

**ATTACHMENT A
PROPOSED EDITS TO ORDINANCE AMENDING CHAPTER 29.43 CCC
BOUNDARY LINE AGREEMENTS**

Section 1. Section .80, Applicability.

(2) Boundary line agreements may be used when "a point or line determining the boundary between two or more parcels of real property cannot be identified from the existing public record, monuments, and landmarks, or is in dispute," pursuant to the provisions of RCW 58.04.007 and this Chapter.

Section 6. Section .450, Boundary line agreements,

(1) ~~If the parties to the an agreement pursuant to RCW 58.04.007(1) meet the criteria of this section, then the County shall process any boundary line change reflected in the agreement, provide documentation as specified below that supports the conclusion that "a point or line determining the boundary between two or more parcels of real property cannot be identified from the existing public record, monuments, and landmarks, or is in dispute," then the Administrator shall authorize in writing the recording of the agreement pursuant to RCW 58.04.007(1).~~

(2) The parties to the agreement shall submit the following documentation to the Administrator:

(a) Either a writing(s) signed under penalty of perjury of law by all parties to the agreement describing in detail the circumstances, and attaching any relevant documentation (i.e. communications, photographs, maps, and the like), evidencing that "a point or line determining the boundary between two or more parcels of real property is in dispute" or a writing signed under penalty of perjury of law by a licensed surveyor declaring that, based on his/her professional judgment, "a point or line determining the boundary between two or more parcels of real property cannot be identified from the existing public record, monuments, and landmarks."

(b) A copy of the fully executed agreement ~~to be recorded~~ pursuant to the provisions of RCW 58.04.007(1), including the legal descriptions and survey map; and

(c) Applicable fee pursuant to CCC 5.100.300, Fees for Planning Division services.

(3) ~~The Administrator shall review the documentation to determine if the writing(s) signed under penalty of perjury of law document that whether~~ "a point or line determining the boundary between two or more parcels of real property cannot be identified from the existing public record, monuments, and landmarks, or is in dispute," ~~then the Administrator shall determine that for the purpose of ensuring that~~ the process provided under RCW 58.04.007 is ~~not being~~ used for purposes for which it was ~~not~~ intended. ~~The Administrator may request additional documentation if the documentation provided is considered insufficient to make such a determination.~~

(4) The Administrator shall make a determination, to be communicated to the parties of the agreement in writing, within 30 calendar days from receipt of all the required documentation, ~~or the receipt of any additional documentation, if so requested.~~ Any party to the agreement may appeal the Administrator's determination to the Hearing Examiner, according to the appeal provisions of CCC 26.10.610(1), within 14 calendar days after the date the determination was mailed to the parties to the agreement. ~~The written determination by the Administrator that the agreement is being used for a purpose for which it was intended may be recorded and shall include the following language:~~

~~(a) That the Administrator did not review the agreement for a determination that the resulting lots meet the criteria specified for a Boundary Line Adjustment reflected in this Chapter, including whether the resulting lots meet all dimension and area requirements of all applicable land use and environmental health regulations, including, but not limited to those found in this Title, the Zoning Code, Shoreline Master Program, and the Critical Areas Code, and that, as a result, the resulting lots may not contain building sites;~~

~~(b) That the Administrator strongly recommends that the parties to the agreement submit an application for a Boundary Line Adjustment for a determination that the resulting lots meet all the criteria specified for a Boundary Line Adjustment, including a determination that the resulting lots meet all dimension and area requirements of all applicable land use and environmental health regulations, including, but not limited to those found in this Title, the Zoning Code, Shoreline Master Program, and the Critical Areas Code; and~~

~~(c) That the parties to the agreement must record conveyance documents, if applicable, and that pursuant to RCW 84.56.345 and 58.08.040, prior to June 1st, current year and any delinquent taxes must be paid before any boundary line change and conveyance documents may be recorded, and that after May 31st, estimated advance taxes must also be paid.~~

~~The agreement may be recorded only after the Administrator has authorized recording pursuant to this section.~~