

Return Name & Address:



200610160180

Skagit County Auditor

10/16/2006 Page

1 of 12 2:11PM

SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES

PLAT LOT OF RECORD CERTIFICATION

File Number: _PL01-0601 Revised from 9/11/2001

Re-record from AF 200608280161

To add copy of 2006 Survey – 10/3/2006

Applicant Name: ___ Virginia Hicks

Property Owner Name: ___ same

The Department hereby finds that Lots 3 & 4, Block 42, Plat of Town of Montborne, as resulting from Superior Court Cause No. 02-2-01080-9 (BLA PL05-0440), deed filed under AF 200603070033; Plat of Town of Montborne recorded in Volume 2, Page 80, May 21, 1890.

Parcel Number: P 74675; 4135-0342-004-0008. See Survey AF 200207240030.

1. CONVEYANCE

- ☒ **IS a** Lot of Record as defined in Skagit County Code (SCC) 14.04.020 and therefore **IS/ARE** eligible for conveyance.

2. DEVELOPMENT

- ☐ **IS/ARE**, the minimum lot size required for the _____ zoning district in which the lot(s) is/are located and therefore **IS/ARE** eligible to be considered for development permits.
- ☒ **IS NOT**, the minimum lot size required for the _Rural Village Residential zoning district in which the lot is located, but does meet an exemption listed in SCC 14.16.850(4)(c)(iv) and therefore **IS** eligible to be considered for development permits.
- ☐ **IS NOT** the minimum lot size required for the _____ zoning district in which the lot is located, does not meet an exemption listed in SCC 14.16.850(4)(c) and therefore **IS NOT** eligible to be considered for development permits.

Originally approved:

Authorized Signature: _____

Howe Roeder

See Attached Map

Date: 9/11/2001_

AUDITOR'S CERTIFICATE

Filed for the record at the request of LeGro & Associates

200605120001
Skagit County Auditor

5/12/2006 Page 1 of 2 8:31AM

Nancy Burnett Skagit County Auditor Deputy

NOTES

1. This survey has been re-recorded to depict the boundary revisions and usage settlement agreement for the settlement of Skagit County Superior Court Cause No. 02-2-01080-9. For additional subdivision information, refer to the Virginia M. Hicks property prepared at the request of Philip Crossler as recorded under A.F. No. 200307240030, records of Skagit County, Washington.

2. Legal Descriptions taken from: Quit Claim Deed (Boundary Line Adjustment) and Deed for Easement from Virginia M. Hicks, Grantor to Clarence M. VanderGriend and Lana C. VanderGriend, husband & wife, Grantees by those instruments recorded March 7, 2006 under Auditor's File No's 200603070033 and 200603070034 respectively, records of Skagit County, Washington.

3. Survey Method: Field Traverse
Instrument: TOPCON GTS-28(20)
Theodolite: Min. Horiz. Circle Reading of 20"
E.D.M.: Accuracy ± (5mm + 5ppm)
Survey Precision Exceeds 1:10,000

4. The bearing of reference for this survey is based upon Line "B" as being N 38°50'45" W

LEGEND

- Property Corner - Set 5/8" Diam. X 18" Length Steel Rebar w/ Yellow Plastic Cap Imprinted: "LEGR0 37532"
- ▲ Found Nail w/ Brass Tag Imprinted "LEGR0 3475"
- Found Rebar w/ Yellow Plastic Cap Imprinted "LEGR0 37532"

