

RESOLUTION R - 3032

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE MAYOR AND DIRECTOR OF ADMINISTRATION AND FINANCE, TO SIGN ON BEHALF OF THE CITY OF KIRKLAND, AN EASEMENT ACROSS A PORTION OF WAVERLY PARK, FOR CONSTRUCTION OF A SEWER LINE AND STANDPIPE TO BENEFIT ADJACENT REAL PROPERTY.

Whereas, the Kirkland Department of Planning and Community Development, the Kirkland Park Department and the Kirkland Department of Public Works have all recommended to the Kirkland City Council that the City grant an easement across a therein described portion of Waverly Park for the construction and maintenance of a sewer line and standpipe to benefit real property adjoining said park, presently owned by Vinit Chitnis; and


Whereas, the City Council is satisfied that the granting of said easement will not interfere unreasonably with the rights of the general public to use and utilize Waverly Park and that said easement will assist the grantee in the meeting of certain conditions imposed by the City of Kirkland as part of a land use conditional use permit, now, therefore,

Be it resolved by the City Council of the City of Kirkland as follows:


Section 1. The Mayor and Director of Administration and Finance for the City of Kirkland are authorized and directed to sign on behalf of the City of Kirkland, that certain easement agreement across a portion of Waverly Park all as more specifically described in said easement, a copy of which is attached to the original of this resolution, and by this reference incorporated herein.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 5th day of July, 1983.

Signed in authentication thereof this 5th day of July, 1983.


MAYOR Pro Tem

ATTEST:


Director of Administration & Finance
(ex officio City Clerk)

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EASEMENT

THIS AGREEMENT made this 6th day of July, 1983, between the CITY OF KIRKLAND hereinafter called the "Grantor" and VINIT CHITNIS hereinafter called the "Grantee"

W I T N E S S E T H:

That the said Grantor, for and in consideration of the sum of One (\$1.00) Dollar paid by the said Grantee, and other valuable consideration, receipt whereof is hereby acknowledged, does by these presents convey unto the said Grantee, its heirs and assigns, a right-of-way easement for ingress, egress, and utilities, over, through, across and under the property hereinafter described, situated in King County, Washington, being more particularly described as follows:

A 5 foot easement lying 2.5 feet on each side of the following described centerline:

Commencing at the monument at the intersection of the centerline of Waverly Way and 6th Street West; thence along said centerline of Waverly Way North $14^{\circ}11'41''$ West 286.80 feet; thence South $75^{\circ}48'19''$ West 40.00 feet to a point on the westerly margin of Waverly Way said point being the true point of beginning; thence north $21^{\circ}05'47''$ west 201.08 feet; thence north $51^{\circ}45'28''$ west 29.60 feet; thence north $62^{\circ}52'06''$ west 40.92 feet; thence north $33^{\circ}18'27''$ west 29.41 feet; thence north $08^{\circ}47'28''$ west 49.80 feet to the terminus of said easement

for the purpose of constructing, installing, maintaining and operating a horizontal dry stand pipe 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 or maintenance of said line 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; provided, however, Grantee shall, prior to and during all construction activities (including subsequent repair, reconstruction or maintenance) perform such construction activities in accordance with all reasonable

