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Skagit County Auditor

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7/7/2016 Page

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WHEN RECORDED RETURN TO:

Swinomish Indian Tribal Community
Land Management 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
Grantee: Cynthia Backlund

The property of Similk Inc, dba Swinomish Golf Links, a wholly-owned enterprise of the Swinomish Indian Tribal Community, is legally described as:

P19984, P19985, P117222

Those portions of Sections 5 and 8 of Township 34 North, Range 2 East, W.M., described as follows: Beginning at a point which is the East ¼ corner of said Section 5; thence South 2°12'20" West on the East line of said Section 5 a distance of 2,632.62 feet to the Southeast corner of said Section 5; thence North 88°21'40" West 1,308.93 feet to the Northwest corner of the North ½ of the Northwest ¼ of the Northeast ¼ of the Northeast ¼ of said Section 8; thence South 0°29'45" West a distance of 327.26 feet to the Southwest corner of said North ½ of the Northwest ¼ of the Northeast ¼ of the Northeast ¼ of said Section 8; thence South 88°14'20" East along the South boundary of said North ½ of the Northwest ¼ of the Northeast ¼ of the Northeast ¼ of said Section 8, a distance of 370.0 feet plus or minus to the centerline of "Similk Beach Road"; thence Southerly along said centerline of "Similk Beach Road, now known as Christianson Road" to the North boundary of "Fairway Drive Road, now known as Satterlee Road" as platted in the plat of "SIMILK BEACH, SKAGIT CO., WASH.," as per plat recorded in Volume 4 of Plats, page 51, records of Skagit County, Washington; thence South 76°22' West along the North boundary of "Fairway Drive Road" a distance of 900.0 feet plus or minus to the South corner of Block 8, "BEACH VIEW ADDITION TO SIMILK BEACH"; thence Northwesterly along the North boundary of "Fairway Drive Road" and the Easterly boundary of "Green Street North" to the Southwest corner of Lot 1, Block 4, "BEACH VIEW ADDITION TO SIMILK BEACH" plat; thence South 89°54' East along the South boundary of said Lot 1, 100.0 feet to the Southeast corner thereof; thence North 0°06' East along the East boundary of said Lot 1, 40.0 feet to the Northeast corner thereof; thence North 4°01' East a distance of 605.0 feet to the Northeast corner of Lot 1, Block 1 of the "WEST GOLF ADDITION TO SIMILK BEACH" plat; thence North 18°0' West a distance of 431.35 feet to the Northeast corner of said "WEST GOLF ADDITION TO SIMILK BEACH"; thence North 85°59' West along the North boundary of said "WEST GOLF ADDITION TO SIMILK BEACH" to the Northwest corner of "Green Street North" where it terminates at the North boundary of "WEST GOLF ADDITION TO SIMILK BEACH" to said "SIMILK BEACH" plat; thence North 18°0' West a distance of 306.32 feet; thence West a distance of 309.50 feet; thence North a distance of 705.55 feet; thence North 88°21'40" West a distance of 489.0 feet to the centerline of the County Road which

is also the centerline of Section 8, Township 34 North, Range 2 East, W.M.; thence North 0°05'30" East along said Section 8 centerline, a distance of 408.02 feet to the South ¼ corner of Section 5, Township 34 North, Range 2 East, W.M.; thence North 1°38'20" East along the centerline of said Section 5 a distance of 1,583.08 feet to the Northwest corner of the South 15 rods of Government Lot 2, Section 5, Township 34 North, Range 2 East, W.M.; thence South 87°56'32" East a distance of 359.0 feet; thence North 1°38'20" East a distance of 748.36 feet; thence East a distance of 404.0 feet; thence North 28°45' West a distance of 105.0 feet plus or minus; thence North 13°33' West a distance of 225.4 feet; thence North 8°05' West a distance of 270.0 feet plus or minus to the South right-of-way line of Washington State Highway 536; thence Easterly along said South right-of-way line projected to the East section line of Section 5, Township 34 North, Range 2 East, W.M.; thence South 1°56' West along said East section line to the East ¼ corner of said Section 5, the point of beginning.

