



201908010018

08/01/2019 09:57 AM Pages: 1 of 6 Fees: \$108.50
Skagit County Auditor

Return Address:

Document Title:

Reference Number (if applicable): _____

Grantor(s):

☐ additional grantor names on page ____.

- 1) Sylvia L. Jensen
2) _____

Grantee(s):

☐ additional grantor names on page ____.

- 1) F. James Beckner Jr.
2) _____

Abbreviated Legal Description:

☐ full legal on page(s) ____.

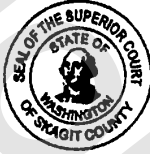
Ptn BL 55 Town of Montborne

Assessor Parcel /Tax ID Number:

☐ additional parcel numbers on page ____.

P 74711

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 8-1-19



MELISSA BEATON, County Clerk

By: Melissa E. Beaton
Deputy Clerk

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2015 DEC 24 AM 10:45

ORIGINAL

IN THE SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

F. JAMES BECKNER, Jr. & KAREN A. BECKNER, h/w	
<p style="text-align: center;">Plaintiff</p> <p>vs.</p> <p>SYLVIA L. JENSEN & LORNA L. BUCHANAN, each as their respective separate property if married; WASHINGTON MUTUAL BANK, or its successor(s)</p> <p style="text-align: center;">Defendants</p>	<p style="text-align: center;">m 12-2-00510-1</p> <p style="text-align: center;">STIPULATED DECREE BETWEEN PLAINTIFFS AND DEFENDANT JPMORGAN CHASE REFORMING DEED OF TRUST</p>

COME NOW THE PLAINTIFFS AND DEFENDANT JP MORGAN CHASE, by and through their respective counsel of record, and Stipulate to the entry of the following Decree:

1. Plaintiffs are the record owners of the real property bearing Assessor's Parcel No. P74711, located at 18648 S. Westview Road, Mount Vernon, Wash., and described in the attached Exhibit A.
2. Defendant JPMorgan Chase Bank, National Association, Successor in Interest by Purchase from the FDIC as Receiver of Washington Mutual Bank, f/k/a Washington Mutual Bank, FA, is the Beneficiary of a Deed of Trust encumbering the property adjacent to that of the Plaintiffs, bearing Assessor's Parcel Nos. P74714 and P17921, located at 18658 S. Westview Road, Mount Vernon, Wash., and described in the attached Exhibit B. The Deed of Trust is dated November 16th, 2004 and recorded under Skagit County Auditor's File No. 20041129104.

3. Both parcels at issue are improved; specifically, a summer/ vacation cottage is located on Plaintiffs' property, and a residence is on Defendants' parcel.
4. Plaintiffs claim that, since their cottage was constructed, they and their predecessors have adversely possessed those portions of the cottage and the associated structures that lie over the lot line.
5. Attached hereto as Exhibit C is a map and legal description showing the new boundary line.
6. Based on the agreement of the parties, this Court hereby decrees that title to the area between the survey line and the new agreed-on line is quieted in the Plaintiffs, exclusive of any claim by Defendant JPMorgan Chase and its successors. In addition, because of the proximity of the new line to the Plaintiffs' cottage, the Chase Deed of Trust shall be subject to a curtilage easement over Defendants' property, adjacent to the new boundary line, for purposes of maintenance and/or repair of their property.
7. THIS COURT FURTHER DECREES that the Chase Deed of Trust encumbers the Jensen/Buchanan as modified by the new boundary line depicted in Exhibit C.
8. Any remaining claims against Defendant JPMorgan Chase are hereby dismissed upon entry of this Decree, without an award of fees and/or costs to any party.

It is so ORDERED, ADJUDGED AND DECREED.

DATED: 12/24/15




JUDGE

Presented by:

Approved for entry by:



CRAIG SJOSTROM WSBA #21149
Attorney for Plaintiffs



Ann T. Marshall WSBA 23533
Marshall & Weibel, P.S.
Attorneys for Defendant JPMorgan Chase

EXHIBIT B

The land referred to herein is situated in the County of Skagit, State of Washington, and is described as follows:

All that portion of Block 55 of "PLAT OF THE TOWN OF MONTBORNE, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, lying within the following described tract;

Beginning at the Northeastly corner of Lot 1 of Block 43 of said "PLAT OF THE TOWN OF MONTBORNE", thence North 47 degrees 25'45" East along a projection of the Northerly line of said Lot 1, a distance of 50.22 feet; thence South 37 degrees 10' East parallel to the Easterly line of said Block 43 and along the original centerline of the Northern Pacific Railroad, a distance of 369.99 feet to a point of curvature in said centerline; thence along the arc of said curve to the right having a radius of 1146.28 feet, through a central angle of 13 degrees 58'04", an arc distance of 279.5 feet to the TRUE POINT OF BEGINNING; thence continue along the arc of said curve, through a central angle 3 degrees 37'26" an arc distance of 72.5 feet; thence South 68 degrees 21'37" West to a point on the shore line of Big Lake; thence Northwestly along said shore line 70 feet, more or less, to a point which is South 66 degrees 40' West from the TRUE POINT OF BEGINNING; thence North 66 degrees 40' East 82 feet, more or less, to the TRUE POINT OF BEGINNING;

TOGETHER WITH a non-exclusive easement for road purposes over and across that certain 20 foot strip of land lying Northerly of the North line of the above described main tract as granted and referred to in Deed dated August 20, 1965 and recorded September 15, 1971, under Auditor's File No. 758080.

