

NIEUWSMA SHORT PLAT VACATION

PORTION OF THE SW 1/4, NE 1/4, SECTION 19, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M. WITHIN THE CITY OF LYNDEN, WHATCOM COUNTY, WASHINGTON

FORMER LAND DESCRIPTIONS:

PARCEL A:

LOT A, NIEUWSMA SHORT PLAT, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 18 OF SHORT PLATS, PAGE 92, UNDER AUDITOR'S FILE No. 1639427, RECORDS OF WHATCOM COUNTY, WASHINGTON.

TOGETHER WITH A TRIANGULAR TRACT OF LAND WITHIN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT A OF THE NIEUWSMA SHORT PLAT, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE RICKENBACKER TRACT AS SHOWN ON THE R.S. JANSEN SHORT PLAT, RECORDED IN VOLUME 36 OF SHORT PLATS, PAGE 40, THENCE NORTH 00°00'28" WEST ALONG THE WEST LINE OF SAID RICKENBACKER TRACT A DISTANCE OF 10.00 FEET; THENCE SOUTH 89°01'59" EAST A DISTANCE OF 151.84 FEET TO A CAPPED REBAR MARKING THE NORTHEAST CORNER OF THE AFORESAID LOT A OF THE NIEUWSMA SHORT PLAT; THENCE SOUTH 87°11'43" WEST ALONG THE NORTH LINE OF SAID LOT A, A DISTANCE OF 152.00 FEET TO THE POINT OF BEGINNING.

PARCEL B:

LOT B, NIEUWSMA SHORT PLAT, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 18 OF SHORT PLATS, PAGE 92, UNDER AUDITOR'S FILE No. 1639427, RECORDS OF WHATCOM COUNTY, WASHINGTON.

ALL SITUATE IN WHATCOM COUNTY, WASHINGTON.

ALL SUBJECT TO AND/OR TOGETHER WITH ALL EASEMENTS, COVENANTS, RESTRICTIONS AND/OR AGREEMENTS OF RECORD, OR OTHERWISE.

PARCEL B-1:

AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES AS DELINEATED ON THE FACE OF NIEUWSMA SHORT PLAT, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 18 OF SHORT PLATS, PAGE 92; UNDER AUDITOR'S FILE NO. 1639427, RECORDS OF WHATCOM COUNTY, WASHINGTON

SITUATE IN WHATCOM COUNTY, WASHINGTON.

NEW LAND DESCRIPTION:

PARCEL A:

LOT A, NIEUWSMA SHORT PLAT FOLLOWING VACATION ELIMINATING LOT B, AS PER THE MAP THERE OF RECORDED IN THE AUDITOR'S OFFICE OF WHATCOM COUNTY, WASHINGTON UNDER A.F No. _____.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

DECLARATION:

KNOWN ALL MEN BY THESE PRESENTS, THAT WE THE UNDERSIGNED OWNERS HEREBY DECLARE THIS SHORT PLAT VACATION IS MADE WITH MY FREE CONSENT AND IN ACCORDANCE WITH MY WISHES AND DO HEREBY GRANT, RESERVE AND/OR AMEND ALL EASEMENTS SHOWN HEREON FOR THE USES INDICATED HEREIN.

THIS _____ DAY OF _____ 2020.

TIMOTHY BROERSMA

STEPHANIE BROERSMA

ACKNOWLEDGEMENT

STATE OF WASHINGTON)
)
COUNTY OF WHATCOM)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT TIMOTHY BROERSMA AND STEPHANIE BROERSMA, HUSBAND AND WIFE ARE THE PERSONS WHO APPEARED BEFORE ME, AND SAID PERSONS ACKNOWLEDGED THAT THEY SIGNED THIS INSTRUMENT, ON OATH STATED THAT THEY ARE AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

THIS _____ DAY OF _____, 2020.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON.

RESIDING AT _____ WASHINGTON. MY COMMISSION EXPIRES _____

CITY APPROVAL:

I HEREBY CERTIFY THAT I HAVE REVIEWED THE "NIEUWSMA SHORT PLAT VACATION" PURSUANT TO SECTION 18.08.030 OF THE LYNDEN MUNICIPAL CODE AND FINDING EVERYTHING TO BE IN ORDER, HEREBY APPROVE THE SAME

THIS _____ DAY OF _____ 2020.