Sheet 1 of 2 Sheets

RECORD OF SURVEY

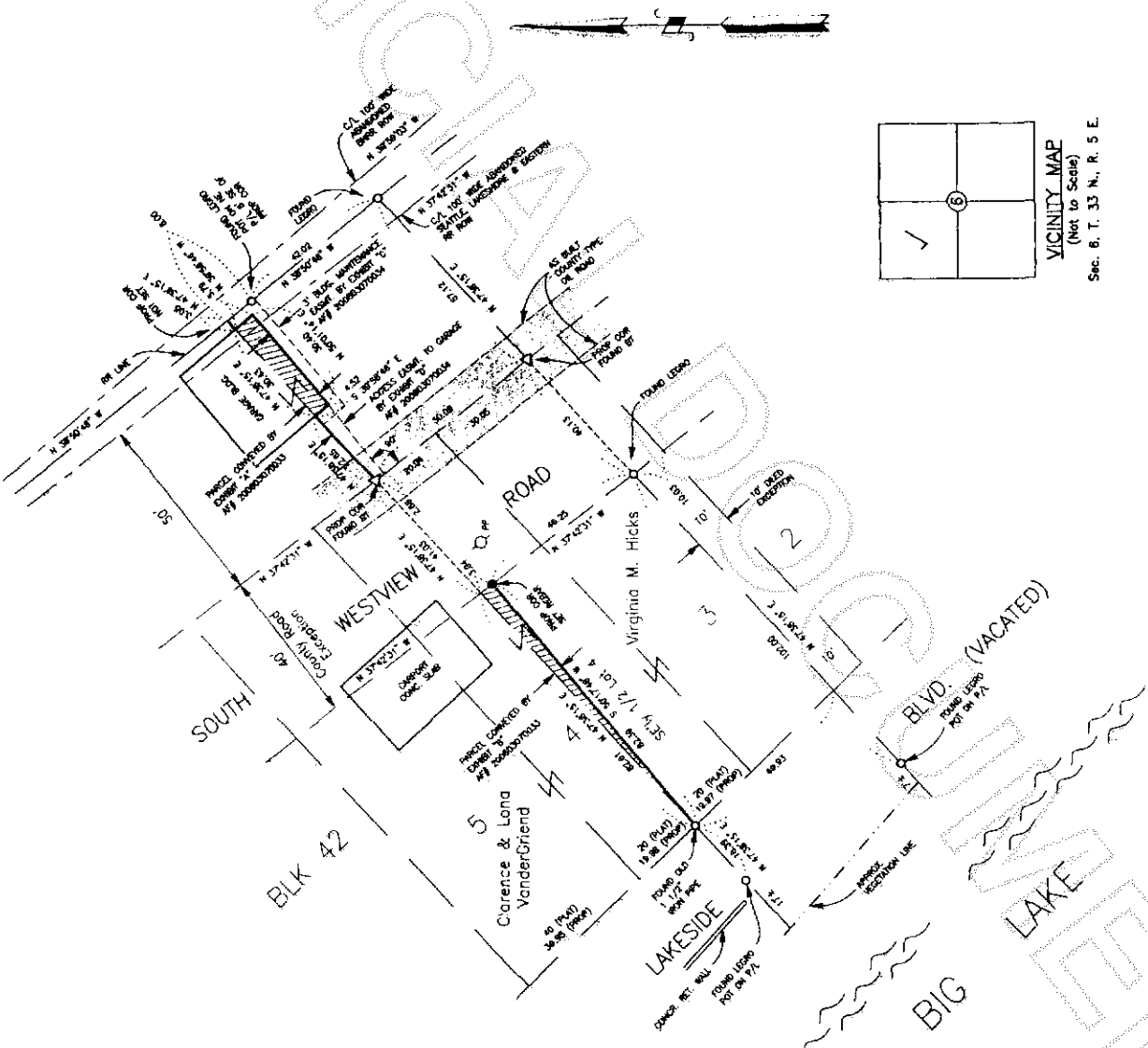
CLARENCE VANDERGRIEND PROPERTY LINE SURVEY
PTN. LOT 4, BLK 42, "PLAT OF THE TOWN OF MONTBORNE"
TOGETHER WITH VAC. STREET AND RAILROAD RIGHT OF WAYS
PTN. SEC 6, T. 33 N., R. 5 E.W.M.
SKAGIT COUNTY, WASHINGTON

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in accordance with the requirements of the Survey Recording Act in May 2005 at the request of Clarence VanderGriend.

LEGR0 & ASSOCIATES
Engineer & Land Surveyors
815 Cleveland Ave. SE
Mount Vernon, WA 98273
Phone: (360) 338-3220
Fax: (360) 338-3220

DENNY J. LEGR0
Registered Professional
Lic. # 37532 Date: 5/12/06



2006 Survey in accordance with Court Cause



200610160180
Skagit County Auditor

LEGAL DESCRIPTION

Boundary Line Adjustment - Hike to VanderGriend
(Quit Claim Deed per A.F. No. 200603070033)

EXHIBIT "A":

A tract of land lying under the Southern portion of an existing garage, being more particularly described as follows:

