



04/19/2023 10:52 AM Pages: 1 of 7 Fees: \$209.50
Skagit County Auditor

When recorded return to:

Drew Fleshman & Alison Studley
11405 Bayview-Edison Road
Mount Vernon, WA 98273

Agreement re: Survey & Boundary

Grantors: (1) Drew Fleshman & Alison M. Studley, h/w
(2) Michael J. Shapiro & Susan L. Sundin, h/w
M.S.

Grantee: (1) Drew Fleshman & Alison M. Studley, h/w
(2) Michael J. Shapiro & Susan L. Sundin, h/w
M.S.

Legal Description: ptns blks 23-27, 30-31, 37-38 & 45-46, McKenna & Elliott's 2nd Addn to Bayview; ptn
Govt Lot 2, 31-35N-3EWM; ptn S ½ NE ¼ 31-35N-3EWM

Additional Legal Description Located in Exhibits A & B

Assessor's Property Tax Parcel or Account Nos.: P35085; P35104; P35108; P71205; P134196

Reference Nos of Documents Assigned or Released: N/A 8808030037

THIS AGREEMENT is made and entered into by and between Drew Fleshman & Alison M. Studley, h/w ("Fleshman & Studley"), and Michael J. Shapiro & Susan L. Sundin, h/w ("Shapiro & Sundin").
M.S.L.

Recitals

- a. Fleshman & Studley are the owners of the real property, located in Skagit County, Wash., described as follows:

See attached Exhibit A

- b. Shapiro & Sundin are the owners of the real property, located in Skagit County, Wash., adjacent to the Fleshman & Studley property and described as follows:

See attached Exhibit B


- c. Shapiro & Sundin commissioned a survey of their property (as the same then existed), such survey having been recorded under Skagit County Auditor's File No. 8808030037 (the said survey is hereinafter referred to as the "1988 Survey"). The 1988 Survey is hereby fully incorporated herein by reference.
- d. The parties have reached an agreement such that they all recognize the 1988 Survey as accurately delineating the boundary between their respective parcels, and wish to memorialize their agreement by this instrument.

Agreement

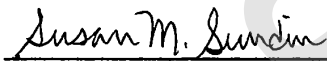
Now, therefore, in consideration of the mutual promises and covenants set forth herein, the sufficiency of which is acknowledged by all parties, and for no monetary consideration, IT IS HEREBY AGREED AS FOLLOWS:

1. The boundary between the Fleshman & Studley and Shapiro & Sundin properties shall be along the line as established and delineated by the 1988 Survey.
2. The provisions of this Agreement shall be construed as covenants running with the land, and shall be binding on the parties hereto and their respective heirs, successors and assigns.
3. This Agreement shall be construed under the laws of the State of Washington. If any part of this Agreement is rendered unenforceable by a court of competent jurisdiction, the remaining portions shall continue to be fully enforceable.
4. Both parties acknowledge that they have been represented by counsel in the negotiation and drafting of this Agreement, or have been given the opportunity to do so, and that no specific construction shall be placed on any of the provisions of this Agreement resulting from the identity of the party drafting the same. Each party shall bear their own costs and fees, including surveying costs, associated with this agreement.


DREW FLESHMAN 4/14/23
(Date)


ALISON M. STUDLEY 4/14/2023
(Date)


MICHAEL J. SHAPIRO 4/18/2023
(Date)


SUSAN M. SUNDIN 4/18/2023
(Date)
M.
Ad.

STATE OF WASHINGTON)
) :ss
 COUNTY OF SKAGIT)

On this day personally appeared before me Drew Fleshman, to me known to be one of the individuals described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 14th day of April, 2023



Sarah M G Hastings
 NOTARY PUBLIC in and for the State of Washington, residing at

My commission expires: 9/9/26

Name: Sarah M G Hastings

STATE OF WASHINGTON)
) :ss
 COUNTY OF SKAGIT)

On this day personally appeared before me Alison M. Studley, to me known to be one of the individuals described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 14th day of April, 2023



Sarah M G Hastings
 NOTARY PUBLIC in and for the State of Washington, residing at

My commission expires: 9/9/26

Name: Sarah M G Hastings

STATE OF WASHINGTON)
) :ss
 COUNTY OF SKAGIT)

On this day personally appeared before me Michael J. Shapiro, to me known to be one of the individuals described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 18th day of April, 2023



Heather Kuchera

NOTARY PUBLIC in and for the State of Washington, residing at

Sedro Woolley

My commission expires: March 4, 2024

Name: Heather Kuchera

STATE OF WASHINGTON)

:ss

COUNTY OF SKAGIT)

M. S.

On this day personally appeared before me Susan L. Sundin, to me known to be one of the individuals described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 18th day of April, 2023



