



201402250045

Skagit County Auditor
2/25/2014 Page 1 of 16 11:22AM \$87.00

After recording, return to:
Seattle City Light
Real Estate Services, Attn Mary Davis
700 – 5th Avenue, Suite 3200, SMT 3338
Post Office Box 34023
Seattle, WA 98124-4023

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

2014580
FEB 25 2014

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

2014581
FEB 25 2014

Amount Paid \$0
Skagit Co. Treasurer
By *[Signature]* Deputy

Amount Paid \$0
Skagit Co. Treasurer
By *[Signature]* Deputy

Boundary Line Agreement

Grantors: City of Seattle, a municipal corporation; Llane A. Rusnak-Burt and Daniel Burt, wife and husband

Grantees: City of Seattle, a municipal corporation; Llane A. Rusnak-Burt and Daniel Burt, wife and husband

Abbreviated Legal Descriptions: Ptn Sec. 25, 26 and 35, Township 35 North, Range 5 East, W.M., situated in Skagit County, WA

Assessor's Tax Parcel ID#: P40180, P40227, P40228, P40246 and P40691

Boundary Line Agreement

WHEREAS, the City of Seattle, a Washington municipal corporation, acting by and through its City Light Department, is the owner of that real property described on Exhibit A attached hereto and incorporated herein, hereinafter referred to as the "SCL (Seattle City Light) Parcel"; and

WHEREAS, Llane A. Rusnak-Burt and Daniel Burt, wife and husband, are the owners of that real property described on Exhibit B attached, hereinafter referred to as the "Rusnak-Burt Parcel"; and

WHEREAS, there are certain improvements owned by Llane A. Rusnak-Burt and Daniel Burt that encroach on the SCL Parcel; and

WHEREAS, the existing shared driveway used to access both the SCL Parcel and the Rusnak-Burt Parcels is not located within the easement area described in an easement appurtenant to the SCL Parcel, originally granted by Cyrus J. Hooper, a single man, to Earl Border and Muriel

Border, husband and wife and the City of Seattle's predecessor in interest, for a perpetual easement for ingress and egress to the SCL Parcel over and across the existing driveway under Skagit County Auditor's recording number 8403020001; and

WHEREAS, the City of Seattle and Rusnak-Burt and Burt wish to modify the boundary line between the SCL Parcel and the Rusnak-Burt Parcel to eliminate existing encroachment issues, and to exchange portions of their properties; and

WHEREAS, RCW 58.04.007 permits property owners to resolve uncertain or disputed property boundaries by entering into a written agreement permanently establishing the location of a common boundary line;

NOW THEREFORE, in consideration of the mutual promises and agreements set forth herein and other good and valuable consideration, the receipt of which is hereby acknowledged, the City of Seattle and Rusnak-Burt and Burt agree as follows:

1. The parties to this Boundary Line Agreement ("Agreement"), the City of Seattle, Llane A. Rusnak-Burt and Daniel Burt, agree to the exchange of property and creation of new boundaries as shown in Exhibit C, "Before Boundary Line Adjustment", and Exhibit D, "After Boundary Line Adjustment" and Exhibit E, "Legal Description for Seattle City Light for Property After Boundary Line Adjustment" and Exhibit F, "Legal Description for Seattle City Light for Rusnak-Burt Property After Boundary Line Adjustment".

2. City of Seattle Conveyance. City of Seattle conveys and quitclaims to Llane A. Rusnak-Burt and Daniel Burt, and their successors and assigns all right, title and interest, in the portion of its property as shown on Exhibit D for the exchange of property and alteration of property boundaries.

3. Llane A. Rusnak-Burt and Daniel Burt Conveyance. Llane A. Rusnak-Burt and Daniel Burt convey and quitclaim to the City of Seattle, and assign all right and interest, in the portion of their property as shown on Exhibit D for the exchange of property and alteration of property boundaries.

