



201508250014

Skagit County Auditor

\$76.00

8/25/2015 Page

1 of

5 11:32AM

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

CHICAGO TITLE 620025121-M

This Agreement is made and entered into by and between the City of Anacortes, a municipal corporation and Craig Clark and Elizabeth ~~Gark~~ hereinafter referred to as "OWNER".

*Clark

Whereas, OWNERS, Craig Clark and Elizabeth ~~Gark~~ owners of the following described real estate located within the City of Anacortes, Skagit County, Washington, also known as Parcel # 58154 in Anacortes, WA.

Encroachment Agreement Parcel # 58154 NORTHERN PACIFIC ADDITION TO ANACORTES; LOTS 1 & 2, BLOCK 4; TOGETHER WITH PORTION VACATED "A" AVENUE ADJACENT CONVEYED AF#9703250124. ALSO TOGETHER WITH PER QUIT CLAIM DEED RECORDED UNDER AF#9706060015 FOLLOWING DESCRIBED PROPERTY: THAT PORTION OF VACATED "A" AVENUE, AS VACATED BY ORDINANCE #2420, RECORDED AF#9703250124, WHICH IS ADJACENT TO AND ABUTTING UPON THE FOLLOWING DESCRIBED TRACT: LOTS 8, 9, AND 10 BLOCK 245, CITY OF ANACORTES. ALSO TOGETHER WITH PER QUIT CLAIM DEED RECORDED UNDER AF#9706060017, THE FOLLOWING DESCRIBED PROPERTY: THAT PORTION OF VACATED "A" AVENUE, AS VACATED BY ORDINANCE #2420, RECORDED MARCH 25, 1997 UNDER AF#9703250124, WHICH IS ADJACENT TO AND ABUTTING UPON THE FOLLOWING DESCRIBED TRACT: LOTS 11 THROUGH 15, BLOCK 245, CITY OF ANACORTES.

Whereas, the Owner has placed certain improvements in the right of way adjacent to said property consisting of:

Encroachment Description Proposed encroachment is for installing new fence along new property lines dividing 2511 & 2517 West 2nd. This encroachment is for installing the fence over sewer right a way. Please see survey.

Chicago Title has placed this document for recording as a customer courtesy and accepts no liability for its accuracy or validity

Now, therefore, parties hereby agree as follows:

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

1. The enclosed agreement must be signed and notarized by each property owner(s) and returned to Cherri Kahns, Executive Secretary.
2. The Owner(s) agree to comply with all applicable ordinances, laws and codes in constructing the encroachment and further agree to remove the said encroachment within a reasonable time upon request by the City of Anacortes or a duly franchised public utility. The Owner(s) understand and agree that all costs incurred in removing said improvements shall be at the Owner's sole expense.
3. The Owner(s) agree to indemnify and hold the City harmless from any claims for damages resulting from construction, maintenance or existence of those improvements encroaching into said right-of-way.
4. The Owner(s) shall not obstruct water meters or other public or private facilities except as approved in this agreement.
5. The Owner(s) shall ensure that any public or private utilities are not impacted or damaged by construction or use.
6. The Owner(s) shall leave a minimum of 48 inches of clearance between the curb or edge of street and any above grade construction.
7. The construction and use shall not create clear view obstructions at intersections or private property access.

DATED this 10 day of Aug, 2015

OWNER: By: _____


Craig Clark

OWNER: By: _____


Elizabeth Clark

Clark

APPROVED BY: _____


Laurie M. Gere, Mayor

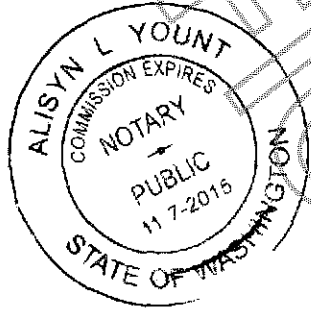
STATE OF WASHINGTON)

COUNTY OF SKAGIT) ss
)

Clark

On this day personally appeared before me, Craig Clark and Elizabeth Clark, known to be the individual(s) described in and who executed the foregoing agreement 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 10 day of August, 2015.



Alisyn L Yount
(Signature)

Notary Public in and for the State of WA

Alisyn L Yount
Print Name)

Residing in Anacortes, Washington.

