

ORDINANCE O-4368

AN ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF CONSTRUCTION OF THE NE 120<sup>TH</sup> STREET ROADWAY EXTENSION PROJECT WITHIN THE CITY OF KIRKLAND, PROVIDING FOR THE COST OF PROPERTY ACQUISITION AND AUTHORIZING THE INITIATION OF APPROPRIATE EMINENT DOMAIN PROCEEDINGS IN THE MANNER PROVIDED FOR BY LAW.

WHEREAS, the NE 120<sup>th</sup> Street Roadway Extension Project ("Project") is an approved and funded project in the City's Capital Improvement Program ("CIP"); and

WHEREAS, the Project improvements are necessary to improve multimodal mobility and provide emergency vehicle access and congestion mitigation in the Totem Lake Neighborhood; and

WHEREAS, the City Council finds that the public health, safety, necessity, and convenience require construction of the Project and acquisition of the property described in this Ordinance; and

WHEREAS, the City has provided notice to affected property owners of this final action authorizing condemnation pursuant to RCW 8.25.290.

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. The lands and property rights within the City of Kirkland, King County, Washington, described in Exhibit A attached to this Ordinance and which descriptions are hereby incorporated by reference, necessary for public road purposes, are hereby condemned, appropriated and taken for such public purposes, subject to the making or paying of just compensation to the owners thereof in the manner provided by law.

Section 2. The Project is fully-funded and the expense of acquiring said property rights shall be paid for from the appropriate funding source within the city's portion of general current revenue for each CIP project.

Section 3. The City Attorney is authorized and directed to begin and prosecute legal proceedings in the manner provided by the law to purchase, condemn, take, appropriate, and otherwise acquire the lands and other property rights and privileges necessary to carry out the purposes of this Ordinance.

Section 4. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication

pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 7th day of August, 2012.

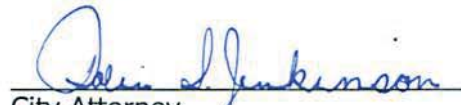
Signed in authentication thereof this 7th day of August, 2012.

  
MAYOR

Attest:

  
City Clerk

Approved as to Form:

  
City Attorney

**PERTEET, INC.**  
**PROJECT NO. 27043.000**  
**January 12, 2012**

*Frontier full parcel legal description*

**EXHIBIT A**

Lot A, City of Kirkland Lot Line Adjustment Number LLA-04-00011, recorded under Recording Number 20041216900011, said lot line adjustment being a portion of the Northwest Quarter of the Southeast Quarter of Section 28, Township 26 North, Range 5 East, W.M., in King County, Washington.

PERTEET, INC.  
PROJECT NO. 27043.000  
January 12, 2012

*Frontier - Right of Way to be acquired by City*

**EXHIBIT B**

That portion of Lot A, City of Kirkland Lot Line Adjustment Number LLA-04-00011, recorded under Recording Number 20041216900011, said lot line adjustment being a portion of the Northwest Quarter of the Southeast Quarter of Section 28, Township 26 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Southwest corner of said boundary which bears South  $89^{\circ}09'12''$  West from the Southeast corner of said boundary;  
Thence North  $01^{\circ}43'56''$  East, along said boundary, a distance of 20.34 feet to a non-tangent curve to the left having a radius of 468.00 feet, the radius point of which bears North  $05^{\circ}10'19''$  West;  
Thence Easterly along said curve through a central angle of  $2^{\circ}48'47''$  and an arc distance of 22.98 feet;  
Thence North  $82^{\circ}00'54''$  East a distance of 83.06 feet;  
Thence South  $07^{\circ}59'06''$  East a distance of 4.00 feet;  
Thence North  $82^{\circ}00'54''$  East a distance of 84.54 feet to a curve to the right having a radius of 528.00 feet;  
Thence along said curve through a central angle of  $5^{\circ}29'28''$  and an arc distance of 50.60 feet;  
Thence North  $87^{\circ}30'22''$  East a distance of 263.40 feet to the Westerly margin of Slater Avenue Northeast;  
Thence South  $13^{\circ}06'54''$  West, along said Westerly margin, a distance of 52.47 feet to the Southerly line of said boundary;  
Thence South  $89^{\circ}09'12''$  West, along said boundary, a distance of 491.64 feet to the Point of Beginning.

Containing 19,868 square feet, more or less.

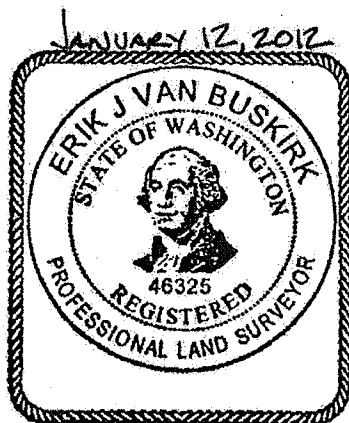
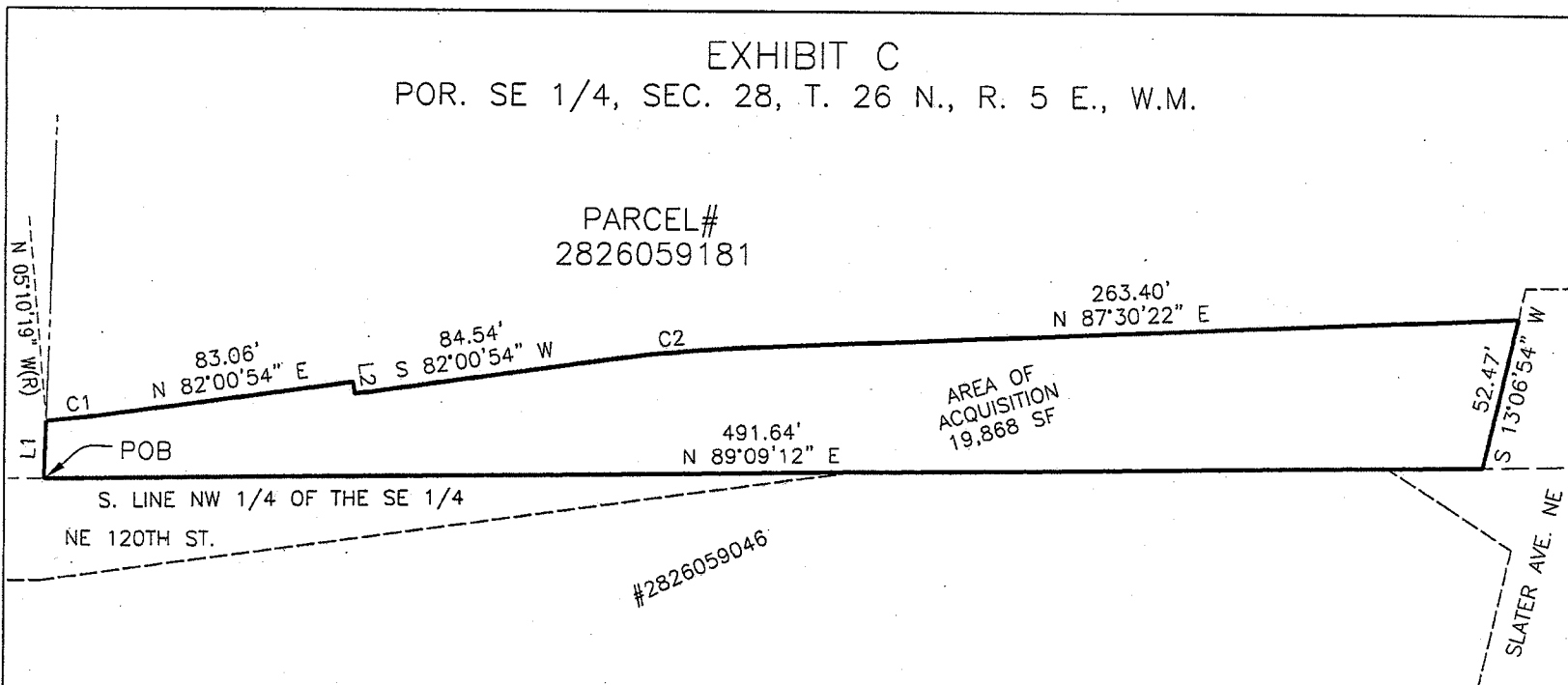


EXHIBIT C  
POR. SE 1/4, SEC. 28, T. 26 N., R. 5 E., W.M.

