

Return to:
William R. Zoberst, Esq.
600 Stewart Street, Suite 1500
Seattle, WA 98101-1257



200709050082
Skagit County Auditor

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Lot 43 Snee-Oosh

Boundary Line Agreement

RCW 58.04.007(1)

THIS AGREEMENT, by and between Lawrence E. Johnson and Naomi J. Johnson (hereinafter the "Johnsons") and Nathan A. Thostenson and Brenda J. Thostenson (hereinafter the "Thostensons"), effective the 20th day of August, 2007 as follows:

WITNESSETH

WHEREAS, the Johnsons own and occupy certain real property located at 16825 Chilberg Avenue, La Conner, Washington, 98257, known also as "Lot 43, Snee-Oosh, Skagit County, Washington", Tax Parcel Number P69649, and as heretofore was more fully described in the Record of Survey under Auditor's File Number 20060825242, a true and accurate copy of which is attached hereto as Exhibit A (hereinafter the "Johnson Property");

WHEREAS, the Thostensons own and occupy certain real property located at 16815 Chilberg Avenue, La Conner, Washington, 98257, known also as "Lot 44 and a portion of Lot 50 Snee-Oosh, Skagit County, Washington", Tax Parcel Number P69653, and as heretofore was more fully described in the Record of Survey under Auditor's File Number 20061012162, a true and accurate copy of which is attached hereto as Exhibit B (hereinafter the Thostenson Property");

WHEREAS, the Johnson Property and the Thostenson Property abut, and generally the northerly boundary of the Johnson Property is the southerly boundary of the Thostenson property (hereinafter "Shared Boundary");

WHEREAS, there is a dispute between the Johnsons and the Thostensons concerning the

location of the Shared Boundary;

WHEREAS, the Johnsons and the Thostensons wish to resolve the location of the Shared Boundary by agreement, pursuant to RCW 58.04.007(1); and

WHEREAS, the Johnsons and the Thostensons constitute all of the landowners affected by this Agreement:

NOW THEREFORE, in consideration of the promises exchanged herein and for other good and valuable consideration received, the Johnsons and Thostensons agree as follows:

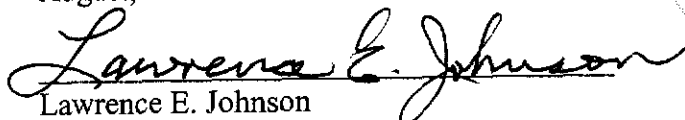
1. The Shared Boundary shall be, and is, mutually agreed to be described as follows:

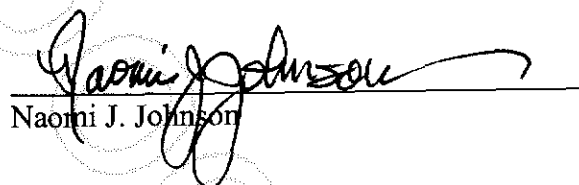
Said agreement line lies 2 feet northerly and parallel to the common parcel line of Lots 43 and 44, as surveyed and staked on the ground filed under AF No.'s 200608250242 and 200610120162.

(hereinafter "Agreed Boundary Line").

2. All rights, benefits, and burdens created under this Agreement shall be binding upon the parties, their successors, assigns, and heirs.

Signed and Acknowledged in the manner of a conveyance of real property this 17th day of August, 2007.

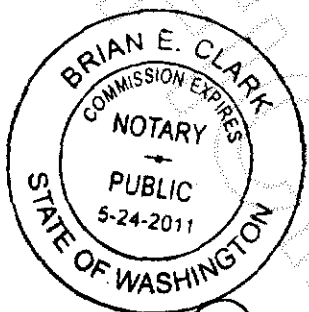

Lawrence E. Johnson


Naomi J. Johnson



STATE OF WASHINGTON)
)
COUNTY OF SKAGIT) ss.

On the day last above written personally appeared before me, a Notary Public in and for the State of Washington, Lawrence E. Johnson and Naomi J. Johnson, and who each, in my presence, did sign and acknowledge the hereinabove "Boundary Line Agreement" instrument.



Brian E. Clark

Notary Public residing at Bellingham
My commission expires: 5/24/2011

Signed and Acknowledged in the manner of a conveyance of real property this 20th day of August, 2007.

[Signature]

Nathan A. Thostenson

Brenda J. Thostenson

Brenda J. Thostenson

STATE OF WASHINGTON)
)
COUNTY OF SKAGIT) ss.

On the day last above written personally appeared before me, a Notary Public in and for the State of Washington, Nathan A. Thostenson and Brenda J. Thostenson, and who each, in my presence, did sign and acknowledge the hereinabove "Boundary Line Agreement" instrument.



Kate Szurek

Kate Szurek

Notary Public residing at WAT VERNON
My commission expires: 9/15/2010



NOTES

1. Legal Description for this survey is taken from that Statutory Warranty Deed from Donald K. Thustman and Marilyn E. Thustman, h & w, Grantors to Lawrence E. Johnson and Naomi Jean Johnson, h & w, Grantees by that Instrument recorded June 20, 1984 under Auditor's File No. 9408200130, records of Skagit County, Washington.

2. For additional subdivision information refer to that Record of Survey recorded under Auditor's File No. 200109250037 and Record of Survey recorded in Vol. 5 of Surveys at page 25 under Auditor's File No. 8308240050, all records of Skagit County, Washington.

3. Basis of Bearing: The center line of Chilberg Avenue between Warren Street and Sherman Street as being 86°27'18" W based upon existing monumentations.

4. Survey Method: TOPCON GTS 2-B(20)
Instrumentation: Min. Meris Circle Reading of 20"
E.D.M.: Accuracy ± (5mm + 5ppm)

5. Meridian: Assumed

6. Distances shown are in feet and decimals of a foot.

7. In accordance with WAC 352-150-050, this survey has depicted existing improvements which may indicate encroachment, lines of possession, or conflict of title. Occupancy indicators may be the basis of unwritten claims of title generally. This survey does not purport to resolve such claims, if any.

8. This survey has been performed without the benefit of a current title report and does not purport to show any of all easements, restrictions, reservations, provisions, covenants or conditions which may affect the parcels shown hereon.

9. The roof overhang on the North side of the house upon Lot 43 extends 1.8' from the building wall as shown.

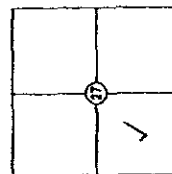
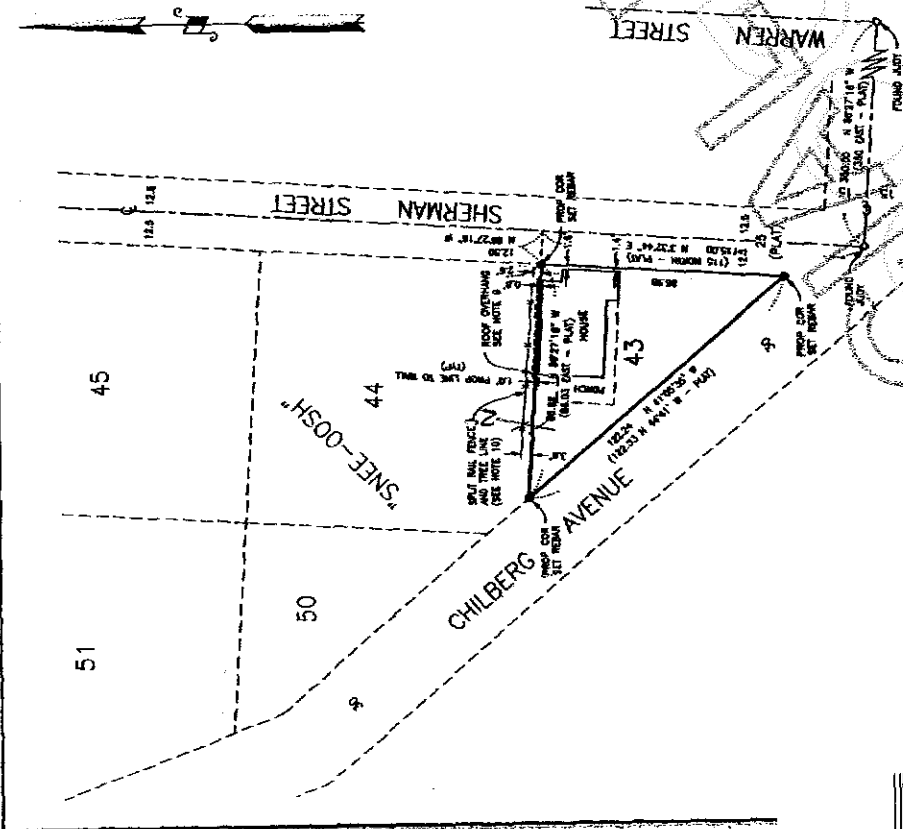
10. Decorative fence installed by owner of Lot 44.

11. The bearings for Chilberg Avenue along the West line of this plot have been previously established by R. L. Judy, PLS and accepted hereby based upon proportioned bearings and distances into the North line of this plot, based upon the platted distances for lots 49, 55 and 56.

LEGEND

- Property Corner - Set 5/8" Diam. x 18" Length Steel Rebar w/ Yellow Plastic Cap Imprinted: "LEGRO 37532"
- Found Rebar w/ Yellow Plastic Cap Imprinted: "JUDY 7598"

Found/Set Refers to the Date of this Survey Unless Otherwise Noted.



VICINITY MAP
(Not to Scale)

Sec. 27, T. 34 N., R. 2 E.



SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in accordance with the requirements of the Washington Recording Act in August 2008 at the request of Lawrence E. Johnson.

LEGRO & ASSOCIATES
Engineer & Land Surveyors
815 Cleveland Avenue
Mount Vernon, WA 98273
Phone: (360) 334-3220
Fax: (360) 334-3220
Date: 8-25-08

RECORD OF SURVEY

LAWRENCE JOHNSON PROPERTY SURVEY

LOT 43

"SNEE-OOSH, SKAGIT COUNTY, WASH."

