



201607070056

Skagit County Auditor

\$76.00

7/7/2016 Page

1 of

4 3:17PM

WHEN RECORDED RETURN TO:

Swinomish Indian Tribal Community
Realty Department
11404 Moorage Way
La Conner, WA 98257

BOUNDARY AND FENCE LOCATION AGREEMENT

The undersigned property owners are neighbors owning adjoining property in Skagit County located in the State of Washington

*Grantor: Swinomish Indian Tribal Community
Grantor: Christie & Kim Westenhaver*

The property of the Swinomish Indian Tribal Community is legally described as:

OPEN SPACE #446 #761697 1973 TAX 24A PTN OF SE1/4 OF SEC 5 & NE1/4 IN SEC 8 AS DES AF#711384 LESS TAX 24B LESS UNIMPROVED ACREAGE AF#761797 OF O SLESS 37AC DES AS SIMILK BEACH ALL BLK 8 LESS THE FDT BEGINNING AT THE INTERSECTION OF THE WEST LINE OF CHRISTIANSEN ROAD AND THE NORTH LINE OF THE SOUTHEAST 1/4 THENCE WEST ALONG SAID NORTH LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 75 FEET MORE OR LESS TO ITS INTERSECTION WITH A LINE LYING 25 FEET SOUTHWESTERLY OF AND MEASURED AT RIGHT ANGLES TO THE SOUTHWESTERLY WALL OF AN EXISTING COMMERCIAL BUILDING THENCE NORTHWESTERLY PARALLEL WITH SAID WELL A DISTANCE OF 260 FEET MORE OR LESS TO A POINT ON THE LINE RADIAL TO ENGINEERS STATION 126+85.2 SAID SR20 AS SHOWN ON THAT CERTAIN MAP LABELED EXHIBIT A RIGHT OF WAY SHEET 2 OF 11 SHEETS BEARING DATE OF APPROVAL AUGUST 2 1960 THENCE NORTH ALONG SAID RADIAL LINE TO THE SOUTH RIGHT OF WAY MARGIN OF SR20 THENCE EAST TO THE WEST MARGIN OF SAID CHRISTIANSEN RD THENCE SOUTH ALONG THE WEST MARGIN OF SAID CHRISTIANSEN RD TO THE POINT OF BEGINNING

Tax Parcel No.: P19984

The property of KIM C & CHRISTY L WESTENHAVER is legally described as:

WEST GOLF TO SIMILK BEACH LOT 2 LESS N 2.36FT LOT 3 LESS S 28FT. & ALL LOTS 4 TO 7 BLK 1

Tax Parcel No. P69378

We hereby acknowledge and stipulate to the following:

1. Peter K. Brands, a Registered Professional Land Surveyor has prepared an updated survey of the property owned by the Swinomish Indian Tribal Community. A portion of the survey depicting the parcels at issue is attached hereto as Exhibit "A" and incorporated herein by reference.
2. An existing landscaping is encroaching on Tribal property as shown on that portion of the survey attached as Exhibit "A".
3. The location of the existing landscaping does not accurately represent the boundaries between adjoining properties.
4. The landscaping may remain on Tribal property until reconstructed or repaired beyond regular maintenance. If your structure needs improvements or is removed the agreement requires any replacement structure(s) to be placed entirely on your property.
5. This agreement only allows permissive use of the property for existing structures encroaching on Tribal land.

Dated this 22 day of December, 2015.

Christy Westenhaver
Print Name

Christy Westenhaver
Signature

KIM C & CHRISTY L WESTENHAVER

Kim Westenhaver
Print Name

Kim Westenhaver
Signature

KIM C & CHRISTY L WESTENHAVER

Dated this 3 day of June, 2016.

Swinomish Indian Tribal Community

Brian Cladoosby
Brian Cladoosby, Chairman

Tax Parcel No. P69378

We hereby acknowledge and stipulate to the following:

1. Peter K. Brands, a Registered Professional Land Surveyor has prepared an updated survey of the property owned by the Swinomish Indian Tribal Community. A portion of the survey depicting the parcels at issue is attached hereto as Exhibit "A" and incorporated herein by reference.
2. An existing landscaping is encroaching on Tribal property as shown on that portion of the survey attached as Exhibit "A".
3. The location of the existing landscaping does not accurately represent the boundaries between adjoining properties.
4. The landscaping may remain on Tribal property until reconstructed or repaired beyond regular maintenance. If your structure needs improvements or is removed the agreement requires any replacement structure(s) to be placed entirely on your property.
5. This agreement only allows permissive use of the property for existing structures encroaching on Tribal land.

Dated this 6 day of SEPT., 2015.

KIM WESTENHAVER
Print Name

[Handwritten Signature]
Signature

KIM C & CHRISTY L WESTENHAVER

CHRISTY WESTENHAVER
Print Name

[Handwritten Signature]
Signature

KIM C & CHRISTY L WESTENHAVER

Dated this 6th day of June, 2016.

Swinomish Indian Tribal Community

Brian Cladoosby
Brian Cladoosby, Chairman

STATE OF WASHINGTON)
)
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Christy & Kim
Wesleybauer is/are the person(s) who appeared before me, and said person(s)
acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their
free and voluntary act for the uses and purposes mentioned in this instrument.

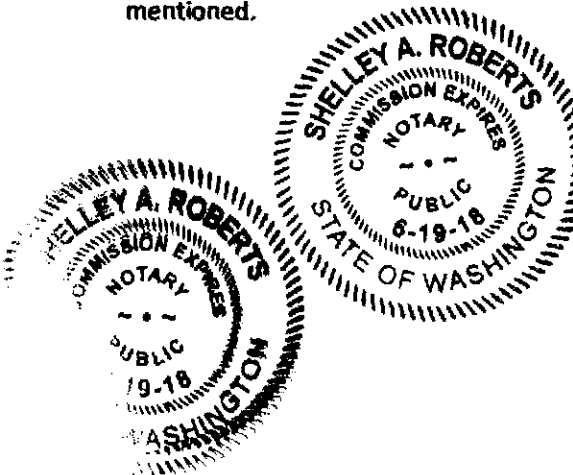
Dated: 12-22-15



Gerri A. Lane
Notary Public in and for the State of Washington
Residing at Arcotex
My commission expires: 6/8/16

STATE OF WASHINGTON)
)
COUNTY OF SKAGIT)

On this 10 day of June, 2016 personally appeared before me BRIAN CLADOOSBY
known to me and to me known to be the Chairman of the Swinomish Indian Senate and who
executed the within and foregoing instrument and acknowledged that they signed the same as
the authorized act and deed of the Swinomish Indian Senate for the uses and purposes therein
mentioned.



Shelley A. Roberts
Notary Public in and for the State of Washington
Residing at WA - Union
My commission expires: 6-19-18