PARCEL#  
2826059181



PROJECT PARCEL NO.	282605-9181
TOTAL AREA (SF±)	X
FEE ACQUISITION	19,868
REMAINDER (SF±)	X
EASEMENT (SF±)	X

LINE	BEARING	DISTANCE
L1	N 01°43'56" E	20.34'
L2	S 07°59'06" E	4.00'

CURVE	RADIUS	DELTA ANGLE	LENGTH
C1	468.00'	02°48'47"	22.98'
C2	528.00'	05°29'28"	50.60'

EXHIBIT MAP of  
TAX LOT PARCEL NO. 282605-9181  
CITY OF KIRKLAND

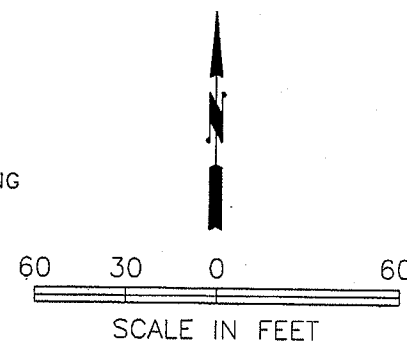
For: Kirkland, City of

DATE: January 12, 2012 Sheet 1 of 1

LEGEND:  
SF..... SQUARE FEET  
(R).... RADIAL  
POB... POINT OF BEGINNING



**Perteet** Inc.  
425-252-7700 | 1-800-615-9900  
2707 Colby Avenue, Suite 900  
Everett, Washington 98201



PERTEET, INC.  
PROJECT NO. 27043.000  
January 10, 2012

*Frontier East Temporary Construction Easement*

**EXHIBIT "B"**

That portion of Lot A, City of Kirkland Lot Line Adjustment Number LLA-04-00011, recorded under Recording Number 20041216900011, said lot line adjustment being a portion of the Northwest Quarter of the Southeast Quarter of Section 28, Township 26 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Southeast corner of said boundary which bears North 89°09'12" East from the Southwest corner of said boundary;  
Thence North 13°06'54" East, along said boundary, a distance of 52.47 feet to the Point of Beginning;  
Thence South 87°30'22" West a distance of 138.95 feet;  
Thence North 02°29'38" West a distance of 10.00 feet;  
Thence North 87°30'22" East a distance of 23.09 feet;  
Thence North 02°29'38" West a distance of 40.00 feet;  
Thence North 87°30'22" East a distance of 146.24 feet to the Easterly line of said boundary;  
Thence South 12°59'55" West, along said boundary, a distance of 41.50 feet;  
Thence South 88°53'43" West, along said boundary, a distance of 16.40 feet;  
Thence South 13°06'54" West, along said boundary, a distance of 10.81 feet to the Point of Beginning.

Containing 7,028 square feet, more or less.

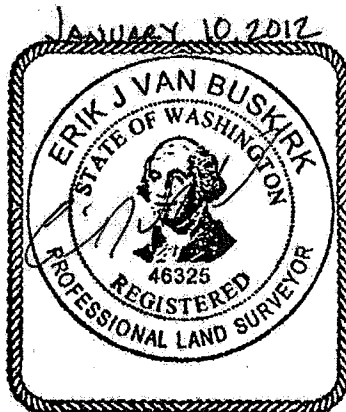
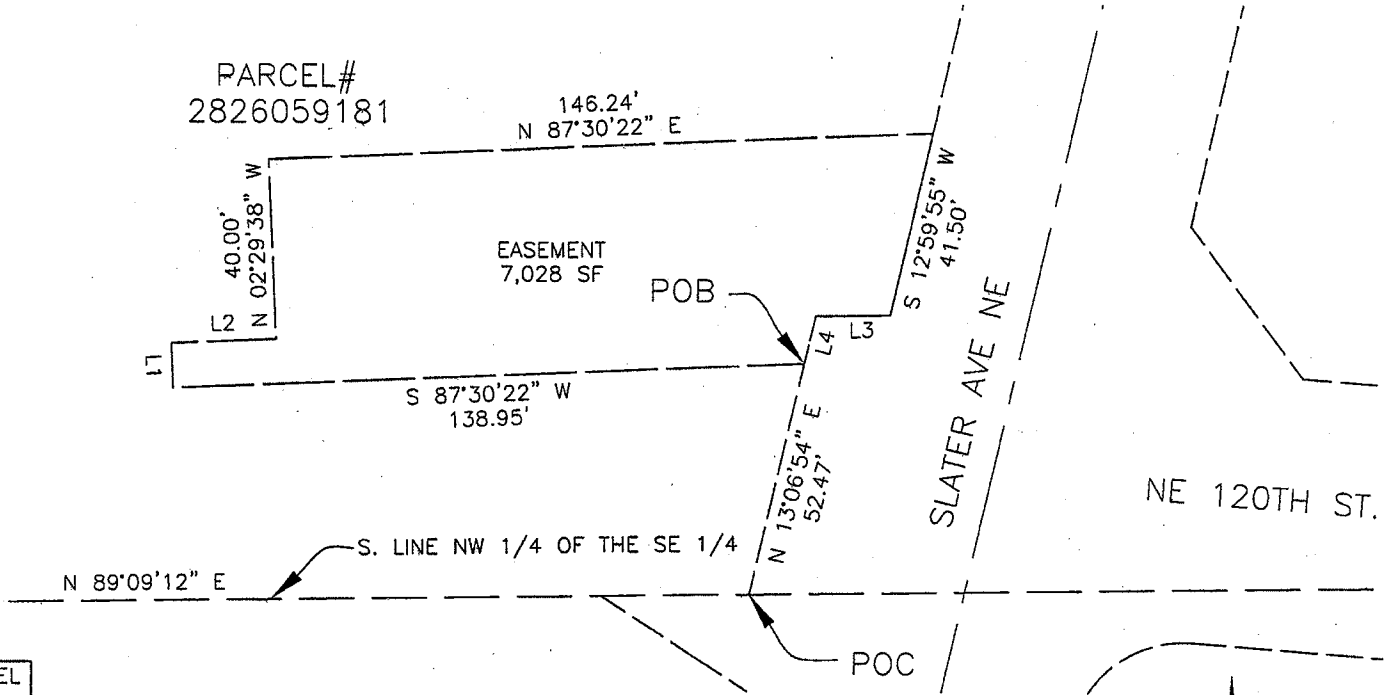


EXHIBIT C  
POR. SE 1/4, SEC. 28, T. 26 N., R. 5 E., W.M.

