

RESOLUTION NO. R - 2590

A RESOLUTION OF THE KIRKLAND CITY COUNCIL AUTHORIZING THE MAYOR AND DIRECTOR OF ADMINISTRATION AND FINANCE, EX OFFICIO CITY CLERK, FOR THE CITY OF KIRKLAND, TO EXECUTE ON BEHALF OF THE CITY OF KIRKLAND, A QUIT CLAIM DEED TO MOSS BAY ASSOCIATES, A WASHINGTON LIMITED PARTNERSHIP, IN ABANDONMENT OF A SEWER EASEMENT OVER A PORTION OF PROPERTY IN GOVERNMENT LOT 1, SECTION 8, TOWNSHIP 25 NORTH, RANGE 5 E.W.M., ALL IN EXCHANGE FOR RECEIPT FROM MOSS BAS ASSOCIATES OF A CORRECTED EASEMENT FOR SEWER.

WHEREAS, there was heretofore granted to the City of Kirkland an easement across property hereinafter described for location of a sanitary sewer line, and

WHEREAS, said sewer line, when ultimately installed and constructed, lies outside of said granted easement, and

WHEREAS, the owner of the property through which said sewer line runs has requested an abandonment by quit claim deed of the recorded easement in exchange for a grant of an easement as to the exact location of said sewer line, and

WHEREAS, the City Council finds that the exchange, as requested by the property owner, is in the public interest,

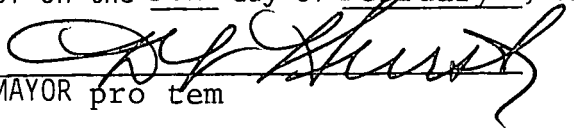
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland, as follows:


Section 1. The Mayor and the Director of Administration and Finance, as ex officio City Clerk, are hereby authorized and directed to sign on behalf of the City of Kirkland, a quit claim deed as to the sewer easement to be abandoned all as described in the quit claim deed attached to the original of this resolution as Exhibit A and incorporated herein.

Section 2. The Director of Administration and Finance is hereby authorized and directed to deliver said quit claim deed to the grantee therein upon receipt from said grantee of a duly executed and recorded easement over the property described in Exhibit B attached to the original of this resolution and by this reference incorporated herein.

ADOPTED BY MAJORITY VOTE of the Kirkland City Council in regular meeting on the 5th day of February, 1979.

SIGNED IN AUTHENTICATION thereof on the 5th day of February, 1979.


MAYOR pro tem

ATTEST:

Director of Administration & Finance
(ex officio City Clerk)

Deed Recorded!
June 12, 1979
7906120740





SAFECO

QUIT CLAIM DEED

SAFECO TITLE INSURANCE COMPANY

Filed for Record at Request of

NAME _____

ADDRESS _____

CITY AND STATE _____

THIS SPACE RESERVED FOR RECORDER'S USE
7906120740
June 12, 1979

THE GRANTOR CITY OF KIRKLAND, a Municipal Corporation,
for and in consideration of Ten Dollars and Other Good and Valuable Consideration
conveys and quit claims to MOSS BAY ASSOCIATES, a Washington Limited Partnership,

the following described real estate, situated in the County of King
State of Washington, including any after acquired title:
The Easterly 10 feet of that portion of Government Lot 1, Section 8, Township
25 North, Range 5 East, W.M., and of the shorelands in front thereof described
as follows:

Beginning at the intersection of the westerly margin of Lake Street South and
the southerly margin of the King County Ferry Slip, as now laid out in the
City of Kirkland, thence S19°19'36" E along the said westerly margin of Lake
Street South, 140.88 feet; thence S18°28'11" East along said westerly margin,
325.40 feet to the northerly margin of Second Avenue South; thence S53°53'42"
W along said northerly margin, 104.93 feet to the true point of beginning;
thence continuing S53°53'42" W, 671.02 feet to an intersection with the Inner
Harbor Line of Lake Washington; thence N39°16'49" W along said Inner Harbor
Line, 217.15 feet; thence N53°53'42" E, 711.54 feet; thence N70°40'24", 25.32
feet; thence S18°28'11" E, 219.85 feet to the true point of beginning.

