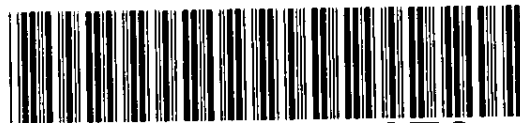


After Recording, return original to:
Open Water Trust c/o Larry Williams
7853 SE 27th St #180
Mercer Island, WA 98040



20110218001076

CHICAGO TITLE AG 65.00
PAGE-001 OF 004
02/18/2011 12:00
KING COUNTY, WA

W-1273395-ETU

4/\$66

Title: Boundary Line Agreement Exhibits

Reference No.: 6713440

First Parties: Roy N. Bathum Jr. and Marjorie L. Bathum

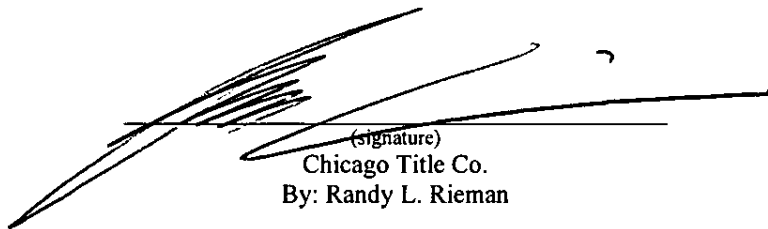
Second Parties: Walter Thayer Ride Jr. and Margery Ann Ride

Abbreviated Description:

Lots 7-8, Sandy Beach Tracts unrecorded, #755850 in SW¹/₄ SE¹/₄ (GL 3) 18-24-5E

Assessor's property Tax Account No(s): 755850- 0036 and 0040

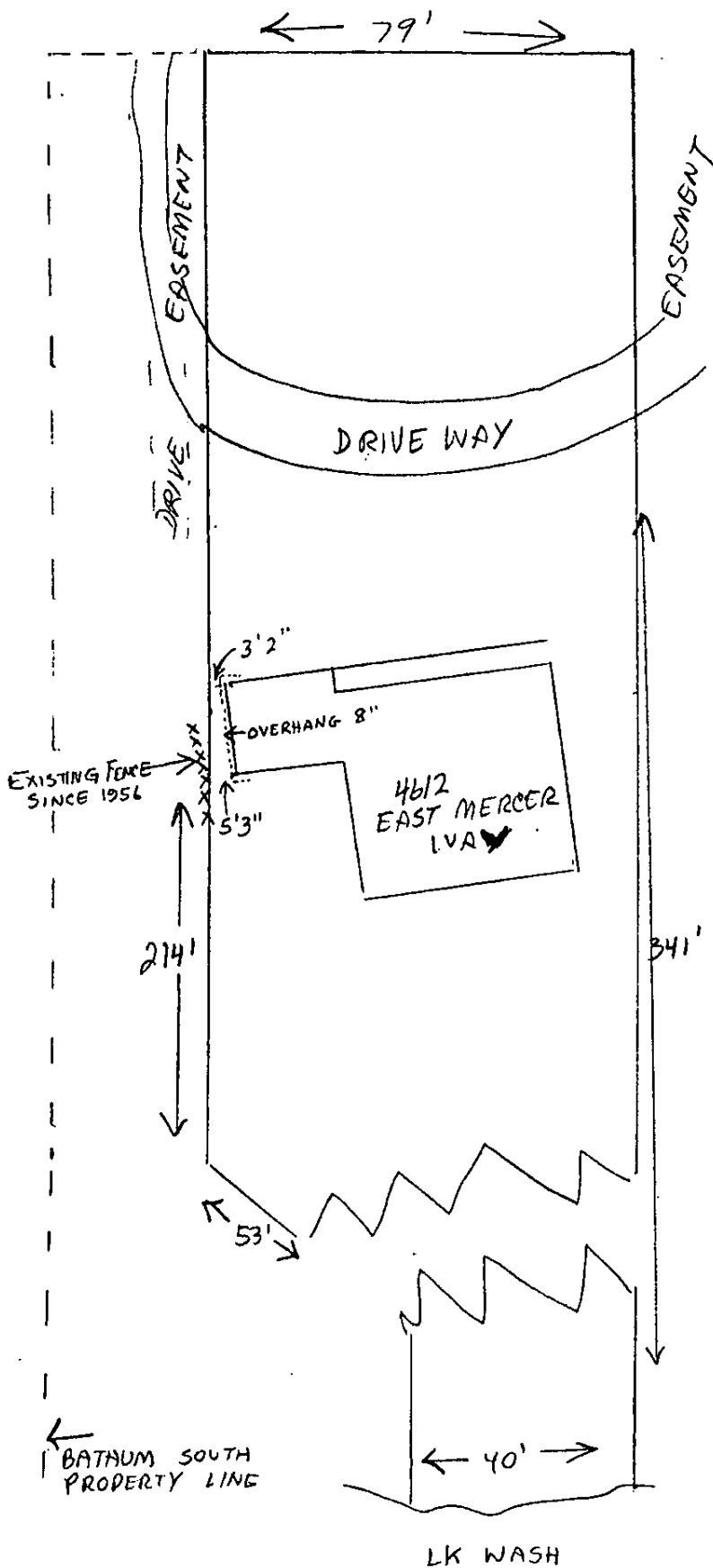
The attached document is a true and correct COPY of that certain original instrument which could not be recorded, as it did not meet legibility, paper size or font size requirements


