



201611150012

Skagit County Auditor

\$77.00

11/15/2016 Page

1 of

5 9:00AM

**WHEN RECORDED RETURN TO:**

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

**BOUNDARY AND STEPS LOCATION AGREEMENT**

Grantor: Swinomish Indian Tribal Community  
Grantee: Roger S. Rohrich

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

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

All tide lands of the second class, conveyed by the State of Washington, situate in front of, adjacent to or abutting upon the following described uplands:

Government Lots 1, 2 and the North  $\frac{1}{2}$  (in width) of Government Lot 3, Section 8, Township 34 North, Range 2 East, W.M., with a frontage of 49.15 lineal chains, more or less;

ALSO, Government Lot 6 and that portion of Government Lot 5, Section 9, Township 34 North, Range 2 East, W.M., being that portion of said Section 9 measured along the meander line, as follows:

Beginning at the meander corner on the West line of said Section 9 and running thence South  $75^{\circ}$  East 5.00 chains; thence South  $15^{\circ}$  East, 3.00 chains; thence South  $31^{\circ}$  East 3.00 chains; thence South  $68^{\circ}$  East 2.00 chains; thence South  $84^{\circ}$  East, 2.50 chains; thence South  $06^{\circ}$  East 3.50 chains to the terminal point of this description, with a frontage of 19.00 lineal chains.

EXCEPTING, however, such portions of the above described tide lands as have been previously conveyed by the State of Washington as tide lands suitable for the cultivation of oysters.

Situate in the County of Skagit, State of Washington.

Tax Parcel No.: P20222

The property of Roger S. Rohrich ("Rohrich Property") is legally described as:

Lot 14 and the West  $\frac{1}{2}$  of Lot 15, Block 6, "SIMILK BEACH", according to the plat recorded in Volume 4 of plats, page 51, records of Skagit County, WA.

Situate in the County of Skagit, State of Washington.

Tax Parcel No. P69265

We hereby acknowledge and stipulate to the following:

1. A Registered Professional Land Surveyor has surveyed 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. A portion of the existing concrete steps containing approximately 20 square feet are encroaching on the portion of Tribal property described in Exhibit B and shown as "B.L.A." on that portion of the survey attached as Exhibit "A".
3. The location of the existing concrete steps does not accurately represent the boundaries between adjoining properties.
4. The concrete steps may remain on Tribal property until reconstructed or repaired beyond regular maintenance. If the structures are reconstructed, removed or repaired beyond regular maintenance, any replacement structure(s) shall be placed entirely on the Rohrich property.
5. This agreement only allows permissive use of the property for existing structures encroaching on Tribal land.

Dated this 1<sup>st</sup> day of November, 2016.



Signature  
ROGER S. ROHRICH

Dated this 12<sup>th</sup> day of October, 2016.



Brian Cladoosby, Chairman

Brian Porter, Vice Chairman  
Swinomish Indian Tribal Community

STATE OF WASHINGTON )  
 )  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that Roger Rohrich is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 11/1/16



Wendy Otto  
Notary Public in and for the State of Washington  
Residing at Stamwood, WA  
My commission expires: 6/9/2018

STATE OF WASHINGTON )  
 )  
COUNTY OF SKAGIT )

On this 12<sup>th</sup> day of October, 2016, personally appeared before me <sup>Porter</sup> ~~BRIAN CLADDOSBY~~  
known to me and to me known to be the <sup>Vice</sup> 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 Mt. Vernon  
My commission expires: 6-19-18

# EXHIBIT "A"

PACIFIC SURVEY & ENGINEERING INC. EMAIL: info@psurvey.com  
1812 CORNWALL AVE, BELLINGHAM, WA 98225 PHONE: 360.671.7387 FAX: 360.671.4685 WWW.PSURVEY.COM

DATE: AUGUST 30, 2018

SCALE: 1" = 10'