4. Llane A. Rusnak-Burt and Daniel Burt Extinguishment of Existing Access Easement and Conveyance of New Access Easement. Llane A. Rusnak-Burt and Daniel Burt hereby terminate the existing easement described in a deed from Earl Border and Muriel Border, husband and wife for a perpetual easement for ingress and egress over and across an existing driveway under Skagit County Auditor's recording number 8403020001 and convey a new access easement described in Exhibit G to the City of Seattle.

5. City of Seattle relinquishment of old access easement and acceptance of new access easement. The City of Seattle relinquishes to Rusnak-Burt and Burt the perpetual easement for ingress and egress recorded under Skagit County Auditor's recording number 8403020001 and accepts the new access easement granted by Llane A. Rusnak-Burt and Daniel Burt as described in Exhibit G to the City of Seattle.



6. Successors and Assigns. This Boundary Line Adjustment Agreement shall run with the land and be binding upon and inure to the benefit of the successors in interest and assigns of the parties hereto.

7. Recording. This Boundary Line Agreement shall be recorded in Skagit County, Washington.

8. This Boundary Line Adjustment is not for the purposes of creating an additional building lot.

This Boundary Line Adjustment is approved by Grace Roeder of the Skagit County Planning and Development Services Department, on this 25 day of Feb. 2014

Grace Roeder (Signature)

(Printed Name and Title)

Dated this 25 day of February, 2014

LLANE A. RUSNAK-BURT
LLANE A. RUSNAK-BURT

Jorge Carrasco
JORGE CARRASCO, GENERAL
MANAGER AND CHIEF EXECUTIVE
OFFICER

DANIEL BURT
DANIEL BURT

CITY OF SEATTLE
CITY LIGHT DEPARTMENT



Skagit County Auditor \$97.00
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(ACKNOWLEDGMENT)

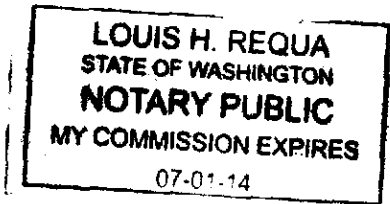
STATE OF WASHINGTON)
COUNTY OF SKAGIT) ss.

On this 21st day of AUGUST, 2013, before me personally appeared **Llane A. Rusnak-Burt and Daniel Burt, wife and husband**, to me known to be the individuals described in and who executed the within instrument, 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 the day and year in this certificate above written.

Louis H. Requa

Printed Name Louis H. Requa
Notary Public in and for the State of WA
Residing at Sedro-Woolley, WA.
My commission expires July 1, 2019



Notary Seal



(ACKNOWLEDGMENT)

STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

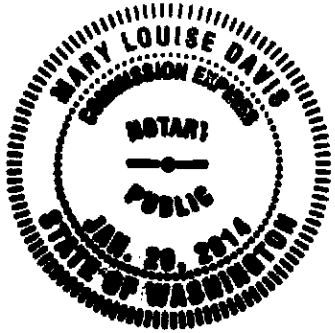
*Lynn Best
for*

I certify that I know or have satisfactory evidence that **Jorge Carrasco** signed this instrument, on oath stated that he was authorized to execute this instrument, and acknowledged it as **the General Manager and Chief Executive Officer of the City of Seattle, a municipal corporation**, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

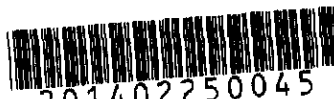
Date August 2, 2013

Mary Louise Davis

Printed Name Mary Louise Davis
Notary Public in and for the State of WA
Residing at Edmonds, WA
My commission expires January 20, 2014



Notary Seal



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EXHIBIT A

-----**Skagit Surveyors and
Engineers**-----

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

LEGAL DESCRIPTION FOR SEATTLE CITY LIGHT OF
PROPERTY BEFORE BOUNDARY LINE ADJUSTMENT

Parcel A

The south 125 feet of Government Lot 6, lying east of the existing slough in Section 26, Township 35 North, Range 5 East, W.M., and the south 125 feet of the southwest 1/4 of the northwest 1/4 of Section 25, Township 35 North, Range 5 East, W.M.

Parcel B

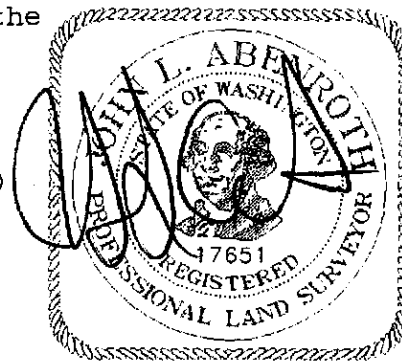
That portion of the southeast 1/4 of Section 26, Township 35 North, Range 5 East W.M., described as follows:

Beginning at a point 42 feet east of the southeast corner of the west 10 rods (165 feet) of the east 1/2 of the southeast 1/4 of said Section; thence north 449.3 feet; thence west 472 feet; thence north parallel with the east line of the west 1/2 of the southeast 1/4 of said Section to the north line of said southeast 1/4; thence west to the east bank of the Skagit River; thence west to the northwest corner of the southeast 1/4; thence south along said quarter Section line to the south line of the Section; thence east to the place of beginning.

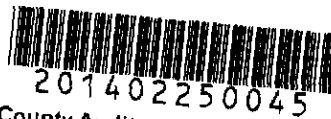
EXCEPT County Road

AND EXCEPT the south 435.6 feet of the west 500 feet thereof.

AND EXCEPT that portion thereof conveyed to Skagit County for road purposes by deed dated March 19, 1965, and recorded March 22, 1965, under AP#663681.



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VI

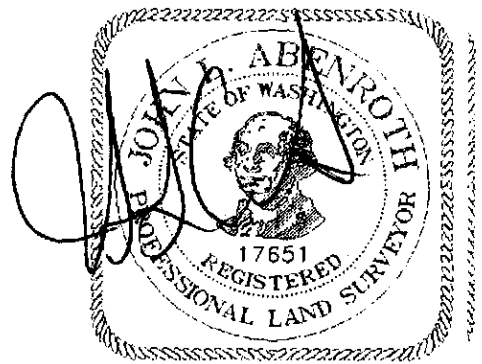
AND EXCEPT any portion lying within the former or present bed of the Skagit River.

AND EXCEPT that portion of said tract which lies westerly of the easterly edge of an existing slough which lies northerly of the south edge of said slough as it cuts through the westerly boundary of said tract.

AND EXCEPT that portion lying within Tract "A" of Short Plat No. 9-77, approved February 28, 1977, and recorded March 7, 1977 under AF#852085 in Volume 2 of Short Plats, page 39.

Containing approximately 62 acres.

Situate in Skagit County, Washington.



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\$87.00

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16 11:22AM

EXHIBIT B

-----**Skagit Surveyors and
Engineers**-----

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LEGAL DESCRIPTION
FOR
SEATTLE CITY LIGHT
OF
RUSNAK-BURT PARCEL BEFORE BOUNDARY LINE ADJUSTMENT

Parcel A

That portion of the north half of the northeast quarter of Section 35,
Township 35 North, Range 5 East, W.M. lying northerly of the South
Skagit highway.

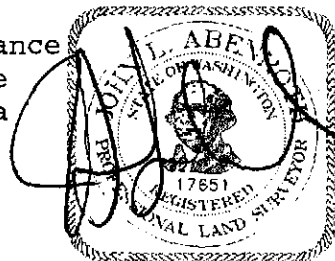
Parcel B

That portion of the southwest quarter of the southeast quarter of
Section 26, Township 35 North, Range 5 East, W.M. described as
follows:

Beginning at the southwest corner of said subdivision; thence east
along the south line of said Section 26, a
distance of 500.00 feet; thence north, a distance
of 435.60 feet; thence west 500.00 feet to the
west line of said subdivision; thence south, a
distance of 435.60 feet to the point of
beginning.