Commencing at the Westernmost corner of the following described tract of land, and which point falls on the Northeastern line of that 40 foot wide county road described below, thence N 47°38'15" E along the Northeastern line of the following described tract of land, a distance of 22.85 feet, more or less, to its intersection with the Southeastern wall of the existing garage and the TRUE POINT OF BEGINNING of this property description; thence along the Southeastern, Southern and Northeastern walls of said garage on the following courses and distances: S 39°58'46" E a distance of 4.52 feet; N 50°01'14" E, a distance of 30.40 feet; N 39°58'46" W, a distance of 5.79 feet, more or less, to the Northeastern line of the following described tract of land, which point bears N 47°38'15" E a distance of 30.43 feet, more or less from the True Point of Beginning; thence S 47°38'15" W through the existing garage building along the Northeastern line of the following described tract of land, a distance of 30.43 feet, more or less, to the True Point of Beginning, and containing 157 square feet, more or less.

PARCEL "A":

That portion of the 100 foot wide railroad right of way, commonly known as the Northern Pacific Railway (Originally conveyed to the Seattle Lake Shore and Eastern Railway) lying West of Line "RR" described in Judgment and decree quieting title entered May 11, 1992 in Skagit County Superior Court No. 91-2-00070-3 and between the Northeastern extensions of both the Northeastern and Southeastern lines of the following tract of land:

Lot 3, Except the Southeastern 10 feet thereof, and the Southeastern Half of Lot 4, Block 42, "Plat of the Town of Montborne" as per Plat recorded in Volume 2 of Plats, Page 80, records of Skagit County, Washington.

EXCEPT the Northeastern 40 feet of that portion of said Lots 3 and 4 conveyed to Skagit County for road purposes by Deed recorded July 14, 1941, under Auditor's File No. 341750, in Volume 184 of Deeds, Page 341.

Situate in the County of Skagit, State of Washington.

(LEGAL DESCRIPTION CONT.)

EXHIBIT "B":

That portion of the following described tract of land lying Northerly of a line described as follows:

Commencing at the Northernmost corner of the following described tract of land; thence South 37°42'31" East along the Northeastern line thereof (said Northeastern line being the Southeastern line of the county road), a distance of 3.84 feet to the TRUE POINT OF BEGINNING of this property line description; thence South 50°17'48" West, a distance of 82.39 feet to a point on the Northeastern line of the following described tract of land which bears South 47°38'15" West, a distance of 82.61 feet, more or less, from said Northernmost corner, and WHICH POINT IS THE TERMINUS of this property line description, and containing 158 square feet, more or less.

PARCEL "A":

Lot 3, Except the Southeastern 10 feet thereof, and the Southeastern Half of Lot 4, Block 42, "Plat of the Town of Montborne" as per Plat recorded in Volume 2 of Plats, Page 80, records of Skagit County, Washington.

EXCEPT the Northeastern 40 feet thereof conveyed to Skagit County for road purposes by Deed recorded July 14, 1941, under Auditor's File No. 341750, in Volume 184 of Deeds, Page 341.

TOGETHER WITH that portion of vacated Lakeside Boulevard adjoining the Southeastern line of said premises which upon vacation reverted to said premises by operation of law.

Situate in the County of Skagit, State of Washington.

(LEGAL DESCRIPTION CONT.)

The above described tracts of land have been combined with the following described real estate:

EXHIBIT "C": VANDERGRIEND PROPERTY

Lots 5 and the Northeastern half of Lot 4, Block 42, "Plat of the Town of Montborne" according to Plat recorded in Volume 2 of Plats, Page 80, records of Skagit County, Washington, EXCEPT that portion conveyed to Skagit County for road purposes.

TOGETHER WITH that portion of vacated Lakeside Boulevard adjoining the Western end of said Lot 4; and

TOGETHER WITH the following described property:

That portion of the 100-foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying West of line "RR" described below and between the Northeastern extension of the Northeastern and Southeastern lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne", as per plat recorded in Volume 2 of Plats, Page 80, records of Skagit County, Washington, conveyed to Clarence M. VanderGriend, Jr. et al; by deed recorded July 18, 1977 as Auditor's File No. 880633.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East, W.M., which is midway between the centerline of the original 100-foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; the Northerly on a line drawn midway between the centerline of the original 100-foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.



RECORD OF SURVEY

CLARENCE VANDERGRIEND PROPERTY LINE SURVEY
PTN. LOT 4, BLK 42, "PLAT OF THE TOWN OF MONTBORNE"
TOGETHER WITH VAC. STREET AND RAILROAD RIGHT OF WAYS

PTN. SEC 6, T. 33 N., R. 5 E.W.M.

