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

20190404000489

EXCISE TAX NOT REQUIRED King Co Records Division

Deputy

EASEMENT Rec: \$105.00 4/4/2019 12:37 PM KING COUNTY, WA

Document Title: Catchment Wall Easement

Reference Number of Related Document: N/A

Grantor(s): Dan J. and Mary F. Del Duca

Grantee: City of Seattle

Abbreviated Legal Description: Ptn of LTS. 1 & 2, BLK. 35, RAINIER BEACH, King

County, WA

Additional Legal Description is on Page(s) 5 of Document.

Assessor's Tax Parcel Number(s): 712930-1740

CATCHMENT WALL EASEMENT

Project: Rainier Avenue South Hazard Mitigation

The Grantor(s), **DAN J. DEL DUCA** and **MARY F. DEL DUCA**, a married couple, 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 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.

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. 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.

Grantor:

Dan J. Del Duca

Date: 5 - 16 - 18 2018

By Mary J. Sel Duce

Mary F. Del Duca

Date: 5-16-18, 2018

CATCHMENT WALL EASEMENT	
STATE OF WASHINGTON)	
County of King : §	
executed the foregoing instrume	, 2018, before me personally to me known to be the individual described in and who ent, and acknowledged that they signed the same as their for the uses and purposes therein mentioned.
WITNESS MY HAND first above written. Notary Seal Control of Charles of Charl	Notary (print name) Parvet Aduch Notary Public in and for the State of Washington, residing at Crimove Washington, My Appointment expires

CATCHMENT WALL EASEMENT STATE OF WASHINGTON) : § County of King) On this 16 day of May , 2018, before me personally appeared MARY F. DEL DUCA, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned. WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written. Notary (print name) Brevet Notary Public in and for the State of Washington, residing at Kenmove WA My Appointment expires Dec |. 202

CATCHMENT WALL EASEMENT

Approved and Accepted By: CITY OF SEATTLE	
By: Goran Sparrman, Interim Seattle Department of Tr	
Date:5/30	_, 2018
STATE OF WASHINGTON County of King) : §)
On this <u>30</u> day of, 2018, before me personally appeared GORAN SPARRMAN, to me known to be the Interim Director of the Seattle Department of Transportation of the City of Seattle, a Washington Municipal Corporation, the municipal corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.	
WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written.	
Notary Searming of Notary Searmi	Notary (print name) Burnet Adaich Notary Public in and for the State of Washington, residing at Kenmore WA My Appointment expires 12-1-11

CATCHMENT WALL EASEMENT

EXHIBIT A FOR LOT 2, BLOCK 35

RAINIER BEACH

THAT PORTION OF LOT 2 BLOCK 35, OF RAINIER BEACH, AS RECORDED IN VOLUME 8 OF PLATS, PAGE 11, RECORDS OF KING COUNTY, WASHINGTON, SITUATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY MARGIN OF RAINIER AVENUE SOUTH AND THE SOUTHERLY MARGIN OF SOUTH PERRY STREET, ALSO KNOWN AS THE NORTHWESTERLY CORNER OF LOT 1, OF SAID BLOCK 35, TOGETHER WITH THAT PORTION OF SOUTH PERRY STREET AS VACATED BY COUNTY COMMISSION UNDER VOLUME 14-247 AND WHICH ATTACHED BY OPERATION OF LAW; THENCE ALONG SAID SOUTHERLY MARGIN OF RAINIER AVENUE SOUTH, S 40° 18' 47" E A DISTANCE OF 68.70 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID MARGIN S 40° 18' 47" E A DISTANCE OF 39.30 FEET TO THE NORTHEASTERLY PROPERTY CORNER OF SAID LOT 2; THENCE ALONG SAID PROPERTY LINE S 49° 42' 00" W 5.00 FEET: THENCE LEAVING SAID PROPERTY LINE N 40° 18' 47" W 39.30 FEET: THENCE N 49° 42' 00" E A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING.

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

CONTAINING 196.5 SQ. FT., MORE OR LESS



Tax Parcel Number 712930-1740

EXHIBIT B

CATCHMENT WALL EASEMENT

