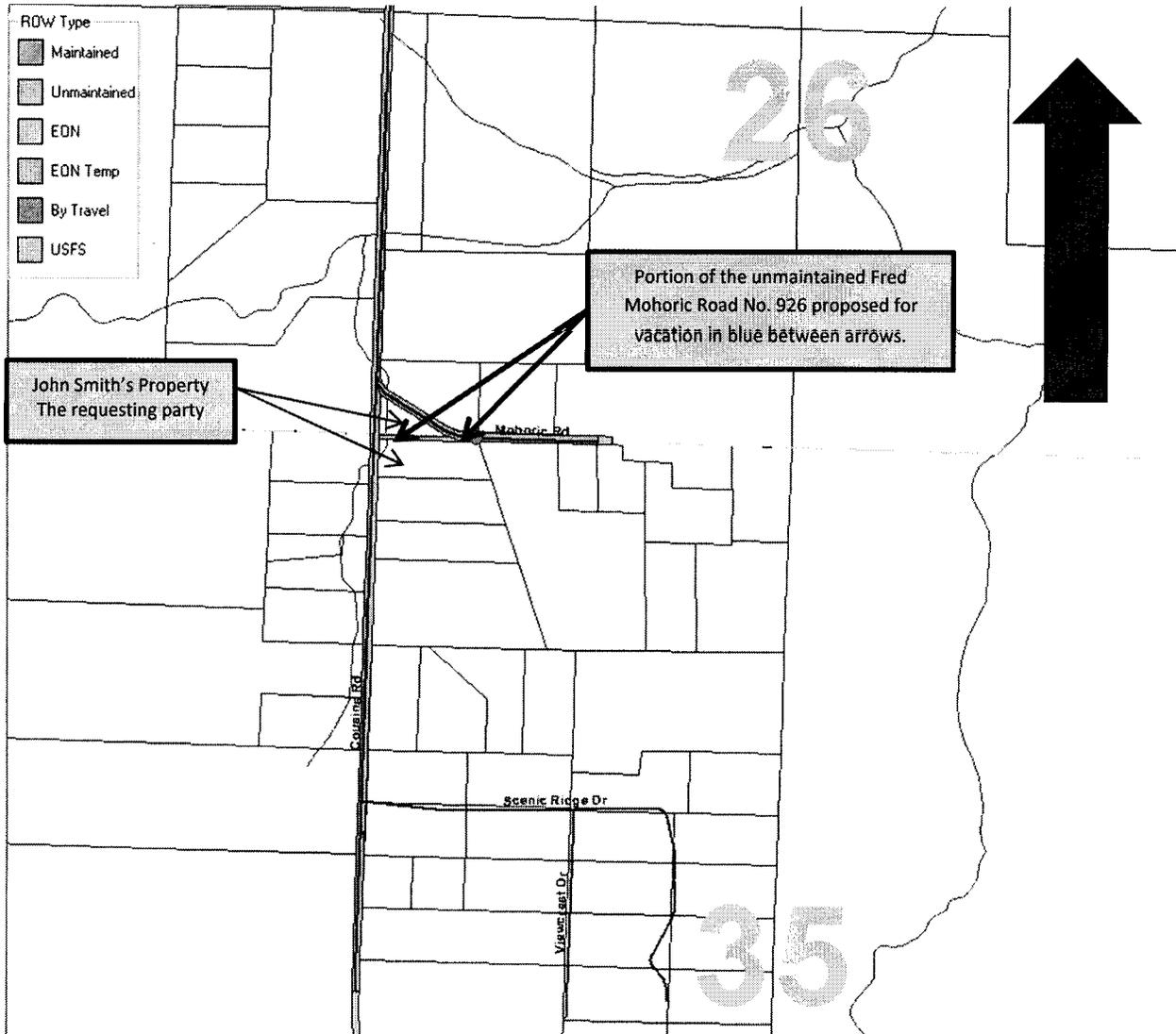
All that part of the Fred Mohoric Road No. 926 as established on February 21, 1955 in the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section 35, Township 13 North, Range 3 West, W.M., and the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 26, Township 13 North, Range 3 West, W.M.; all lying West of the currently maintained Mohoric Road as shown on Large Lot Simple Segregation No. SS10-00028, recorded under Auditor File No. 3354587, and 20 feet East of the easterly bank of an unnamed creek,

Said report and all related materials having been reviewed by the Board and found appropriate for further proceedings and that the 13th day of May, 2013 at or after the hour of 10:00 a.m., in the Commissioners Hearing Room on the 2nd floor of the Historical Courthouse in Chehalis, Washington, has been fixed by said Board as the time and place for the hearing on said Engineer's Report, when and where all persons may appear and be heard upon said report and upon the matter of the vacation of said road.

DATED this 15th day of April, 2013.


Clerk of the Board
of County Commissioners

Publish: East County Journal and The Chronicle
April 18 and 25, 2013



Township 13 North, Range 3 West W.M.