SKAGIT COUNTY, WASHINGTON

200610160180

Skagit County Auditor



200610160180
Skagit County Auditor

AUDITOR'S CERTIFICATE

Filed for the record at the request of LeGro & Associates.

7/24/2006 Page 1 of 1 12:57 AM

Skagit County Auditor
 Deputy
 Nathan Gummert

LEGAL DESCRIPTION

Lot 3, Except the Southeastern 10 Feet thereof, and the Southeastern Half of Lot 4, Block 42, "Plat of the Town of Montborne as per Plat recorded in Volume 2 of Plots, Page 80, records of Skagit County, Washington."

EXCEPT the Northeastern 40 Feet thereof conveyed to Skagit County for road purposes by Deed recorded July 14, 1941, under Auditor's File No. 341750, in Volume 184 of Deeds, Page 341.

TOGETHER with that portion of vacated Lakeside Boulevard adjoining the Southeastern line of said premises which upon vacation reverted to said premises by operation of law.

ALSO TOGETHER WITH that portion of the 100 foot wide railroad right of way, commonly known as the Northern Pacific Railway (Originally conveyed to the Seattle Lake Shore and Eastern Railway) lying West of the Line 700' described in judgment and decree relating title entered May 11, 1932 in Skagit County Superior Court No. 91-2-00070-3 and between the Northeastern extensions of both the Northeastern and Southeastern lines of the above described tract of land.

SUBJECT TO Easements, restrictions, reservations, and exceptions of record.

Situate in the County of Skagit, State of Washington.

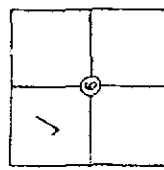
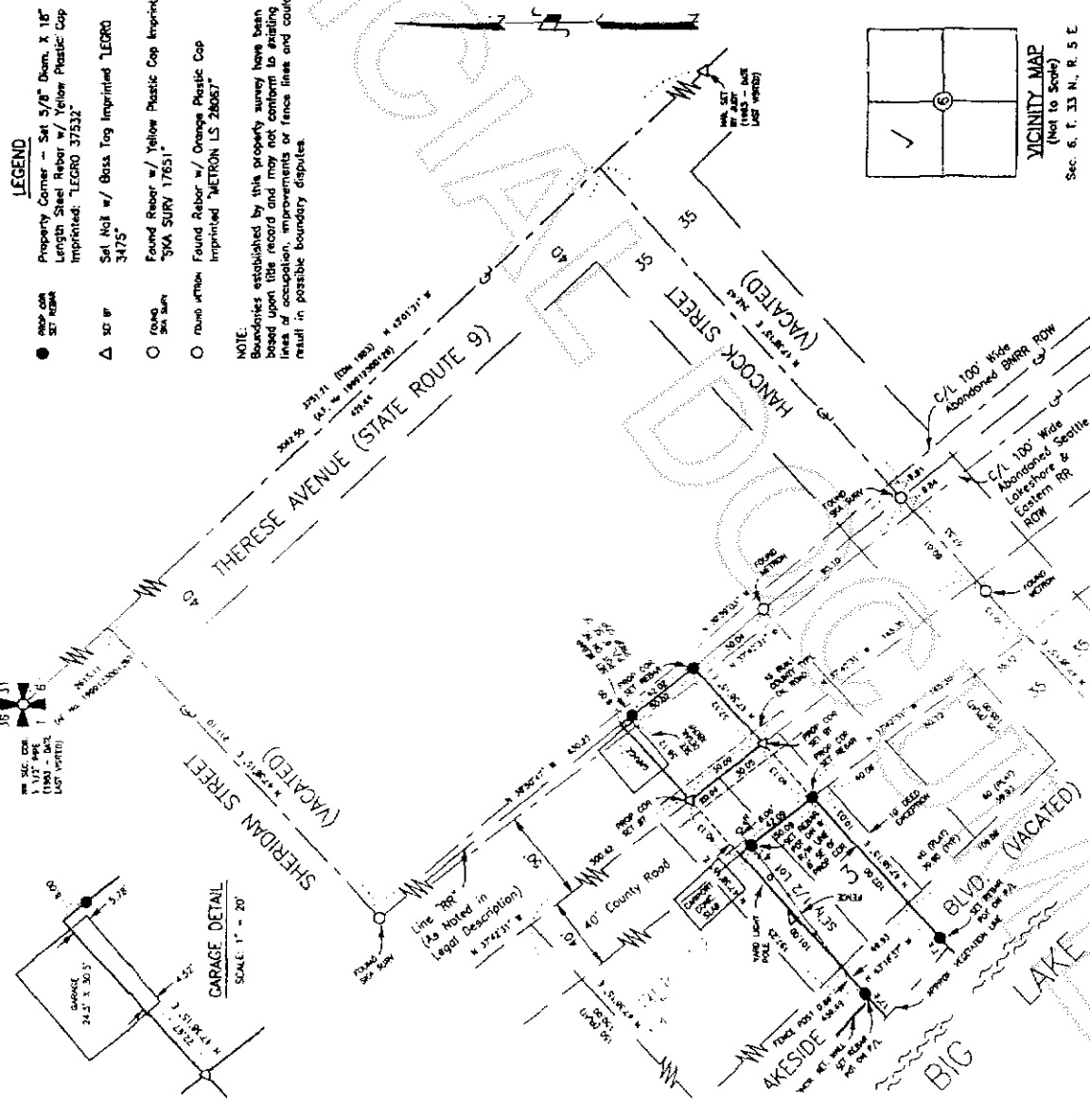
NOTES