HEIDI GUDDE, CITY OF LYNDEN PLANNING DIRECTOR

RIGHT TO FARM DISCLOSURE STATEMENT:

THE SUBJECT PROPERTY IS WITHIN OR NEAR DESIGNATED AGRICULTURE LANDS ON WHICH A VARIETY OF COMMERCIAL ACTIVITIES MAY OCCUR THAT ARE NOT COMPATIBLE WITH RESIDENTIAL DEVELOPMENT FOR CERTAIN PERIODS OF LIMITED DURATION. YOU MAY BE SUBJECT TO INCONVENIENCES OR DISCOMFORTS ARISING FROM SUCH OPERATIONS, INCLUDING BUT NOT LIMITED TO NOISE, ODORS, INSECTS, FUMES, DUST, SMOKE, THE OPERATION OF MACHINERY OF ANY KIND DURING ANY 24-HOUR PERIOD (INCLUDING AIRCRAFT), THE STORAGE AND APPLICATION OF MANURE, AND THE APPLICATION BY SPRAYING OR OTHERWISE OF CHEMICAL FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES. THE CITY OF LYNDEN AND WHATCOM COUNTY HAS DETERMINED THAT THE USE OF REAL PROPERTY FOR AGRICULTURAL OPERATIONS IS A HIGH PRIORITY AND FAVORED USE AND WILL NOT CONSIDER TO BE A NUISANCE THOSE INCONVENIENCES OR DISCOMFORTS ARISING FROM FARM OPERATIONS, IF SUCH OPERATIONS ARE CONSISTENT WITH COMMONLY ACCEPTED GOOD MANAGEMENT PRACTICES AND OTHERWISE COMPLY WITH LOCAL, STATE, AND FEDERAL LAWS.

RIGHT TO FARM COVENANT:

THIS PROPERTY IS LOCATED WITHIN ONE-HALF MILE OF AN OPERATING FARM, AGRICULTURE OR RURAL DISTRICT. THE DEVELOPER AND ANY SUBSEQUENT PURCHASER OR SUCCESSORS IN INTEREST OF ALL OF THE LOTS WITHIN THIS SHORT PLAT WILL REFRAIN FROM ANY LEGAL ACTION TO RESTRAIN OR COLLECT DAMAGES FROM OWNERS OR OPERATORS OF SUCH SAID AGRICULTURAL LANDS; FROM THE CITY OF LYNDEN; OR FROM WHATCOM COUNTY, ARISING OUT OF ANY REASONABLE AND LAWFUL FARM OPERATIONS ON SAID AGRICULTURAL LANDS WHICH OCCURS IN THE NORMAL COURSE OF THEIR ESTABLISHED USE. UPON SALE OF EACH LOT, THE SELLER SHALL REQUIRE THAT THE "DISCLOSURE STATEMENT" AS SET FORTH IN CHAPTER 17.23.040 SECTION B, LYNDEN MUNICIPAL CODE BE SIGNED BY THE PURCHASER AND RECORDED IN THE COUNTY AUDITOR'S OFFICE IN CONJUNCTION WITH THE DEED CONVEYING SAID LOT. THIS COVENANT SHALL RUN WITH THE LAND.

AUDITOR'S CERTIFICATE
FILED FOR THE RECORD THIS _____ DAY OF _____ 2020 AT _____ IN BOOK _____ OF SURVEYS ON PAGE _____ AT THE REQUEST OF COMPASS POINT SURVEY LLC.

COUNTY AUDITOR _____ DEPUTY _____

AUDITOR'S FILE No. _____

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 _____ TIMOTHY BROERSMA _____ IN _____ NOVEMBER _____ OF 2020.

DATE _____ CERTIFICATE No. 53687

NIEUWSMA SHORT PLAT VACATION
WITHIN THE SW 1/4, NE 1/4, SECTION 19,
TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M.
WHATCOM COUNTY, WASHINGTON

Drawn by: RL	Drawing: NIEUWSMA SP VACA.dwg	Date: 12/11/20	Field Book:
Reviewed by: DL	Dir: G:\194003\BROERSMA	Sheet: 1 of 2	PAGE:

