

RESOLUTION R-3534

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO SIGN ON BEHALF OF THE CITY OF KIRKLAND, A GRANT OF REVISED EASEMENT TO YARROW SHORES ASSOCIATES, SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Yarrow Shores Associates has requested an easement from the City of Kirkland for the installation of a convenience turn-around, in connection with their construction of an office building at 4055 Lake Washington Boulevard; and

WHEREAS, the City Council did adopt Resolution R-3398 on August 3, 1987, granting an easement to Chandler-Frost; and

WHEREAS, Yarrow Shores Associates is the new owner of the real property described in Attachment B; and

WHEREAS, the Planning Department has recommended the granting of such revised easement, subject to certain conditions, including installation of a landscape berm adjacent to Lake Washington Boulevard, as set forth in Section 60.20.b., Special Regulation No. 6 of the Zoning Code; and

WHEREAS, the City Council has reviewed and considered the revised Easement Agreement;

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The Easement Agreement, attached to the original of this Resolution as Exhibit A and by this reference incorporated herein, between the City of Kirkland as Grantor, and Ronald H. Cole and Louis E. Kapesandy, General Partners, Yarrow Shores Associates, is hereby approved by the City Council.

Section 2. The City Manager is authorized to sign said Easement Agreement on behalf of the City of Kirkland.

PASSED by majority vote on the Kirkland City Council in regular, open meeting this 5th day of July, 1989.

SIGNED in authentication thereof this 5th day of July, 1989.


MAYOR

ATTEST:


City Clerk

RES-YAR.JUN/TS:rk

EASEMENT AGREEMENT

The City of Kirkland, a code city of the State of Washington (hereinafter referred to as Kirkland), hereby grants to Ronald H. Cole and Louis E. Kapesandy, General Partners, Yarrow Shores Associates, an easement, over and across the real property described in Attachment A to this agreement and incorporated by this reference. Said easement is granted for the use and benefit of adjacent real property owned by Yarrow Shores Associates, as described in Attachment B to this agreement, and by this reference incorporated herein; said easement is subject to the following terms and conditions:

1. The easement premises herein granted shall be improved by Yarrow Shores Associates, by the installation and maintenance of the "turn around," all in accordance with plans therefore previously filed with the City.

2. The area of Yarrow Shores Associates property, lying between Lake Washington Boulevard and the area of this easement, from the south property line of the Yarrow Shores Associates property, northerly to its northeast 38th Place entrance, shall be landscaped subject to approval by the Department of Planning and Community Development of a detailed landscape plan by a landscape architect complying with the standards set forth in Section 60.20.b. Special Regulation No. 6 of the Zoning Code.

3. Improvements within the easement area shall be paved and curbed in accordance with Kirkland standards.

4. Yarrow Shores Associates, their heirs, successors, or assigns shall have the sole and separate responsibility of maintaining the area described in Attachment A, and shall defend and save harmless the City of Kirkland, including its officers, agents, and employees from any claims, real or imaginary, asserted by any person for injury or damage resulting from improper maintenance of said area, exclusive of any claim arising solely out of the negligence of the City of Kirkland, its officers, or employees.

5. This easement grant and all terms and conditions hereof shall be a covenant running with the land and shall be binding upon the successors, heirs, and assigns of both the grantor and the grantee.

Signed in Kirkland, Washington this _____ day of _____, 1989.

GRANTOR-CITY OF KIRKLAND

By _____
City Manager

Exhibit A
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NOTARY PUBLIC in and for
the State of Washington,
residing in King County.
My commission expires:

AGR-YAR.JUN/TS:rk

ATTACHMENT "A" TO Kirkland and Yarrow Shores Assoc. Easement

EASEMENT AGREEMENT LEGAL DESCRIPTION
YARROSHORE OFFICE BUILDING
Yarrow Shores Assoc.

That portion of Government Lot 4, Section 17, and that portion of Government Lot 1, Section 20, all in Township 25 North, Range 5 East, W.M., King County, Washington, described as follows:

Commencing at the quarter corner that is common to said sections 17 and 20;

Thence N 88°56'34" W along the line common to said sections 1446.25 feet, more or less to the West margin of N.E. Lake Washington Boulevard as conveyed to the state of Washington by deed recorded under King County recording no. 6618783;

Thence northwesterly along a curve to the left, the center of which bears S 67°36'48" W a radial distance of 911.93 feet, an arc distance of 98.64 feet;

Thence N 61°24'57" E along said margin 3.00 feet;

Thence N 28°35'03" W along said margin 32.05 feet to a point on the south line of a tract of land described in an instrument recorded under King County recording no. 7808100561;

Thence S 61°24'57" W along said south line 17.01 feet to the True Point of Beginning of this easement;

Thence continuing S 61°24'57" W 45.00 feet;

Thence S 28°35'03" E 22.00 feet;

Thence N 61°24'57" E 5.00 feet;

Thence along a curve to the right, the center of which bears S 28°35'03" E a radial distance of 20.00 feet, an arc distance of 31.42 feet;

Thence S 28°35'03" E 54.43 feet;

Thence on a curve to the right, the center of which bears S 61°24'57" W a radial distance of 169.00 feet, an arc distance of 94.06 feet;

Thence along a curve to the left, the center of which bears S 86°41'43" E a radial distance of 50.00 feet, an arc distance of 94.19 feet, more or less, to the westerly margin of N.E. Lake Washington Boulevard;

Thence northwesterly along said margin on a curve to the left, the center of which bears S 75°55'59" W a radial distance of 911.93 feet, an arc distance of 20.00 feet;

Thence southwesterly along a curve to the right, the center of which bears N 14°35'27" W a radial distance of 30.00 feet, an arc distance of 56.49 feet;

Thence northerly along a curve to the left, the center of which bears N 86°41'43" W a radial distance of 189.00 feet, an arc distance of 25.01 feet;

Thence N 85°43'18" E a radial bearing 8.00 feet;

Thence northerly along a curve to the left, the center of which bears S 85°43'18" W a radial distance of 197.00 feet, an arc distance of 83.57 feet;

Thence N 28°35'03" W 76.43 feet;

Thence S 61°24'57" W 8.00 feet;

Thence N 28°35'03" W 20.00 feet, more or less, to the True Point of Beginning.



ATTACHMENT B TO KIRKLAND - YARROW SHORES ASSOCIATES EASEMENT

The real property, owned by the Grantees, Yarrow Shores Assoc., is described as follows:

That portion of Government Lot 4 in Section 17, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the meander corner between Sections 17 and 20, Township 25 North, Range 5 East, W.M., in King County, Washington; running thence along the government meander line $N5^{\circ}51'11''W$ 306.19 feet; thence $N89^{\circ}10'00''E$ 250.10 feet to a point which is $S89^{\circ}10'00''W$ 150 feet from the southwesterly margin of Lake Washington Boulevard and true point of beginning of the tract of land herein described; thence continuing $N89^{\circ}10'00''E$ 150 feet to the southwesterly margin of Lake Washington Boulevard; thence southeasterly along said southwesterly margin 210 feet; thence southwesterly at right angles to said southwesterly margin 62 feet; thence $S89^{\circ}10'00''W$ to intersect a parallel line drawn southeasterly from the true point of beginning and parallel with the southwesterly margin of Lake Washington Boulevard; thence northwesterly along said parallel line to the true point of beginning; EXCEPT portion conveyed to the State of Washington, by deed recorded under Auditor's File No. 6655859.

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