PARCEL#  
2826059181



PROJECT PARCEL NO.	282605-9181
TOTAL AREA (SF±)	X
FEE ACQUISITION (SF±)	X
REMAINDER (SF±)	X
EASEMENT (SF±)	7,028

LINE	BEARING	DISTANCE
L1	N 02°29'38" W	10.00'
L2	N 87°30'22" E	23.09'
L3	S 88°53'43" W	16.40'
L4	S 13°06'54" W	10.81'

EXHIBIT MAP of  
TAX LOT PARCEL NO. 282605-9181  
CITY OF KIRKLAND

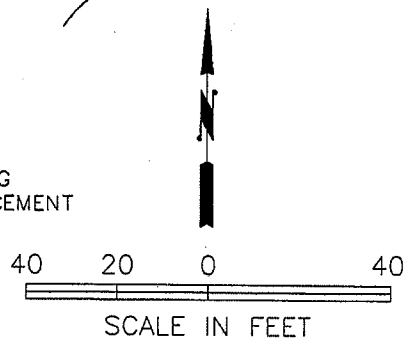
For: Kirkland, City of

DATE: January 10, 2012 Sheet 1 of 1

LEGEND:  
SF..... SQUARE FEET  
(R).... RADIAL  
POB... POINT OF BEGINNING  
POC... POINT OF COMMENCEMENT



**Perteet** Inc.  
425-252-7700 | 1-800-615-9900  
2707 Colby Avenue, Suite 900  
Everett, Washington 98201



PERTEET, INC.  
PROJECT NO. 27043.000  
April 16, 2012

*Frontier - West Temporary Construction Easement*

**EXHIBIT "B"**

That portion of Lot A, City of Kirkland Lot Line Adjustment Number LLA-04-00011, recorded under Recording Number 20041216900011, said Lot being a portion of the Northwest Quarter of the Southeast Quarter of Section 28, Township 26 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Southwest corner of said Lot A which bears South 89°09'12" West from the Southeast corner of said Lot;

Thence North 01°43'56" East, along the Westerly boundary of said Lot, a distance of 100.93 feet;

Thence North 82°00'54" East a distance of 30.44 feet to the Point of Beginning;

Thence North 82°00'54" East a distance of 71.99 feet;

Thence South 07°59'06" East a distance of 74.00 feet;

Thence North 82°00'54" East a distance of 74.54 feet to a tangent curve to the right having a radius of 538.00 feet;

Thence along the arc of said curve through a central angle of 5°29'28" and an arc distance of 51.56 feet;

Thence North 87°30'22" East a distance of 83.16 feet;

Thence South 00°14'53" West a distance of 10.01 feet;

Thence South 87°30'22" West a distance of 82.68 feet to a tangent curve to the left having a radius of 528.00 feet;

Thence along the arc of said curve through a central angle of 5°29'28" and an arc distance of 50.60 feet;

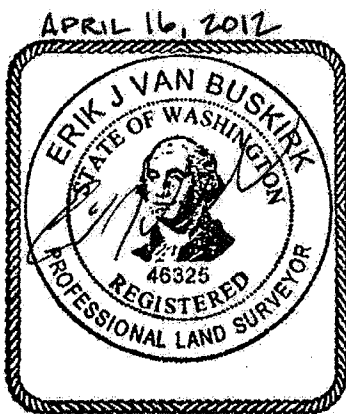
Thence South 82°00'54" West a distance of 84.54 feet;

Thence North 07°59'06" West a distance of 4.00 feet;

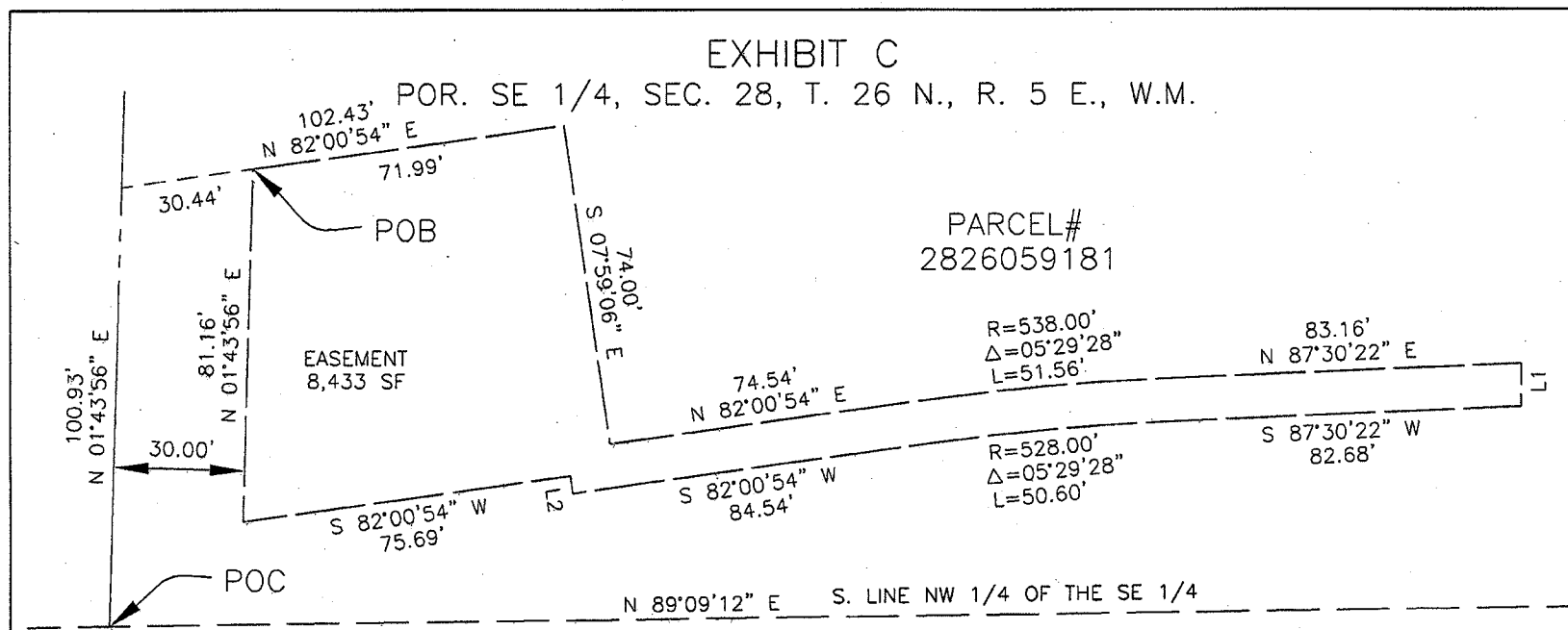
Thence South 82°00'54" West a distance of 75.69 feet to a point which lies 30.00 feet Easterly of the Westerly boundary of said Lot A;

Thence North 01°43'56" East, parallel with the Westerly boundary of said Lot, a distance of 81.16 feet to the Point of Beginning.

Containing 8,433 square feet, more or less.







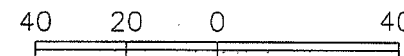
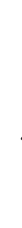
NE 120TH ST.