(signature)
Chicago Title Co.
By: Randy L. Rieman

ATTACHED FOR RECORD BY CHICAGO TITLE COMPANY

*** AS A MISCELLANEOUS ACCOMMODATION ONLY! ***

MRS W.T. RIDE, Jr
Request for sideyard -
set back variance
11/24/70



PLANNING DEPARTMENT
STAFF REPORT
VARIANCE

APPLICANT: Walter T. Ride, Jr.

LOCATION: 4612 East Mercer Way - portion of lots 7-8, Sandy Beach Tracts.

ZONING: R-15

PLANNING COMMISSION HEARING: December 16, 1970

CITY COUNCIL HEARING: December 28, 1970

REQUEST: Side yard variance of one foot, ten inches, for an existing addition to a residence, and one foot for eaves thereon.

- COMMENTS:
1. Applicant applied for, and was granted, a building permit for an addition to his house, nearly two years ago. This showed a conforming side yard setback on the south side.
 2. A recent survey revealed that an existing fence was not, in fact, the common boundary between the Ride property and the Bathum property to the south. They have executed a property line agreement to correct this, but this leaves the house addition only three ft., two inches from the corrected property line. The Bathums support the granting of this variance, made necessary by this agreement.
 3. Similar situations are not found in the immediate area. Due west, atop the hill in the Allview Heights area, survey errors led the Planning Commission to grant variances to Leo Fischer and John Anthony, so that houses located by innocent error could be made conforming.
 4. The Planning Commission unanimously voted to recommend this application for approval.

CITY OF MERCER ISLAND

RESOLUTION NO. 493

APPROVING VARIANCE APPLICATION OF WALTER T. RIDE

WHEREAS application was made by Walter T. Ride, for the owner of real property described as follows:

That portion of Government Lot 3, in section 18, township 24 north, range 5 east, W.M., in King County, Washington, described as follows: Beginning at a point on the west line of said Government Lot 3 which is south $0^{\circ}58'10''$ east 74.10 feet from the northwest corner thereof; thence south $89^{\circ}16'00''$ west parallel with the north line of the southwest quarter of the southeast quarter of said section, 43.53 feet; thence south parallel with the east line of said subdivision 79 feet; thence east parallel with the north line of said subdivision and with the north line of said Government Lot, 214.57 feet; thence north $42^{\circ}47'34''$ east 53.79 feet; thence north $89^{\circ}16'00''$ east parallel with the north line of said Government Lot, 89 feet, more or less, to the shore of Lake Washington; thence northerly along the shoreline of Lake Washington to a point which bears north $89^{\circ}16'00''$ east from the point of beginning; thence south $89^{\circ}16'00''$ west parallel with the north line of said Government Lot, 296 feet, more or less to the point of beginning.

Also known as a portion of tracts 7 and 8; Sandy Beach Tracts.

asking for variances thereon from the minimum side yard setback requirements of Subsection 7.04 and 16.04.3, City of Mercer Island Ordinance No. 15, and

WHEREAS the City of Mercer Island Planning Commission, at a public hearing on December 16, 1970, considered this application and approved a motion recommending it to the City Council for approval, finding the requirements of Subsection 18.02 of the Zoning Code to have been met, and

WHEREAS the Mercer Island City Council, at a public meeting on December 28, 1970, heard and concurred in the recommendations of the Planning Commission, now, therefore,

BE IT RESOLVED by the Mayor and City Council of the City of Mercer Island, that variances from the minimum side yard requirements of Subsections 7.04 and 16.04.3, of City of Mercer Island Ordinance No. 15, be granted on the above described real property, to permit a house addition to have a 3-foot 2-inch setback from the south property line, and the eaves thereon to extend to within 2 feet 6 inches of the south property line.

ADOPTED this 11th day of January, 1971.

COPY

Aubrey Davis, Jr. Mayor

ATTEST:

Robert C. Weiss, City Clerk