

Survey in the SW1/4 of the NE1/4 (Gov't Lot 6 & Gov't Lot 10) of Section 1, Twp. 34 N., Rng. 4 E., W.M.

Legal Description

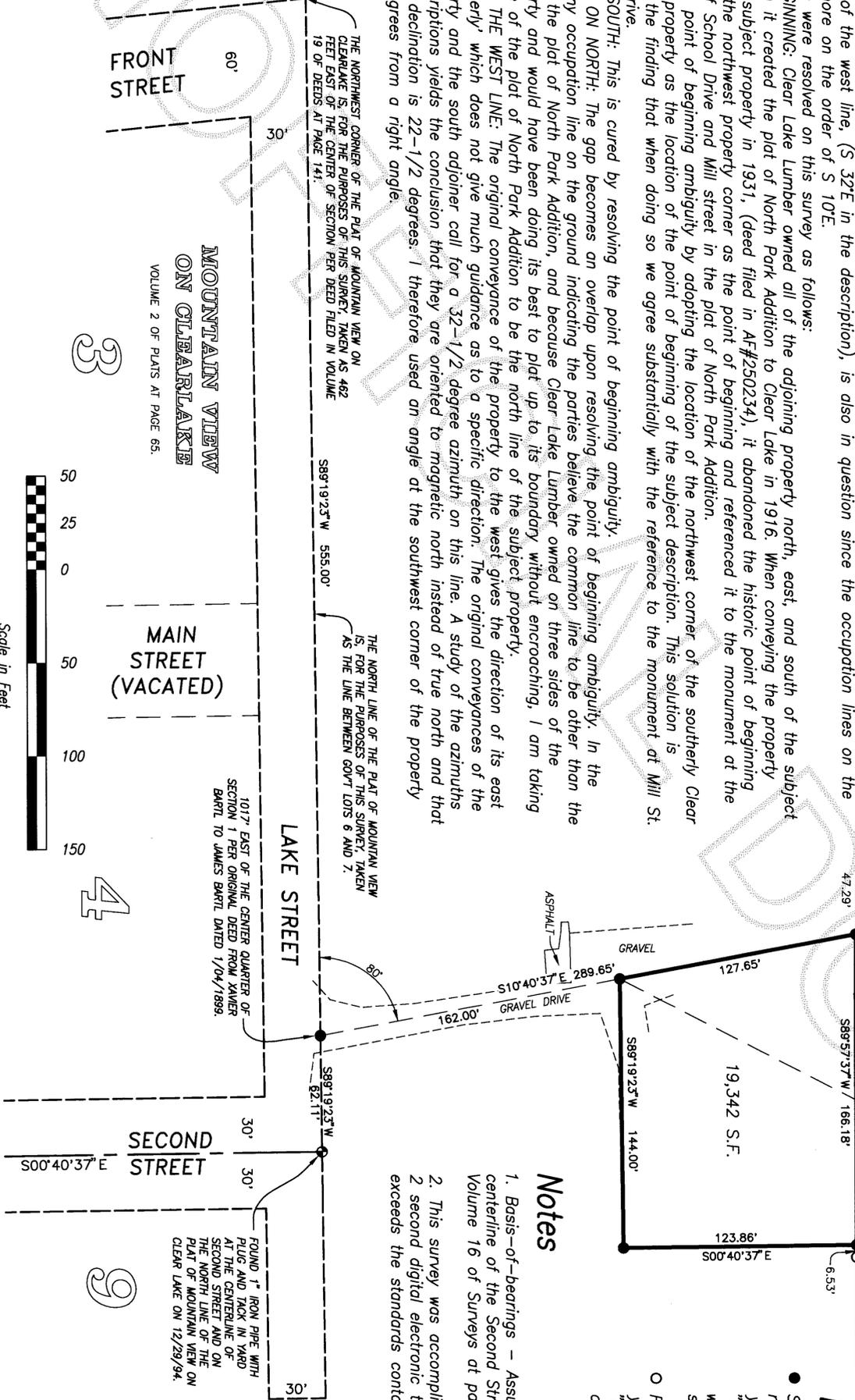
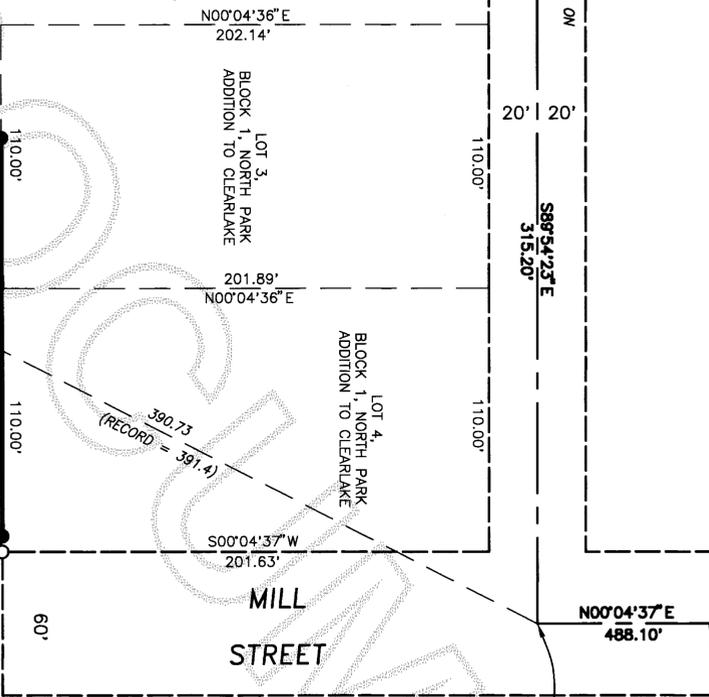
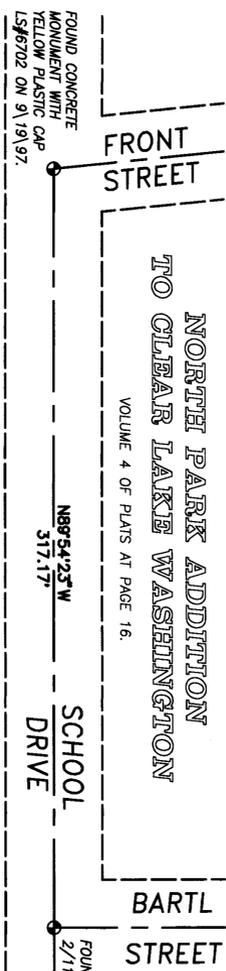
That portion of Government Lot 6, Section 1, Township 34 North, Range 4 E., W. M., described as follows: BEGINNING 1,003 feet east and 132 feet north of the southwest corner of lot 6; thence east 318 feet; thence north 132 feet; thence west 340 feet; thence south 32' east 132 feet, more or less, to the point of beginning; EXCEPT the east 174 feet thereof.

Boundary Resolution Note

The description of subject property contains much ambiguity. The point of beginning falls well into the adjoining property on the south resulting in a substantial overlap for the full length of the subject property. This also leaves a 23+/- foot gap on the north between the subject property and the plat of North Park Addition to Clear Lake and a 10+/- foot gap between the subject property and the westerly adjoiner. Alternatively, an eight foot overlap onto the plat of North Park Addition is created if one assumes that the intent of the original conveyance, (filed in 1903 under AF#46356), was to have the south and west boundaries coincide with the pre-existing south and west adjoiners. There are no occupation lines that support any of these gap or overlap conditions. The direction of the west line, (S 32E in the description), is also in question since the occupation lines on the ground run more on the order of S 10E.

These matters were resolved on this survey as follows: POINT OF BEGINNING: Clear Lake Lumber owned all of the adjoining property north, east, and south of the subject property when it created the plat of North Park Addition to Clear Lake in 1916. When conveying the property south of the subject property in 1931, (deed filed in AF#250234), it abandoned the historic point of beginning and adopted the northwest property corner as the point of beginning and referenced it to the monument at the intersection of School Drive and Mill Street in the plat of North Park Addition. I resolved the point of beginning ambiguity by adopting the location of the northwest corner of the southerly Clear Lake Lumber property as the location of the point of beginning of the subject description. This solution is supported by the finding that when doing so we agree substantially with the reference to the monument at Mill St. and School Drive.

OVERLAP TO SOUTH: This is cured by resolving the point of beginning ambiguity. GAP/OVERLAP ON NORTH: The gap becomes an overlap upon resolving the point of beginning ambiguity. In the absence of any occupation line on the ground indicating the parties believe the common line to be other than the south line of the plat of North Park Addition, and because Clear Lake Lumber owned on three sides of the subject property and would have been doing its best to plat up to its boundary without encroaching, I am taking the south line of the plat of North Park Addition to be the north line of the subject property. DIRECTION OF THE WEST LINE: The original conveyance of the property to the west gives the direction of its east line as 'southerly' which does not give much guidance as to a specific direction. The original conveyances of the subject property and the south adjoiner call for a 32-1/2 degree azimuth on this line. A study of the azimuths in those descriptions yields the conclusion that they are oriented to magnetic north instead of true north and that the magnetic declination is 22-1/2 degrees. I therefore used an angle at the southwest corner of the property that is 10 degrees from a right angle.



Notes

1. Basis-of-bearings - Assumed S00°40'37"E on the centerline of the Second Street per survey recorded in Volume 16 of Surveys at page 190.
2. This survey was accomplished by field traverse using: 2 second digital electronic total station, and meets or exceeds the standards contained in WAC 332-130-090.

Legend

- Set 1/2" X 18" reinforcing rod with yellow plastic cap marked "SKA SURV 17651" and white 2" X 2" witness stake, except as noted.
- Found reinforcing rod with yellow plastic cap marked "JUDY L.S.7598", except as noted.



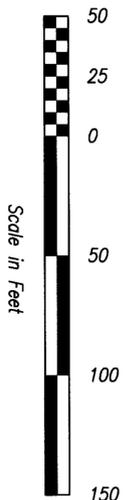
POSITION OF STONE MONUMENT, (NOT FOUND), CALCULATED ACCORDING TO THE PLAT OF NORTH PARK ADDITION TO CLEAR LAKE.

3

4

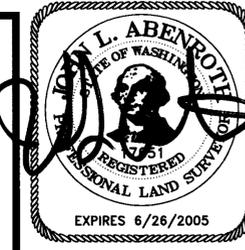
9

10/25/04	REMOVED ESMT., SHADING, VOL. & REG., ETC.	S.R.M.	JOB#	201091	DRAWN	srmm	CHECKED	jia	DATE	02OCT01	SCALE	1" = 50'	SHEET	1 OF 1
DATE	REVISION	BY												



Survey for Marcie O'Bryan

Skagit Surveyors & Engineers
 806 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658



SURVEYOR'S CERTIFICATE
 This map correctly represents a survey made by me or under my direction in conformance with the Survey Recording Act in September 2001 at the request of Marcie O'Bryan
 John L. Abenroth CERT#17651
 Date 10/25/04

AUDITOR'S CERTIFICATE
 200410250187
 Skagit County Auditor
 10/25/2004 Page 1 of 1 2:59PM
 Nama Burnett by
 County Auditor or Deputy Auditor

COPYRIGHT 2004 SKAGIT SURVEYORS, INC.