SIMILK BAY

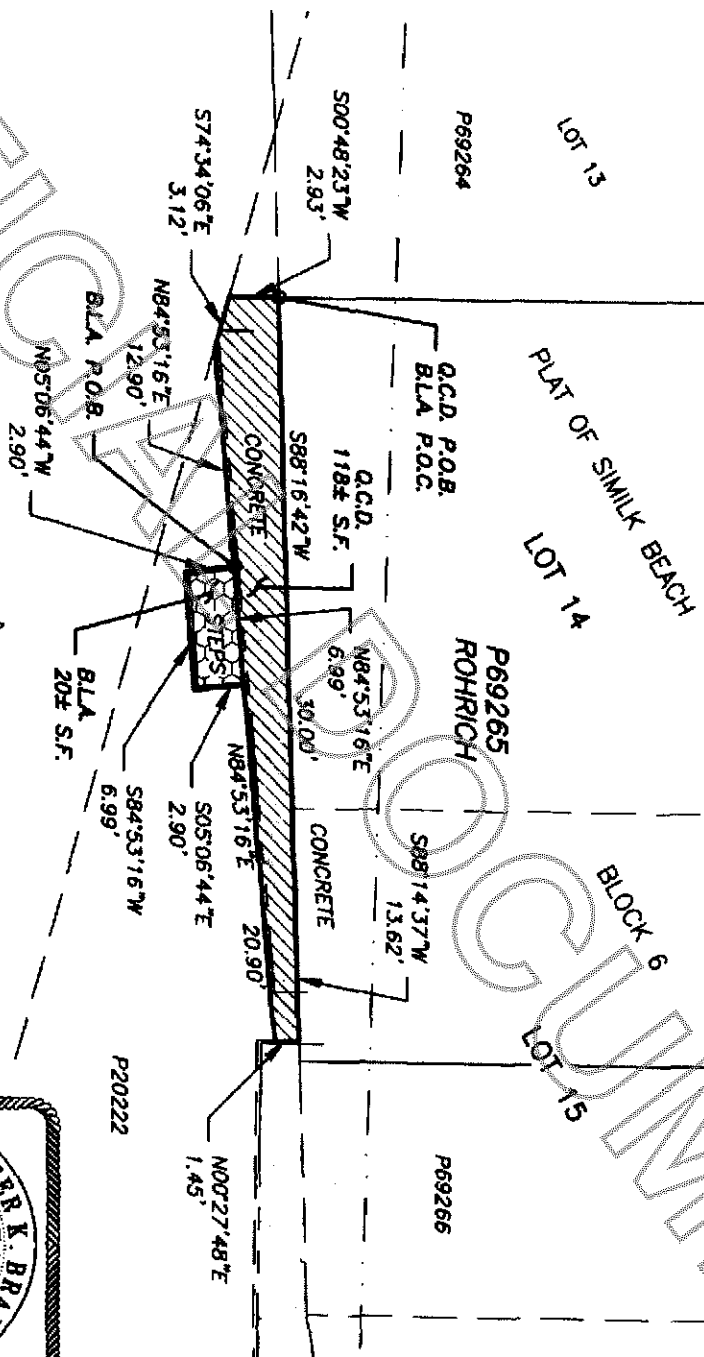


EXHIBIT  
SITUATE IN A PORTION OF THE SW 1/4 OF SECTION 9, TOWNSHIP 34 NORTH,  
RANGE 2 EAST, W.M., SKAGIT COUNTY, WASHINGTON

EXHIBIT "B"  
BOUNDARY & LOCATION AGREEMENT AREA

COMMENCING AT THE SOUTHWEST CORNER OF LOT 14, BLOCK 6, SIMILK BEACH SKAGIT COUNTY, WASHINGTON, ACCORDING TO THE PLAT THEREOF, RECORDED UNDER VOLUME 4 OF PLATS, PAGE 51, RECORDS OF SKAGIT COUNTY, WASHINGTON;  
THENCE SOUTHERLY ALONG THE WEST LINE EXTENDED OF SAID LOT 14 SOUTH  $00^{\circ}48'23''$  WEST 2.93 FEET;

THENCE SOUTH  $74^{\circ}34'06''$  EAST 3.12 FEET;  
THENCE NORTH  $84^{\circ}53'16''$  EAST 12.90 FEET TO THE POINT OF BEGINNING;  
THENCE CONTINUING NORTH  $84^{\circ}53'16''$  EAST 6.99 FEET;  
THENCE SOUTH  $05^{\circ}06'44''$  EAST 2.90 FEET;  
THENCE SOUTH  $84^{\circ}53'16''$  WEST 6.99 FEET;  
THENCE NORTH  $05^{\circ}06'44''$  WEST 2.90 FEET TO THE POINT OF BEGINNING;

CONTAINING 20 SQUARE FEET, MORE OR LESS;

ALL SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON