



200303240270

Skagit County Auditor

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

PS7558

ACCOMMODATION RECORDING

QB 2292

ENCROACHMENT AGREEMENT

ISLAND TITLE CO.

This Agreement is made and entered into by and between the City of Anacortes, a municipal corporation, hereinafter referred to as "CITY" and C. Donald & Dorothy H. Ruckdashel, hereinafter referred to as "OWNERS".

Whereas, OWNER C. Donald & Dorothy H. Ruckdashel, the owner of the following described real estate located within the City of Anacortes, Skagit County, Washington, also known as 2102 23<sup>rd</sup> Street Anacortes, WA 98221.

Lot 33, Island View Park Addition, Division No. 1 to the City of Anacortes, according to plat thereof recorded in volume 7 of plats, page 38, records of Skagit County, Washington.

Whereas, the Owners has placed certain improvements in the right of way adjacent to said property consisting of:

To construct a 4-foot high open fence approximately one foot in from the sidewalk.

Island Title Company has placed this document for recording as a customer courtesy and accepts no liability for its accuracy or validity

Now, therefore, parties hereby agree as follows:

Whereas, the City is agreeable to allowing said encroachment on certain terms and conditions: Standard Conditions

1. The enclosed agreement must be signed and notarized by each property owner(s) and returned to Cherri Kahns, Executive Secretary.

2. The Owner(s) agree to comply with all applicable ordinances, laws and codes in constructing the encroachment and further agree to remove the said encroachment within a reasonable time upon request by the City of Anacortes or a duly franchised public utility. The Owner(s) understand and agree that all costs incurred in removing said improvements shall be at the Owner's sole expense.
3. The Owner(s) agree to indemnify and hold the City harmless from any claims for damages resulting from construction, maintenance or existence of those improvements encroaching into said right-of-way.
4. The Owner(s) shall not obstruct water meters or other public or private facilities except as approved in this agreement.
5. The Owner(s) shall ensure that any public or private utilities are not impacted or damaged by construction or use.
6. The Owner(s) shall leave a minimum of 48 inches of clearance between the curb or edge of street and any above grade construction.
7. The construction and use shall not create clearview obstructions at intersections or private property access.

Special Conditions:

None

Dated this 7<sup>th</sup> day of March 2003.

OWNER: By: Dorothy Ruckdashel  
Dorothy H. Ruckdashel

OWNER: By: deceased <sup>May 15, 1996</sup> Glenn Ruckdashel  
C. Donald Ruckdashel

APPROVED BY: H. Dean Maxwell  
H. Dean Maxwell, Mayor



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STATE OF WASHINGTON)

SS

COUNTY OF SKAGIT )

On this day personally appeared before me C. Donald Ruckdashel, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2003.

*deceased  
May 15, 1996*

\_\_\_\_\_  
(Signature)

Notary Public in and for the State of \_\_\_\_\_

\_\_\_\_\_  
Print Name)

Residing in \_\_\_\_\_, Washington.

My commission expires: \_\_\_\_\_

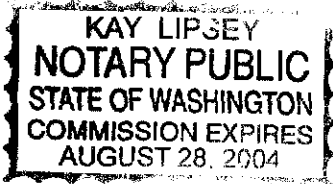
STATE OF WASHINGTON)

SS

COUNTY OF SKAGIT )

On this day personally appeared before me Dorothy H. Ruckdashel, 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 7th day of March, 2003.



*Kay Lipsey*  
\_\_\_\_\_  
(Signature)

Notary Public in and for the State of Washington

*KAY LIPSEY*  
\_\_\_\_\_  
Print Name)

Residing in Hamilton, Washington.

My commission expires: Aug 28, 04



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