Dated _____, 19 ____

(Individual)

(Individual)

By s/ Robert L. Neis Mayor
(President)
By s/ Tom J. Anderson
(Secretary) Dir. of Admin. & Finance

STATE OF WASHINGTON }
COUNTY OF _____ } ss.

STATE OF WASHINGTON }
COUNTY OF _____ } ss.

On this day personally appeared before me _____

On this _____ day of _____, 19 ____

to me known to be the individual described in and who
executed the within and foregoing instrument, and acknowl-
edged that _____
signed the same as _____
free and voluntary act and deed, for the uses and purposes
therein mentioned.

19 ____, before me, the undersigned, a Notary Public in and
for the State of Washington, duly commissioned and sworn,
personally appeared _____

and _____,
to me known to be the _____ President
and _____ Secretary, respectively, of

GIVEN under my hand and official seal this _____
day of _____, 19 ____

the corporation that executed the foregoing instrument, and
acknowledged the said instrument to be the free and volun-
tary act and deed of said corporation, for the uses and pur-
poses therein mentioned, and on oath stated that _____
authorized to execute the said
instrument and that the seal affixed is the corporate seal of
said corporation.

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

Witness my hand and official seal hereto affixed the day and
year first above written.

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

For a valuable consideration, receipt of which is hereby acknowledged, the Grantor, MOSS BAY ASSOCIATES, a Washington limited partnership, with Morris Piha as the general partner solely authorized to act for the partnership, does hereby grant and convey to the City of Kirkland, its successors and assigns, the right, privilege, and authority to construct, improve, repair and maintain a public sewer across, over, and upon the following described parcel of land lying within government lot 1, section 8, township 25 north, range 5 east, W.M., and of the shorelands in front thereof:

Commencing at the intersection of the westerly margin of Lake Street South and the southerly margin of the King County Ferry slip, as now laid out in the City of Kirkland, thence S19°19'36"E along the westerly margin of said Lake Street South, 140.88 feet; thence S18°28'11"E along said westerly margin, 135.76 feet; thence S70°40'24"W, 100 feet to the northeasterly corner of a parcel of land referred to elsewhere as parcel "A" and the true point of beginning; thence continuing S70°40'24"W, 19.05 feet; thence S27°20'40"E, 111.73 feet; thence N53°53'42"E, 1.90 feet to the easterly line of said parcel "A"; thence N18°28'11"W along said easterly line, 110.10 feet to the true point of beginning.

The centerline of the sewer, as constructed, is parallel to, and 5 feet distant, as measured at right angles in a northeasterly direction, from the west line of the above described parcel.

The Grantee shall have the right of access to the sewer over and across the property to enable the Grantee to exercise its rights hereunder, provided that the Grantee shall compensate the Grantor for any damage to the property caused by exercising said rights of access.

The Grantor reserves the right to use the above described property for any purpose not inconsistent with the rights herein granted, provided that the Grantor shall construct no building over said easement which would interfere with the exercise of the rights herein granted; that no digging, tunneling or other form of construction activity shall be done on the property which would disturb the compaction or unearth the Grantee's facility, or endanger the lateral support to said facility.

Morris Piha, general partner for
MOSS BAY ASSOCIATES

ACKNOWLEDGMENT

State of Washington) ss
County of King)

I, _____, Notary Public in and for the State of Washington, do hereby certify that on this _____ day of _____, personally appeared before me Morris Piha, to me known to be the individual described in and who executed the within instrument, and acknowledged that he signed and sealed the same as his free and voluntary act and deed for the uses and purposes herein mentioned.

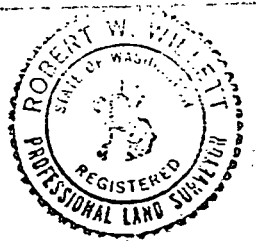
GIVEN UNDER MY HAND AND OFFICIAL SEAL this _____ day of _____, 1979.

