



200406250060

Skagit County Auditor

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Chicago Title Company has placed  
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customer courtesy and accepts no  
liability for its accuracy or validity

When recorded return to:

City of Anacortes

P.O. Box 547

Anacortes, WA 98221

**ACCOMMODATION RECORDING**

1QB-2523

### 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 David G. and Holly M. Manz, hereinafter referred to as "OWNER".

Whereas, OWNERS, David G. and Holly M. Manz, the owner's of the following described real estate located within the City of Anacortes, Skagit County, Washington, also known as 2418 15<sup>th</sup> Street.

MAP OF THE CITY OF ANACORTES,

Lots 11 through 13 Block 246<sup>v</sup> according to the plat there of recorded in volume 2 of plats, pages 4 through 7, records of Skagit County WA.

PS6405

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

To encroach 95 feet by 2 feet to reinforce with rock an existing dirt wall not to exceed 38 inches in height.

Now, therefore, parties hereby agree as follows:

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

Bring alley to proper grade. (Contact Rick Harvey, 360-293-1921)

DATED this 18<sup>th</sup> day of June, 2004

OWNER: By: \_\_\_\_\_

David G. Manz  
David G. Manz

OWNER: By: \_\_\_\_\_

Holly M. Manz  
Holly M. Manz

APPROVED By: \_\_\_\_\_

H. Dean Maxwell  
H. Dean Maxwell, Mayor



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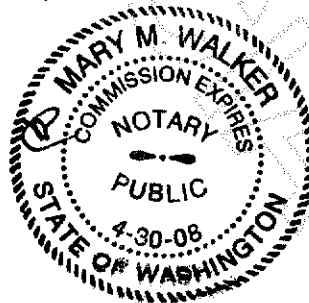
STATE OF WASHINGTON)

SS

COUNTY OF SKAGIT )

On this day personally appeared before me, David G. Manz, to me known to be the individual described in and who executed the foregoing agreement and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this 18<sup>th</sup> day of June, 2004.



Mary Walker  
(Signature)  
Notary Public in and for the State of Washington  
Print Name)  
Residing in Mount Vernon, Washington.  
My commission expires: 4/30/08

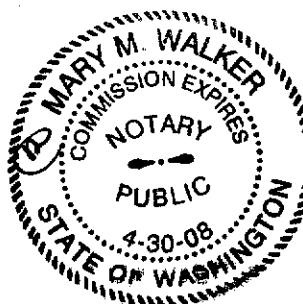
STATE OF WASHINGTON)

SS

COUNTY OF SKAGIT )

On this day personally appeared before me, Holly M. Manz, to me known to be the individual described in and who executed the foregoing agreement and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this 18<sup>th</sup> day of June, 2004.



Mary Walker  
(Signature)  
Notary Public in and for the State of Washington  
Print Name)  
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