- Legal Description taken from: that statutory Warranty Deed from Warner W. Jones and Joan D. Jones, husband and wife, grantors to Mrs. F. Hicks and Virginia M. Hicks, grantees, by that instrument recorded December 30, 1955 under Auditor's File No. 8512300205; Skagit County Certificate of Title No. 1605, Westview Road, being a 40 foot wide road conveyed to Skagit County by deed recorded July 14, 1941 under Auditor's File No. 341750; Judgment and Decree Quelling Title entered May 11, 1932 in Skagit County Superior Court No. 91-2-00070-3.
- For subdivision information, refer to: Vol. 13 of surveys, page 187 records of Skagit County Vol. 15 of surveys, page 94 records of Skagit County Vol. 19 of surveys, page 164 records of Skagit County Record of Survey, A.F. No. 199872500128, records of Skagit County
- Survey Method: Field Triangulation
 Instrumentation: TOPCON GTS-28(20)
 Theodolite: Min. 1600, Circle Reading of 20"
 I.D.M.: Accuracy ± (5mm + 5ppm)
 Survey Precision Exceeds 1:10,000
- The bearing of reference for this survey is based upon Line 78° as being N 38°50'48" W

LEGEND

- Property Corner - Set 5/8" Iron, 1" 10"
- Length Steel Rebar w/ Yellow Plastic Cap Imprinted: "LEGRO 37532"
- Set 1/2" w/ Boss Tag Imprinted "LEGRO 3475"
- Found Rebar w/ Yellow Plastic Cap Imprinted "SMA SURV 17851"
- Found within Found Rebar w/ Orange Plastic Cap Imprinted "METRON LS 28057"

NOTE:
 Boundaries established by this property survey have been based upon the record and may not conform to existing lines of occupation, improvements or fence lines and could result in possible boundary disputes.



VICINITY MAP
 (Not to Scale)
 Sec. 6, T. 33 N., R. 5 E

SURVEYOR'S CERTIFICATE

"We, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original survey as shown to me by the person claiming to be the owner of the same, and that the same is in conformity with the requirements of the Surveying Act in July 2007 at the request of Phil Crossler."

DEAN D. LEGRON
 Registered Professional
 Land Surveyor
 License No. 98273
 Phone: (360) 338-3220
 Date: 7-23-06



Scale: 1" = 40'



200610160180
 Skagit County Auditor



First American Title Company of Skagit County

formerly Skagit County Title Company

P.O. Box 1667, 1301-B Riverside Dr., Mount Vernon, WA 98273

(360) 424-0115, 1-800-869-7045, FAX (360) 424-5885

January 9, 2006

Corky VanderGriend
→ Paul Taylor
Denny LeGro

Re: Hicks and VanderGriend

Dear Gentlemen:

On October 27, 2005, I sent a letter to all of you making suggestions for corrections to all three of the Exhibits attached to Auditor's File No. 200509220219 and to three of the four Exhibits attached to Auditor's File No. 200509220220.

On Friday, January 6, 2006, Denny and I spoke and met in the afternoon agreeing on all the corrections to the Exhibits, including the ones that I suggested and one more that he noted. Therefore, enclosed herewith is a complete set of Exhibits to be used on a correction deed and correct easement to be recorded.