#2826059046

LINE	BEARING	DISTANCE
L1	S 00°14'53" W	10.01'
L2	N 07°59'06" W	4.00'

**LEGEND:**

- SF..... SQUARE FEET
- (R).... RADIAL
- POB... POINT OF BEGINNING
- POC... POINT OF COMMENCEMENT



SCALE IN FEET

PROJECT PARCEL NO.	EXHIBIT MAP of TAX LOT PARCEL NO. 282605-9181 CITY OF KIRKLAND
282605-9181	
EASEMENT (SF±)	For: Kirkland, City of
8,433	DATE: April 16, 2012 Sheet 1 of 1



**Perteet** Inc.

425-252-7700 | 1-800-615-9900  
2707 Colby Avenue, Suite 900  
Everett, Washington 98201

PERTEET, INC.  
PROJECT NO. 27043.000  
January 12, 2012

*Infiniti Parcel - Full legal description*

**EXHIBIT A**

The North 3.5 acres of that portion of the Southwest Quarter of the Southeast Quarter of Section 28, Township 26 North, Range 5 East, W.M., in King County, Washington, lying West of County Road No. 970 (Slater Avenue Northeast, being 60 feet in width);

TOGETHER WITH that portion of the Southwest Quarter of the Southeast Quarter of said Section 28, described as follows:

Beginning at the intersection of the Northwesterly margin of County Road No. 970 (Slater Avenue Northeast) and the South line of the North 3.5 acres of said subdivision;

Thence South  $89^{\circ}05'54''$  West, along the South line of said North 3.5 acres to the West line of said subdivision;

Thence Southerly along the West line 20.7 feet;

Thence South  $88^{\circ}34'56''$  East to the Westerly margin of County Road No. 970 (Slater Avenue Northeast);

Thence Northeasterly along said Westerly margin to the Point of Beginning;

EXCEPT that portion thereof lying Westerly of the Easterly boundary of 124<sup>th</sup> Avenue Northeast, and its Southerly extension, as conveyed by deed recorded under Recording Number 7101070324;

AND EXCEPT any portion thereof lying Southerly of the boundary line established in King County Superior Court Cause Numbers 718510 and 719479, and as described as follows:

Beginning at the intersection of the South line of the North 3.5 acres of that portion of said Southwest Quarter of the Southeast Quarter of said Section 28 lying Westerly of County Road No. 970, and the Westerly margin of said County Road No. 970;

Thence Westerly along said South line to the West line of said subdivision;

Thence Southerly along said West line 20.7 feet to the TRUE POINT OF BEGINNING of said boundary line;

Thence Easterly 100 feet to a point which is 23.24 feet Southerly, measured at right angles, from said South line;

Thence Easterly 100 feet to a point which is 27.30 feet Southerly, measured at right angles, from said South line;

Thence Easterly 100 feet to a point which is 31.90 feet Southerly, measured at right angles, from said South line;

Thence easterly 100 feet to a point which is 35.60 feet Southerly, measured at right angles, from said South line;

Thence Easterly 100 feet to a point which is 39.40 feet Southerly, measured at right angles, from said South line;

Thence Easterly 100 feet to a point which is 43.50 feet Southerly, measured at right angles, from said South line;

Thence Easterly 100 feet to a point which is 46.40 feet Southerly, measured at right angles, from said South line;

Thence Easterly 59 feet to a point which is 49.10 feet Southerly, measured at right angles, from said South line;

Thence continuing on the same course to the Westerly margin of said County Road No. 970 and the terminus of said boundary line.

AND EXCEPT that portion conveyed to the City of Kirkland for road purposes by deed recorded under Recording Number 20020502002012;

AND EXCEPT that portion conveyed to the City of Kirkland for road purposes by deed recorded under Recording Number 20070919002477 (said deed being a correction of deeds recorded under Recording Numbers 20070419001940 and 20070718001655).

PERTEET, INC.  
PROJECT NO. 27043.000  
January 12, 2012

*Infiniti - Right of way to be acquired by City*

**EXHIBIT B**

That portion of the North 3.5 acres of that portion of the Southwest Quarter of the Southeast Quarter of Section 28, Township 26 North, Range 5 East, W.M., in King County, Washington, lying West of County Road No. 970 (Slater Avenue Northeast, being 60 feet in width);

TOGETHER WITH that portion of the Southwest Quarter of the Southeast Quarter of said Section 28, described as follows:

Beginning at the intersection of the Northwesterly margin of County Road No. 970 (Slater Avenue Northeast) and the South line of the North 3.5 acres of said subdivision;  
Thence South 89°05'54" West, along the South line of said North 3.5 acres to the West line of said subdivision;  
Thence Southerly along the West line 20.7 feet;  
Thence South 88°34'56" East to the Westerly margin of County Road No. 970 (Slater Avenue Northeast);  
Thence Northeasterly along said Westerly margin to the Point of Beginning;

EXCEPT that portion thereof lying Westerly of the Easterly boundary of 124<sup>th</sup> Avenue Northeast, and its Southerly extension, as conveyed by deed recorded under Recording Number 7101070324;

AND EXCEPT any portion thereof lying Southerly of the boundary line established in King County Superior Court Cause Numbers 718510 and 719479, and as described as follows:

Beginning at the intersection of the South line of the North 3.5 acres of that portion of said Southwest Quarter of the Southeast Quarter of said Section 28 lying Westerly of County Road No. 970, and the Westerly margin of said County Road No. 970;  
Thence Westerly along said South line to the West line of said subdivision;  
Thence Southerly along said West line 20.7 feet to the TRUE POINT OF BEGINNING of said boundary line;  
Thence Easterly 100 feet to a point which is 23.24 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 27.30 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 31.90 feet Southerly, measured at right angles, from said South line;  
Thence easterly 100 feet to a point which is 35.60 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 39.40 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 43.50 feet Southerly, measured at right angles, from said South line;

Thence Easterly 100 feet to a point which is 46.40 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 59 feet to a point which is 49.10 feet Southerly, measured at right angles, from said South line;  
Thence continuing on the same course to the Westerly margin of said County Road No. 970 and the terminus of said boundary line.

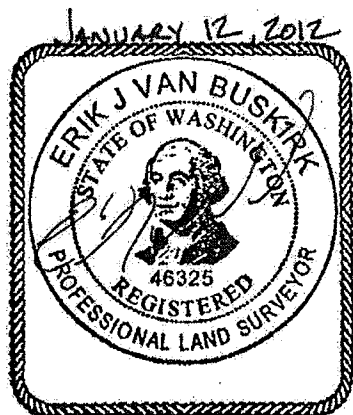
AND EXCEPT that portion conveyed to the City of Kirkland for road purposes by deed recorded under Recording Number 20020502002012;

