

Filed for Record at Request of:

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(360) 647-1500

DOCUMENT TITLE:

RIGHT-OF-WAY GRANT

REFERENCE NUMBER OF RELATED DOCUMENT:

GRANTOR:

MARINA A TIMMERMANS

GRANTEE:

CITY OF LYNDEN

ABBREVIATED LEGAL DESCRIPTION:

That portion of the SW Quarter of the NE Quarter Section 19, Township 40 N, Range 3 E W.M. in Whatcom County, WA and within Lots B and C of the Timmermans Lot Line Adjustment Auditor's File Number 2021003073 and a portion of Lot 3 of the Timmermans Short Plat Auditor's File Number 1530446. Full legal description in Exhibit B hereto

ASSESSOR'S TAX PARCEL NUMBER:

Tax Parcel #'s 400319 394429 0000 & 400319 396411 0000 & 400319 406430 0000

RIGHT-OF-WAY GRANT

THIS **RIGHT-OF-WAY GRANT ("Grant")** is made this ____ day of _____ 2019, by MARINA A TIMMERMANS ("Grantor") to the CITY OF LYNDEN, a Washington municipal corporation (hereinafter "Grantee" or "City").

The GRANTOR, for and in consideration of public interest and other good and valuable consideration, and for the vacation of the existing right of way described in Exhibit A grants, dedicates and conveys to the GRANTEE, a perpetual and exclusive public easement over the following described real property situated in the City of Lynden, County of Whatcom, State of Washington:

See **Exhibit B** attached hereto, and fully incorporated herein by reference (the "Property").

The purpose of this Right-of-Way Grant is to provide the Grantee with an exclusive, perpetual and unlimited right-of-way for public ingress, egress, utilities, curbs, gutters, sidewalks and all public right-of-way purposes for the Property described in **Exhibit B** and depicted **Exhibit C** hereto.

The Right-of-Way Easement shall constitute covenants running with the land; and shall be binding on the undersigned and all successors, assignees, devisees, or transferees of the parties and shall in all respects attach to the individual properties legally described in this Right-of-Way Grant.

GRANTOR:

GRANTEE:

CITY OF LYNDEN, a Washington municipal



Marina A Timmermans

By: Scott Korthuis

Its: Mayor

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

I certify that I know or have satisfactory evidence that Marina A Timmermans is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 16th day of July, 2019.





NOTARY PUBLIC in and for the State of Washington Residing
at Lynden, WA
My appointment expires: April 26, 2020

STATE OF WASHINGTON)
) ss
COUNTY OF WHATCOM)

I certify that I know or have satisfactory evidence that SCOTT KORTHUIS is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the MAYOR of the CITY OF LYNDEN, a Washington Municipal Corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this _____ day of _____, 2019.

NOTARY PUBLIC in and for the State of Washington
Residing at _____
My appointment expires: _____

EXHIBIT A

EXISTING, TO BE REVISED, 17th STREET RIGHT OF WAY/EXCHANGE AGREEMENT

MARINA A. TIMMERMANS AND CITY OF LYNDEN

TAX PARCEL NUMBERS 400319 394429 0000 & 400319 406430 0000

That portion of the Southwest Quarter of the Northeast Quarter, Section 19, Township 40 North, Range 3 East, W.M. in Whatcom County, WA and within a portion of Lot B of the Timmermans Lot Line Adjustment recorded at Auditor's File Number 2021003073, records of said County and a portion of Lot 3 of the Timmermans Short Plat recorded at Auditor's File Number 1530446, said records, and described as follows:

The following description is copied from the Settlement and Release Agreement document executed by the City and Timmermans recorded at Auditors File Number 2131003260:

Commencing at the northwest corner of Lot B of "Timmermans Lot Line Adjustment" as per the map thereof recorded under Whatcom County Auditor's File Number 2021003073; thence North 89°05'32" East along the north line of Lot B a distance of 98.10 feet to the **True Point of Beginning**; thence Southerly on a tangent curve to the right, having a radius of 13.00 feet, through a central angle of 90°00'00" an arc distance of 20.42 feet to a point of tangency; thence South 00°54'28" East a distance of 113.82 feet to a point on the south line of Lot B, being also the north line of Lot C of said Lot Line Adjustment; thence continuing South 00°54'28" East a distance of 75.98 feet to the beginning of a tangent curve to the left, thence southerly along said curve to the left, having a radius of 220.00 feet, through a central angle of 42°34'22" an arc distance of 163.47 feet to the beginning of a tangent reverse curve with a radius of 470.00 feet; thence southerly along said curve to the right through an angle of 4°13'35" an arc length of 34.67 feet to the southeast corner of Lot C, "Timmermans Lot Line Adjustment"; thence North 00°20'22" East along the east line of Lot C a distance of 93.39 feet to the beginning of a non-tangent curve to the right, which radius point bears North 58°19'48" East; thence northerly along said curve to the right, having a radius of 160.00 feet, through a central angle of

30°45'45" an arc distance of 85.90 feet to a point of tangency; thence North 00°54'28" west a distance of 89.82 feet to the north line of Lot C, "Timmermans Lot Line Adjustment" being also the south line of Lot 3, "Timmermans Short Plat" thence continuing North 00°54'28" West a distance of 99.97 feet to the beginning of a tangent curve to the right; thence northeasterly along said curve, having a radius of 13.00 feet; through a central angle of 90°00'00" an arc distance of 20.42 feet to a point of tangency on the north line of Lot 3 "Timmermans Short Plat"; thence South 89°05'32" West along the north line of Lot 3 and along the north line of Lot B, "Timmermans Short Plat" a distance of 6.00 feet to the True Point of Beginning.

Recopied from AFN 2131003260 on 6/11/2019.



EXHIBIT B

REVISED 17th STREET RIGHT OF WAY/EXCHANGE AGREEMENT

MARINA A. TIMMERMANS AND CITY OF LYNDEN

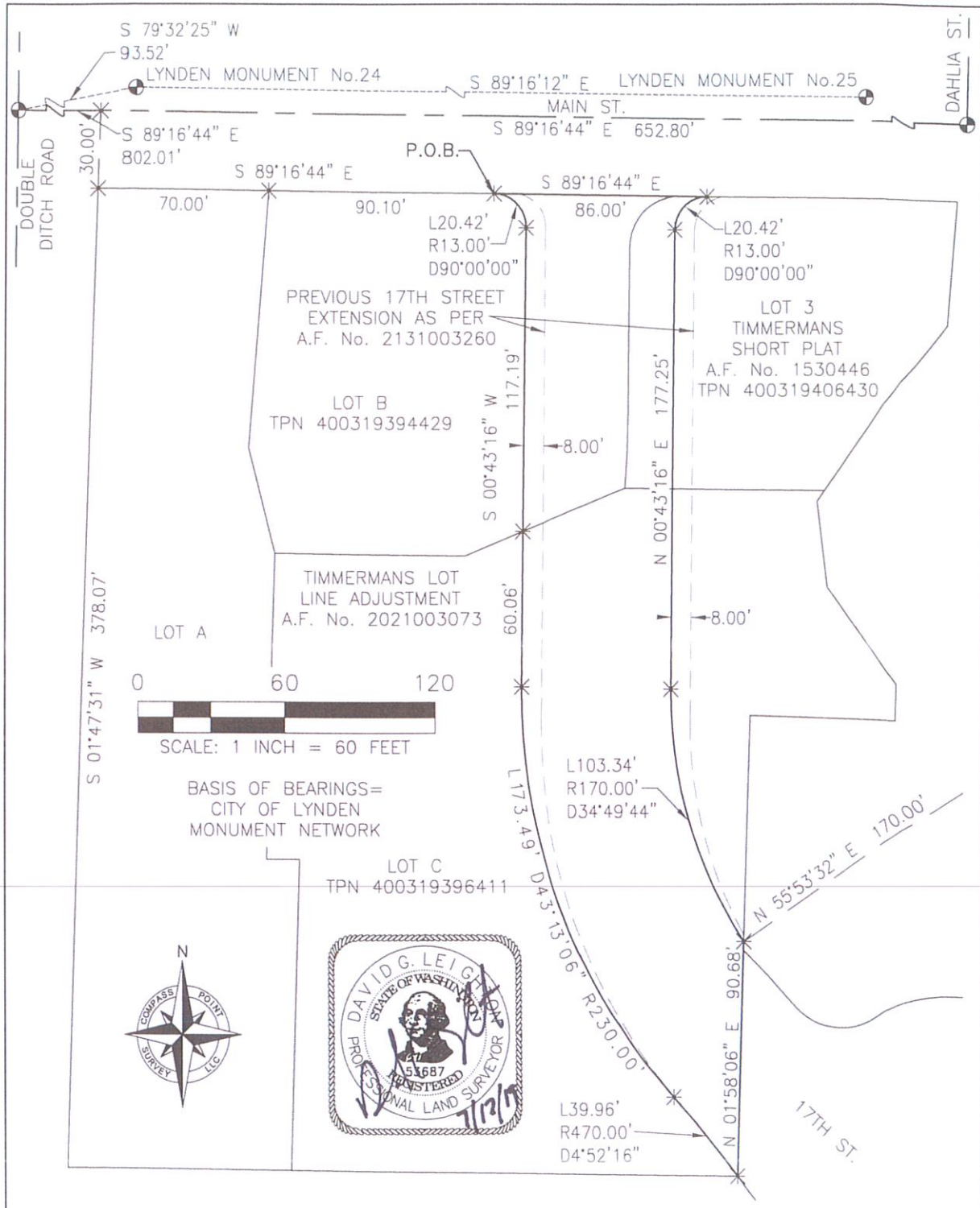
TAX PARCEL #s 400319 394429 0000 & 400319 396411 0000
& 400319 406430 0000