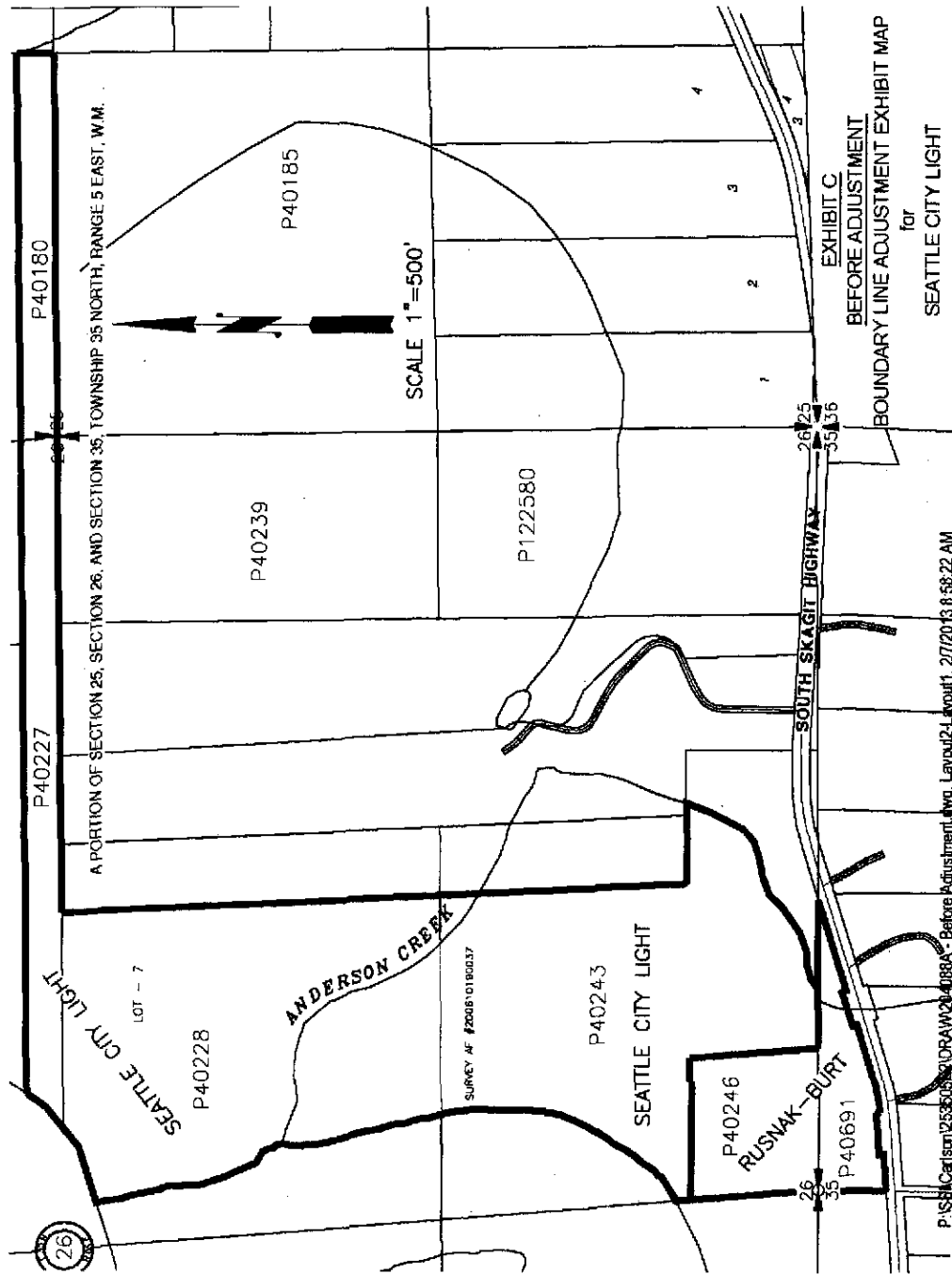
Containing 8.2 acres.

Situate in Skagit County, Washington.