PTN. GOVT LOT 4, SEC. 27, T. 34 N., R. 2 E.W.M.

SKAGIT COUNTY, WASHINGTON

EXHIBIT A
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200709050082
Skagit County Auditor

AUDITOR'S CERTIFICATE

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

200610120132
Skagit County Auditor

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Nate Thostenson
Skagit County Auditor

LEGAL DESCRIPTION

Parcel A:
Lot 44 and that portion of Lot 50, "SNEE--OOSH, SKAGIT COUNTY, WASH.", as per plat recorded in Volume 4 of Plats, page 50, records of Skagit County, Washington, described as follows:

Beginning at a point of intersection of the East line of Tract 50 with the Eastern line of Chilberg Avenue as laid out in said plat; thence Northwesterly along the Eastern line of said Avenue 25 feet; thence Northwesterly to a point on the North line of said Tract 50 that is 5 feet West of the Northeast corner thereof; thence East along said North line of Tract 50 a distance of 5 feet to the Northeast corner thereof; thence South along the East line of Tract 50 to the point of beginning.

Parcel B:

The Eastern 15 feet, as measured at right angles to the Eastern line of the following described tract:

Tract 50, "SNEE--OOSH, SKAGIT COUNTY, WASH.", as per plat recorded in Volume 4 of Plats, page 50, records of Skagit County, Washington,

EXCEPT that portion described as follows:

Beginning at a point of intersection of the East line of Tract 50 with the Eastern line of Chilberg Avenue as laid out in said plat; thence Northwesterly along the Eastern line of said Avenue 25 feet; thence Northwesterly to a point on the North line of said Tract 50 that is 5 feet West of the Northeast corner thereof; thence East along said North line of Tract 50 a distance of 5 feet to the Northeast corner thereof; thence South along the East line of Tract 50 to the point of beginning.

PARCEL "C":

That portion of Tract 50, "SNEE--OOSH, SKAGIT COUNTY, WASH.", as per plat recorded in Volume 4 of Plats, page 50, records of Skagit County, Washington, described as follows:

Beginning at the Southwest corner of Parcel "B" described hereinabove; said point being on the Eastern line of Chilberg Avenue; thence Northwesterly along the Eastern line of Chilberg Avenue 35 feet; thence Northwesterly, a distance of 45.92 feet, more or less, to the Northwest corner of said Parcel "B", as described hereinabove; thence Southwesterly along the West line thereof to the point of beginning, and containing 802 square feet, more or less.

All Situate in the County of Skagit, State of Washington.

NOTES

1. Legal Description for this survey is from Statutory Warranty Deed between Max Stahl & Mary Stahl, h & w, Grantors to Nate Thostenson and Brenda Thostenson, h & w, Grantees by that instrument dated December 18, 1988 and recorded December 20, 1988 under Auditor's File No. 9812200088, and from that Statutory Warranty Deed from Ryan H. Miller and Bath G. Claffier, h & w, Grantors to Nate Thostenson and Brenda Thostenson, h & w, Grantees by that instrument dated September 27, 2006 and recorded October 2, 2006 under Auditor's File No. 200610020130, all records of Skagit County, Washington.
2. For additional subdivision information refer to that Record of Survey recorded under Auditor's File No. 200109260037 and Record of Survey recorded in Vol. 5 of Records of Skagit County, Washington, under Auditor's File No. 8306240080, all records of Skagit County, Washington.
3. Basis of Bearing: The Center line of Chilberg Avenue between Warren Street and Sherman Street as being N 88°27'16" W based upon existing monumentation.
4. Survey Method: Field Traverse.
5. Monumentation: TOPCON GTS 2-B(20)
EDM.: Accuracy ± (5mm + 5ppm)
6. Meridian: Assumed
7. Distances shown are in feet and decimals of a foot.
8. In accordance with WAC 332-130-050, this survey has been performed without the benefit of a current title report and does not purport to show all easements, restrictions, reservations, provisions, covenants or conditions which may affect the parcels shown hereon.
9. The roof overhang on the North side of the house upon Lot 43 extends 1.8' from the building wall as shown.

LEGEND

- IRON CORNER - Set 5/8" Diam. X 18" Length Steel Rebar w/ Yellow Plastic Cap Imprinted: "LEGRO 37532"
- ▲ SET ST
- FOUND IRON
- Found Rebar w/ Yellow Plastic Cap Imprinted: "JURY 7558"
- Found/Set Refers to the Date of this Survey Unless Otherwise Noted.

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformity with the requirements of the Survey Recording Act in September 2006 at the request of Nate Thostenson.

LEGRO & ASSOCIATES
Engineer & Land Surveyors
615 Cleveland Avenue
Mount Vernon, WA 98273
Phone: (360) 338-3220
Lic. # 37532 Date: 10-11-06



DAWN B. TH

Sec. 27, T. 34 N., R. 2 E.

PLAN

Scale: 1" = 30'

Feet

0 25 50 75 100

DETAIL

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EXHIBIT B
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