

5K-10682-

## BOUNDARY LINE AGREEMENT AND DEED

Agreement made November 15, 1977 between WILLIAM D. CURRIER and DOLORES C. CURRIER, husband and wife, and PEGGY R. SCHULTZ, who acquired title as Peggy R. Lozier, all of Stevenson, Washington.

1. The parties hereto are adjoining landowners of parcels of real property, located in Skamania County, Washington and described as follows:

That portion of the West half of the Southeast Quarter of the Northwest Quarter of Section 36, Township 3 North, Range 7 East of the W.M., described as follows:

Beginning at a point on the Northerly line of the County Road known and designated as Gropper Road, said point being 336 feet Easterly of the center line running North and South through the center of the Northwest Quarter of said Section 36; thence North  $01^{\circ}37'$  West 208 feet; thence East 104 feet; thence South  $01^{\circ}37'$  East 208 feet, more or less, to the Northerly line of said Gropper Road; thence in a Westerly direction following the Northerly line of said Road 104 feet, more or less, to the point of beginning.

said parcel is owned by William D. Currier and Dolores C. Currier, husband and wife.

The other involved parcel of land lies adjacent to the above-described parcel and immediately to the East of said Currier parcel, and is described as follows:

That portion of the West half of the Southeast Quarter of the Northwest Quarter of Section 36, Township 3 North, Range 7 East of the W.M., described as follows:

Beginning at a point on the Northerly line of the County Road known and designated as Gropper Road, said point being 336 feet Easterly of the center line running North and South through the center of the Northwest Quarter of said Section 36; thence North  $01^{\circ}37'$  West 208 feet; thence East 104 feet to the True Point of Beginning; thence East 104 feet; thence South  $01^{\circ}37'$  East 208 feet, more or less, to the Northerly line of said Gropper Road; thence in a Westerly direction following the Northerly line of said Road 104 feet, more or less, to a point lying South  $01^{\circ}37'$  East from the True Point of Beginning; thence North  $01^{\circ}37'$  West to the True Point of Beginning.

said parcel is owned by Peggy R. Schultz

The boundary line between the Currier and Schultz parcels is now in dispute due to a survey made by Olson.

Engineering, a Vancouver, Washington surveying firm, in August of 1977 at the request of Alva M. Palmer, owner of property lying adjacent to and to the West of the Currier parcel. The West boundary line of the Currier parcel was found to be located at a point approximately 6 to 8 feet East of a "possible use line" as located and delineated on said Olson survey. The Southwest corner of said Currier property is now marked by said Olson Engineering survey by a 1/2 inch iron rod with plastic cap. A copy of said Olson Engineering survey is attached hereto as Exhibit "A" and by this reference made a part of this agreement.

In 1966 a survey completed by Clark H. Eldridge established the West boundary line of said Currier parcel as the "use line" as referred to in said Olson Engineering survey. A copy of said Eldridge survey is attached hereto as Exhibit "B" and by this reference made a part of this agreement.

If the Olson Engineering survey is used as a future reference for establishing the boundary between said Currier parcel and said Schultz parcel, the effect will be to move the East line of the Currier parcel as established by said Eldridge survey and by current usage of the parties hereto, to the East approximately 6 to 8 feet. It is agreed that this will work a definite hardship on the Schultz parcel, placing the boundary line adjacent to the present West wall of the Schultz home.

The parties desire to keep and maintain the present boundary line as established by the Eldridge survey in 1966, and to disregard the effect of the survey by Olson Engineering, except insofar as it is used in this agreement as a reference.

For the reasons set forth above, and in consideration of the mutual covenants and promises of the parties hereto, William D. Currier and Dolores C. Currier, husband and wife, and Peggy R. Schultz, as her separate property, agree as follows:

The boundary line between the parcels owned by said parties shall be located as follows:

Commencing at an iron pipe (delineated on Exhibit "B" as "Found Existing Iron Pipe") located on the Northerly line of said Currier and Schultz parcels said point being the common Northerly corner of said parcels as located by said Eldridge survey; thence (using the North-South centerline of said Northwest Quarter as a reference line, the bearing of which for the purposes of this line description shall be North 01°51' East) South 01°37' East 208 feet, more or less, to the North line of Gropper Road and the terminus of said boundary line description.

The parties hereto agree to mark said herein established boundary line with markers to adequately show the boundary line as established herein. Should the parties, their heirs, personal representatives or assigns in the future desire to have said line surveyed, the parties, for themselves, their heirs, personal representatives and assigns hereby agree to each pay the costs of said survey and divide the costs thereof equally between the parties as their respective interests require.

It is the intention of the parties to maintain as a boundary the line as surveyed by Clark Eldridge in 1966, which established the boundary line upon which later property transactions have relied. It is the further intention of the parties hereto to bind their respective heirs, personal representatives and assigns, to the terms of this agreement, and the parties intention is that this agreement run with the title to the above-described parcels of land.

