

RESOLUTION NO. R - 2531

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING AND DIRECTING THE MAYOR AND THE DIRECTOR OF ADMINISTRATION AND FINANCE, EX OFFICIO CITY CLERK, TO EXECUTE ON BEHALF OF THE CITY OF KIRKLAND A QUIT CLAIM DEED TO LINCOLN MARKET SQUARE ASSOCIATES LIMITED, A WASHINGTON LIMITED PARTNERSHIP, AS PARTIAL CONSIDERATION FOR THE RELOCATION OF A UTILITY EASEMENT.

WHEREAS, the City of Kirkland heretofore acquired a Utility Easement over and across the real property described in the attached quit claim deed, and

WHEREAS, it thereafter became necessary to relocate said Utility Easement and a new relocated easement agreement has been delivered to the City properly signed and acknowledged, and

WHEREAS, the City therefor has no further interest in the easement described in the attached quit claim deed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The Mayor of the City of Kirkland and its Director of Administration and Finance as ex officio City Clerk, are hereby authorized and directed to sign and acknowledge the original copy of that certain quit claim deed, copy of which is attached to the original of this Resolution and by this reference incorporated hereing.

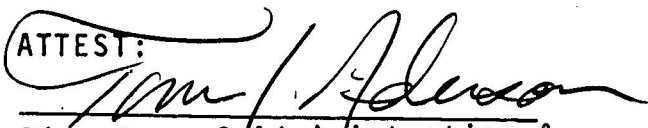
Section 2. The Director of Administration and Finance is authorized and directed to deliver said quit claim deed to the therein named grantee at such time as the properly signed and acknowledged easement dated Sept. 5, 1978, and now in possession of the City has been recorded. Said easement being a relocation of the Utility Easement previously granted to the City and being abandoned by the City by virtue of said quit claim deed.

PASSED BY MAJORITY VOTE of the Kirkland City Council in regular meeting on the 5th day of September, 1978.

SIGNED IN AUTHENTICATION thereof on the 5th day of September, 1978.


MAYOR

ATTEST:


Director of Administration &
Finance (ex officio City Clerk)

When recorded please return to:

LINCOLN PROPERTY COMPANY
ATTN: John T. Flattery
553 Pilgrim Drive
Foster City, CA 94404

QUIT CLAIM DEED

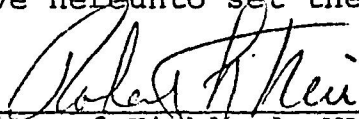
THE GRANTOR City of Kirkland, Washington for and in
consideration of \$1.00

conveys and quit claims to LINCOLN FOTUPS ASSOCIATES, an
Arizona Limited Partnership

the following described real estate situated in the City of
Kirkland, County of King, State of Washington together with all
after acquired title of the Grantor therein:
A 15-foot strip of land having 7.5 feet on each side of the
following described centerline:

beginning at the northwest corner of Tract 45, Kirkland Juanita
Acre Tracts according to the plat thereof as recorded in volume
16 of plats, page 63, records of King County, Washington; thence
S 89°27'44" E along the north line of said Tract 45 103.83 feet;
thence N 50°09'18" E 499.36 feet; thence S 89°27'44" E 336.95
feet, more or less to the right of way margin of the Burlington
Northern Railroad and the terminus of the herein described line.

IN WITNESS WHEREOF, Grantors have hereunto set their hands this
18th day of June, 1979.

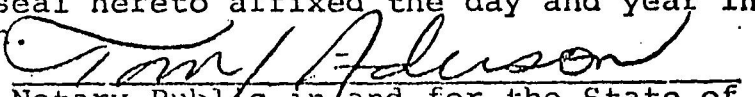


City of Kirkland, WA.

STATE OF WASHINGTON X
KING COUNTY X ss

On this 18th day of June, 1979, before me, the under-
signed, a Notary Public in and for the State of Washington duly
commissioned and sworn personally appeared to me known to be the
individual described in and who executed the foregoing instrument,
and acknowledged to me that _____ he signed and sealed
the instrument as free and voluntary act and deed for the uses and
purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in
this certificate above written.