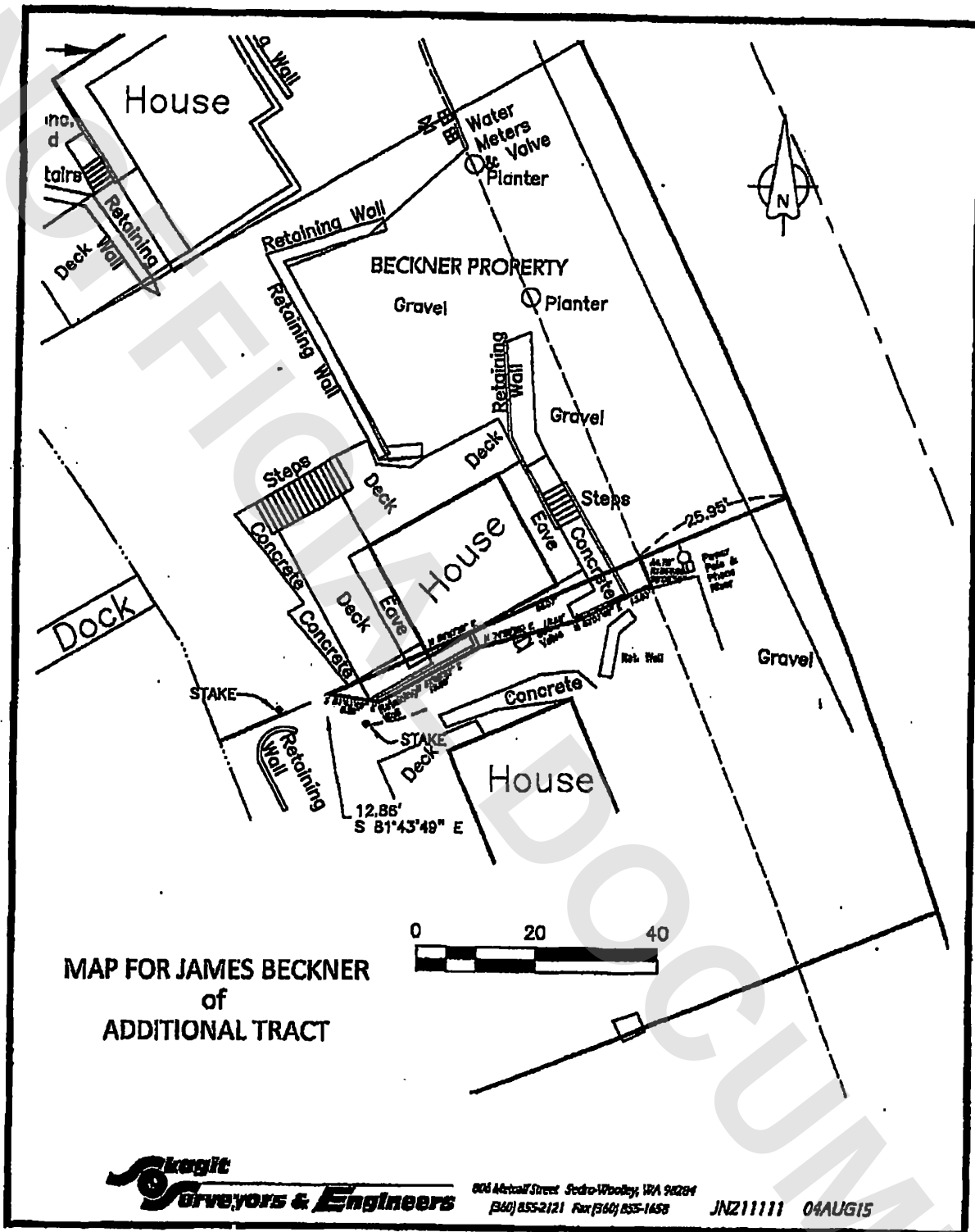


Exhibit C

— Skagit Surveyors and Engineers —

806 Metcalf St. Sedro-Woolley, WA 98284
360.855.2121 360.855.1658(f)
www.sseconsultants.com

LEGAL DESCRIPTION
FOR
JAMES BECKNER
OF
TRACT TO BE ACQUIRED FROM SOUTH ADJOINER

August 4, 2015

Commencing at the northeasterly corner of Lot 1, Block 43 of the Flat of the Town of Montborne, recorded in Volume 2 of Plats, at page 80 records of Skagit County, Washington; thence N 47°25'45" E along a projection of the northerly line of said Lot 1, a distance of 50.22 feet; thence S 37°10'00" E parallel with the easterly line of said Block 43 and along the original centerline of the Northern Pacific Railroad, a distance of 369.99 feet to a point of curvature in said centerline; thence southerly along the arc of said curve to the right having a radius of 1,146.28 feet, through a central angle of 9°50'39" an arc distance of 196.95 feet; thence continuing along the arc of said curve through a central angle of 4°07'25", an arc distance of 82.50 feet to the southeasterly corner of that tract of land conveyed to F. James Beckner and Karen A. Beckner by deed filed under Skagit County Auditors File No. 200506100088; thence S 66°07'29" W along the southeasterly line of said Beckner tract, a distance of 25.95 feet to a point on the 1860.08 foot radius southwesterly concaved curve of the southwesterly right of way line of the newer Northern Pacific Railway right of way and the point of beginning of this description; thence southeasterly along the arc of said Northern Pacific Railway right of way curve through a central angle of 00°08'50", and an arc distance of 4.78 feet, thence S 63°51'49" W, a distance of 13.63 feet; thence S 74°59'00" W, a distance of 16.68 feet; thence S 61°06'52" W, a distance of 18.95 feet; thence N 81°43'49" W, a distance of 8.28 feet to a point on the southeasterly line of said Beckner tract which is 82.02 feet southwesterly of the southeasterly corner of the Beckner tract; thence N 66°07'29" E along said southeasterly line, a distance of 56.07 feet to the point of beginning of this description.

Containing 218 square feet.