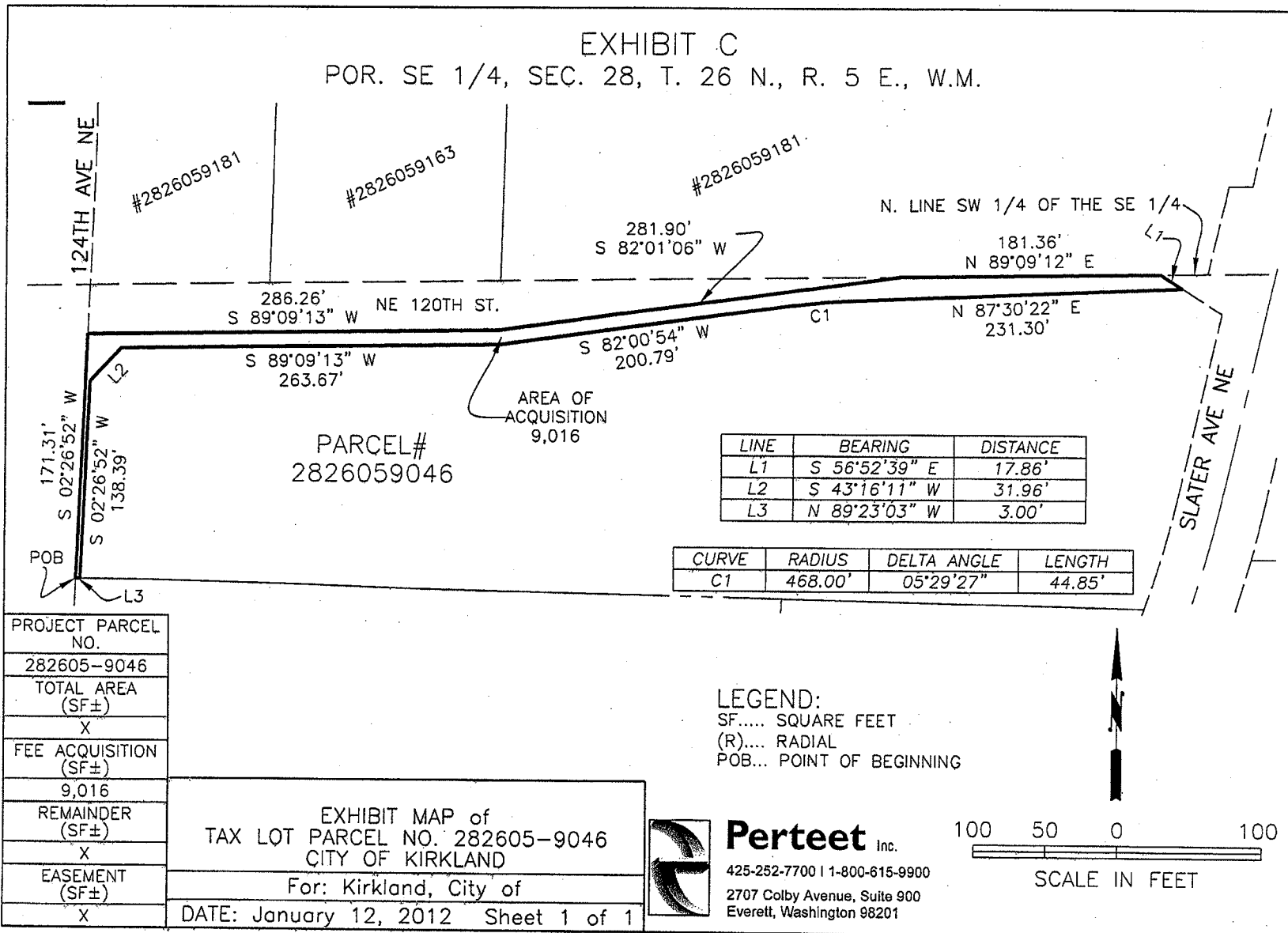
AND EXCEPT that portion conveyed to the City of Kirkland for road purposes by deed recorded under Recording Number 20070919002477 (said deed being a correction of deeds recorded under Recording Numbers 20070419001940 and 20070718001655).

More particularly described as follows:

Beginning at the Southwest corner of said boundary;  
Thence North  $02^{\circ}26'52''$  East, along said boundary, a distance of 171.31 feet to the Northwest corner of said boundary;  
Thence North  $89^{\circ}09'13''$  East, along said boundary, a distance of 286.26 feet;  
Thence North  $82^{\circ}01'06''$  East, along said boundary, a distance of 281.90 feet;  
thence North  $89^{\circ}09'12''$  East a distance of 181.36 feet to the Westerly margin of Slater Avenue Northeast;  
Thence South  $56^{\circ}52'39''$  East, along said margin, a distance of 17.86 feet;  
Thence South  $87^{\circ}30'22''$  West a distance of 231.30 feet to a curve to the left having a radius of 468.00 feet;  
Thence along said curve through a central angle of  $5^{\circ}29'27''$  and an arc distance of 44.85 feet;  
Thence South  $82^{\circ}00'54''$  West a distance of 200.79 feet;  
Thence South  $89^{\circ}09'13''$  West a distance of 263.67 feet;  
Thence South  $43^{\circ}16'11''$  West a distance of 31.96 feet;  
Thence South  $02^{\circ}26'52''$  West a distance of 138.39 feet to the Southerly line of said boundary;  
Thence North  $89^{\circ}23'03''$  West, along the Southerly line of said boundary a distance of 3.00 feet to the Point of Beginning.

Containing 9,016 square feet, more or less.





PROJECT PARCEL NO.	282605-9046
TOTAL AREA (SF±)	X
FEE ACQUISITION (SF±)	9,016
REMAINDER (SF±)	X
EASEMENT (SF±)	X

EXHIBIT MAP of  
 TAX LOT PARCEL NO. 282605-9046  
 CITY OF KIRKLAND  
 For: Kirkland, City of  
 DATE: January 12, 2012 Sheet 1 of 1



**Perteet** Inc.  
 425-252-7700 | 1-800-615-9900  
 2707 Colby Avenue, Suite 900  
 Everett, Washington 98201

PERTEET, INC.  
PROJECT NO. 27043.000  
January 10, 2012

*Infinity - Wall Easement*

**EXHIBIT "B"**

That portion of the North 3.5 acres of that portion of the Southwest Quarter of the Southeast Quarter of Section 28, Township 26 North, Range 5 East, W.M., in King County, Washington, lying West of County Road No. 970 (Slater Avenue Northeast, being 60 feet in width);

TOGETHER WITH that portion of the Southwest Quarter of the Southeast Quarter of said Section 28, described as follows:

Beginning at the intersection of the Northwesterly margin of County Road No. 970 (Slater Avenue Northeast) and the South line of the North 3.5 acres of said subdivision;  
Thence South 89°05'54" West, along the South line of said North 3.5 acres to the West line of said subdivision;  
Thence Southerly along the West line 20.7 feet;  
Thence South 88°34'56" East to the Westerly margin of County Road No. 970 (Slater Avenue Northeast);  
Thence Northeasterly along said Westerly margin to the Point of Beginning;

EXCEPT that portion thereof lying Westerly of the Easterly boundary of 124<sup>th</sup> Avenue Northeast, and its Southerly extension, as conveyed by deed recorded under Recording Number 7101070324;

AND EXCEPT any portion thereof lying Southerly of the boundary line established in King County Superior Court Cause Numbers 718510 and 719479, and as described as follows:

Beginning at the intersection of the South line of the North 3.5 acres of that portion of said Southwest Quarter of the Southeast Quarter of said Section 28 lying Westerly of County Road No. 970, and the Westerly margin of said County Road No. 970;  
Thence Westerly along said South line to the West line of said subdivision;  
Thence Southerly along said West line 20.7 feet to the TRUE POINT OF BEGINNING of said boundary line;  
Thence Easterly 100 feet to a point which is 23.24 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 27.30 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 31.90 feet Southerly, measured at right angles, from said South line;

Thence easterly 100 feet to a point which is 35.60 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 39.40 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 43.50 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 46.40 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 59 feet to a point which is 49.10 feet Southerly, measured at right angles, from said South line;  
Thence continuing on the same course to the Westerly margin of said County Road No. 970 and the terminus of said boundary line.

AND EXCEPT that portion conveyed to the City of Kirkland for road purposes by deed recorded under Recording Number 20020502002012;

AND EXCEPT that portion conveyed to the City of Kirkland for road purposes by deed recorded under Recording Number 20070919002477 (said deed being a correction of deeds recorded under Recording Numbers 20070419001940 and 20070718001655).

