




20190430000373

EASEMENT Rec: \$105.00
4/30/2019 9:54 AM
KING COUNTY, WA

After recording return document to:

City of Seattle
Department of Transportation
700 5th Avenue – Suite 3800
PO Box 34996
Seattle, WA 98124-4966
Attn: Barret Aldrich

DUPLICATE TAX NOT REQUIRED
King Co. Records Division
By  Deputy

Document Title: Catchment Wall Easement
Reference Number of Related Document: N/A
Grantor(s): Blue Bird Rentals, LLC
Grantee: City of Seattle
Abbreviated Legal Description: Ptn of LTS. 14-16 & PTN. LT. 17, BLK. 46, RAINIER BEACH, King County, WA
Additional Legal Description is on Page(s) 5 of Document.
Assessor's Tax Parcel Number(s): 712930-2955

CATCHMENT WALL EASEMENT

Project: Rainier Avenue South Hazard Mitigation

The Grantor(s), **BLUE BIRD RENTALS, LLC**, a Washington limited liability company, for and in consideration of mutual and offsetting benefits, other valuable consideration and the covenants and promises of the City hereinafter set forth, the receipt and sufficiency of which is hereby acknowledged, conveys and warrants unto the **CITY OF SEATTLE**, a municipal corporation of the State of Washington, and its assigns, an Easement the width of the parcel frontage, over, under, across and upon the hereinafter described lands (“the Easement area”) for the purposes of constructing, repairing, replacing and maintaining a catchment wall and other modifications associated therewith, to the same extent and purpose as if the rights herein granted had been acquired under Eminent Domain statutes of the State of Washington.

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CATCHMENT WALL EASEMENT

The Grantor reserves the right to use the Easement area for purposes that will not unreasonably interfere with the Grantee's full enjoyment of the rights granted by this Easement. Neither the Grantor nor their successors and assigns may erect or construct any building or structure, or excavate, within the Easement area without the prior written consent of the Seattle Department of Transportation ("SDOT"). Further, planting trees or any other vegetation, except for grass, shall not be allowed within the Easement area. Grantor will submit a proposed work plan to SDOT at least 120 days before any work is commenced in the Easement area except for activities necessary for emergency water line repair. If the emergency work impacts the catchment wall, the Grantor shall notify SDOT immediately. In the event of a landslide or significant erosion on Grantor's non-Easement property, the Grantor shall have access over the Easement area to remove debris, rocks and dirt, and make repairs to Grantor's property that is not subject to this Easement. If debris removal or repairs impact the wall, the Grantor shall notify SDOT immediately. As used in this Easement, "building or structure" means anything constructed or erected on the ground or any improvement built up or composed of parts joined together in some definite manner and affixed to the ground, including fences, walls and signs.

To the extent allowed by law, Grantor(s), their successors and assigns agree to indemnify Grantee from and against any and all claims, demands, suits, damages, loss or liability of any kind arising out of, or resulting from, erosion and/or landslides. The foregoing indemnity shall run with the land and bind Grantor(s) successors and assigns.

Said lands being situated in King County, State of Washington, and described as follows:

See Exhibit A attached hereto and made a part hereof.

Signed this 6th day of March, 2019

BLUE BIRD RENTALS, LLC,
a Washington limited liability company

By: Linda Korten
Linda Korten
Its: Governor

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CATCHMENT WALL EASEMENT

EXHIBIT A

PERMANENT EASEMENT DESCRIPTION FOR LOT 14, 15 AND 16 BLOCK 46 RAINIER BEACH

THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY; LOTS 14, 15 AND 16, BLOCK 46, RAINIER BEACH, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 8 OF PLATS, PAGE 11, RECORDS OF KING COUNTY, WASHINGTON; TOGETHER WITH THAT PORTION OF LOT 17, OF SAID BLOCK 46,

DESCRIBED AS FOLLOWS:

BEGINNING AT MOST WESTERLY CORNER OF SAID LOT 17;
THENCE NORTH 48°33'49" EAST 56.50 FEET ALONG NORTHWESTERLY LINE OF LOT 17; THENCE SOUTH 41°26'11" EAST 5.8 FEET; THENCE SOUTH 50°47'41" WEST 56.54 FEET TO THE SOUTHWESTERLY LINE OF LOT 17; THENCE NORTH 41°26'11" WEST 3.60 FEET TO THE POINT OF BEGINNING; SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 24 NORTH, RANGE 4 EAST, W.M.,

DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHEASTERLY CORNER OF SAID LOT 18 BEING THE INTERSECTION OF THE WESTERLY RIGHT OF WAY MARGIN OF SOUTH KEPPLER STREET AND THE SOUTHERLY RIGHT OF WAY MARGIN OF RAINIER AVENUE SOUTH, PER KING COUNTY SUPERIOR COURT CAUSE NO. 87583; SAID POINT BEING THE BEGINNING OF A 315.68 FOOT NON TANGENT CURVE CONCAVE TO SOUTHWEST, WHICH RADIUS POINT BEARS S 59° 17' 59" W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, ALSO BEING THE SOUTHERLY RIGHT OF WAY MARGIN OF RAINIER AVENUE SOUTH, THROUGH A CENTRAL ANGLE OF 11° 56' 12" A DISTANCE OF 65.77 FEET; THENCE N 42° 38' 08" W 4.49 FEET TO THE **POINT OF BEGINNING**; THENCE N 42° 38' 08" W 90.07 FEET TO THE NORTHERLY BOUNDARY LINE OF DESCRIBED PARCEL; THENCE LEAVING SAID RIGHT OF WAY MARGIN ALONG SAID BOUNDARY LINE S 49° 41' 44" W 5.00 FEET; THENCE S 42° 38' 08" E 90.07 FEET TO THE SOUTHERLY BOUNDARY LINE OF DESCRIBED PARCEL; THENCE N 49° 41' 51" E 5.00 FEET TO THE **POINT OF BEGINNING**.

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CATCHMENT WALL EASEMENT

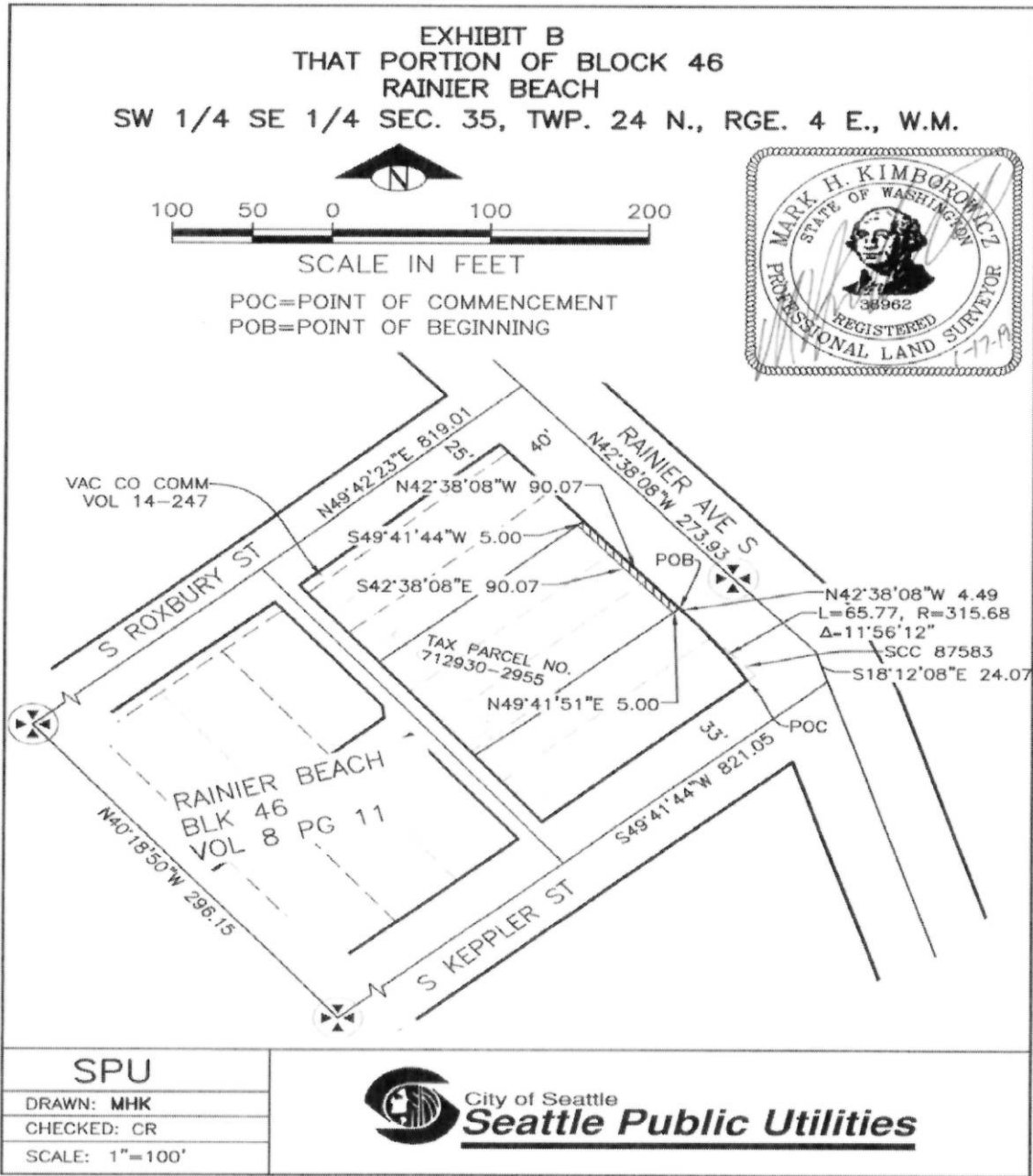
SITUATED IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF
WASHINGTON.

CONTAINING 450 SQ. FT., MORE OR LESS



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