In furtherance of said agreement, William D. Currier and Dolores C. Currier, husband and wife, HEREBY GRANT AND CONVEY to Peggy R. Schultz and her assigns for love and affection, all that portion of said parcels above-described lying Easterly of the herein established boundary line, and Peggy R. Schultz HEREBY GRANTS AND CONVEYS to William D. Currier and Dolores C. Currier, husband and wife, all that portion of said parcels as above-described lying Easterly of the herein-established boundary line.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

William D. CurrierPeggy R. SchultzeDolores C. Currier

STATE OF WASHINGTON )  
COUNTY OF SKAMANIA ) SS

On this day personally appeared before me WILLIAM D. CURRIER and DOLORES C. CURRIER, husband and wife, to me known to be the individuals described in and who executed the within and foregoing 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 this 15 day of November, 1977.

Wallace W. Nickles  
Notary Public in and for the  
State of Washington, residing  
at Stevenson.

STATE OF WASHINGTON )  
COUNTY OF SKAMANIA ) SS

On this day personally appeared before me Peggy R. Schultze, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 15 day of November, 1977.

Wallace W. Nickles  
Notary Public in and for the  
State of Washington, residing  
at Stevenson.

\* Who Acquired Title As

Peggy R. Lozier

SURVEY OF  
A PORTION OF

SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SEC. 36  
T3N, R7E, WM

© SET  $\frac{1}{2}$ " IRON ROD WITH PLASTIC CAP

Exhibit "A"



ALL BEARINGS & DISTANCES  
ARE LAMBERT CONFORMAL  
SOUTH ZONE



REFERENCE SURVEYS: SKAMANIA COUNTY CONTROL  
PROJECT CRP # 74-26

"OLSON ENGINEERING SURVEY OF  
OCTOBER, 1975, RECORDED IN  
VOLUME 1 AT PAGE 866.

### SURVEYOR'S CERTIFICATE

The map correctly represents a survey made by me or under my direction in conform-  
ance with the requirements of the Survey Recording Act at the request of  
**BUD PALMER**

in **AUGUST** 1977

Jerry C Olson - 9025

### AUDITOR'S CERTIFICATE

Filed for record this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ at \_\_\_\_\_ M.  
in Book \_\_\_\_\_ of **SURVEYS** at page \_\_\_\_\_ at the request of  
**JERRY C. OLSON**

Deputy County Auditor



**OLSON ENGINEERING**

112 E 13 ST., VANCOUVER, WASH.

PH (206)-696-1383

1 KANAKA CR RD., STEVENSON, WASH.

PH (509)-427-8411

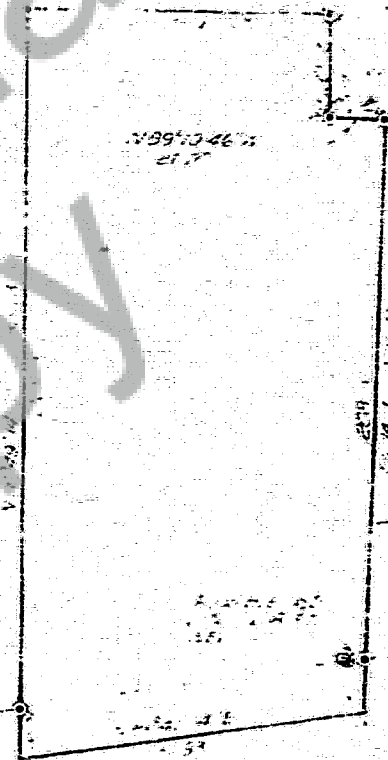
Scale 1"=50' Date 8/77  
Job No. 1923 Calc. By JSI  
Drawn By PC  
Checked By \_\_\_\_\_  
Sheet 1 of 1

NORTH LINE

NOTE DUE TO THE DIFFICULTY IN  
 EXACTLY ESTABLISHING THE CENTER  
 LINE OF GRADY ROAD AS IT WAS AT  
 THE TIME THE DEEDS WERE WRITTEN,  
 WE HAVE MONUMENTED THE NORTH  
 LINE USING THE APPARENT CENTER  
 LINE AS IT EXISTS TODAY.

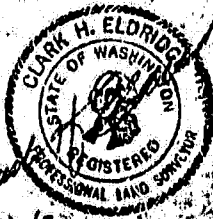
1. 01 51.10 E 208.10

GRADY ROAD



N 89° 10' 46\"/>

center line Appleway No 57 E  
(Rd survey No 006 E)



SURVEY OF PORTIONS OF  
W $\frac{1}{2}$  of SE $\frac{1}{4}$  of NW $\frac{1}{4}$   
SECTION 36-T3N-R7EWM

AUG 1966

Exhibit "B"



Line Wall marked by old Fence

N-S line thru center of NW 1/4

Rd SURVEY N 0° 51' E

Bearings given this survey  
based on this line being  
N-S as called in deeds.

1927' to  
N section  
line.

Iron pipe  
line

Existing fence

Found Iron pipe  
1927'

Dead end of N-S line  
355' from center of NW 1/4

Revised initial pt.

336.0 E of  
N-S line thru  
center of NW 1/4  
Found Existing  
Iron pipe

Gropper Rd 3

N-S

N 10° 37' W  
Existing Fence

Found Existing Iron pipe

Rd W line 7