Described as follows:

Commencing at the center of said Section 28;

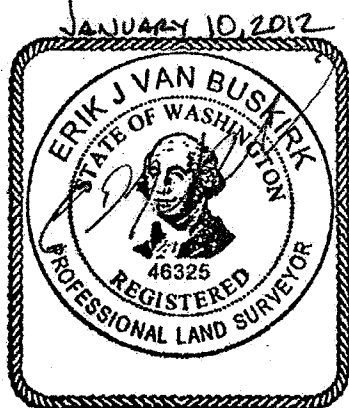
Thence South  $01^{\circ}43'36''$  West, along the centerline of said section 28, a distance of 1347.21 feet to the North line of the Southwest Quarter of the Southeast Quarter of said Section 28;  
Thence North  $89^{\circ}09'12''$  East, along said North line, a distance of 797.92 feet to the most Northerly Northeast corner of said boundary;  
Thence South  $56^{\circ}52'39''$  East, along said boundary, a distance of 17.86 feet to the Point of Beginning;

Thence continuing South  $56^{\circ}52'39''$  East, along said boundary, a distance of 6.87 feet;  
Thence South  $87^{\circ}30'22''$  West a distance of 236.88 feet to a tangent curve to the left having a radius of 464.00 feet;  
Thence along said curve through a central angle of  $05^{\circ}29'28''$ , and an arc distance of 44.47 feet;  
Thence South  $82^{\circ}00'54''$  West a distance of 168.32 feet to a non-tangent curve to the right having a radius of 536.00 feet, the radius point of which bears North  $07^{\circ}54'30''$  West;  
Thence along said curve through a central angle of  $07^{\circ}03'43''$ , and an arc distance of 66.06 feet;  
Thence South  $89^{\circ}09'13''$  West a distance of 228.79 feet;  
Thence South  $43^{\circ}16'11''$  West a distance of 28.78 feet;  
Thence South  $02^{\circ}26'52''$  West a distance of 101.15 feet;  
Thence North  $87^{\circ}33'08''$  West a distance of 4.00 feet;  
Thence North  $02^{\circ}26'52''$  East a distance of 102.64 feet;  
Thence North  $43^{\circ}16'11''$  East a distance of 31.96 feet;



Thence North  $89^{\circ}09'13''$  East a distance of 263.67 feet;  
Thence North  $82^{\circ}00'54''$  East a distance of 200.79 feet to a tangent curve to the right having a radius of 468.00 feet;  
Thence along said curve through a central angle of  $05^{\circ}29'27''$ , and an arc distance of 44.85 feet;  
Thence North  $87^{\circ}30'22''$  East a distance of 231.30 feet to the Point of Beginning.

Containing 3,476 square feet, more or less.



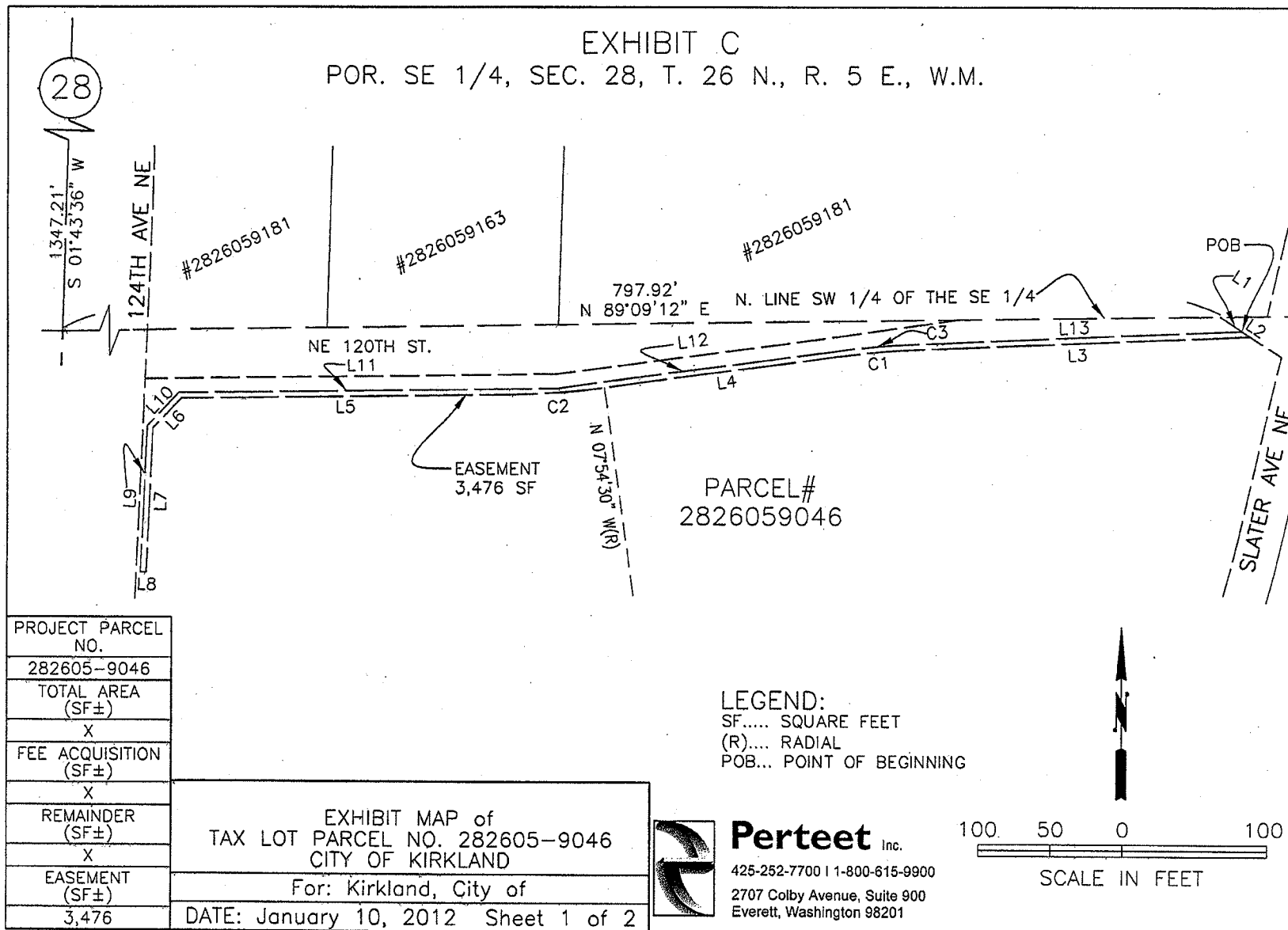


EXHIBIT C  
POR. SE 1/4, SEC. 28, T. 26 N., R. 5 E., W.M.

28

PROJECT PARCEL NO.	282605-9046
TOTAL AREA (SF±)	X
FEE ACQUISITION (SF±)	X
REMAINDER (SF±)	X
EASEMENT (SF±)	3,476

EXHIBIT MAP of  
TAX LOT PARCEL NO. 282605-9046  
CITY OF KIRKLAND  
For: Kirkland, City of  
DATE: January 10, 2012 Sheet 1 of 2

PARCEL#  
2826059046

LEGEND:  
SF..... SQUARE FEET  
(R).... RADIAL  
POB... POINT OF BEGINNING



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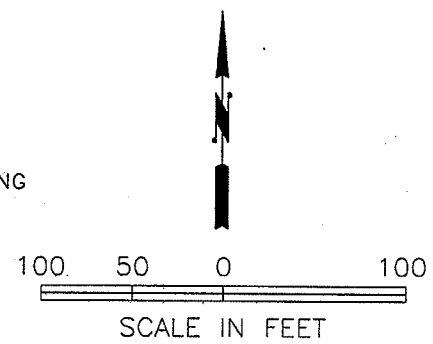


EXHIBIT C  
POR. SE 1/4, SEC. 28, T. 26 N., R. 5 E., W.M.

