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Skagit County Auditor

DOCUMENT TITLE: DISCLAIMER OF INTEREST AND STIPULATION AS TO
DEFENDANT JOSEPH BURDOCK; STIPULATION; AND ORDER

GRANTOR: JOSEPH BURDOCK

GRANTEE: GARY MCINNIS and JUDITH MCINNIS

ABBREVIATED LEGAL DESCRIPTION: PORTION OF SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF
SECTION 12, TOWNSHIP 35 NORTH, RANGE 1 E.W.M. (Full legal description on
page 6 (page 5 of Disclaimer of Interest as to Defendant Joseph Burdock;
Stipulation; and Order)

SKAGIT COUNT ASSESSOR'S PROPERTY TAX PARCEL NUMBERS: P31470

REFERENCE NUMBER: 202105040186

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2022 MAY 12 PM 2:04

I, MELISSA BEATON, Clerk of the Superior Court of the State of Washington, for Skagit County, do hereby certify that this is a true copy of the original now on file in my office. Dated 5-12-22



MELISSA BEATON, County Clerk

By: [Signature]
Deputy Clerk

MARY BETH VEHORN

IN THE SUPERIOR COURT OF WASHINGTON
FOR SKAGIT COUNTY

GARY MCINNIS AND JUDITH MCINNIS,
husband and wife,

Plaintiffs,

v.

JOSEPH BURDOCK, an individual,

Defendant.

Case No.: 22-2-00290-29

DISCLAIMER OF INTEREST
AS TO DEFENDANT JOSEPH
BURDOCK; STIPULATION; AND
ORDER

DISCLAIMER OF INTEREST

Defendant Joseph Burdock ("Burdock") in response to the Complaint to Quiet Title filed by Plaintiffs Gary and Judith McInnis ("McInnis") does hereby disclaim any right, title, or interest in or to the following "Subject Real Property" described in the Plaintiff's Complaint to Quiet Title:

That portion of the West 232 feet of the South Half of the East 495 feet of the Southwest ¼ of the Southwest ¼ of Section 12, Township 35 North, Range I East, W.M. lying West of County Road (South Shore Drive), described as follows;

Lying North and West of that portion of the said Southwest ¼ of the Southwest ¼ described as follows:

Beginning at a point on the South line of said Southwest ¼ of the Southwest ¼, 825 feet East of the Southwest corner thereof;
thence North 620 feet to the TRUE POINT OF BEGINNING;

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ORIGINAL

1 thence North 20 feet;
2 thence East 106 feet 7 inches;
3 thence South 20 feet;
4 thence West 106 feet, 7 inches to the POINT OF BEGINNING.

5 Situate in the county of Skagit, state of Washington.

6 AND

7 That portion of the South Half of the East 495 feet of the Southwest ¼ of the
8 Southwest ¼ of Section 12, Township 35 North, Range I East, W.M., LYING
9 WEST of the following described parcel:

10 Beginning at a point on the South line of said Southwest ¼ of the Southwest
11 ¼, 825 feet East of the Southwest corner thereof;

12 thence North 620 feet;
13 thence East 106.58 feet;
14 thence South 620 feet;
15 thence West 106.58 feet, to the POINT OF BEGINNING.

16 AND LYING NORTH of the South boundary and East of the following
17 described parcel:

18 The East 1/2 of the North 10 acres of the following described tract:

19
20 The West 231 feet of the East 726 feet of the said Southwest ¼ of the
21 Southwest ¼ and the East 264 feet of the West 594 feet of the said Southwest
22 ¼ of the Southwest ¼.

