



201312100040

Skagit County Auditor

\$75.00

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2:27PM

AGREEMENT

When recorded return to:**City of Anacortes****P.O. Box 547****Anacortes, WA 98221****CHICAGO TITLE 620020555**

This Agreement is made and entered into by and between the City of Anacortes, a municipal corporation and Joe Lindholm and Linda K. Lindholm, hereinafter referred to as "OWNER".

Whereas, OWNER, Joe Lindholm and Linda K. Lindholm, the owner of the following described real estate located within the City of Anacortes, Skagit County, Washington, also known as 415 East Park Drive, Anacortes, WA.

Encroachment Agreement – Parcel # 57045, Parcel # 57045 CAP SANTE PARK TO ANA. S 149' OF LOT 1 INC PART OF TR 12 PL 9 ANA TIDE LANDS

Tax Parcel Number: P#57045 3780-000-001-0108

Chicago Title has placed this document for recording as a customer courtesy and accepts no liability for its accuracy or validity

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

Encroachment Description: The residence located on the property is severed by a circular driveway with entrances from the East Park Drive and 5th Street. The entrance ways are set off by a concrete block fence that extends on each side and away from both entrances. The fence encroaches 2.1 feet into the right a way of East Park Drive for a distance of approximately 16 linear feet. On 5th Street the fence encroaches 6.8 feet into the right a way for a distance of approximately 29 linear feet. A rock wall surrounds a brick pad to the east of the cul de sac at the end of 5th Street. The actual right a way extends beyond the edge of the cul de sac all the way to the inner harbor line. The rock wall surrounding the brick pad extends into the right a way for a linear

distance of 17 feet. The wall is at an angle and the encroachment ranges from 4.4 feet on its west end to 0.7 feet on its east end. The encroachments are shown on the attached exhibit.

Now, therefore, parties hereby agree as follows:

Whereas, the City is agreeable to allowing said encroachment on certain terms and 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 clear view obstructions at intersections or private property access.

DATED this 25th day of November 2013

OWNER: By: _____

Joe Lindholm
Joe Lindholm

OWNER: By: _____

Linda K. Lindholm
Linda K. Lindholm

APPROVED By: _____

H. Dean Maxwell
H. Dean Maxwell, Mayor



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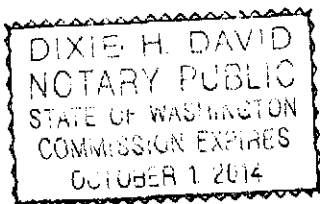
STATE OF WASHINGTON)

) ss

COUNTY OF SKAGIT)

On this day personally appeared before me, Joe Lindholm and Linda K. Lindholm, 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 25th day of November, 2013.



Dixie H. David

(Signature)

Notary Public in and for the State of Washington

Dixie H. David

Print Name)

Residing in Anacortes, Washington.

My commission expires: 10/1/2014



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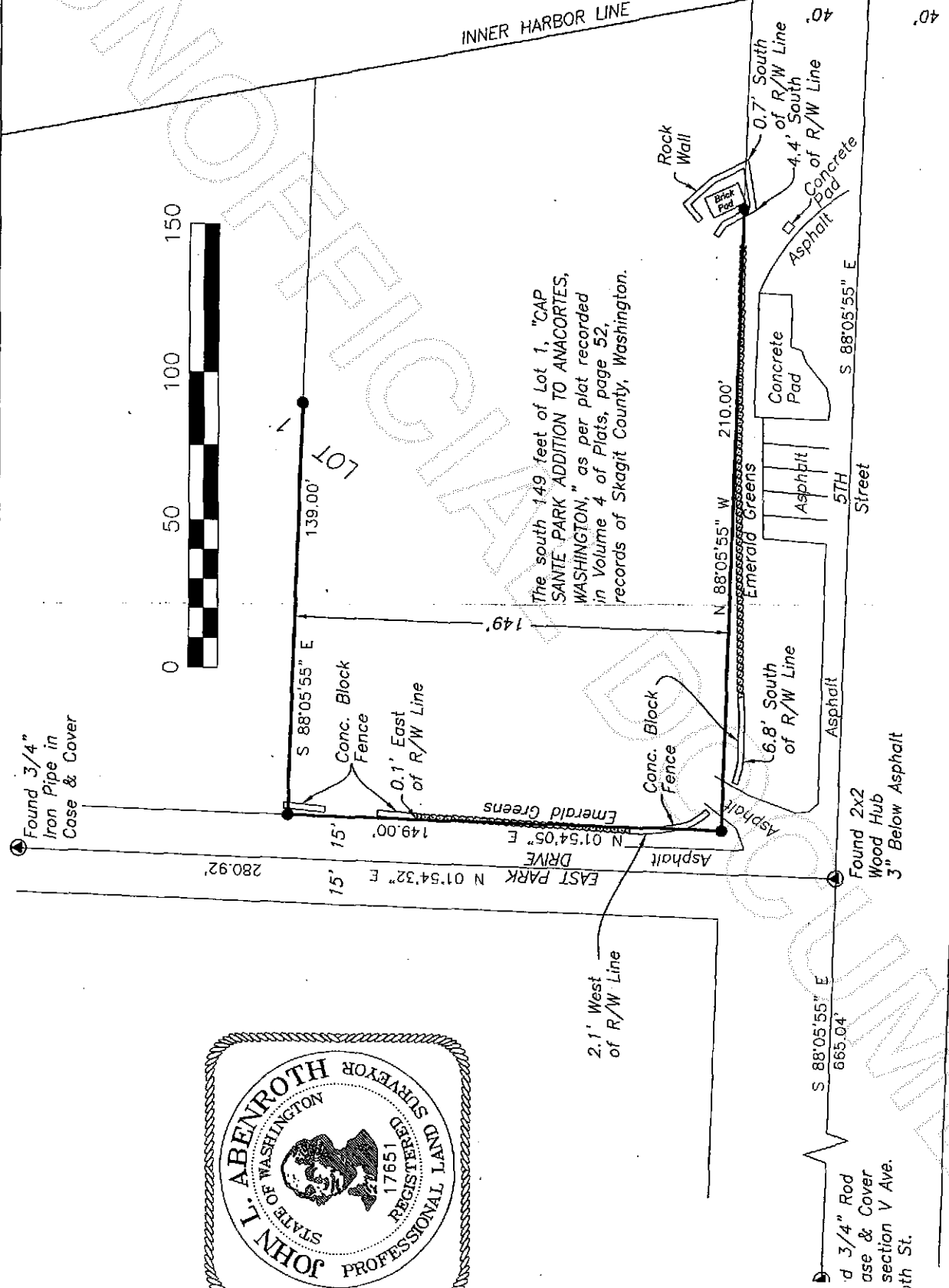
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INNER HARBOR LINE

Found 3/4" Iron Pipe in Case & Cover



The south 149 feet of Lot 1, "CAP SANTE PARK ADDITION TO ANACORTES, WASHINGTON," as per plat recorded in Volume 4 of Plats, page 52, records of Skagit County, Washington.

Legend

Topographic Exhibit Map

for
JOE LINDHOLM

- 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.

SKAGIT SURVEYORS & ENGINEERS
 806 METCALF ST.
 SEDRO-WOOLLEY, WA 98284
 (360) 855-2121
JAN2018 15MAY13



201312100040

\\SSI\\Carlson\\ANAC