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Skagit County Auditor

Document Title:

Boundary Line Agreement

Reference Number: AFN 857758 (plat recording) AFN 202206240068 (L Fritzier's Deed Number)

Grantor(s):

additional grantor names on page ____.

1. Lake Tyee, Inc., a Washington non-profit corporation

2.

Grantee(s):

additional grantee names on page ____.

1. Lynn Ann Fritzier

2.

Abbreviated legal description:

full legal on page(s) ~~6-7~~

Plat of Lake Tyee Div. No. III, Common Area (Lake Tyee, Inc.) and Lot B-115, Plat of Lake Tyee Div No. III (Lynn Ann Fritzier)

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page ____.

P109619 (Lake Tyee, Inc.) and P80000 (Lynn Ann Fritzier)

FILED FOR RECORD AT THE
REQUEST OF/RETURN TO:

Lynn Ann Fritzler
893 Charvet Rd.
Grandview, WA
98930

TITLE OF DOCUMENT: Boundary Line Agreement

GRANTORS: Lake Tyee, Inc., a Washington non-profit corporation

GRANTEES: Lynn Ann Fritzler

ABBREVIATED LEGAL DESCRIPTIONS: Plat of Lake Tyee Div. No. III, Common Area (Lake Tyee, Inc.) and Lot B-115, Plat of Lake Tyee Div. No. III (Lynn Ann Fritzler)

TAX PARCEL NO'S: P109619 (Lake Tyee, Inc.) and P80000 (Lynn Ann Fritzler)

REFERENCE NUMBERS OF RELATED DOCUMENTS: AFN 857758 (plat recording), AFN 202206240068 (Lynn Ann Fritzler's Deed No.)

BOUNDARY LINE AGREEMENT

This Boundary Line Agreement (the Agreement) is between Lake Tyee, Inc. (Lake Tyee) and Lynn Ann Fritzler (Fritzler). The parties make this Agreement under RCW 58.04.007, permitting property owners to resolve uncertain or disputed property boundaries by entering into a written agreement establishing the location of a common boundary line. This Agreement takes effect upon recording.

I. Parties and Ownership.

- 1.1 Lake Tyee Inc. owns Parcel P-109619 near Concrete, in Skagit County, Washington, commonly known as Lake Tyee recreational property. The description for the Lake Tyee Inc. property is attached as Exhibit A.
- 1.2 Lynn Ann Fritzler owns Parcel P80000 near Concrete, Skagit County, Washington, commonly known as 45183 Tillicum Trail, Concrete, Washington. The legal description for the Fritzler property is attached as Exhibit B.

II. Basis for Boundary Line Agreement.

- 2.1 On April 15, 2022, a survey of Lot 3-B-115, Plat of Lake Tyee Division No. III, was conducted by Denny LeGro, PLS of LeGro and Associates LLC at the request of Scott Curdie, GM, Lake Tyee Inc. The purpose of the survey was to locate existing improvements upon said Lot 3-B-115 and/or the center or boundary of of said Lot 3-B-115.
- 2.2 Because proposed new building improvements are subjected to review by Lake Tyee, and because a significant portion of the new improvements pending board approval fell outside of the platted lot boundary, a Boundary Line Agreement to exchange an equal amount of area between the lot owner (Fritzler) and the Association (Lake Tyee, Inc.) was proposed and approved by the Lake Tyee Board of Director's at their regularly scheduled meeting held on August 20, 2024.

- 2.3 Under RCW 58.04.007, property owners may agree to a fixed, surveyed boundary when an existing legal description is uncertain or in dispute. The parties agree that a boundary line agreement is appropriate and necessary to clarify and permanently fix their common boundary.

III. The Agreed Location For The Common Boundary.

- 3.1 On April 15, 2022, Denny LeGro, PLS was acquisitioned to establish the new common boundary between owners as marked upon the ground by subject parties. The parties agree that the true boundary line between the Lake Tyee's parcel and the Fritzler's parcel shall be as staked and depicted in the attached map prepared by LeGro and Associates, LLC. A copy of the map is attached as Exhibit E.
- 3.2 The legal descriptions of the Lake Tyee's parcel and the Fritzler's parcel will be revised to incorporate the metes and bounds of the agreed boundary line as depicted on the map, Exhibit E. The revised legal description for the Lake Tyee's parcel is attached as Exhibit C. The revised legal description for the Fritzler's parcel is attached as Exhibit D.
- 3.3 Each party waives any claim that the common boundary between their parcels is at a location different from that depicted on the map, Exhibit E.
- 3.4 Lake Tyee conveys and quit claims to Fritzler any interest Lake Tyee has or may have had in the real property legally described in Exhibit D.
- 3.5 Fritzler conveys and quit claims to Lake Tyee any interest Fritzler has or may have had in the real property legally described in Exhibit C.

IV. Terms and Conditions.

- 4.1 The parties intend this Agreement to be a covenant running with the land, and is binding on the parties, their heirs, successors and assigns.
- 4.2 The parties affirm that they have independently read this Agreement, understand its contents, have made full investigation of the issues concerning the boundary, and are not relying on any representation or statement made by the other concerning the boundary or related issues.
- 4.3 Each party is aware of the possible uncertainty regarding the true boundary location, and has elected to enter into this Agreement as means to forever settle any boundary line issues between their respective parcels.
- 4.4 The resulting boundary line will not create an additional parcel, nor will the resulting parcels be inconsistent with the performance standards with existing Skagit County Zoning regulations.
- 4.5 The resulting shared common boundary of the parcels does not remove or impinge upon any easements, covenants, restrictions, or encumbrances affecting any of the parcels consolidated.
- 4.6 The invalidity of any provision of this Agreement, as determined by a court of competent jurisdiction, shall in no way affect the validity of any other provision.
- 4.7 This Agreement contains all agreements and understandings between the parties. There are no restrictions, promises, representations, warranties, covenants, or undertakings other than those expressly set forth or referred to in this Agreement. This Agreement supersedes any prior agreement or understanding between the parties regarding the common boundary.

