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KATHY HILL
SKAGIT COUNTY AUDITOR

99 MAY 11 P3:43

RECORDED _____ FILED _____
REQUEST OF _____

9905110115

When recorded return to:
City of Anacortes
P.O. Box 547
Anacortes, WA 98221

ISLAND TITLE COMPANY
QA 3287-
ACCOMMODATION RECORDING

ENCROACHMENT AGREEMENT

This Agreement is made and entered into by and between the City of Anacortes, a municipal corporation, hereinafter referred to as "CITY" and, GARY A. AND VALERIE J. ROBINSON and, hereinafter referred to as "OWNER".

Whereas, OWNER are the owners of the following described real estate located within the City of Anacortes, Skagit County, Washington, also known as 4016 Astrea Place, Anacortes, WA 98221,

Lot 13, "Plat of Astrea Place", as per plat recorded in Volume 16 of Plats, Pages 107 and 108, records of Skagit County, Washington.

Whereas, the Owner has placed certain improvements in the right of way adjacent to said property consisting of a concrete basketball court and landscaping.

Whereas, the City is agreeable to allowing said encroachment on certain terms and conditions;

Now, therefore, parties hereby agree as follows:

1. The City hereby grants permission to construct a concrete basketball court with joints and landscaping buffer into the street right-of-way, 20 feet, adjacent to Owner's property.
2. Owner agrees to construct the concrete basketball court and landscape buffer in accordance with City of Anacortes Zoning Code requirements and remove said encroachment within a reasonable time upon request by the City of Anacortes or a duly franchised public utility and further understands and agrees that all costs incurred in removing said improvements shall be at the Owner's sole expense.

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BK 1988 PG 0346

3. Owner agrees to indemnify and hold the City harmless from any claims for damages resulting from the construction, maintenance or existence of those improvements encroaching into said right-of-way.

Dated this 22 day of April, 1999.

OWNER: By: Gary A. Robinson

Gary A. Robinson

By: Valerie J. Robinson

Valerie J. Robinson

APPROVED BY: H. Dean Maxwell

H. Dean Maxwell, Mayor

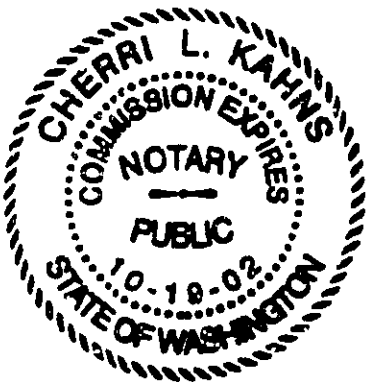
STATE OF WASHINGTON)

SS

CCUNTY OF SKAGIT)

On this day personally appeared before me Gary A. Robinson and Valerie J. Robinson to me known to be the individuals described in and who executed the foregoing agreement and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this 22nd day of April, 1999.



Cheri L. Kahns Cheri L. Kahns

Notary Public in and for the

State of Washington,

Residing in Mount Vernon Washington.

My commission expires: 10-19-02

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