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

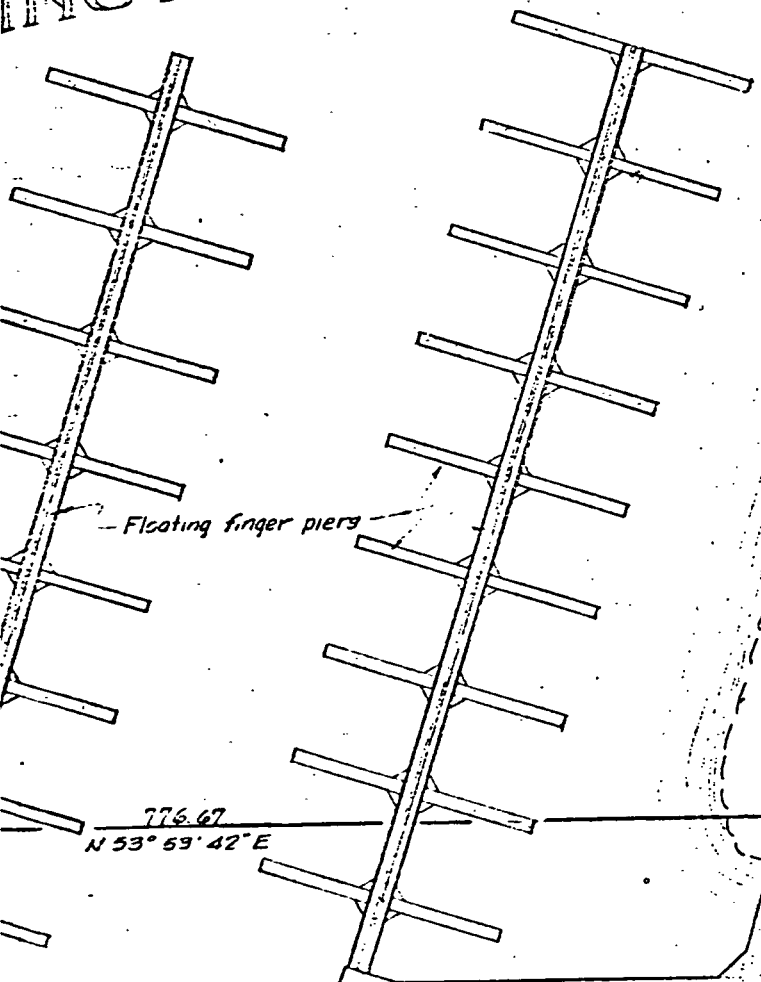
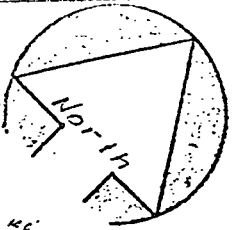
This is copy of Easement that will be executed to give you access to new sewer.

2° E

INGTON



Certificate No. 8828
11 January 1973



776.67
N 53° 59' 42" E

N 21° 20' 40" W
44.53

New Sanitary Sewer
N 21° 20' 40" W

N 53° 59' 42" E
82.90

Lamp Post

N 70° 29' 24" E, 25.32 ft

N 18° 28' 11" W, 117.85 ft

Limits of 10' wide
sewer easement

Puget Powers Transformers
& switchgear on conc pads

Old sanitary sewer
New sanitary sewer

Underground ductbanks

Limits of 25 x 100
Esmt to Puget Power

Electric Room

N 53° 59' 42" E
100.72 Conc. Pilehead

Set P.K.

LAKE STREET So.
N 18° 28' 11" W

7.80

6.30
Set 1/2 in Ribbon

SECOND AVE. So.

| REVISIONS | |
|-----------|-----------------|
| No. | DESCRIPTION, BY |
| | |
| | |
| | |
| | |

AN ALTA SURVEY OF THE
MOSS BAY MARINA, REMBOLD CORP.

ROBERT W. WILLET, PE & LS
7240 So. 135th St. Seattle, WA 98178
Phone (206) 226-3922

DRAWN BY R. Willett
APPROVED
DATE 11 January
JOB NUMBER 760804
DRAWING NO. of 2