Enclosed herewith are the correction Exhibits drafted as follows:

Exhibit A to 200509220219 prepared by Denny.
Exhibit B to 200509220219 prepared by Denny.
Exhibit C to 200509220219, Denny didn't prepare the original so we prepared a new exhibit.

Exhibit A to 200509220220, no correction needed, reuse original Exhibit A.
Exhibit B to 200509220220 is the same as C above with a different label.
Exhibit C to 200509220220 prepared by Denny though we changed the Exhibit label to conform with the recording.
Exhibit D to 200509220220 prepared by Denny though we changed the Exhibit label to conform with the recording.

Our advice is that the original documents recorded as Auditor's File Numbers 200509220219 and 200509220220 be corrected with new documents using the Exhibits as set forth herein. Technically, the corrections could be accomplished by rerecording the original documents but due to the number of changes it might be best to simply record new deeds.

Agents)
First American Title In



200610160180
Skagit County Auditor

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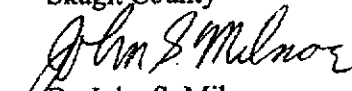
6 of 12 2:11PM

As indicated in our October letter the changes comprise some verbiage that was left out of the original documents, a couple of typographical errors and a couple of style changes that we believe will make the legal descriptions more readable in the future. This Company not having been involved in this project when the documents were recorded has no opinion as to how the errors were made. Fortunately, at this point the necessary documentation is easy to accomplish.

Accompanying the copy of this letter to Paul Taylor is a disk of the corrected legal descriptions supplied by Denny LeGro. However, as stated above we did change the labels of the last two exhibits.

Denny LeGro is expecting one of us to notify him once the rerecordings are accomplished in order that he can record his survey.

Sincerely Yours,
First American Title Company of
Skagit County


By John S. Milnor
Senior Title Officer



200610160180

Skagit County Auditor

After recording, mail to:
Law Office of Paul W. Taylor, Inc., P.S.
20388 Eric Street
Mount Vernon, WA 98274
(360) 418-6900

**QUITCLAIM DEED
(Boundary Line Adjustment)**

Reference No.: 860833/85120300020
Section, Township and Range: Sec.6,T33N,R05E
Tax Parcel No./Account No:4135-042-004-0008/P74675
4135-042-005-0007/P74678

Grantor: Virginia M. Hicks

Grantees: Clarence M. VanderGriend Jr.
Lona C. VanderGriend

**This Deed of Easement corrects and supersedes Deed of Easement
recorded September 22, 2005 under Skagit County Auditor's File no.
200509220219.**

The Grantor, Virginia M. Hicks, for and in consideration of a Boundary Line Adjustment, hereby convey and quitclaim to Grantees, Clarence M. VanderGriend and Lona C. VanderGriend, husband and wife, her interest in the following described real estate:

See attached Exhibit "A" and Exhibit "B"

To be combined with:

See attached Exhibit "C"

**This is a Boundary Line Adjustment and does not create an additional legal lot
FOR THE SETTLEMENT OF SKAGIT COUNTY SUPERIOR COURT CAUSE NO. 02-
2-01080-9,**

BOUNDARY LINE ADJUSTMENT

Reviewed and approved in accordance with S.C. Code Chapter 14.12

BY: Alice Roeder 3/7/2006
SKAGIT COUNTY PLANNING AND PERMIT CENTER

AF 200603070033



200610160180
Skagit County Auditor

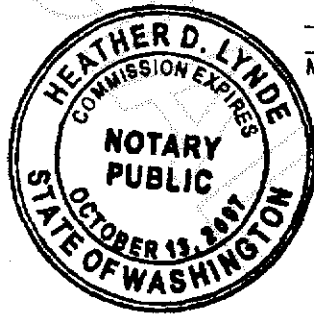
DATED this 17 day of February, 2006.

Virginia M. Hicks
VIRGINIA M. HICKS

STATE OF WA)
COUNTY OF Yakima) ss.

I certify that I know or have satisfactory evidence that Virginia M. Hicks, Grantor, personally appeared before me, and said person acknowledged that she signed this instrument and acknowledged it as her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED at Yakima, Washington this 17 day of February, 2006.



Heather D. Lynde
Notary Public
My Commission expires: 10-13-07



200610160180
Skagit County Auditor

EXHIBIT "A"

LEGAL DESCRIPTION

A tract of land lying under the Southerly portion of an existing garage, being more particularly described as follows:

Commencing at the Westerly most corner of the following described tract of land, and which point falls on the Northeasterly line of that 40 foot wide county road described below; thence North 47°38' 15" East along the Northwestern line of the following described tract of land, a distance of 22.65 feet, more or less, to its intersection with the Southwesterly wall of the existing garage and the TRUE POINT OF BEGINNING of this Property Description; thence along the Southwesterly, Southeasterly and Northeasterly walls of said garage on the following courses and distances: South 39°58'46" East, a distance of 4.52 feet; North 50°01'14" East, a distance of 30.40 feet; North 39°58'46" West, a distance of 5.79 feet, more or less, to the Northwestern line of the following described tract of land, which point bears North 47°38'15" East, a distance of 30.43 feet, more or less from the True Point of Beginning; thence South 47°38'15" West through the existing garage building along the Northwestern line of the following described tract of land, a distance of 30.43 feet, more or less, to the True Point of Beginning, and containing 157 square feet, more or less.

PARCEL "A":

That portion of the 100 foot wide railroad right of way, commonly known as the Northern Pacific Railway (Originally conveyed to the Seattle Lake Shore and Eastern Railway) lying Westerly of Line "RR" described in judgment and decree quieting title entered May 11, 1992 in Skagit County Superior Court No. 91-2-00070-3 and between the Northeasterly extensions of both the Northwestern and Southeasterly lines of the following tract of land:

Lot 3, Except the Southeasterly 10 feet thereof, and the Southeasterly Half of Lot 4, Block 42, "Plat of the Town of Montbome" as per Plat recorded in Volume 2 of Plats, Page 80, records of Skagit County, Washington.

EXCEPT the Northeasterly 40 feet of that portion of said Lots 3 and 4 conveyed to Skagit County for road purposes by Deed recorded July 14, 1941, under Auditor's File No. 341750, in Volume 184 of Deeds, Page 341.

Situate in the County of Skagit, State of Washington.



200610160180
Skagit County Auditor

EXHIBIT "B"

LEGAL DESCRIPTION

That portion of the following described tract of land lying Northerly of a line described as follows: Commencing at the Northerlymost corner of the following described tract of land; thence South 37°42'31" East along the Northeasterly line thereof (said Northeasterly line being the Southwesterly line of the county road), a distance of 3.84 feet to the TRUE POINT OF BEGINNING of this property line description; thence South 50°17'48" West, a distance of 82.39 feet to a point on the Northwesterly line of the following described tract of land which bears South 47°38' 15" West, a distance of 82.61 feet, more or less, from said Northerlymost corner, and WHICH POINT IS THE TERMINUS of this property line description, and containing 158 square feet, more or less.

PARCEL "A":

Lot 3, Except the Southeasterly 10 feet thereof, and the Southeasterly Half of Lot 4, Block 42, "Plat of the Town of Montborne" as per Plat recorded in Volume 2 of Plats, Page 80, records of Skagit County, Washington.

EXCEPT the Northeasterly 40 feet thereof conveyed to Skagit County for road purposes by Deed recorded July 14, 1941, under Auditor's File No. 341750, in Volume 184 of Deeds, Page 341.

TOGETHER WITH that portion of vacated Lakeside Boulevard adjoining the Southwesterly line of said premises which upon vacation reverted to said premises by operation of law.

Situate in the County of Skagit, State of Washington



200610160180

Skagit County Auditor

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EXHIBIT "C"
VanderGriend Property

Lot 5 and the Northwestern half of Lot 4, Block 42, "Plat of the Town of Montborne", according to Plat recorded in Volume 2 of Plats, Page 80, records of Skagit County, Washington, EXCEPT that portion conveyed to Skagit County for road purposes.

TOGETHER WITH that portion of vacated Lakeside Boulevard adjoining the Westerly end of said Lots; and

TOGETHER WITH the following described property:

That portion of the 100-foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of Line "RR" described below and between the Northeasterly extension of the Northwestern and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne", as per plat recorded in Volume 2 of Plats, Page 80, records of Skagit County, Washington, conveyed to Clarence M. VanderGriend, Jr., et ux, by deed recorded July 18, 1977 as Auditor's File No. 860833.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East, W.M., which is midway between the centerline of the original 100-foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100-foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.



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