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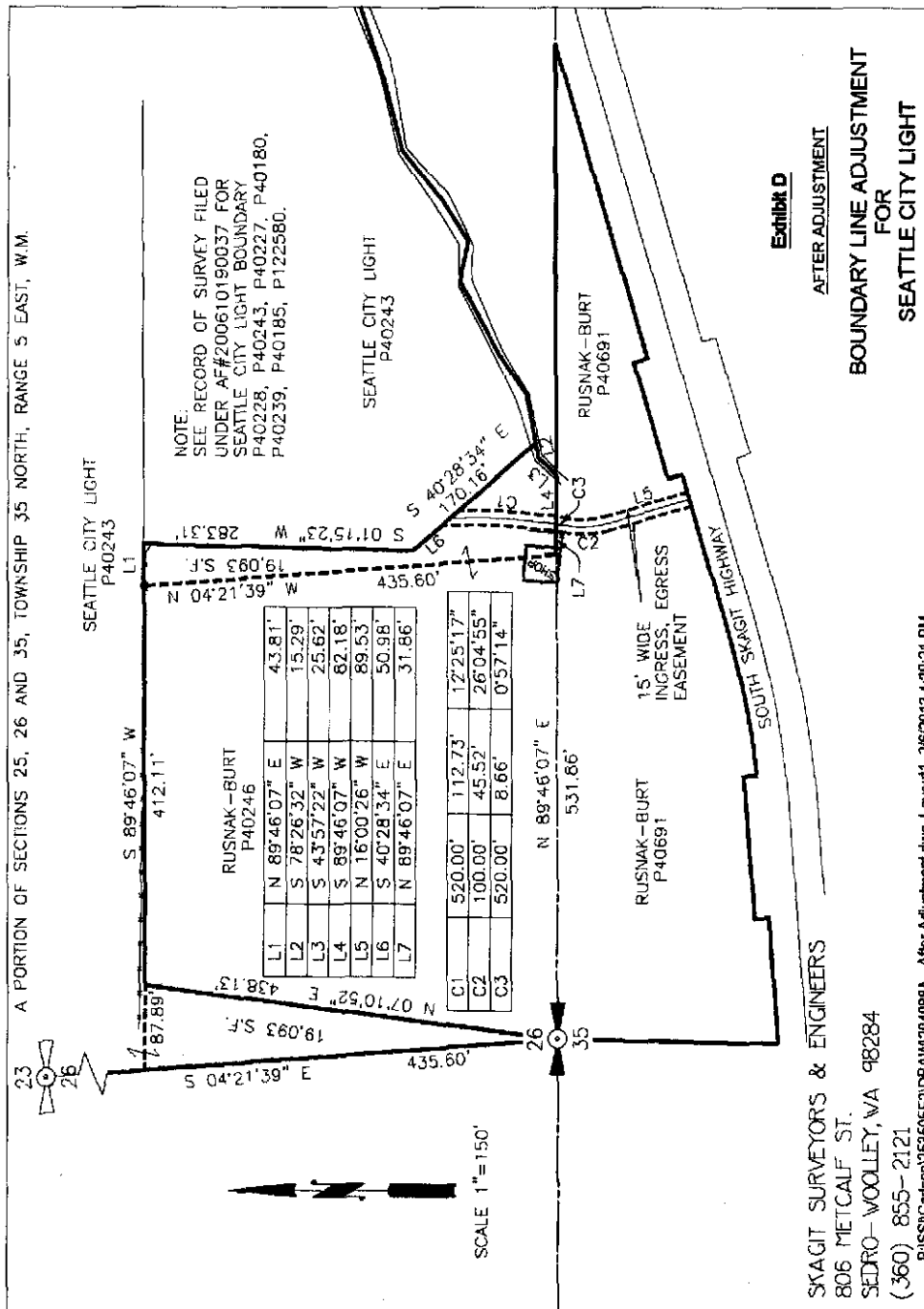


Exhibit E

-----**Skagit Surveyors and Engineers**-----

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

LEGAL DESCRIPTION FOR SEATTLE CITY LIGHT OF
PROPERTY AFTER BOUNDARY LINE ADJUSTMENT

Parcel A

The south 125 feet of Government Lot 6, lying east of the existing slough in Section 26, Township 35 North, Range 5 East, W.M., and the south 125 feet of the southwest 1/4 of the northwest 1/4 of Section 25, Township 35 North, Range 5 East, W.M.

