

FILED FOR RECORD AT REQUEST OF  
AND RETURN ORIGINAL TO:

Keith A. Bode  
Attorney at Law  
P.O. Box 688  
Lynden, WA 98264-0688  
Tel. (360) 354-5021



200602280129  
Skagit County Auditor

2/28/2006 Page 1 of 7 12:24PM

GRANTOR(S):

1. OUDMAN, ALLAN J.
2. OUDMAN, CAROL M.

# 919  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

GRANTEE(S):

1. THE OUDMAN FAMILY REVOCABLE LIVING TRUST  
OUDMAN, ALLAN J., Trustee  
OUDMAN, CAROL M., Trustee

FEB 28 2006

Amount paid \$  
By Skagit Co. Treasurer  
Deputy

LEGAL DESCRIPTION:

Abbreviated: Ptns. Lots 30 & 31, *Peavey's Acreage Tracts No. 1 & 2*  
Full resulting legal descriptions are found on Exhibits A & B

ASSESSOR'S PARCEL NUMBER(S):

1. P67997
2. P67998

## True Boundary Line Agreement

This True Boundary Line Agreement is made and entered into this \_\_\_\_ day of February, 2006, by and between ALLAN J. OUDMAN and CAROL M. OUDMAN, husband and wife, hereinafter referred to as "OUDMAN," and THE OUDMAN FAMILY REVOCABLE LIVING TRUST, ALLAN J. OUDMAN and CAROL M. OUDMAN, trustees, hereinafter referred to as "the OUDMAN TRUST," as follows:

Whereas, OUDMAN TRUST is the present owner of that 6.42 acre parcel of agricultural real estate (the OUDMAN TRUST Property) situated at 26795 Hoehn Road, Sedro Woolley, Skagit County, Washington 98284, carried as Skagit County Parcel No. P67998, and legally described as follows:

Lot 31, *Peavey's Acreage Tracts No. 1 & 2, Sections 17, 20, 21, 22 & 28, Township 35 North, Range 5 East, Skagit Co., Wash.*, as per the plat thereof, recorded in Volume 3 of Plats, page 37, records of Skagit County, Washington;

EXCEPT that portion conveyed to Skagit County for road purposes by deed dated October 27, 1966, and recorded October 28, 1966, under Auditor's File No. 690222.

Whereas, OUDMAN is the present owner of that 10 acre parcels of agricultural

True Boundary Line Agreement, Page No. 2

K:\2006\REAL06\2611.AGT

real estate (the OUDMAN Property) carried as Skagit County Parcel No. P67997 and legally described as follows:

Lot 30, *Peavey's Acreage Tracts No. 1 & 2, Sections 17, 20, 21, 22 & 28, Township 35 North, Range 5 East, Skagit Co., Wash.*, as per the plat thereof, recorded in Volume 3 of Plats, page 37, records of Skagit County, Washington.

Whereas, Lots 30 and 31 adjoin each other;

Whereas, OUDMAN desires to sell the OUDMAN Property, however, it has been discovered that the positioning of certain farm structural improvements associated with the OUDMAN TRUST Property encroach upon the OUDMAN Property and create setback questions for both parcels;

Whereas, the parties have mutually agreed to abate the encroachment by means of a true boundary line adjustment to reconfigure the boundary line between the respective parcels and have engaged Sound Development Group to prepare and provide the surveying and drafting services necessary to effect such boundary line adjustment;

Whereas, the parties agree that the driveway/easement traversing the respective properties provides, in large part, an accurate and convenient delineation of the agreed line and have in hand a draft depiction of the agreed line appearing on that map which will be recorded as Skagit County Boundary Line Adjustment No. PL06-0121 and which is incorporated herein by this reference; and

Whereas, the parties desire to remove any uncertainty regarding the true boundary line between their respective properties and by this Agreement memorialize a non-encroaching, code-compliant boundary line between their respective parcels as provided in Revised Code of Washington (RCW) 58.04.007(1); Now Therefore

Come Now the Parties Hereto and Covenant and Agree as Follows:

1. **Recitals.** The foregoing recitals are true and incorporated herein by this reference.