23 Situate in the county of Skagit, state of Washington.

24
25
26 Burdock acknowledges that, upon the filing of this Disclaimer, he has no right to
27 assert in this or any action, any right, title, or interest in the above-described "Subject Real
28 Property" described in the Plaintiff's Complaint to Quiet Title, which "Subject Real
29 Property" is depicted on the Survey recorded on May 4, 2021 under Skagit County
30 Auditor's File No. 202105040186 as conceivably being a portion of Burdock's parcel
31 identified as Skagit County Assessor's Parcel No. P31469.
32

33
34 McInnis, by and through their attorney of record, Tyler Hinckley of Montoya
35 Hinckley PLLC, and Burdock further present the following Stipulation.

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STIPULATED FINDINGS OF FACT:

1. Gary and Judith McInnis own two parcels of real property identified as Skagit County Assessor's Parcel Nos. P31470 and P31384, and commonly known as 5241 South Shore Drive, Anacortes, Washington 98221 (the "McInnis properties").

2. Joseph Burdock owns real property located at 5117 South Shore Drive, Anacortes, Washington 98221, also known as Skagit County Assessor's Parcel No. P31469 (the "Burdock property").

3. On May 4, 2021, Herrigstad Engineering & Surveying recorded a survey of the McInnis properties (hereinafter, "Survey"). A true and correct copy of the Survey is attached to the Complaint filed in this matter.

4. The Survey purported to show that McInnis parcel P31470 did not abut neighboring parcels to the east, and McInnis parcel P31384 did not abut neighboring parcels to the north and west, resulting in a "gap" approximately 20 feet in width, lying between the McInnis properties and their respective neighboring parcels. The "gap" is referred to herein as the "Subject Real Property" and is legally described as follows:

That portion of the West 232 feet of the South Half of the East 495 feet of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 12, Township 35 North, Range I East, W.M. lying West of County Road (South Shore Drive), described as follows;

Lying North and West of that portion of the said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ described as follows:

Beginning at a point on the South line of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, 825 feet East of the Southwest corner thereof;
thence North 620 feet to the TRUE POINT OF BEGINNING;
thence North 20 feet;
thence East 106 feet 7 inches;
thence South 20 feet;
thence West 106 feet, 7 inches to the POINT OF BEGINNING.

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1 Situate in the county of Skagit, state of Washington.

2 AND

3 That portion of the South Half of the East 495 feet of the Southwest ¼ of the
4 Southwest ¼ of Section 12, Township 35 North, Range I East, W.M., LYING
5 WEST of the following described parcel:

6 Beginning at a point on the South line of said Southwest ¼ of the Southwest
7 ¼, 825 feet East of the Southwest corner thereof;

8 thence North 620 feet;

9 thence East 106.58 feet;

10 thence South 620 feet;

11 thence West 106.58 feet, to the POINT OF BEGINNING.

12 AND LYING NORTH of the South boundary and East of the following
13 described parcel:

14 The East 1/2 of the North 10 acres of the following described tract:

15
16 The West 231 feet of the East 726 feet of the said Southwest ¼ of the
17 Southwest ¼ and the East 264 feet of the West 594 feet of the said Southwest
18 ¼ of the Southwest ¼.

19 Situate in the county of Skagit, state of Washington.

20 5. After the Survey was recorded, and likely because of the Survey, Skagit
21 County records depicted the Subject Real Property as a portion of the Burdock property.

22
23 6. Burdock stipulates that he has no right, title, or interest in the Subject Real
24 Property and, to the extent that Burdock has any right, title, or interest in the Subject Real
25 Property, he disclaims all right, title and interest in and to the Subject Real Property.

26
27 7. The McInnises have a valid, subsisting right in, and possession of, the Subject
28 Real Property.

29 8. Burdock stipulates to the relief sought in Plaintiffs' Complaint to Quiet Title.