That portion of the Southwest Quarter of the Northeast Quarter, Section 19, Township 40 North, Range 3 East, W.M. in Whatcom County, WA and within Lots B and C of the Timmermans Lot Line Adjustment recorded at Auditor's File Number 2021003073, records of said County, and a portion of Lot 3 of the Timmermans Short Plat recorded at Auditor's File Number 1530446, said records, and described as follows:

Commencing at the northwest corner of said Lot B of Timmermans Lot Line Adjustment; thence coincident with the north line of Lot B North $89^{\circ}16'44''$ East with basis of bearing being the City of Lynden Survey Monument Network (North $89^{\circ}05'32''$ East per record) a distance of 90.10 feet to the **True Point of Beginning**; thence leaving said boundary southerly on a tangent curve to the right with a radius of 13.00 feet through a central angle of $90^{\circ}00'00''$ an arc distance of 20.42 feet to the point of tangency; thence South $00^{\circ}43'16''$ West 117.19 feet to a point on the common boundary of said Lots B and C; thence continuing South $00^{\circ}43'16''$ East 60.06 feet to the point of tangency of a curve to the left having a radius of 230.00 feet; thence along said curve through a central angle of $43^{\circ}13'06''$ an arc length of 173.49 feet to the point of a reverse curve having a radius of 470.00 feet; thence along said curve through a central angle of $4^{\circ}52'16''$ an arc length of 39.96 feet to the most southerly of the southeast corners of said Lot C; thence leaving said curve and coincident with the easterly boundary of said Lot C North $1^{\circ}58'06''$ East (North $0^{\circ}20'22''$ East per record) 90.68 feet to a Point of Curvature of a curve to the right having a radius point North $55^{\circ}53'32''$ East 170.00 feet; thence along said curve northwesterly through a central angle of $34^{\circ}49'44''$ an arc length of 103.34 feet to the point of tangency; thence North $0^{\circ}43'16''$ East 177.25 feet to the point of curvature of a curve to the right having a radius of 13.00 feet; thence through a central angle of $90^{\circ}00'00''$ an arc distance of 20.42 feet to a point on said north line of Lot B; thence coincident with said north line South $89^{\circ}16'44''$ West 86.00 feet to the true point of beginning.

Prepared on 6/11/2019, revised 7/17/2009 for TPN only.





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| DRAWN BY: RL |
| CHECKED BY: DE |
| DATE: 06/11/19 |
| REV: 07/17/19 |

EXHIBIT C MAP
 WITHIN THE SE 1/4, NE 1/4, SECTION 19,
 TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M.
 WHATCOM COUNTY, WASHINGTON



COMPASS POINT SURVEY, LLC
 523 FRONT STREET, LYNDEN, WA 98264
 PH. 360-354-8320 FAX. 360-354-8321