# RESOLUTION R 3233

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN ON BEHALF OF THE CITY OF KIRKLAND, A SANITARY SEWER EASEMENT ACROSS A PORTION OF THE FIRE STATION 22 SITE.

Whereas, the owners and developers of property lying adjacent to the Fire Station 22 site to the south have requested an easement over a portion of said site, to permit connection of their development into the Kirkland sanitary sewer line extending across Fire Station 22 site; and

Whereas, the Kirkland Fire Department has agreed to and recommended said easement, now, therefore,

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

Section 1. The City Manager is hereby authorized and directed to sign on behalf of the City of Kirkland, that certain sewer easement agreement between the City of Kirkland and The Wick Companies providing for a ten-foot easement across a small portion of the Fire Station 22 site all as set forth in that certain sewer agreement attached to the original copy of this resolution and by this reference incorporated herein.

Passed by majority vote of the Kirkland City Council in regular, open meeting this  $\underline{18th}$  day of  $\underline{November}$ , 1985.

Signed in authentication thereof this  $\underline{18th}$  day of  $\underline{November}$  1985.

MAYOR

ATTESI:

Director of Administration & Finance

(ex offició City Clerk)

#### SEWER EASEMENT

GRANTOR, City of Kirkland, 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

The Wick Companies, King Properties - D-W Construction, Bellevue

East Office Center, 14044 N.E. 8th, Suite 101A, Bellevue, Washington an easement over, across, along, through and under the following described property situated in King County.

#### Permanent Sewer Easement

## Service to Easterly Building

That portion of the southeast quarter of Section 8, Township 25 North, Range 5 East, W.M., in King County, Washington, lying within a strip of land 10.00 feet in width, being 5.00 feet on each side of the following described centerline:

Beginning at the south quarter corner of said Section 8; thence NOO°35'10"E line along the west line of said subdivision 1306.00 feet to the north line of the southwest quarter of the southeast quarter of said Section 8, as shown on the plat of Highland View, according to the plat recorded in Volume 123 of Plats, pages 72 through 75, records of said King County and as shown on the Record of Survey recorded in Volume 15 of Surveys, page 42, records of said County; thence continuing NOO°35'10E along the west line of said subdivision 156.72 feet to a point on the westerly prolongation of the south line of Muriel D. Poage Addition according to the plat recorded in Volume 57 of Plats, page 86, records of said County, said point also being a point of the westerly prolongation of the south line of the property shown on the Record of Survey recorded in Volume 21 of Surveys, page 117, records of said County, said point being 1462.72 feet north of the south quarter corner as measured along the west line of said subdivision; thence S89°41'34"E along the prolongated south line of said plat and Record of Survey 250.34 feet to the TRUE POINT OF BEGINNING; thence NO7°59'58"W 33.00 feet to the terminus of this described centerline.

### Service to Westerly Building

That portion of the southeast quarter of Section 8, Township 25 North, Range 5 East, W.M., in King County, Washington, lying within a strip of land 10.00 feet in width, being 5.00 feet on each side of the following described centerline:

Beginning at the south quarter corner of said Section 8; thence NOO°35'10"E line along the west line of said subdivision 1306.00 feet to the north line of the southwest quarter of the southeast quarter of said Section 8, as shown on the plat of Highland View, according to the plat recorded in Volume 123 of Plats, pages 72 through 75, records of said King County and as shown on the Record of Survey recorded in Volume 15 of Surveys, page 42, records of said County; thence continuing NOO°35"10E along the west line of said subdivision 156.72 feet to a point on the westerly prolongation of the south line of Muriel D. Poage Addition according to the plat recorded in Volume 57 of Plats, page 86

(Service to Westerly Building continued)

records of said County, said point also being a point of the westerly prolongation of the south line of the property shown on the Record of Survey recorded in Volume 21 of Surveys, page 117, records of said County, said point being 1462.72 feet north of the south quarter corner as measured along the west line of said subdivision; thence S89°41'34"E along the prolongated south line of said plat and Record of Survey 135.16 feet to the TRUE POINT OF BEGINNING; thence NO2°08'45"W 38.00 feet to the terminus of this described centerline.

for the purpose of constructing, installing, maintaining, and operating a sewer 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 the above easement as shall be required for the construction or maintenance of the sewer line in the easement, such additional area to be held to a minimum necessary for that purpose, subsequent entry upon the easement, Grantee shall restore the premise as near as may be to its condition immediately before such construction or entry. Grantor shall maintain premise at all other times.

As additional consideration for the grant of this easement, grantee shall defend pay and save harmless the grantor, its officers, agents, and employees from any and all claims real or imaginary which may be filed by any person, including grantee, its successors, or assigns, or any third party for damage or injury arising out of the use of said easement area by grantee, its successors, or assigns, including but not limited to installation, maintenance and operation of the sewer lines to be installed within the sewer easement area.

IN WITNESS WHEREOF, Grantors have hereunto set their hand this

day of,	19
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STATE OF WASHINGTON ) ) ss:	
KING COUNTY )	
commissioned and sworn personally individuals described herein and w instrument, and acknowledged to me	, 19, before me, n and for the State of Washington, duly appeared and to me known to be the ho executed the within and foregoing that they signed and sealed the tary act and deed for the uses and
WITNESS my hand and official	seal hereto affixed the day and

Notary Public in and for the State of

Washington, residing at

year in this certificate above written.