Notary Public in and for the State of
Washington, residing at Kirkland

When recorded,
please return
to

LINCOLN PROPERTY COMPANY
ATTN: John T. Flattery
553 Pilgrim Drive
Foster City, Ca. 94404

QUIT CLAIM DEED

THE GRANTOR City of Kirkland, Washington
for and in consideration of \$1.00

conveys and quit claims to LINCOLN - MARKET SQUARE
ASSOCIATES LIMITED, a Washington Limited Partnership

the following described real estate situated in the City
of Kirkland, County of King, State of Washington to-
gether with all after acquired title of the Grantor
therein:

A 15-foot strip of land having 7.5 feet on each side of
the following described centerline:

Beginning at the northwest corner of Tract 45, Kirkland
Juanita Acre Tracts according to the plat thereof as
recorded in volume 16 of plats, page 63, records of King
County, Washington; thence S 89°27'44" E along the north
line of said Tract 45 103.83 feet; thence N 50°09'18" E
499.36 feet; thence S 89°27'44" E 336.95 feet, more or
less to the right of way margin of the Burlington Northern
Railroad and the terminus of the herein described line.

IN WITNESS WHEREOF, Grantors have hereunto set their hands
this 5th day of Sept. 1978.

Robert H. Hui

City of Kirkland, Wa.

STATE OF WASHINGTON X
KING COUNTY X ss:

On this _____ day of _____ 1978, before me, the under-
signed, a Notary Public in and for the State of Washington
duly commissioned and sworn personally appeared _____
to me known to be the individual described in and who executed
the foregoing instrument, and acknowledged to me that _____ he
signed and sealed the instrument as free and voluntary act
and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and
year in this certificate above written.

Notary Public in and for the
State of Washington, residing
at

UTILITIES EASEMENTGRANTOR, LINCOLN FOTUPS ASSOCIATES, an Arizona limited partnership,

and SPOUSE,

for and in consideration of one dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, grants and conveys to GRANTEE, City of Kirkland, King County, Washington, an easement and right-of-way over, across, along, through, and under the following described property situated in King County, Washington, to wit:

Permanent Utility Easement

A 15 foot strip of land having 7.5 feet on each side of the following described centerline:

Beginning at the northwest corner of Tract 45, Kirkland Juanita Acre Tracts according to the plat thereof as recorded in volume 16 of plats, page 63, records of King County, Washington; thence S 89°27'44" E along the north line of said Tract 45 103.83 feet; thence N 50°09'18" E 499.36 feet; thence S 89°27'44" E 336.95 feet, more or less to the right of way margin of the Burlington Northern Railroad and the terminus of the herein described line.

1% EXCISE TAX NOT REQUIRED
King Co. Records Division

By J. Torkley, Deputy

FILED FOR RECORD AT REQUEST OF
TRANSAMERICA TITLE
INSURANCE COMPANY
PARK PLACE
5th & UNIVERSITY
SEATTLE, WASHINGTON 98101

for the purpose of constructing, installing, maintaining and operating a sewer and/or water line and all necessary connections and appurtenances thereto, together with the right of ingress thereto and egress therefrom for the purpose of enjoying the easement and also granting to Grantee and to those acting under or for Grantee the use of such additional area immediately adjacent to the above easement as shall be required for the construction of a sewer and/or water pipe line or lines in the easement, such additional area to be held to a minimum necessary for that purpose, and immediately after the completion of the construction and installation, or any subsequent entry upon the easement, Grantee shall restore the premises as near as may be to its condition immediately before such construction or entry and abide by all special conditions of the easement as set forth in Attachment A.

IN WITNESS WHEREOF, Grantors have hereunto set their hand this 21st day of

September, 1977.

LINCOLN FOTUPS ASSOCIATES

By: LINCOLN PROPERTY COMPANY No. 169, its general partner

By: LINCOLN PROPERTY COMPANY No. 164, a general partner

STATE OF WASHINGTON }
KING COUNTY } ss:

By: Edgar M. Thrift, Jr., partner

On this _____ day of _____, 19____, before me, the undersigned a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared _____ to me known to be the individual _____ described in and who executed the foregoing instrument, and acknowledged to me that _____ he signed and sealed the instrument as _____ free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Notary Public in and for the State of
Washington, residing at _____

7810050793

ATTACHMENT A

SPECIAL CONDITIONS: None

7709230865

STATE OF CALIFORNIA)
)
COUNTY OF SAN MATEO) ss

On this 2nd day of Sept. , 1977, before me, the undersigned, a Notary Public in and for the State of California duly commissioned and sworn personally appeared EDGAR M. THRIFT, JR., to me known to be a general partner of LINCOLN PROPERTY CO. NO. 164, said partnership being a general partner of LINCOLN PROPERTY CO. NO. 169, the general partner of LINCOLN POTUPS ASSOCIATES, an Arizona limited partnership, the partnership that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said partnership, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Deborah Ann Copp

NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA
RESIDING AT FOSTER CITY, CA. 94404



UTILITIES EASEMENT

NTOR, Lincoln Fotups Associates, 553 Pilgrim Drive, Foster City, CA 94404

POUSE,

and in consideration of one dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, grants and conveys to GRANTEE, City of Kirkland, King County, Washington, an easement and right-of-way over, across, along, through, and under the following described property situated in King County, Washington, to wit:

Permanent Utility Easement

A portion of parcel "D" as shown on record of survey recorded in Volume 10 of Surveys, page 14, records of King County, Washington, bearing Recorder's No. 7707289014, being 15 feet wide having 7.5 feet on each side of the following described centerline:

Beginning at the Southwest Corner of Tract 45, Kirkland Juanita Acre Tracts as recorded in Volume 16 of Plats, page 63, records of King County, Washington; thence North 1° 07' 29" East along the West line of said tract 302.13 feet to the true point of beginning; thence South 89° 27' 44" East 103.83 feet, said line being parallel to the North line of Tract 44 of said Plat; thence North 49° 52' 17" East 154.96 feet, said point being point "A"; thence continuing North 49° 52' 17" East 95.04 feet, said point being point "B"; thence continuing North 49° 52' 17" East 238.53 feet, said point being point "C"; thence continuing North 49° 52' 17" East 17.78 feet; thence South 89° 27' 44" East 336.95 feet more or less to the right-of-way margin of the Burlington Northern Railroad and the terminus of the herein described line, said point being point "D".

Together with the following described centerlines: beginning at point "B"; thence North 40° 07' 43" West 40.46 feet more or less to the Northeast property line.

Together with a 10.0 foot wide strip of land having 5.0 feet on each side of the following described centerline: beginning at point "A"; thence North 40° 07' 43" West 71.14 feet more or less to the Northerly property line.

Together with a 22.0 foot strip of land 17.0 feet Easterly and 5.0 feet Westerly measured at right angles of the following described centerline: beginning at point "C"; thence North 1° 03' 28" East 24.72 feet more or less to the North property line.

Together with a 15.0 foot strip of land having 7.5 feet on each side of the following described centerline: beginning at point "D"; thence North 89° 27' 44" West 24.00 feet to the true point of beginning; thence South 66° 46' 01" West 127.32 feet to the terminus for the purpose of constructing, installing, maintaining and operating a sewer and/or water line and all necessary connections and appurtenances thereto, together with the right of ingress thereto and egress therefrom for the purpose of enjoying the easement and also granting to Grantee and to those acting under or for Grantee the use of such additional area immediately adjacent to the above easement as shall be required for the construction of a sewer and/or water pipe line or lines in the easement, such additional area to be held to a minimum necessary for that purpose, and immediately after the completion of the construction and installation, or any subsequent entry upon the easement, Grantee shall restore the premises as near as may be to its condition immediately before such construction or entry and abide by all special conditions of the easement.

IN WITNESS WHEREOF, Grantors have hereunto set their hand this 8th day of May, 1978.

LINCOLN FOTUPS ASSOCIATES, a limited partnership,

By: Lincoln Property Company No. 169,

~~Its Sole General Partner~~

By: Lincoln Property Company No. 164,

~~A General Partner~~

By: Edgar M. Thrift, Jr., a General Partner ENT
JP

STATE OF WASHINGTON)

KING COUNTY)

ss:

On this _____ day of _____, 19____ before me, the undersigned a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared _____ to me known to be the individual _____ described in and who executed the foregoing instrument, and acknowledged to me that _____ he _____ signed and sealed the instrument as _____ free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Notary Public in and for the State of Washington, residing at _____

STATE OF CALIFORNIA
COUNTY OF SAN MATEO

X
X
X
X

ss

On this 8th day of May, 1978, before me the undersigned notary, EDGAR M. THRIFT, JR. personally appeared known to me to be one of the partners of Lincoln Property Company No. 164, a partnership, said partnership being known to me to be one of the general partners of Lincoln Property Company No. 169, said partnership being known to me to be the general partner of LINCOLN FOTUPS ASSOCIATES, the partnership that executed the within instrument and acknowledged to me that he executed the same as a partner of the partnership first above named, that said partnership executed the same as one of the general partners of Lincoln Property Company No. 169, that said partnership executed the same as the general partner of LINCOLN FOTUPS ASSOCIATES and that said last-named partnership executed the same.

WITNESS my hand and official seal.

Shirley S. Lyhne

Notary Public in and for said County and State.