My commission expires: 11-07-2015

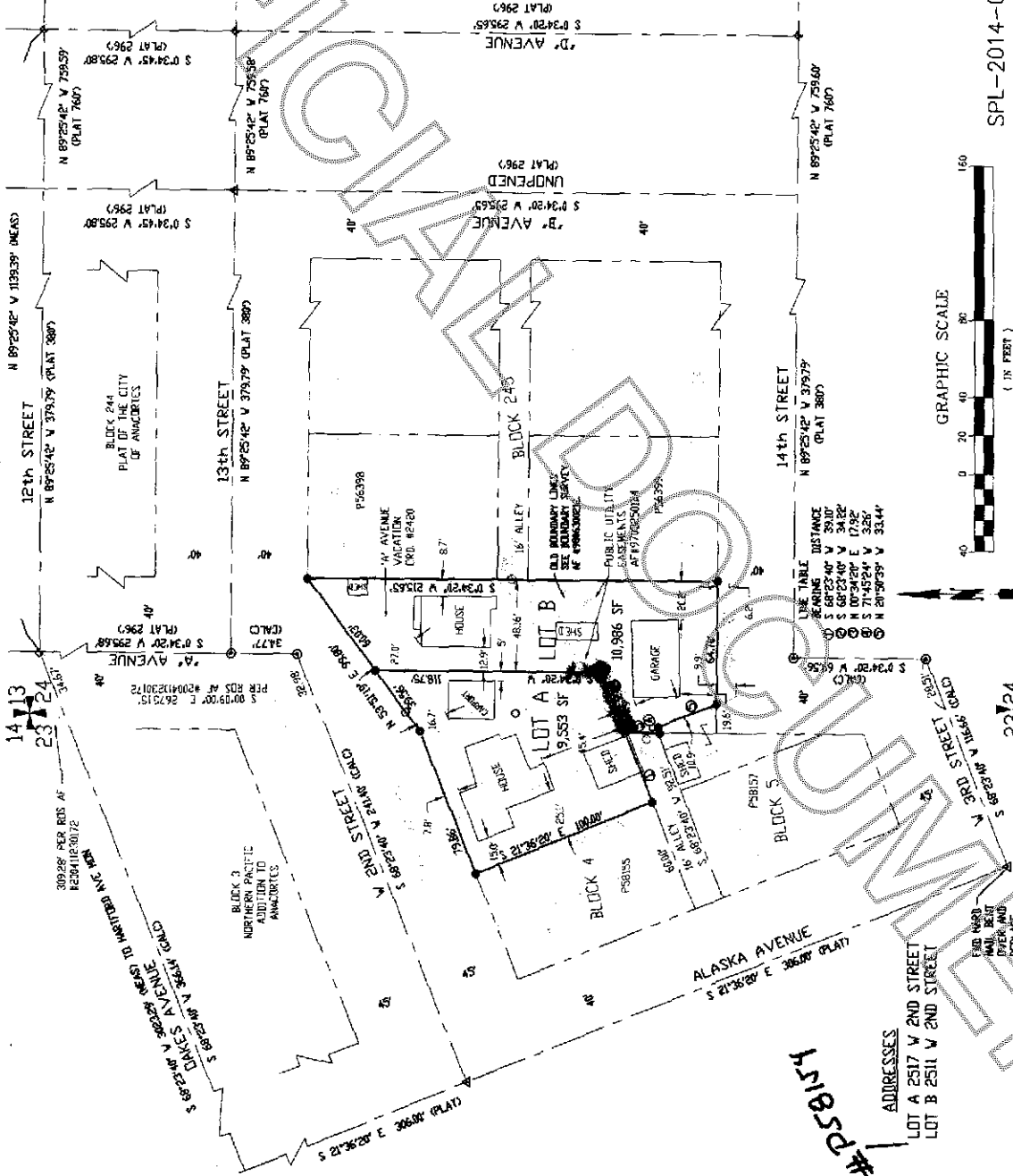
UNRECORDED ORIGINAL DOCUMENT

CLARK WEST 2ND STREET 2 LOT SHORT PLAT

IN THE N.E. 1/4 OF SEC 23 AND N.W. 1/4, SEC. 24, TWP 35 N., RNG 1 E., W.M.
CITY OF ANACORTES, WASHINGTON

AUDITORS CERTIFICATE

RECORD OF SURVEY AT THE REQUEST OF DALE K. HERRIGSTAD

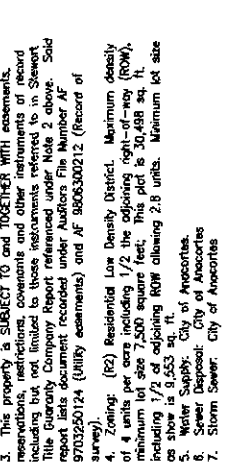


NOTES:

1. INSTRUMENTS FOUND OR SET AS FOLLOWS:
2. TOTAL STATION IN CASE W/COVER 1-30-2015.
3. TOTAL STATION IN CASE W/COVER 1-30-2015.
4. TOTAL STATION IN CASE W/COVER 1-30-2015.
5. TOTAL STATION IN CASE W/COVER 1-30-2015.
6. SET MONUMENT W/ CASE & COVER 4-16-2015.
7. SET MONUMENT W/ CASE & COVER 4-16-2015.
8. EQUIPMENT USED: Carbon CR2 2" Total Station.
9. MONUMENTS TIED ON 1-30-2015.
10. ERROR OF CLOSURE MEETS WASHINGTON STATE SURVEY STANDARDS.
11. SURVEY METHOD: STANDARD FIELD TRAVERSE.
12. BASE OF BEARINGS: Recorded survey of #800300212.
13. THIS IS A BOUNDARY SURVEY ONLY. UTILITIES WERE NOT INVESTIGATED.

GENERAL INFORMATION

1. Assessor's Account No. 2800-004-002-0007, 058154.
2. Assessor's Account No. 2800-004-002-0007, 058154.
3. TITLE GUARANTEE COMPANY Subdivision Guarantee No. 150876-SA, dated November 10, 2014.
4. This property is SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants and other instruments of record including but not limited to those instruments referred to in Steward Title Guaranty Company Report referenced under Note 2 above. Said report lists document recorded under Auditors File Number AF 970320174 (Utility easements) and AF 980300212 (Record of survey).
5. Zoning: (R2) Residential Low Density District. Maximum density of 4 units per acre including 1/2 the adjoining right-of-way (ROW), minimum lot size 7,500 square feet, this plot is 30,488 sq. ft. including 17,653 sq. ft. of adjoining ROW allowing 2.0 units. Minimum lot size is 7,500 sq. ft.
6. Water Supply: City of Anacortes.
7. Sewer Disposal: City of Anacortes.
8. Storm Sewer: City of Anacortes.



SECTION BREAKDOWN SEE R/Os AF #20041230172

IN THE N.E. 1/4 OF SEC 23 AND N.W. 1/4, SEC. 24, TOWNSHIP 35 N., RNG. 1 EAST, W.M.
CITY OF ANACORTES, SKAGIT COUNTY, WASHINGTON.

SPL-2014-002 PW #14-049-DEV SHEET 1 OF 2

SHORT PLAT

SURVEYOR
DALE K. HERRIGSTAD P.L.S.
4320 WHISTLE LAKE ROAD
ANACORTES WA 98221
360-299-8804

OWNER
Craig & Elizabeth Clark
1109 7th Street
Anacortes, WA 98221

DATE: April 2015
SCALE: 1"=40'
2014-118

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF DALE K. HERRIGSTAD IN NOVEMBER 2014.

DALE K. HERRIGSTAD, P.L.S. Certificate No. 27807
Date _____

GRAPHIC SCALE
1 inch = 40 ft.



CLARK WEST 2ND STREET 2 LOT SHORT PLAT

IN THE N.E. 1/4 OF SEC 23 AND N.W. 1/4, SEC. 24, TWP 35 N., RNG 1 E., W.M.

CITY OF ANACORTES, WASHINGTON

LEGAL DESCRIPTION

PARCEL "A":
 Lots 1 and 2, Block 4, "NORTHERN PACIFIC ADDITION TO ANACORTES", as per plat recorded in Volume 2 of Plats, page 9, records of Skagit County, Washington.
 Situate in the City of Anacortes, County of Skagit, State of Washington.
PARCEL "B":
 That portion of "B" Avenue, as vacated by Ordinance No. 2420, approved on March 3, 1997, in the City of Anacortes, Skagit County, Washington, also being a portion of the Northwest 1/4 of Section 24, and of the Northwest 1/4 of the Northwest 1/4 of Section 24, all in Township 35 North, Range 1 East, W.M., and being more particularly described as follows:

Beginning at the Northeast corner of Block 4, "NORTHERN PACIFIC ADDITION TO ANACORTES", as per plat recorded in Volume 2 of Plats, page 9,
 thence North 55°13'37" East a distance of 12.47 feet to a point that is 70.00 feet West of the West line of Block 245, "PLAT OF THE CITY OF ANACORTES", recorded in Volume 2 of Plats, pages 4 through 7, records of Skagit County, Washington, as measured at right angles thereto;
 thence South 1°54'10" West, parallel with said West line of Block 245, a distance of 57.95 feet;
 thence South 20°16'55" East a distance of 25.93 feet;
 thence South 80°06'17" West a distance of 59.83 feet to the West line of said Block 245;
 thence South 1°54'10" West along the West line of Block 245, a distance of 80.78 feet to the Southwest corner of said Block 245; thence North 88°05'17" West on the Western projection of the South line of said Block 245 a distance of 84.70 feet to an existing fence as referred to in Dull Claim Deed from Eton L. and Bonnie M. Altman to Craig A. and Beth A. Clark, recorded under Auditor's File No. 9708720068, records of Skagit County, Washington;
 thence North 18°28'35" West along said fence, a distance of 33.44 feet to an existing fence corner; thence along said fence South 73°04'49" West a distance of 3.28 feet to the Eastern line of said Block 5; thence North 1°54'10" East along the East line of said Blocks 4 & 5, a distance of 128.15 feet to the point of beginning.
 (Also shown as Tract "B" as shown on a survey recorded June 30, 1996, as Auditor's File No. 9606300212, records of Skagit County, Washington.)