30
31
32 **STIPULATED ORDER:**

33
34 IT IS HEREBY ORDERED AND ADJUDGED as follows:
35

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1
2
3 1. Title to the following described real property is hereby quieted in Gary and

4 Judith McInnis:

5 That portion of the West 232 feet of the South Half of the East 495
6 feet of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 12, Township
7 35 North, Range I East, W.M. lying West of County Road (South
8 Shore Drive), described as follows;

9 Lying North and West of that portion of the said Southwest $\frac{1}{4}$ of the
10 Southwest $\frac{1}{4}$ described as follows:

11 Beginning at a point on the South line of said Southwest $\frac{1}{4}$ of the
12 Southwest $\frac{1}{4}$, 825 feet East of the Southwest corner thereof;
13 thence North 620 feet to the TRUE POINT OF BEGINNING;
14 thence North 20 feet;
15 thence East 106 feet 7 inches;
16 thence South 20 feet;
17 thence West 106 feet, 7 inches to the POINT OF BEGINNING.

18 Situate in the county of Skagit, state of Washington.

19 AND

20 That portion of the South Half of the East 495 feet of the Southwest $\frac{1}{4}$
21 of the Southwest $\frac{1}{4}$ of Section 12, Township 35 North, Range I East,
22 W.M., LYING WEST of the following described parcel:

23 Beginning at a point on the South line of said Southwest $\frac{1}{4}$ of the
24 Southwest $\frac{1}{4}$, 825 feet East of the Southwest corner thereof;

25 thence North 620 feet;
26 thence East 106.58 feet;
27 thence South 620 feet;
28 thence West 106.58 feet, to the POINT OF BEGINNING.

29 AND LYING NORTH of the South boundary and East of the
30 following described parcel:

31 The East $\frac{1}{2}$ of the North 10 acres of the following described tract:

32 The West 231 feet of the East 726 feet of the said Southwest $\frac{1}{4}$ of the
33 Southwest $\frac{1}{4}$ and the East 264 feet of the West 594 feet of the said
34 Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$.

35 Situate in the county of Skagit, state of Washington.

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2. The real property described in paragraph 1 of this Order shall be merged into, and be considered a part of, Skagit County Assessor's Parcel No. P31470, such that said parcel shall hereinafter be legally described as follows:

That portion of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 12, Township 35 N., Range 1 East, W.M., described as follows:

The East $\frac{1}{2}$ of the North 10 acres of the following described tract:

The West 231 feet of the East 726 feet of the said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the East 264 feet of the West 594 feet of the said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, EXCEPT road.

AND

That portion of the West 232 feet of the South Half of the East 495 feet of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 12, Township 35 North, Range I East, W.M. lying West of County Road (South Shore Drive), described as follows;

Lying North and West of that portion of the said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ described as follows:

Beginning at a point on the South line of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, 825 feet East of the Southwest corner thereof;
thence North 620 feet to the TRUE POINT OF BEGINNING;
thence North 20 feet;
thence East 106 feet 7 inches;
thence South 20 feet;
thence West 106 feet, 7 inches to the POINT OF BEGINNING.

AND

That portion of the South Half of the East 495 feet of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 12, Township 35 North, Range I East, W.M., LYING WEST of the following described parcel:

Beginning at a point on the South line of said Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, 825 feet East of the Southwest corner thereof;

thence North 620 feet;
thence East 106.58 feet;
thence South 620 feet;

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thence West 106.58 feet, to the POINT OF BEGINNING.

AND LYING NORTH of the South boundary and East of the following described parcel:

The East 1/2 of the North 10 acres of the following described tract:

The West 231 feet of the East 726 feet of the said Southwest ¼ of the Southwest ¼ and the East 264 feet of the West 594 feet of the said Southwest ¼ of the Southwest ¼.

Situate in the county of Skagit, state of Washington.

3. No fees or costs shall be awarded to either party.

Entered this 12 day of May, 2022.

SKAGIT COUNTY SUPERIOR COURT


JUDGE

Stipulated; presented by:
MONTOKA HINCKLEY PLLC
Attorneys for Plaintiffs

By: 
TYLER HINCKLEY WSBA 37143

Stipulated; notice of presentation
waived by:


JOSEPH BURDOCK

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