



200104180103

Skagit County Auditor

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When recorded return to:  
City of Anacortes  
P.O. Box 547  
Anacortes, WA 98221

ISLAND TITLE COMPANY  
QA 3651 ✓  
ACCOMMODATION RECORDING

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### ENCROACHMENT AGREEMENT

This Agreement is made and entered into by and between the City of Anacortes, a municipal corporation, hereinafter referred to as "CITY" and, BOB AND CATHY AJEMAN, hereinafter referred to as "OWNER".

Whereas, OWNER Bob and Cathy Ajeman are the owners of the following described real estate located within the City of Anacortes, Skagit County, Washington, also known as 4910 Doon Way, Anacortes, WA 98221.

*Lot 59, Division 8, Skyline Addition to the City of Anacortes.*

*3824-000-059-0008*

Whereas, the Owner has placed certain improvements in the right of way adjacent to said property consisting 2 feet wide by 9 feet long for the purposes of relocating an existing retaining wall.

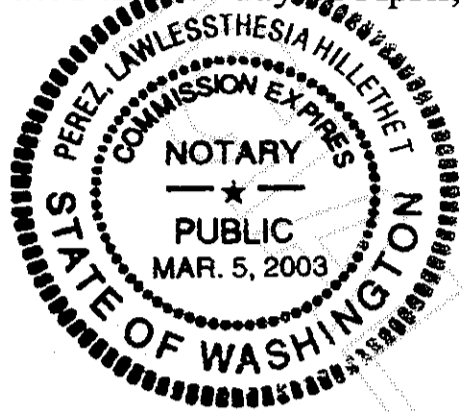
Whereas, the City is agreeable to allowing said encroachment on certain terms and conditions;

Now, therefore, parties hereby agree as follows:

1. Owner agrees to construct said retaining wall in accordance with City of Anacortes Zoning Code requirements and remove said encroachment within a reasonable time upon request by the City of Anacortes or a duly franchised public utility and further understands and agrees that all costs incurred in removing said improvements shall be at the Owner's sole expense.
2. Owner agrees to indemnify and hold the City harmless from any claims for damages resulting from the construction, maintenance or existence of those improvements encroaching into said right-of-way.

3. The City retains the right to require the removal or relocation of the retaining wall at the Owner's expense.
4. Owner shall obtain all necessary building permits associated with said proposal.

Dated this 4th day of April, 2001.

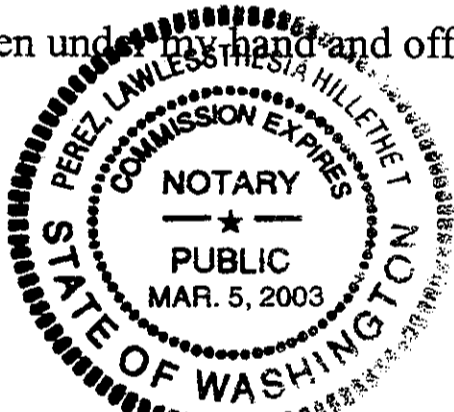


OWNER: By: Robert & Cathy Jensen  
 OWNER: By: Cathy Jensen  
 APPROVED BY: H. Dean Maxwell  
 H. Dean Maxwell, Mayor

STATE OF WASHINGTON)  
 )  
 COUNTY OF SKAGIT )

On this day personally appeared before me Robert & Cathy Jensen me known to be the individual described in and who executed the foregoing agreement and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this 10th day of April, 2001.



Lawless Thesia Hillette T. Perez  
 Notary Public in and for the State of Washington.  
 Residing in Lynden, Washington.  
 My commission expires: 3. 5. 03

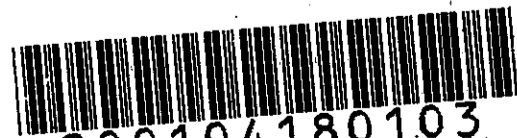
STATE OF WASHINGTON)  
 )  
 COUNTY OF SKAGIT )

On this day personally appeared before me \_\_\_\_\_, to me known to be the individual described in and who executed the foregoing agreement and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
 Notary Public in and for the State of Washington.  
 Residing in \_\_\_\_\_, Washington.  
 My commission expires: \_\_\_\_\_

STATE OF WASHINGTON)



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