

AFTER RECORDING RETURN TO:

Name _____

Address _____

City, State, Zip _____



200203200169

Skagit County Auditor

3/20/2002 Page 1 of 9 2:00PM

Grantors	Day, Ruth; Dahl, Loren and Karin; Esary, Ralph and Priscilla
Grantees	Day, Ruth; Dahl, Loren and Karin; Esary, Ralph and Priscilla
Abbrev. Leg.	Ptn NW ¼ of NE ¼ and NE ¼ of NW ¼ of Sec. 13, T35N, R3E, WM, and Ptn of SW ¼ and SE ¼ of Sec. 12, T35N, R3E, WM
Tax Parcel Nos.	350313-1-002-0205/P34221; 350313-1-002-0400/P106685; 350313-2-003-0004/P34229; 350312-4-004-0109/P34167

BOUNDARY LINE AGREEMENT

This agreement is made this 13th day of March, 2002, by and between Ruth Day, a single woman, hereafter referred to as "Day," Loren Dahl, Jr. and Karin Dahl, husband and wife, hereafter referred to as "Dahl," and Ralph H. Esary and Priscilla C. Esary, husband and wife, hereafter referred to as "Esary."

RECITALS

Day is owner of property described on EXHIBIT A (hereafter referred to as the "Day property"), which is attached hereto and by this reference incorporated herein.

Dahl are owners of property described on EXHIBIT B (hereafter referred to as the "Dahl property"), which is attached hereto and by this reference incorporated herein.

Esary are owners of property described on EXHIBIT C (hereafter referred to as the "Esary property"), which is attached hereto and by this reference incorporated herein.

A sketch including a portion of a survey recorded under Auditor's File No. 940711008, records of Skagit County, Washington, is attached hereto as EXHIBIT D. The Day property is shown as Lot 1 on EXHIBIT D; the Dahl property is shown as Lot 2. The Esary property adjoins the north border of the Dahl property and the north and west borders of the Day property.

Existing fence lines do not follow the boundary lines between the Day and Dahl property and the Esary property, as those boundaries are described in the legal descriptions set forth on EXHIBITS A, B, C.

There is a fence line running generally east to west, beginning at a point on the east line of the Dahl property, approximately 37.5 feet south of the northeast corner of the Dahl property as shown on the survey (said northeast corner also being the northeast

corner of the northwest corner of the northeast quarter of Section 13, Township 35 North, Range 3 East, W.M.), as shown on the above referenced Survey. From that point, the fence runs generally west along, but south of, the north lines of the Dahl and Day properties, as those properties are legally described on EXHIBITS A and B. The fence attaches to the south side of a shed, which is shown on the above referenced survey, near the northwest corner of the Day property. From the point of attachment on the shed, the fence runs southwest to a point approximately 12 feet south of the northwest corner of the Day property as shown on the survey (said northwest corner also being the northwest corner of the northwest corner of the northeast quarter of Section 13, Township 35 North, Range 3 East, W.M.). This fence will be referred to as the "east-west" fence.

From that point approximately 12 feet south of the northwest corner of the Day property, the fence runs generally south to a point approximately 3.5 feet west of the southwest corner of the Day property, as shown on the survey. This fence will be referred to as the "north-south" fence.

The fence running east to west is shown on the survey from the east side of the Dahl property to the shed. The approximate location of the fence running from the shed southwest to the west border of the Day property and, from there, south to a point approximately 3.5 feet west of the southwest corner of the day property is shown as a dotted line on the attached sketch.

The Esary property lies north of the "east-west" fence along the north side of the Day and Dahl properties and also lies west of the "north-south" fence along the west side of the Day property.

Previous litigation under Skagit County Cause No. 95-2-00098-6 has established the fence shown on the survey along a portion of the east line of the Dahl property as the property line under the doctrine of adverse possession. The parties to this agreement wish to establish the long existing fence lines as the boundaries between their properties, pursuant to RCW 58.04.007, and other relevant law.

THEREFORE, for the purposes of resolving the boundary dispute and establishing a common boundary line between their properties, with no monetary consideration,

The parties hereto agree that the east-west fence described above shall be the border between the Day and Dahl properties on the south and the Esary property on the north; and,

The parties hereto agree that the north-south fence described above shall be the border between the Day property on the east and the Esary property on the west.

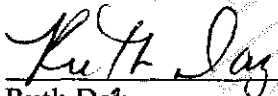
The Grantors, Ruth Day, a single woman, Loren Dahl, Jr. and Karin Dahl, husband and wife, convey and quitclaim to the Grantees, Ralph H. Esary and Priscilla C. Esary, husband and wife, all those portions of the Day and Dahl properties, described on



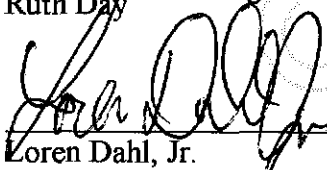
EXHIBITS A and B, lying north and west of the above described east-west fence and north-south fence, and,

The Grantors, Ralph H. Esary and Priscilla C. Esary, husband and wife, convey and quitclaim to the Grantee, Ruth Day, a single woman, all those portions of the Esary property, described on EXHIBIT C, lying south and east of the above described east-west fence and north-south fence.

The covenants contained herein shall run with the land and shall be binding on the parties hereto, their heirs, successors or assigns and all subsequent owners thereof.



