

REVISED

City of Bainbridge Island  
APR - 9 2018

Planning and  
Community Development

## Agreement Regarding Joint Use Overwater Structure

Effective Date: March 14, 2018

This agreement regarding a joint-use ramp and float structure is made as of the date shown above between Anthony and Sharon Jacobellis (hereinafter referred to as the owner Lot A), the owner of the property commonly known as 7680 NE Hidden Cove Road, Bainbridge Island, WA 98110, Tax account parcel #042502-1-131-2001 more particularly described in Exhibit A attached hereto, and Michael and Donna Marino, 7700 NE Hidden Cove Road, Bainbridge Island, WA 98110. Tax account parcel #042502-1-130-2002 more particularly described in Exhibit B attached hereto. Lots A and B are shown on the attached plat map, Exhibit C.

Whereas, the owners of Lots A and B have commenced with plans to construct a new joint-use ramp and float structure to be located on Lot A.

Whereas, the owners wish to enter into an agreement to provide for the use, access, and such other matters concerning the joint-use ramp and float structure.

Now, therefore, in consideration of the mutual benefits to be derived here from, the parties covenant and agree as follows:

1. Joint Use Restriction: The current and future owners of Lots A and B (hereinafter referred to as the Joint Use Owners) voluntarily agree to build no additional overwater structures on Lots A and B, except for the maintenance or modification of the joint-use ramp, and float structure to be located on Lot A.
2. Joint Use Construction: The current and future Joint Use Owners agree to and recognize the requirements for construction, use and mitigation requirements associated with the joint-use ramp, and float structure to be located on Lot A.
3. Access Rights: The current and future Joint Use Owners hereby convey and warrant to the current owners and future owners of the affected parcels an access easement over and across the affected parcel as is reasonable and desirable to gain ingress and egress to the joint-use ramp, and float structure.
4. Binding Effect: This agreement shall be binding upon and inure to the benefit of the current and future Joint Use Owners, their heirs, successors and assigns of the affected parcels, and all covenants contained herein shall run with the land and this joint-use agreement shall be recorded on the deed or title for each parcel.
5. This agreement may not be amended without the written permission of all governmental agencies (in particular, the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch) having jurisdiction over the joint-use ramp and float structure.

SO AGREED,

Current Owners of Lot A Tax #042502-1-131-2001  
Anthony and Sharon Jacobellis

Signature

Date

3/24/18

Print Name

Signature

Date

3/24/18

Print Name

Current Owner of Lot B Tax #042502-1-130-2002  
Michael and Donna Marino

Signature

Date

3/24/18

Print Name

Signature

Date

3/24/18

Print Name

ATTACHMENTS:

Exhibit A: Legal description of Lot A

Exhibit B: Legal description of Lot B

Exhibit C: Plot Map

## EXHIBIT "A"

### Description of Lot A Anthony and Sharon Jacobellis

Tax #042502-1-131-2001

7680 NE Hidden Cove Road, Bainbridge Island, WA 98110

Section 04 Township 25 Range 2E NE Qtr

LOT B, CITY OF BAINBRIDGE ISLAND SHORT PLAT NO. BI-268, (PLN14928SPT), RECORDED UNDER AUDITOR'S FILE NOS. 201509210165 & 201509210166, IN VOLUME 22 OF SHORT PLATS, PAGES 170 THRU 174, BEING A PORTION OF GOVERNMENT LOT 1, IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 4, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., RECORDS OF KITSAP COUNTY, WASHINGTON; TOGETHER WITH AND SUBJECT TO EASEMENTS AS DEPICTED ON SAID SHORT PLAT.

## EXHIBIT "B"

### Description of Lot B Michael and Donna Marino

Tax #042502-1-130-2002

7700 NE Hidden Cove Road, Bainbridge Island, WA 98110

Section 04 Township 25 Range 2E NE Qtr

LOT A, CITY OF BAINBRIDGE ISLAND SHORT PLAT NO. BI-268, (PLN14928SPT), RECORDED UNDER AUDITOR'S FILE NOS. 201509210165 & 201509210166, IN VOLUME 22 OF SHORT PLATS, PAGES 170 THRU 174, BEING A PORTION OF GOVERNMENT LOT 1, IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 4, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., RECORDS OF KITSAP COUNTY, WASHINGTON; TOGETHER WITH AND SUBJECT TO EASEMENTS AS DEPICTED ON SAID SHORT PLAT.