LINE	BEARING	DISTANCE
L1	S 56°52'39" E	17.86'
L2	S 56°52'39" E	6.87'
L3	S 87°30'22" W	236.88'
L4	S 82°00'54" W	168.32'
L5	S 89°09'13" W	228.79'
L6	S 43°16'11" W	28.78'
L7	S 02°26'52" W	101.15'
L8	N 87°33'08" W	4.00'
L9	N 02°26'52" E	102.64'
L10	N 43°16'11" E	31.96'
L11	N 89°09'13" E	263.67'
L12	N 82°00'54" E	200.79'
L13	N 87°30'22" E	231.30'

CURVE	RADIUS	DELTA ANGLE	LENGTH
C1	464.00'	05°29'28"	44.47'
C2	536.00'	07°03'43"	66.06'
C3	468.00'	05°29'27"	44.85'

PROJECT PARCEL NO.	
282605-9046	
TOTAL AREA (SF±)	
X	
FEE ACQUISITION (SF±)	
X	
REMAINDER (SF±)	
X	
EASEMENT (SF±)	
3,476	

EXHIBIT MAP of  
TAX LOT PARCEL NO. 282605-9046  
CITY OF KIRKLAND  
For: Kirkland, City of  
DATE: January 10, 2012 Sheet 2 of 2



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PERTEET, INC.  
PROJECT NO. 27043.000  
January 10, 2012

*Infiniti - Temporary Construction Easement*

**EXHIBIT "B"**

That portion of the North 3.5 acres of that portion of the Southwest Quarter of the Southeast Quarter of Section 28, Township 26 North, Range 5 East, W.M., in King County, Washington, lying West of County Road No. 970 (Slater Avenue Northeast, being 60 feet in width);

TOGETHER WITH that portion of the Southwest Quarter of the Southeast Quarter of said Section 28, described as follows:

Beginning at the intersection of the Northwestern margin of County Road No. 970 (Slater Avenue Northeast) and the South line of the North 3.5 acres of said subdivision;  
Thence South  $89^{\circ}05'54''$  West, along the South line of said North 3.5 acres to the West line of said subdivision;  
Thence Southerly along the West line 20.7 feet;  
Thence South  $88^{\circ}34'56''$  East to the Westerly margin of County Road No. 970 (Slater Avenue Northeast);  
Thence Northeasterly along said Westerly margin to the Point of Beginning;

EXCEPT that portion thereof lying Westerly of the Easterly boundary of 124<sup>th</sup> Avenue Northeast, and its Southerly extension, as conveyed by deed recorded under Recording Number 7101070324;

AND EXCEPT any portion thereof lying Southerly of the boundary line established in King County Superior Court Cause Numbers 718510 and 719479, and as described as follows:

Beginning at the intersection of the South line of the North 3.5 acres of that portion of said Southwest Quarter of the Southeast Quarter of said Section 28 lying Westerly of County Road No. 970, and the Westerly margin of said County Road No. 970;  
Thence Westerly along said South line to the West line of said subdivision;  
Thence Southerly along said West line 20.7 feet to the TRUE POINT OF BEGINNING of said boundary line;  
Thence Easterly 100 feet to a point which is 23.24 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 27.30 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 31.90 feet Southerly, measured at right angles, from said South line;

Thence easterly 100 feet to a point which is 35.60 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 39.40 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 43.50 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 100 feet to a point which is 46.40 feet Southerly, measured at right angles, from said South line;  
Thence Easterly 59 feet to a point which is 49.10 feet Southerly, measured at right angles, from said South line;  
Thence continuing on the same course to the Westerly margin of said County Road No. 970 and the terminus of said boundary line.

AND EXCEPT that portion conveyed to the City of Kirkland for road purposes by deed recorded under Recording Number 20020502002012;

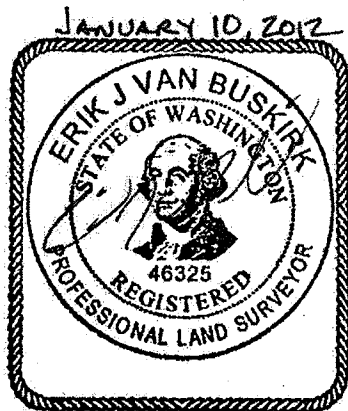
AND EXCEPT that portion conveyed to the City of Kirkland for road purposes by deed recorded under Recording Number 20070919002477 (said deed being a correction of deeds recorded under Recording Numbers 20070419001940 and 20070718001655).

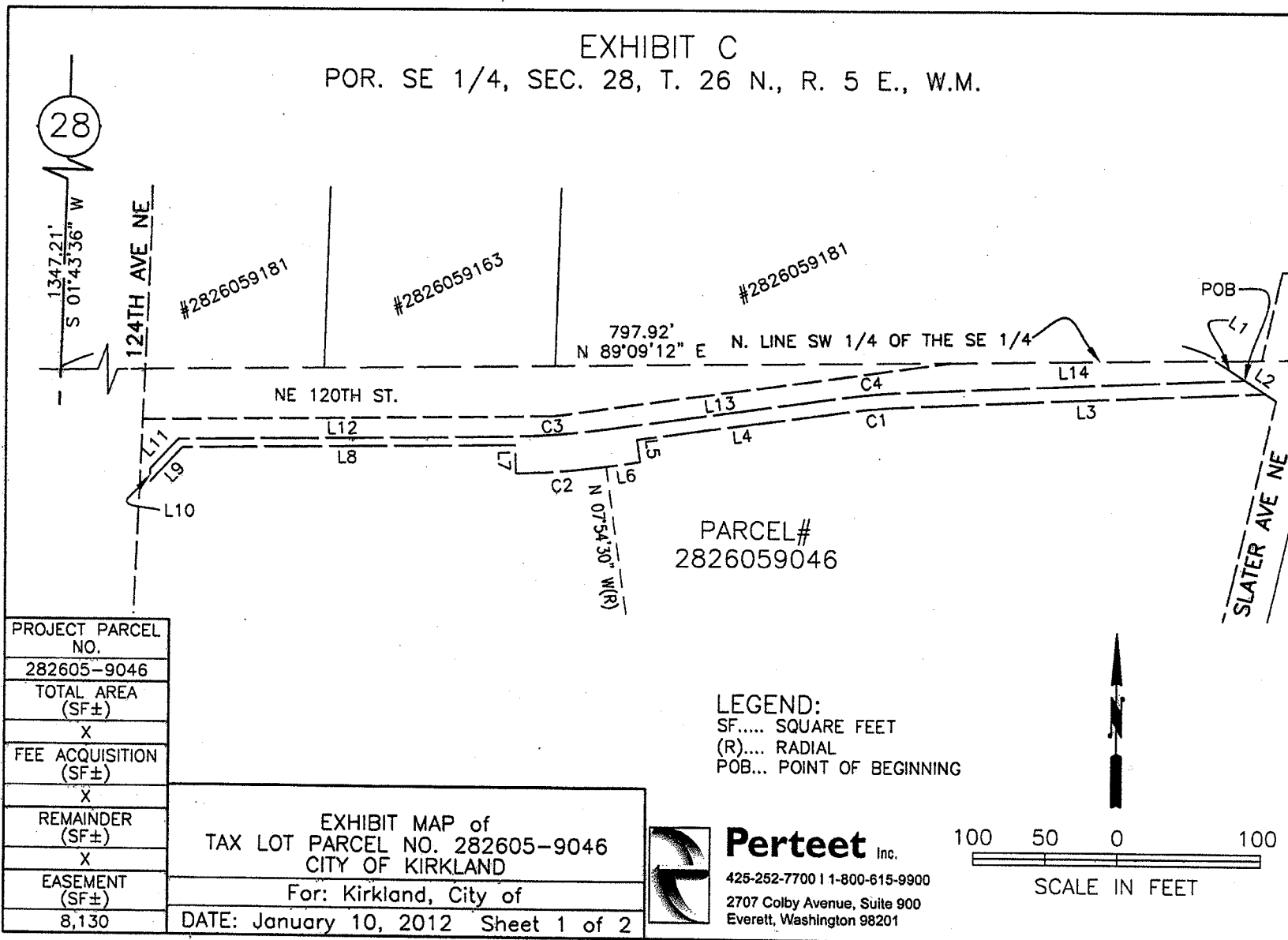
Described as follows:

Commencing at the center of said Section 28;  
Thence South  $01^{\circ}43'36''$  West, along the centerline of said section 28, a distance of 1347.21 feet to the North line of the Southwest Quarter of the Southeast Quarter of said Section 28;  
Thence North  $89^{\circ}09'12''$  East, along said North line, a distance of 797.92 feet to the to most Northerly Northeast corner of said boundary;  
Thence South  $56^{\circ}52'39''$  East, along said boundary, a distance of 24.73 feet to the Point of Beginning;  
Thence continuing South  $56^{\circ}52'39''$  East, along said boundary, a distance of 17.17 feet;  
Thence South  $87^{\circ}30'22''$  West a distance of 250.84 feet to a tangent curve to the left having a radius of 454.00 feet;  
Thence along said curve through a central angle of  $05^{\circ}29'28''$ , and an arc distance of 43.51 feet;  
Thence South  $82^{\circ}00'54''$  West a distance of 144.54 feet;  
Thence South  $07^{\circ}59'06''$  East a distance of 16.00 feet;  
Thence South  $82^{\circ}00'55''$  West a distance of 23.81 feet to a non-tangent curve to the right having a radius of 562.00 feet, the radius point of which bears North  $07^{\circ}54'30''$  West;  
Thence along said curve through a central angle of  $06^{\circ}26'26''$ , and an arc distance of 63.17 feet;  
Thence North  $01^{\circ}31'42''$  West a distance of 20.00 feet;  
Thence South  $89^{\circ}08'44''$  West a distance of 232.11 feet;  
Thence South  $43^{\circ}16'11''$  West a distance of 33.18 feet;  
Thence North  $02^{\circ}26'52''$  East a distance of 9.18 feet;  
Thence North  $43^{\circ}16'11''$  East a distance of 28.78 feet;

Thence North  $89^{\circ}09'13''$  East a distance of 228.79 feet to a tangent curve to the left having a radius of 536.00 feet;  
Thence along said curve through a central angle of  $07^{\circ}03'43''$ , and an arc distance of 66.06 feet;  
Thence North  $82^{\circ}00'54''$  East a distance of 168.32 feet to a tangent curve to the right having a radius of 464.00 feet;  
Thence along said curve through a central angle of  $05^{\circ}29'28''$ , and an arc distance of 44.47 feet;  
Thence North  $87^{\circ}30'22''$  East a distance of 236.88 feet to the Point of Beginning.

Containing 8,130 square feet, more or less.





PROJECT PARCEL NO.	282605-9046
TOTAL AREA (SF±)	X
FEE ACQUISITION (SF±)	X
REMAINDER (SF±)	X
EASEMENT (SF±)	8,130

EXHIBIT MAP of  
TAX LOT PARCEL NO. 282605-9046  
CITY OF KIRKLAND  
For: Kirkland, City of  
DATE: January 10, 2012 Sheet 1 of 2

**LEGEND:**  
SF..... SQUARE FEET  
(R).... RADIAL  
POB... POINT OF BEGINNING



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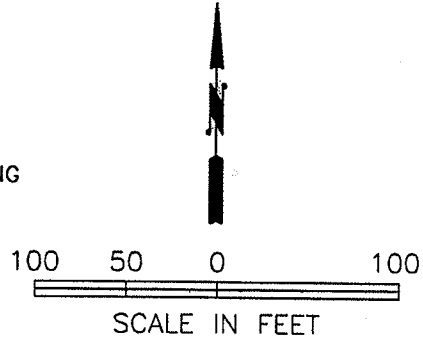


EXHIBIT C  
POR. SE 1/4, SEC. 28, T. 26 N., R. 5 E., W.M.

LINE	BEARING	DISTANCE
L1	S 56°52'39" E	24.73'
L2	S 56°52'39" E	17.17'
L3	S 87°30'22" W	250.84'
L4	S 82°00'54" W	144.54'
L5	S 07°59'06" E	16.00'
L6	S 82°00'55" W	23.81'
L7	N 01°31'42" W	20.00'
L8	S 89°08'44" W	232.11'
L9	S 43°16'11" W	33.18'
L10	N 02°26'52" E	9.18'
L11	N 43°16'11" E	28.78'
L12	N 89°09'13" E	228.79'
L13	N 82°00'54" E	168.32'
L14	N 87°30'22" E	236.88'

CURVE	RADIUS	DELTA ANGLE	LENGTH
C1	454.00'	05°29'28"	43.51'
C2	562.00'	06°26'26"	63.17'
C3	536.00'	07°03'43"	66.06'
C4	464.00'	05°29'28"	44.47'

PROJECT PARCEL NO.	
282605-9046	
TOTAL AREA (SF±)	
X	
FEE ACQUISITION (SF±)	
X	
REMAINDER (SF±)	
X	
EASEMENT (SF±)	
5,320	

EXHIBIT MAP of  
TAX LOT PARCEL NO. 282605-9046  
CITY OF KIRKLAND  
For: Kirkland, City of  
DATE: January 10, 2012 Sheet 2 of 2



**Perteet** Inc.  
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PUBLICATION SUMMARY  
OF ORDINANCE O-4368

AN ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF CONSTRUCTION OF THE NE 120<sup>TH</sup> STREET ROADWAY EXTENSION PROJECT WITHIN THE CITY OF KIRKLAND, PROVIDING FOR THE COST OF PROPERTY ACQUISITION AND AUTHORIZING THE INITIATION OF APPROPRIATE EMINENT DOMAIN PROCEEDINGS IN THE MANNER PROVIDED FOR BY LAW.

SECTION 1. Authorizes condemnation of property necessary for the NE 120<sup>th</sup> Street Roadway Extension Project ("Project").

SECTION 2. Provides that the Project is fully funded and that the expense of acquiring the property shall be paid for from the appropriate funding source within the city's portion of general current revenue for each CIP project.

SECTION 3. Authorizes the City Attorney to initiate condemnation proceedings to acquire the property necessary for the Project.

SECTION 4. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 7th day of August, 2012.

I certify that the foregoing is a summary of Ordinance O-4368 approved by the Kirkland City Council for summary publication.

  
\_\_\_\_\_  
City Clerk