2. **Consideration.** The parties agree that adequate consideration for this Agreement is found in the certainty to be obtained hereby, no consideration of monetary value is to be paid or conveyed to either party, and no value is assigned to the negligible property involved in the boundary line adjustment. The parties contemplate and will report that this transaction is exempt from the state real estate excise transfer (REET) tax under Washington Administrative Code (WAC) 458-61A-109(2)(b), subject only to the statutory processing and county technology fees.

3. **Boundary Line Adjustment - New Boundary Line.** The boundary line between the OUDMAN TRUST Property and the OUDMAN Property shall hereafter be described as follows:

COMMENCING at the East quarter corner of Section 21, Township 35 North, Range 5 East of W.M., Skagit County, Washington, from which



200602280129

Skagit County Auditor

the center of said section bears South 89°40'39" West, a distance of 2472.24 feet; thence South 89°40'39" West, a distance of 618.06 feet thence South 00°27'43" West, a distance of 496.49 feet to the True Point of Beginning of said line; thence North 89°35'00" West, a distance of 179.38 feet; thence South 44°14'08" West, a distance of 42.66 feet to a curve to the left, with a radius of 250 feet with a delta of 17°22'27" through an arc length of 75.81 feet; thence South 26°51'41" West, a distance of 28.82 feet to a curve to the right, with a radius of 250 feet with a delta of 15°22'01" through an arc length of 67.05 feet; thence South 42°13'42" West, a distance of 199.59 feet to the intersection with the North right of way margin of the now "Hoehn Road"; thence continuing South 42°13'42" West, a distance of 78 feet more or less to the intersection with the line of ordinary high water on the North bank of the Skiou Slough and terminus of said line. The limits of said line being either lengthened or shortened accord to intersect the lot boundary lines.

4. **Boundary Line Adjustment - New OUDMAN Parcel Description.** The effect of this boundary line adjustment modifies the legal description of the OUDMAN Property to read as provided in Exhibit "A" attached hereto and incorporated herein by this reference. The OUDMAN TRUST conveys and quitclaims to OUDMAN any interest in any portion of the OUDMAN TRUST Property lying within the new legal description for the OUDMAN Property found in Exhibit "A" (i.e., that portion of the OUDMAN TRUST Property lying North and West of the new boundary line described in Paragraph 3, above) - such portion of the OUDMAN TRUST Property will be combined or aggregated with the contiguous OUDMAN Property.

5. **Boundary Line Adjustment - New OUDMAN TRUST Parcel Description.** The effect of this boundary line adjustment modifies the legal description of the OUDMAN TRUST Property to read as provided in Exhibit "B" attached hereto and incorporated herein by this reference. OUDMAN conveys and quitclaims to the OUDMAN TRUST any interest in any portion of the OUDMAN Property lying within the new legal description for the OUDMAN TRUST Property found in Exhibit "B" (i.e., that portion of the OUDMAN Property lying South and East of the new boundary line described in Paragraph 3, above) - such portion of the OUDMAN Property will be combined or aggregated with the contiguous OUDMAN TRUST Property.

6. **Boundary Line - Survey and Boundary Line Adjustment Map.** The parties jointly authorize and direct OUDMAN and Sound Development Group to prepare, submit and record the final map depicting this boundary line adjustment, in such form as is compliant with RCW 58.04.007(1) and applicable Skagit County regulations.

7. **Binding Effect - Duration.** This Agreement and all covenants herein shall be binding upon and inure to the benefit of the parties, their successors, assigns, heirs and devisees, and shall run with the lands described herein.

/

//

///

In Witness Whereof, the parties hereto have executed this instrument as of the



200602280129

Skagit County Auditor

date first above written.

THE OUDMAN FAMILY REVOCABLE LIVING TRUST

By: Allan J. Oudman  
ALLAN J. OUDMAN, Trustee

By: Carol M. Oudman  
CAROL M. OUDMAN, Trustee

Allan J. Oudman  
ALLAN J. OUDMAN

Carol M. Oudman  
CAROL M. OUDMAN

State of Washington }  
County of Whatcom } ss.