Heather Kuchera

NOTARY PUBLIC in and for the State of Washington, residing at

Sedro Woolley

My commission expires: March 4, 2024

Name: Heather Kuchera

EXHIBIT "A"**PARCEL "A":**

A tract of land in Government Lot 2 of Section 31, Township 35 North, Range 3 East, W.M., and in Block 27, "FLAT OF BAYVIEW", (McKenna & Elliott's 2nd Addition), and adjacent vacated street described as follows:

Beginning at a point 409.43 feet North and 1,694.31 feet West of the East $\frac{1}{4}$ corner of said Section 31, the East and West centerline of said Section 31 bears South $89^{\circ}53'30''$ West, said point being the intersection of the centerline of Third Street in Bay View with the North right of way line of the County road; thence South $74^{\circ}20'10''$ East along the County road right of way line 95.00 feet; thence North $3^{\circ}39'50''$ East 216.24 feet to the centerline of "H" Avenue; thence South $68^{\circ}58'20''$ West along the centerline of "H" Avenue 166.60 feet to the intersection of the centerline of "H" Avenue and Third Street; thence South $21^{\circ}04'$ East along the centerline of said Third Street 139.7 feet to the point of beginning,

EXCEPT that portion described as follows:

Beginning at the Northeast corner of that certain tract of land conveyed to David C. Paulson and Patricia A. Paulson by Quit Claim Deed as found recorded under Auditor's File No. 583174, records of Skagit County, Washington; thence South $3^{\circ}39'50''$ West along the Easterly line of said Paulson Tract 216.57 feet to a point on the Northerly boundary of the County road; thence North $1^{\circ}27'10''$ West 208.84 feet to the centerline of vacated "H" Street, in Bayview; thence North $68^{\circ}58'20''$ East along the centerline of said vacated "H" Street 20.50 feet to the point of beginning.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 31, Township 35 North, Range 3 East, W.M., being more particularly described as follows:

Beginning at the Northeast corner of Parcel C, as described in Statutory Warranty Deed recorded in Volume 750, page 86, under Auditor's File No. 8803310070, records of Skagit County, Washington; thence South $68^{\circ}57'02''$ West, along the centerline of vacated "H" Street in Bayview, a distance of 14.12 feet to the true point of beginning;

PARCEL "B" (Continued):

thence South $1^{\circ}50'44''$ West, parallel with and 2 feet Easterly as measured at right angles from an existing fence, a distance of 103.81 feet to the intersection with the West line of said Tract C;
thence North $1^{\circ}28'28''$ West, along said West line, a distance of 101.50 feet to the Northwest corner of said Tract C;
thence North $68^{\circ}57'02''$ East, along the North line of said Tract C, a distance of 6.38 feet to the point of beginning.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

That certain unnumbered Block in "PLAT OF McKENNA AND ELLIOTT, THE SECOND ADDITION TO THE TOWN OF BAY VIEW, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 3 of Plats, page 19, records of Skagit County, Washington, described as follows:

Beginning at a point on the West side of Third Street as platted, 60 feet Southerly of the Southeast corner of Block 23 of said addition;
thence South along the West side of Third Street to the County Road;
thence Westerly along the North side of said County Road 100 feet;
thence Easterly along the South line of "H" Avenue to the point of beginning.

TOGETHER WITH that portion of the Southerly $\frac{1}{2}$ of vacated "H" Avenue adjoining on the North and that portion of the Westerly $\frac{1}{2}$ of vacated Third Street adjoining on the East, that would attach to said premises by operation of law.

Situate in the County of Skagit, State of Washington.

EXHIBIT B**PARCEL "A":**

Vacated Blocks 23, 24, 25, 26, 30, 31, 37, 38, 45, and 46, "PLAT OF BAY VIEW," McKenna and Elliott's Second Addition, as per plat recorded in Volume 3 of Plats, page 19, records of Skagit County, Washington.

TOGETHER WITH those portions of vacated 3rd Street, 4th Street, 5th Street, 6th Street, 7th Street, F Avenue, G Avenue, and H Avenue adjoining and vacated alley within Block 24, which upon vacation attached to said premises by operation of law.

EXCEPT THEREFROM that portion conveyed to C.S. Paulsen by Deed recorded April 19, 1944, under Auditor's File No. 370772, records of Skagit County, Washington.

AND EXCEPT that portion described as follows:

Beginning at the Northwest corner of said Block 24;
thence North 68°50'41" East along the Northwestern line of said Block 24, a distance of 133.27 feet;
thence South 21°13'39" East, a distance of 195.12 feet;
thence South 01°41'39" East, a distance of 99.51 feet;
thence South 21°13'39" East, a distance of 66.07 feet;
thence South 68°46'21" West, a distance of 100.00 feet to the East line of 2nd Street;
thence North 21°13'39" West along the East line of 2nd Street to the point of beginning of this description.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

Block 59, "PLAT OF BAY VIEW," McKenna and Elliott's Second Addition, as per plat recorded in Volume 3 of Plats, page 19, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.