Parcel B

That portion of the southeast 1/4 of Section 26, Township 35 North, Range 5 East W.M., described as follows:

Beginning at a point 42 feet east of the southeast corner of the west 10 rods (165 feet) of the east 1/2 of the southeast 1/4 of said Section; thence north 449.3 feet; thence west 472 feet; thence north parallel with the east line of the west 1/2 of the southeast 1/4 of said Section to the north line of said southeast 1/4; thence west to the east bank of the Skagit River; thence west to the northwest corner of the southeast 1/4; thence south along said quarter Section line to the south line of the Section; thence east to the place of beginning.

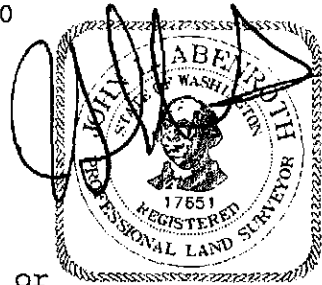
EXCEPT County Road

AND EXCEPT the south 435.6 feet of the west 500 feet thereof.

AND EXCEPT that portion thereof conveyed to Skagit County for road purposes by deed dated March 19, 1965, and recorded March 22, 1965, under AF#663681.

AND EXCEPT any portion lying within the former or present bed of the Skagit River.

AND EXCEPT that portion of said tract which lies westerly of the easterly edge of an existing slough which lies northerly of the south edge of



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said slough as it cuts through the westerly boundary of said tract.

AND EXCEPT that portion lying within Tract "A" of Short Plat No. 9-77, approved February 28, 1977, and recorded March 7, 1977 under AF#852085 in Volume 2 of Short Plats, page 39.

AND EXCEPT that portion of the southwest quarter of the southeast quarter of Section 26, Township 35 North, Range 5 East, W.M. described as follows:

Beginning at a point on the south line of said Section 26 which lies N 89°46'07"E, a distance of 500.00 feet from the southwest corner of said subdivision, which point is the southeast corner of that certain Parcel B as described and conveyed by Quit Claim Deed to Llane A Rusnak-Burt and Daniel Burt dated September 24, 2007 and filed under AF#200710050101, records of Skagit County, Washington; thence N 4°21'39"W along the east line of said Parcel B, a distance of 435.60 feet to the northeast corner thereof; thence S 89°46'07"E along the easterly prolongation of the north line of said Parcel B, a distance of 43.81 feet; thence S 1°15'23"W, a distance of 283.31 feet; thence S 40°28'34"E, a distance of 170.16 feet to the center of Anderson Creek as shown on that certain survey recorded under AF#200610190037, records of Skagit County, Washington; thence S 78°26'32"W along said creek, a distance of 15.29 feet; thence S 43°57'22"W along said creek, a distance of 25.62 feet to a point on the south line of said Section 26; thence S 89°46'07"W along the south line of Section 26, a distance of 82.18 feet to the point of beginning.

Parcel C

That portion of the southwest quarter of the southeast quarter of Section 26, Township 35 North, Range 5 East, W.M. described as follows:

Beginning at the southwest corner of said subdivision; thence N 4°21'39"W along the west side of said subdivision, a distance of 435.60 feet to the northwest corner of that certain Parcel B as described and conveyed by Quit Claim Deed to Llane A Rusnak-Burt and Daniel Burt dated September 24, 2007 and filed under AF#200710050101, records of Skagit County, Washington; thence N 89°46'07"E along the north line of said Parcel B, a distance of 87.89 feet; thence S 7°10'52"W, a distance of 438.13 feet to the point of beginning.