Situate in the County of Skagit, State of Washington.
PARCEL "C":
 That portion of "B" Avenue, as vacated by Ordinance No. 2420, approved March 3, 1997, in the City of Anacortes, Skagit County, Washington, also being a portion of the Northwest 1/4 of Section 24, and of the Northwest 1/4 of the Northwest 1/4 of Section 24, all in Township 35 North, Range 1 East, W.M., and being more particularly described as follows:

Beginning at the Northeast corner of Block 4, "NORTHERN PACIFIC ADDITION TO ANACORTES", as per plat recorded in Volume 2 of Plats, page 9,
 thence North 55°13'37" East a distance of 12.47 feet to a point that is 70.00 feet West of the West line of Block 245, "PLAT OF CITY OF ANACORTES", recorded in Volume 2 of Plats, pages 4 through 7, records of Skagit County, Washington, as measured at right angles thereto, and parallel with the West line of Block 245;
 thence North 1°54'10" East a distance of 57.28 feet to the Northwest corner of Lot 10, Block 245;
 thence South 1°54'10" West, along the West line of said Block 245, a distance of 135.02 feet;
 thence North 80°06'17" West a distance of 59.83 feet; thence North 20°16'55" West a distance of 25.93 feet;
 thence North 1°54'10" East a distance of 57.28 feet to the West line of said Block 245, as shown on a survey recorded June 30, 1996, as Auditor's File No. 9606300212, records of Skagit County, Washington.
 Situate in the City of Anacortes, County of Skagit, State of Washington.

LOCAL IMPROVEMENT DISTRICT

The following note is to be recorded along with this plat: "Craig and Beth Clark are not to oppose a future local improvement district for lots A and B as depicted in this Short Plat".
 Recorded under Auditor's file number _____

DEDICATION

Know All Men by these Present that Craig & Elizabeth Clark owners of the land hereby pledged, declare this plat and dedicate to the use of the public for use, streets and avenues shown hereon and the use thereof for all public purposes consistent with the use thereof for public highway purposes together with the right to make all necessary slope of cuts and fills upon the lots and blocks shown hereon in the original reasonable grading of all streets and avenues shown hereon. The Owners of the land hereby designate hereby sever all their interests in the land shown hereon to the City of Anacortes for the purposes of construction, drainage and maintenance of said road and streets.

Craig Clark _____ Elizabeth Clark _____

State of Washington
 County of Skagit
 I, _____, Clerk of said County, do hereby certify that each party for the uses and purposes mentioned in the instrument.
 Given under my hand and official seal this _____ day of _____, 20____, Notary Public in and for the State of Washington.

Home printed _____
 Residing at _____
 My commissions expires _____

SKAGIT COUNTY TREASURERS CERTIFICATE

I certify that all taxes herebefore levied and which have become a lien upon the lands herein described have been fully paid and discharged according to the records of my office up to and including the year of 20____.

Certified this _____ day of _____, 20____

 Skagit County Treasurer

CITY OF ANACORTES APPROVALS

Signature of Planning Director _____ City Engineer _____
 Examined and approved this _____ day of _____, 20____

CITY TREASURERS CERTIFICATE

I hereby certify that there are no delinquent special assessments and of special assessments on any of the property herein contained dedicated to streets, alleys, or for other public use, are paid in full.

This _____ day of _____, 20____

 Treasurer, City of Anacortes



SPL-2014-002 PW #14-049-DEV SHEET 2 OF 2

SHORT PLAT
 SURVEYOR
 DALE K. HERRIGSTAD P.L.S.
 4320 WHISTLE LAKE ROAD
 ANACORTES, WA 98221
 360-299-8804

OWNER
 Craig & Elizabeth Clark
 1109 7th Street
 Anacortes, WA 98221

HERRIGSTAD ENGINEERING & SURVEYING
 4320 Whistle Lake Road, Anacortes, WA 98221 (360) 299-8804

OWN BY: DKH
 CHECK BY: DH
 DATE: April 2015
 SCALE: noted
 J2014-118