

AGREEMENT

THIS AGREEMENT, made in triplicate, by and between
 the CITY OF MOUNTLAKE TERRACE, a municipal corporation, hereinafter
 referred to as "The City" and SNOHOMISH COUNTY FIRE PROTECTION DISTRICT
 #1, a municipal corporation, hereinafter referred to as "The District"

WITNESSETH

WHEREAS, the parties are presently involved in certain
 litigation, the same being entitled "The City of Mountlake Terrace,
 a municipal corporation, Plaintiff, vs Snohomish County Fire Pro-
 tection District #1, a municipal corporation, defendant", which said
 cause is presently pending in the Superior Court of the State of
 Washington for Snohomish County under Cause No. 59259, and

WHEREAS, said litigation has arisen by reason of the
 fact that the City of Mountlake Terrace was carved out of the district
 and certain additional property has been annexed to the city which
 has also been taken from the district; and

WHEREAS, the City has claimed that by reason of its
 incorporation and annexation referred to that it has certain rights
 in the property of the district and the annexation referred to is that
 of the 16th day of January, 1956 annexing the following described
 real property, to-wit:

Blocks 1 and 2 of the Plat of Appleton Acre Tracts; together
 with a portion of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 29,
 Township 27 N., Range 4 E., W.M., more particularly described
 as follows:

That portion of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 29, Township 27 N.,
 Range 4 E., W.M., described as follows:

Beginning at the Northeast corner of Lot 10, Block 7, Appleton
 Acre Tracts according to plat thereof; thence East 30 feet;
 thence North 1350 feet, more or less to the Northeast corner
 of the plat of Fir Lane; thence West 660 feet, more or less
 to the west line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said
 Section 29; thence South 330 feet; thence East 294 feet;
 thence South 165 feet; thence West 294 feet; thence South
 660 feet to the SW corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence West
 660 feet, more or less to the Northwest corner of the plat
 of Appleton Acre Tracts; thence South along said west line,
 1350 feet; more or less, to the existing city limits; thence
 East, along the north margin of Blocks 7 and 8, aforesaid Apple-
 ton Acre Tracts, to the point of beginning, situate in Snohomish
 County, Washington;

and

WHEREAS, there is some question as to the rights of the City and some question as to the rights of the District in said property by reason of said incorporation and said annexation and in order to settle these rights

NOW, THEREFORE, in consideration of the mutual covenants herein contained, it is agreed by and between the parties as follows:

1. That the parties agree that the aforesaid Superior Court cause may be dismissed with prejudice, and without costs to either party, and, by these presents, authorize and instruct their attorneys of record therein to prepare, execute and approve a Stipulation and Order of Dismissal therein.

2. That the City, in accordance with the Laws of the State of Washington of 1951, Ch. 248~~s~~4, as amended, RCW 35.13.250, does expressly waive any and all claims, to any asset or assets of The District or any proportionate or undivided share thereof or any interest therein, which said claim is based upon the incorporation of the city of Mountlake Terrace out of territory of the District or is based upon or arises out of the annexation hereinabove referred to, but expressly reserves the right to make such claim or demand in the event of any additional annexation of territory to the City and out of the territory of the District which may hereafter occur.

3. That The District agrees to execute and deliver a Quit-Claim Deed conveying to The City the following described property:

Commencing at the northeast corner of the North Half of the Northwest Quarter of the Southwest Quarter of the Northwest Quarter of Section 33, Township 27 N. R. 4 E.W.M., said point being also the Northeast corner of Plat of Mountlake Terrace Division No. 23, according to Plat thereof recorded in Volume 13 of plats, page 75, records of Snohomish County, Washington; thence South 0° 04' 56" East along the East Line of said Subdivision 150.01 feet to the true point of beginning; thence North 88° 45' 23" West 46 feet; thence North 0° 04' 56" West 61.00 feet; thence South 88° 45' 23" East 46 feet to the true point of beginning,

together with the personal property contained therein on April 1, 1956, if any.

Vol 591 FEB 195

That The City shall be entitled to possession of the aforesaid property from and after the 1st day of April, 1936, and The District hereby waives any and all claims or demands for rent or for anything whatever resulting from The City's possession, use or occupancy of the said premises from and after the aforementioned date.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 13 day of April, 1936.

CITY OF MOUNTLAKE TERRACE

By Walter E. Johnson
City Manager

Seal

SNODGRASS COUNTY FIRE PROTECTION
DISTRICT NO. 1

By _____

Seal

591 - 193