



199911300157

Kathy Hill, Skagit County Auditor

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

ISLAND TITLE COMPANY
QA-3406 ✓
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, TIM AND TERESA FINNEGAN, 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 1507 16th Street, Anacortes, WA 98221,

Lots 4 & 5, Block 127, MAP OF THE CITY OF ANACORTES

Whereas, the Owner has placed certain improvements in the right of way adjacent to said property consisting of a 4 foot high retaining wall and backfill to level front yard.

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 four-foot retaining wall at above referenced location.
2. Owner agrees to construct the retaining wall 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.

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.
4. Proposal does not appear that this conflicts with any utilities. Regardless, proponent shall be required to use the one-call Utility Locate Service for final approval.

Dated this 24 day of November, 1999.

OWNER: By: _____

Tim Finnegan
Tim Finnegan

OWNER: By: _____

Teresa Finnegan
Teresa Finnegan

APPROVED BY: _____

H. Dean Maxwell
H. Dean Maxwell, Mayor

STATE OF WASHINGTON)

SS

COUNTY OF SKAGIT)

On this day personally appeared before me Tim Finnegan to me known to be the individual 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 24 day of Nov, 1999.



Lynette E. Smeby
Notary Public in and for the

State of Washington.

Residing in Oak Harbor Washington.

My commission expires July 28, 2000



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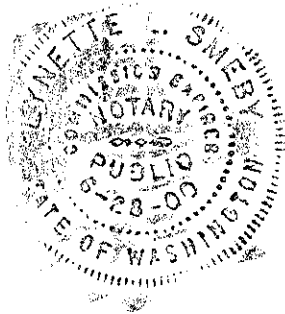
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STATE OF WASHINGTON)

SS
COUNTY OF SKAGIT)

On this day personally appeared before me Teresa Finnegan to me known to be the individual 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 24 day of Nov., 1999.



Lynette E. Smeby
Notary Public in and for the

State of Washington. *LYNETTE E. SMEBY*

Residing in *Oak Harbor* Washington.

my commission expires June 28, 2000



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