

WHEN RECORDED RETURN TO:

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



201611150014

Skagit County Auditor

\$78.00

11/15/2016 Page

1 of

6 9:00AM

BOUNDARY, WALL, STAIRWAY AND LANDSCAPING LOCATION AGREEMENT

Grantor: Similk Inc.

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

Grantees: Julie + Anthony Cowen

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

P19984

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 $\frac{1}{4}$ corner of said Section 5; thence South $2^{\circ}12'20''$ 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 $88^{\circ}21'40''$ West 1,308.93 feet to the Northwest corner of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 8; thence South $0^{\circ}29'45''$ West a distance of 327.26 feet to the Southwest corner of said North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 8; thence South $88^{\circ}14'20''$ East along the South boundary of said North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ 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 $76^{\circ}22'$ 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 $89^{\circ}54'$ East along the South boundary of said Lot 1, 100.0 feet to the Southeast corner thereof; thence North $0^{\circ}06'$ East along the East boundary of said Lot 1, 40.0 feet to the Northeast corner thereof; thence North $4^{\circ}01'$ 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 $18^{\circ}0'$ West a distance of 431.35 feet to the Northeast corner of said "WEST GOLF ADDITION TO SIMILK BEACH"; thence North $85^{\circ}59'$ 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 $18^{\circ}0'$ 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 $88^{\circ}21'40''$ 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 Julie C. Cowen and Anthony P. Cowen ("Cowen Property") is legally described as:

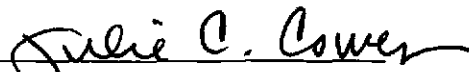
The North ½ of Lot 4, and all of Lot 5, Block 3, "SIMILK BEACH, SKAGIT CO., WASH.," as per plat recorded in volume 4 of plats, page 51, records of Skagit County, WA. Together with that portion, if any, of vacated right-of-way as set forth in resolution – order to vacate recorded May 26, 2004, under Auditor's file # 200405260083, records of Skagit County, WA. Situate in the County of Skagit, State of WA.

Tax Parcel No. P69236

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 concrete wall, stone stairway and landscaping are encroaching on Similk Inc. property as shown on that portion of the survey attached as Exhibit "A".
3. The location of the concrete wall, stone stairway and landscaping does not accurately represent the boundaries between adjoining properties.
4. The concrete wall, stone stairway and landscaping fence may remain on Similk Inc. 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 Cowen Property.
5. This agreement only allows permissive use of the property for existing structure encroaching on Similk Inc. property.

Dated this 15 day of July, 2016.


Julie C. Cowen


Anthony P. Cowen

Dated this 20 day of July, 2016.

Similk Inc.

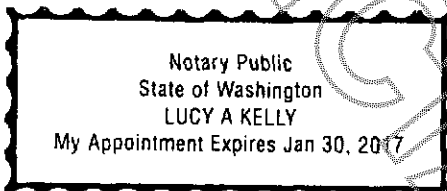

Brian Cladoosby, President, Similk Inc. Board of Directors

STATE OF WASHINGTON)

COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Julie Cowen
_____ 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: 7-15-16



Lucy A Kelly

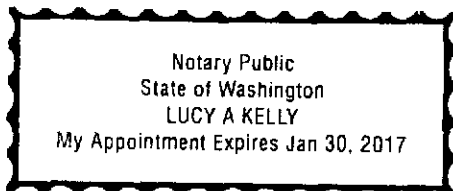
Notary Public in and for the State of Washington
Residing at La Conner WA
My commission expires: 1-30-2017

STATE OF WASHINGTON)

COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Anthony
Cowen 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: 7-15-16



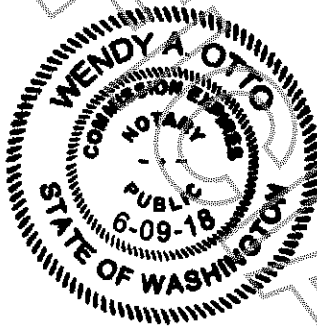
Lucy A Kelly

Notary Public in and for the State of Washington
Residing at La Conner WA
My commission expires: 1-30-2017

STATE OF WASHINGTON)

COUNTY OF SKAGIT)

On this 20th day of July, 2016, personally appeared before me Brian Wilbur known to me and to me known to be the member 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.



Wendy A. Otto
Notary Public in and for the State of Washington
Residing at Stanwood, WA
My commission expires: 6/9/18

EXHIBIT "A"