I certify that I know or have satisfactory proof that ALLAN J. OUDMAN and CAROL M. OUDMAN are the persons who appeared before me, that they are all the Trustees of THE OUDMAN FAMILY REVOCABLE LIVING TRUST, the trust that executed the within and foregoing instrument, and that they acknowledged the said instrument to be the free and voluntary act and deed of said trust and of themselves for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument.

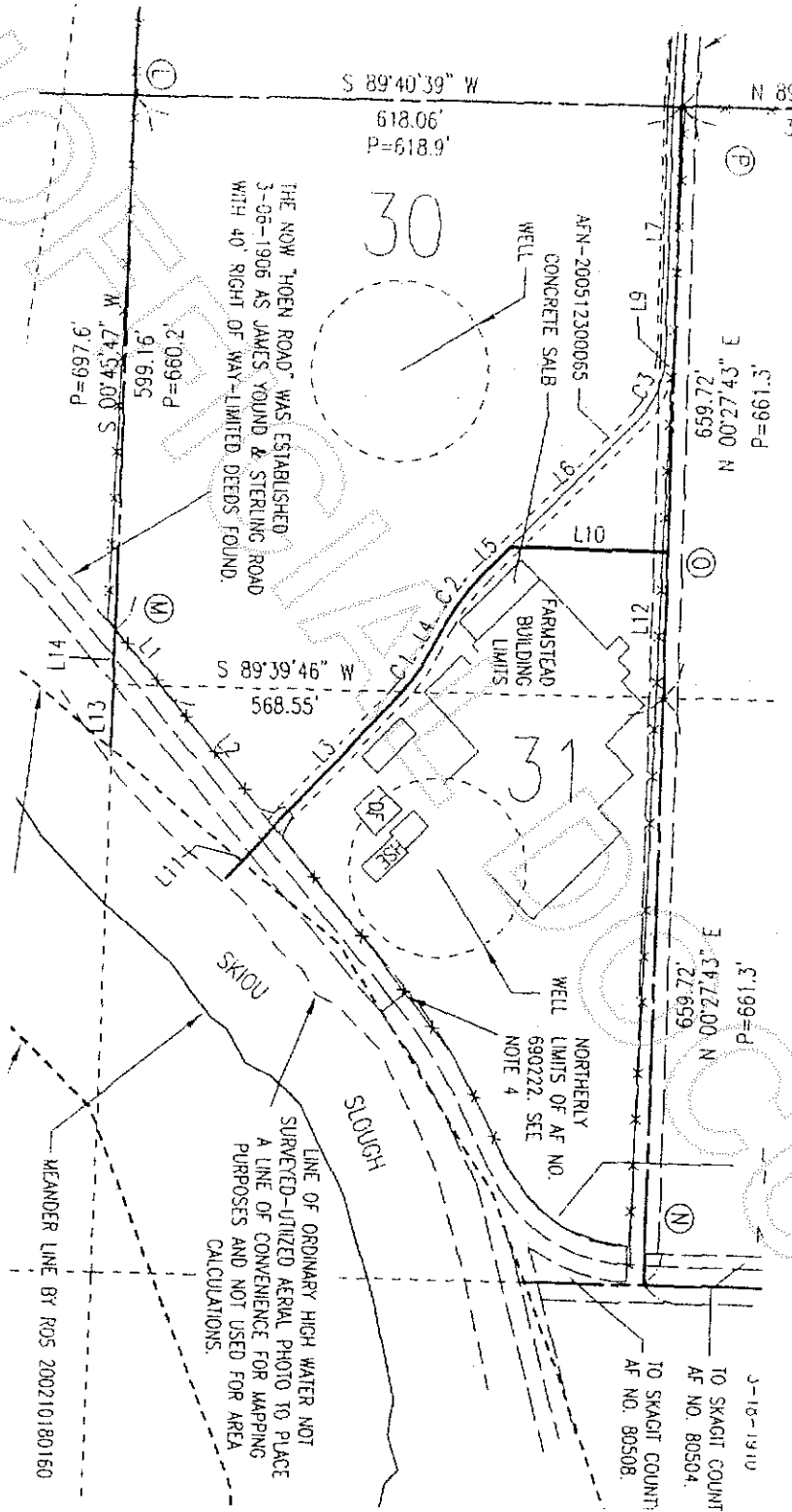
Given under my hand and official seal this 28 day of February, 2006.

[Signature]  
Notary Public in and for the State of  
Washington, residing at Burlington  
My commission expires: 10-1-09



200602280129

Skagit County Auditor



200602280129

Skagit County Auditor

EXHIBIT "A"

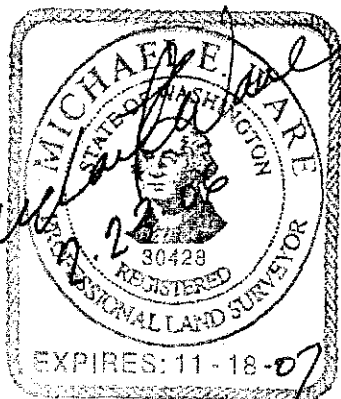
OLDMAN LOT 30 AFTER LINE ADJUSTMENT LEGAL DESCRIPTION

ALL OF THAT PORTION OF LOTS 30 AND 31, "PEAVEY'S ACREAGE, TRACTS NO. 1 & 2, SECTIONS 17, 20, 21, 22 & 28, TOWNSHIP 35 NORTH, RANGE 5 EAST, SKAGIT CO., WASH.," AS PER PLAT RECORDED IN VOLUME 3 OF PLATS, PAGE 37, RECORDS OF SKAGIT COUNTY, WASHINGTON EXCEPT THAT PORTION THEREOF CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES, BY DEED DATED OCTOBER 27, 1966, AND RECORDED OCTOBER 28, 1966, UNDER AUDITOR'S FILE NO. 690222, LYING NORTH AND WEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 21, FROM WHICH THE CENTER OF SECTION BEARS SOUTH 89°40'39" WEST A DISTANCE OF 2472.24 FEET; THENCE SOUTH 89°40'39" WEST A DISTANCE OF 618.06 FEET THENCE SOUTH 00°27'43" WEST A DISTANCE OF 496.49 FEET TO THE TRUE POINT OF BEGINNING OF SAID LINE, THENCE NORTH 89°35'00" WEST A DISTANCE OF 179.38 FEET; THENCE SOUTH 44°14'08" WEST A DISTANCE OF 42.66 FEET TO A CURVE TO THE LEFT, WITH A RADIUS OF 250 FEET WITH A DELTA OF 17°22'27" THROUGH AN ARC LENGTH OF 75.81 FEET; THENCE SOUTH 26°51'41" WEST A DISTANCE OF 28.82 FEET TO A CURVE TO THE RIGHT, WITH A RADIUS OF 250 FEET WITH A DELTA OF 15°22'01" THROUGH AN ARC LENGTH OF 67.05 FEET; THENCE SOUTH 42°13'42" WEST A DISTANCE OF 199.59 FEET TO THE INTERSECTION WITH THE NORTH RIGHT OF WAY MARGIN OF THE NOW "HOEN ROAD" THENCE CONTINUING SOUTH 42°13'42" WEST A DISTANCE OF 78 FEET MORE OR LESS TO THE INTERSECTION WITH THE LINE OF ORDINARY HIGH WATER ON THE NORTH BANK OF THE SKIOU SLOUGH AND TERMINUS OF SAID LINE. THE LIMITS OF SAID LINE BEING EITHER LENGTHENED OR SHORTENED ACCORD TO INTERSECT THE LOT BOUNDARY LINES.

SUBJECT TO A NONEXCLUSIVE GRANT OF EASEMENT FOR INGRESS, EGRESS, AND UTILITIES, FOUND UNDER AUDITORS FILE NUMBER 200512300065 RECORDS OF SKAGIT COUNTY.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.



BOUNDARY ADJUSTMENT  
Reviewed and approved  
in accordance with S.C.  
Code Chapter 14.18  
*Good Boeder*  
SKAGIT CO. PLANNING & PERMIT CNT  
DATE: 2/17/2006



200602280129  
Skagit County Auditor

2/28/2006 Page

6 of

7 12:24PM

EXHIBIT "B"

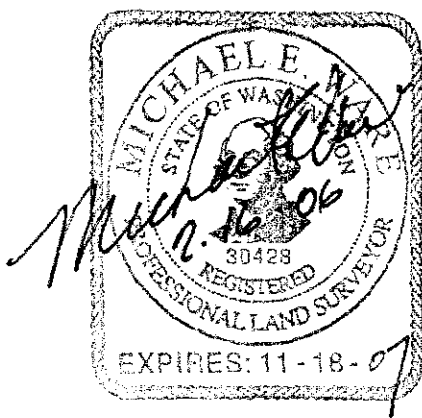
LOUDMAN LOT 31 AFTER LINE ADJUSTMENT LEGAL DESCRIPTION

ALL OF THAT PORTION OF LOTS 30 AND 31, "PEAVEY'S ACREAGE, TRACTS NO. 1 & 2, SECTIONS 17, 20, 21, 22 & 28, TOWNSHIP 35 NORTH, RANGE 5 EAST, SKAGIT CO., WASH.," AS PER PLAT RECORDED IN VOLUME 3 OF PLATS, PAGE 37, RECORDS OF SKAGIT COUNTY, WASHINGTON EXCEPT THAT PORTION THEREOF CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES, BY DEED DATED OCTOBER 27, 1966, AND RECORDED OCTOBER 28, 1966, UNDER AUDITOR'S FILE NO. 690222, LYING SOUTH AND EAST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 21, FROM WHICH THE CENTER OF SECTION BEARS SOUTH 89°40'39" WEST A DISTANCE OF 2472.24 FEET; THENCE SOUTH 89°40'39" WEST A DISTANCE OF 618.06 FEET THENCE SOUTH 00°27'43" WEST A DISTANCE OF 496.49 FEET TO THE TRUE POINT OF BEGINNING OF SAID LINE, THENCE NORTH 89°35'00" WEST A DISTANCE OF 179.38 FEET; THENCE SOUTH 44°14'08" WEST A DISTANCE OF 42.66 FEET TO A CURVE TO THE LEFT, WITH A RADIUS OF 250 FEET WITH A DELTA OF 17°22'27" THROUGH AN ARC LENGTH OF 75.81 FEET; THENCE SOUTH 26°51'41" WEST A DISTANCE OF 28.82 FEET TO A CURVE TO THE RIGHT, WITH A RADIUS OF 250 FEET WITH A DELTA OF 15°22'01" THROUGH AN ARC LENGTH OF 67.05 FEET; THENCE SOUTH 42°13'42" WEST A DISTANCE OF 199.59 FEET TO THE INTERSECTION WITH THE NORTH RIGHT OF WAY MARGIN OF THE NOW "HOEN ROAD" THENCE CONTINUING SOUTH 42°13'42" WEST A DISTANCE OF 78 FEET MORE OR LESS TO THE INTERSECTION WITH THE LINE OF ORDINARY HIGH WATER ON THE NORTH BANK OF THE SKIOU SLOUGH AND TERMINUS OF SAID LINE. THE LIMITS OF SAID LINE BEING EITHER LENGTHENED OR SHORTENED ACCORD TO INTERSECT THE LOT BOUNDARY LINES.

SUBJECT TO A NONEXCLUSIVE THAT GRANT OF EASEMENT FOR INGRESS, EGRESS, AND UTILITIES, FOUND UNDER AUDITORS FILE NUMBER 200512300065 RECORDS OF SKAGIT COUNTY.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.



200602280129  
Skagit County Auditor

2/28/2006 Page

7 of

7 12:24PM