IN WITNESS WHEREOF, the Parties have executed this Agreement in duplicate on the day and year written below.

EXHIBIT "A"

Lake Tyee, Inc.
"BEFORE" Boundary Line Agreement
(Skagit County Assessor's Tax Parcel No. P109619 (Common Area))

LEGAL DESCRIPTION:

That portion of the North Half (N ½) of the Northwest Quarter (NW ¼) of Section 34, Township 36 North, Range 8 East, W.M. AND of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section 33, Township 36 North, Range 8 East, W.M. described as follows:

Common Area of Lake Tyee Division No. III, as per plat recorded in Volume 11 of Plats, Pages 68 through 74, inclusive, under Auditor's File No. 857758, records of Skagit County, Washington;

Situate in the County of Skagit, State of Washington.



EXHIBIT "B"

Lynn Ann Fritzler

"BEFORE" Boundary Line Agreement

(Skagit County Assessor's Tax Parcel No. P80000 (Lot B-115, Lake Tye Div. No. III))

LEGAL DESCRIPTION:

That portion of the North Half (N ½) of the Northwest Quarter (NW ¼) of Section 34, Township 36 North, Range 8 East, W.M. AND of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section 33, Township 36 North, Range 8 East, W.M. described as follows:

Lot B-115, Lake Tye Division No. III, as per plat recorded in Volume 11 of Plats, Pages 68 through 74, inclusive, under Auditor's File No. 857758, records of Skagit County, Washington;

Situate in the County of Skagit, State of Washington.



EXHIBIT "C"

Lake Tyee, Inc.

"AFTER" Boundary Line Agreement

(Skagit County Assessor's Tax Parcel No. P109619 (Common Area))

LEGAL DESCRIPTION:

That portion of the North Half (N ½) of the Northwest Quarter (NW ¼) of Section 34, Township 36 North, Range 8 East, W.M. AND of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section 33, Township 36 North, Range 8 East, W.M. described as follows:

The Common Area and Lot B-115, Lake Tyee Division No. III, as per plat recorded in Volume 11 of Plats, Pages 68 through 74, inclusive, under Auditor's File No. 857758, records of Skagit County, Washington;

EXCEPT THEREFROM the following described tract of land:

Commencing at monument W 19 at the intersection of La Peep Trail and Tillicum Trail centerlines, as shown upon sheet 5 of 7 of said plat of Lake Tyee Division No. III; thence N 66°46'24" E along the centerline of Tillicum Trail, a distance of 133.55 feet to the centerline angle point; thence N 74°28'44" W, a distance of 28.32 feet to the True Point Of Beginning of this property description, and which point bears S 4°01'35" W, a distance of 38.02 feet from the center of said Lot B-115, plat of Lake Tyee Division No. III; thence on the following courses and distances: S 87°22'17" W, 31.07 feet; N 6°40'00" E, 26.23 feet; N 46°27'29" E, 41.91 feet; S 42°18'24" E, 22.69 feet; and S 25°41'12" W, 40.74 feet to the True Point of Beginning.

Situate in the County of Skagit, State of Washington.

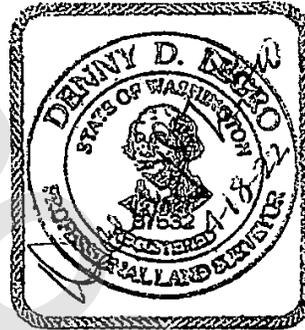


EXHIBIT "D"

Lynn Ann Fritzler
 "AFTER" Boundary Line Agreement
 (Skagit County Assessor's Tax Parcel No. P80000 (45183 Tillicum Trail))

LEGAL DESCRIPTION:

That portion of the North Half (N ½) of the Northwest Quarter (NW ¼) of Section 34, Township 36 North, Range 8 East, W.M. AND of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section 33, Township 36 North, Range 8 East, W.M. described as follows:

That portion of the Common Area of Lake Tye Division No. III, as per plat recorded in Volume 11 of Plats, Pages 68 through 74, inclusive, under Auditor's File No. 857758, records of Skagit County, Washington; and of Lot B-115, Lake Tye Division No. III, as per plat recorded in Volume 11 of Plats, Pages 68 through 74, inclusive, under Auditor's File No. 857758, records of Skagit County, Washington, described as follows:

Commencing at monument W 19 at the intersection of La Peep Trail and Tillicum Trail centerlines, as shown upon sheet 5 of 7 of said plat of Lake Tye Division No. III; thence N 66°46'24" E along the centerline of Tillicum Trail, a distance of 133.55 feet to the centerline angle point; thence N 74°28'44" W, a distance of 28.32 feet to the True Point Of Beginning of this property description, and which point bears S 4°01'35" W, a distance of 38.02 feet from the center of said Lot B-115, plat of Lake Tye Division No. III; thence on the following courses and distances: S 87°22'17" W, 31.07 feet; N 6°40'00" E, 26.23 feet; N 46°27'29" E, 41.91 feet; S 42°18'24" E, 22.69 feet; and S 25°41'12" W, 40.74 feet to the True Point of Beginning.

Situate in the County of Skagit, State of Washington.



EXHIBIT "E"