TOGETHER WITH a fifteen (15) foot wide easement for ingress and egress, over, under and through that portion of the southwest quarter of the southeast quarter of Section 26 and the northwest quarter of the northeast quarter of Section 35, all in Township 35 North, Range 5 East, W.M., the



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centerline of which is described as follows:

Commencing at the northwest corner of the northeast quarter of said Section 35; thence N 89°46'07"E along the north line thereof, a distance of 531.86 feet to Point A and the initial point of this centerline description, which point on a curve having a radius of 520.00 feet and from which the radius point bears N 80°52'45"W; thence southerly along said curve into Section 35, through a central angle of 0°57'14", an arc distance of 8.66 feet to a point of reverse curvature with a curve to the left having a radius distance of 100.00 feet; thence southerly along said reverse curve through a central angle of 26°04'55", an arc distance of 45.52 feet; thence S 16°00'26"E, a distance of 89.53 feet to the northerly right of way of the South Skagit Highway and the terminal point of this centerline description in Section 35.

Also, beginning at the above described Point; thence northerly into said Section 26, along said 520.00 foot radius curve through a central angle of 12°25'17", an arc distance of 112.73 feet to the terminal point of this centerline description in Section 26.



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Exhibit F

Skagit Surveyors and Engineers

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

**LEGAL DESCRIPTION FOR
SEATTLE CITY LIGHT OF
RUSNAK-BURT PARCEL AFTER BOUNDARY LINE ADJUSTMENT**

Revised October 9, 2013

Parcel A

That portion of the north half of the northeast quarter of Section 35, Township 35 North, Range 5 East, W.M. lying northerly of the South Skagit highway.

Parcel B

That portion of the southwest quarter of the southeast quarter of Section 26, Township 35 North, Range 5 East, W.M. described as follows:

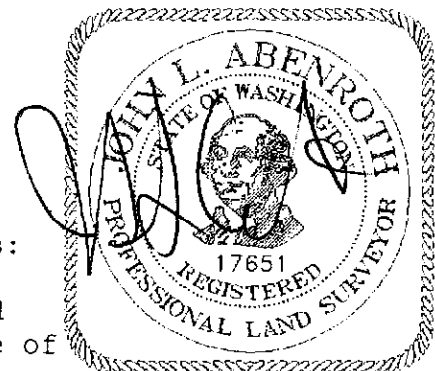
Beginning at the southwest corner of said subdivision; thence east along the south line of said Section 26, a distance of 500.00 feet; thence north, a distance of 435.60 feet; thence west 500.00 feet to the west line of said subdivision; thence south, a distance of 435.60 feet to the point of beginning.

EXCEPT beginning at the southwest corner of said subdivision; thence N 4°21'39"W along the west side of said subdivision, a distance of 435.60 feet to the northwest corner of that certain Parcel B as described and conveyed by Quit Claim Deed to Lane A Rusnak-Burt and Daniel Burt dated September 24, 2007 and filed under AF#200710050101, records of Skagit County, Washington; thence N 89°46'07"E along the north line of said Parcel B, a distance of 87.89 feet; thence S 7°10'52"W, a distance of 438.13 feet to the point of beginning.

Parcel C

That portion of the southwest quarter of the southeast quarter of Section 26, Township 35 North, Range 5 East, W.M. described as follows:

Beginning at a point on the south line of said Section 26 which lies N 89°46'07"E, a distance of 500.00 feet from the southwest corner of said