EXCEPT THEREFROM the six following described tracts:

a.) The right-of-way of the Skagit County Road known both as the Christianson Road and as the Similk Beach Road; b.) Block 8 of "SIMILK BEACH, SKAGIT CO., WASH.," as per plat recorded in Volume 4 of Plats, page 51, records of Skagit County, Washington; c.) Begin at the Southeast corner of Lot 1, Block 4, "SIMILK BEACH, SKAGIT CO., WASH."; thence South 02°27' East a distance of 20 feet; thence South 87°33' West a distance of 100 feet, more or less, to the East line of "Green Street North"; thence North 01°28' East a distance of 20 feet, more or less, to the Southwest corner of Lot 1, Block 4, "SIMILK BEACH, SKAGIT CO., WASH."; thence North 87°33' East a distance of 100 feet to the point of beginning; d.) The road rights-of-way along the West line thereof known as the Gibraltar Road and State Highway No. 20; e.) That portion thereof, if any, lying within those certain premises conveyed to Daniel A. Swanson, et al, by that certain Purchaser's Assignment of Contract and Deed recorded October 22, 1981, under Auditor's File No. 8110220019; f.) The right-of-way for State Highway No. 20. Situate in the County of Skagit, State of Washington.

Tax Parcel No.: P19984, P19985, P117222

The property of Cynthia A. Backlund ("Backlund Property") is legally described as:


A tract of land in the Northwest ¼ of the Southeast ¼ (also known as Government Lot 2) of Section 5, Township 34 North, Range 2 East W.M., described as follows: Beginning at a point on the East Right of Way line of the State Highway 391.0 feet South and 30.0 feet East of the center of Section 5; thence South 88 degrees 57' East parallel to the North line of said subdivision 329.0 feet to a point that is 359 feet East of the North and South centerline on said Section 5; thence South 0 degrees 13' West parallel to the North and South centerline of said Section 5, a distance of 192.0 feet to a point on the North line of that certain tract of land conveyed to Lloyd McKinnon, et ux, by instrument recorded under Auditor's file number 526734, records of Skagit County, WA; thence North 88 degrees 57' West along the North line of said McKinnon tract a distance of 329.0 feet to the East right of way line of said State Highway; thence North 0 degrees 13' East along said highway right of way line, 192.0 feet to the point of beginning. Situate in the County of Skagit, State of WA.

Tax Parcel No. P19939

We hereby acknowledge and stipulate to the following:


1. A Registered Professional Land Surveyor has surveyed the property owned by Similk Inc. A portion of the survey depicting the parcels at issue is attached hereto as Exhibit "A" and incorporated herein by reference.
2. An existing hog wire fence is encroaching on Similk Inc. property as shown on that portion of the survey attached as Exhibit "A".
3. The location of the hog wire fence does not accurately represent the boundaries between adjoining properties.
4. The hog wire fence may remain on Similk Inc. property until reconstructed or repaired beyond regular maintenance. If the structure is reconstructed removed, or repaired beyond regular maintenance, any replacement structure(s) shall be placed entirely on the Gilliland Property.
5. This agreement only allows permissive use of the property for existing structure encroaching on Similk Inc. property.

Dated this 11 day of April, 2016.


Cynthia A. Backlund

Dated this 2nd day of May, 2016.

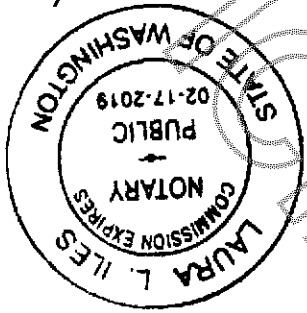
Similk Inc.


Brian Cladoosby, President, Similk Inc. Board of Directors

STATE OF WASHINGTON)
)
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Cynthia A Backlund 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: April 11, 2016



Laura L. Iles
Notary Public in and for the State of Washington
Residing at Anacortes
My commission expires: 2-17-19

STATE OF WASHINGTON)
)
COUNTY OF SKAGIT)

On this 24 day of May, 2016, personally appeared before me BRIAN CLADOOSBY known to me and to me known to be the President of the Similk Inc. Board of Directors and who executed the within and foregoing instrument and acknowledged that they signed the same as the authorized act and deed of Similk Inc. for the uses and purposes therein mentioned.



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

EXHIBIT "A"