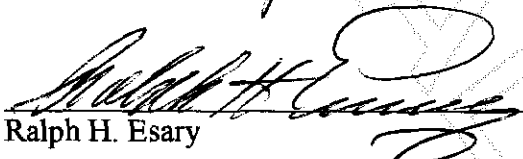
Ruth Day



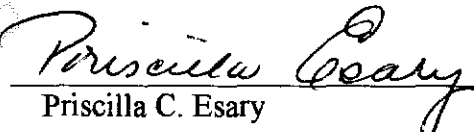
Loren Dahl, Jr.



Karin Dahl



Ralph H. Esary



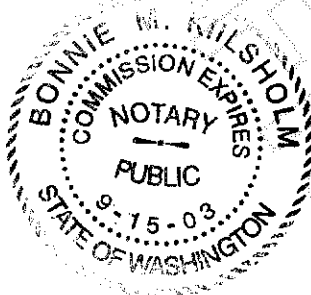
Priscilla C. Esary



STATE OF WASHINGTON)
) ss
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that RUTH DAY is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated 3-13, 2002

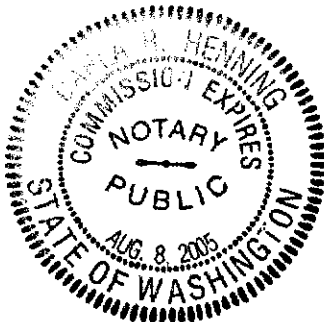


Bonnie Kiilsholm
Typed/printed notary name Bonnie Kiilsholm
Residing at Burlington, WA
My appointment expires 9-15-03

STATE OF WASHINGTON)
) ss
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that LOREN DAHL AND KARIN DAHL is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated March 13,, 2002



Darla R. Henning
Typed/printed notary name Darla R. Henning
Residing at Anacortes, Washington
My appointment expires August 8, 2005

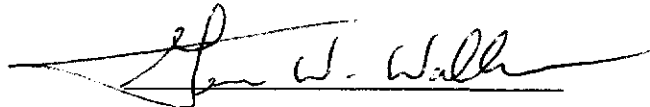


200203200169
Skagit County Auditor
3/20/2002 Page 4 of 9 2:00PM

STATE OF WASHINGTON)
) ss
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that RALPH H. ESARY AND PRISCILLA C. ESARY is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

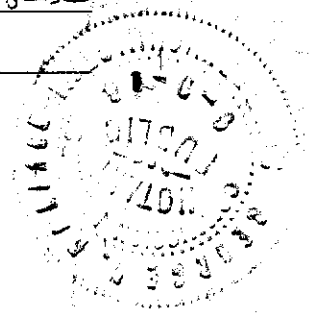
Dated 3-15- 2002



Typed/printed notary name GEORGE W. WALKER

Residing at BURLINGTON, WA 98233

My appointment expires 9-9-04



200203200169
Skagit County Auditor

3/20/2002 Page 5 of 9 2:00PM

EXHIBIT A
Day Property Description

Lot 1, Skagit County Short Plat No. 93-082, as approved July 5, 1994, and recorded July 11, 1994, in Volume 11 of Short Plats, page 89, under Auditor's File No. 940711008, records of Skagit County, Washington;
Being a portion of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 13, Township 35 North, Range 3 East of the Willamette Meridian.

Situate in Skagit County, Washington.



200203200169

Skagit County Auditor

3/20/2002 Page 6 of 9 2:00PM

EXHIBIT B
Dahl Property Description

Lot 1, Skagit County Short Plat No. 93-082, as approved July 5, 1994, and recorded July 11, 1994, in Volume 11 of Short Plats, page 89, under Auditor's File No. 940711008, records of Skagit County, Washington;
Being a portion of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 13, Township 35 North, Range 3 East of the Willamette Meridian.

Situate in Skagit County, Washington.



200203200169

Skagit County Auditor

3/20/2002 Page 7 of 9 2:00PM

EXHIBIT C
Esary Property Description

PARCEL "A"

The West 1/2 of the Southeast 1/4 of Section 12, Township 35 North, Range 3 East, W.M., EXCEPT the North 2247.00 feet as measured along the West line thereof.

PARCEL "B"

The South 210.00 feet of that portion of the Southeast 1/4 of the Southwest 1/4 of Section 12, Township 35 North, Range 3 East, W.M., lying Easterly of the County road, EXCEPT the following described tract:

Commencing at the South 1/4 corner of said Section 12; thence North 88 degrees 58'42" West along the South line of said Section 12 a distance of 166.55 feet to the true point of beginning of this exception; thence North 33 degrees 59'45" East 32.14 feet; thence North 56 degrees 00' 15" West a distance of 210.00 feet; thence South 33 degrees 59'45" West a distance of 100 feet; thence South 56 degrees 00'15" East a distance of 105.40 feet to the South line of said Section 12; thence South 88 degrees 58'42" East a distance of 124.68 feet to the true point of beginning of this exception, ALSO EXCEPT that portion of the Southeast 1/4 of the Southwest 1/4 of said Section, if any within the following description:

Beginning at a point 1802.9 feet East and 10 feet North of the Southwest corner of said Section; thence East 300 feet; thence North 200 feet; thence West 300 feet; thence South 200 feet to the point of beginning.

PARCEL "C"

That portion of the Northeast 1/4 of the Northwest 1/4 lying Northeasterly of the Pierson Road in Section 13, Township 35 North, Range 3 East, W.M., Skagit County, Washington, EXCEPT therefrom that portion conveyed in Deed recorded July 24, 1973 under Auditor's File No. 788405.



200203200169

Skagit County Auditor

3/20/2002 Page 8 of 9 2:00PM