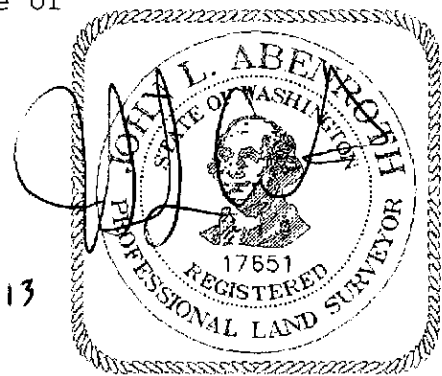
10/9/13



subdivision, which point is the southeast corner of that certain Parcel B as described and conveyed by Quit Claim Deed to Llane A Rusnak-Burt and Daniel Burt dated September 24, 2007 and filed under AF#200710050101, records of Skagit County, Washington; thence N 4°21'39"W along the east line of said Parcel B a distance of 435.60 feet to the northeast corner thereof; thence S 89°46'07"E along the easterly prolongation of the north line of said Parcel B, a distance of 43.81 feet; thence S 1°15'23"W, a distance of 283.31 feet; thence S 40°28'34"E, a distance of 170.16 feet to the center of Anderson Creek as shown on that certain survey recorded under AF#200610190037, records of Skagit County, Washington; thence S 78°26'32"W along said creek, a distance of 15.29 feet; thence S 43°57'22"W along said creek, a distance of 25.62 feet to a point on the south line of said Section 26; thence S 89°46'07"W along the south line of Section 26, a distance of 82.18 feet to the point of beginning.

Parcels A and C above are subject to a fifteen (15) foot wide easement for ingress and egress, over, under and through that portion of the southwest quarter of the southeast quarter of Section 26 and the northwest quarter of the northeast quarter of Section 35, all in Township 35 North, Range 5 East, W.M., the centerline of which is described as follows:
 Commencing at the northwest corner of the northeast quarter of said Section 35; thence N 89°46'07"E along the north line thereof, a distance of 531.86 feet to Point A and the initial point of this centerline description, which point on a curve having a radius of 520.00 feet and from which the radius point bears N 80°52'45"W; thence southerly along said curve into Section 35, through a central angle of 0°57'14", an arc distance of 8.66 feet to a point of reverse curvature with a curve to the left having a radius distance of 100.00 feet; thence southerly along said reverse curve through a central angle of 26°04'55", an arc distance of 45.52 feet; thence S 16°00'26"E, a distance of 89.53 feet to the northerly right of way of the South Skagit Highway and the terminal point of this centerline description in Section 35.
 Also, beginning at the above described Point A; thence northerly into said Section 26, along said 520.00 foot radius curve through a central angle of 12°25'17", an arc distance of 112.73 feet to the terminal point of this centerline description in Section 26.

Situate in Skagit County, Washington.



10/9/13



EXHIBIT G

-----**Skagit Surveyors and
Engineers**-----

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www.sseconsultants.com

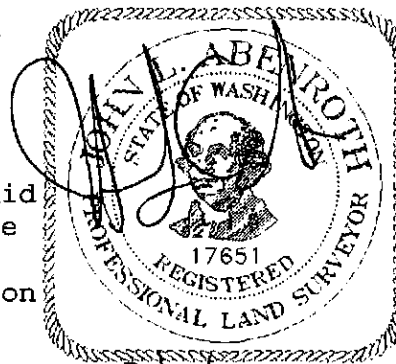
LEGAL DESCRIPTION FOR SEATTLE CITY LIGHT OF
EASEMENT TO BE ACQUIRED FROM RUSNAK-BURT

A fifteen (15) foot wide easement for ingress and egress, over, under and through that portion of the southwest quarter of the southeast quarter of Section 26 and the northwest quarter of the northeast quarter of Section 35, all in Township 35 North, Range 5 East, W.M., the centerline of which is described as follows:

Commencing at the northwest corner of the northeast quarter of said Section 35; thence N 89°46'07"E along the north line thereof, a distance of 531.86 feet to Point A and the initial point of this centerline description, which point on a curve having a radius of 520.00 feet and from which the radius point bears N 80°52'45"W; thence southerly along said curve into Section 35, through a central angle of 0°57'14", an arc distance of 8.66 feet to a point of reverse curvature with a curve to the left having a radius distance of 100.00 feet; thence southerly along said reverse curve through a central angle of 26°04'55", an arc distance of 45.52 feet; thence S 16°00'26"E, a distance of 89.53 feet to the northerly right of way of the South Skagit Highway and the terminal point of this centerline description in Section 35.

Also, beginning at the above described Point; thence northerly into said Section 26, along said 520.00 foot radius curve through a central angle of 12°25'17", an arc distance of 112.73 feet to the terminal point of this centerline description in Section 26.

Situate in Skagit County, Washington.



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