

Mary Davis
SCL Van Dyke Easement and Well ORD ATT 1
April 10, 2015
#D1

Attachment 1

After recording, return to:

Seattle City Light
Real Estate Services
700 Fifth Avenue, Suite 3200
P.O. Box 34023
Seattle, WA 98124-4023

**RELEASE OF EASEMENT AND PERMIT
AND CONVEYANCE OF WATER WELL OWNERSHIP**

Reference Nos.: 115713, 116817
Grantor: City of Seattle, Seattle City Light
Grantees: James and Valerie Van Dyke
Legal Description (abbreviated): ... Ptn NE¹/₄NE¹/₄ Sec 9, NW¹/₄NW¹/₄ Sec 10, T39N, R43E;
and Govt Lot 2 Sec 10, SW¹/₄SE¹/₄ Sec 3, T39N, R43E
Assessor's Tax Parcel Nos.: 433903430001, 433909110001, 433910220002 and
433910500001
Seattle City Light P.M. Nos.: 394303-4-001a, 394303-4-001b

The CITY OF SEATTLE, a municipal corporation of the State of Washington, acting by and through its CITY LIGHT DEPARTMENT ("Grantor"), hereby grants to JAMES AND VALERIE VAN DYKE ("Grantees"), a complete release from that Access Road Easement dated April 21, 1965, and recorded under Recording No. 115713 in Pend Oreille County, Washington, lying within that property legally described as follows:

Release of Easement Area:

The NE ¹/₄ of the NE ¹/₄ of Section 9 and NW ¹/₄ of NW ¹/₄ of Section 10;
The NE ¹/₄ of NW ¹/₄ and Government Lot 2 of Section 10 and the SW ¹/₄ of SE ¹/₄ of
Section 3,
All in Township 39 North, Range 43 East, W.M.,
situated in Pend Oreille County, State of Washington.

TOGETHER WITH a complete release from that Permit for Groundwater Observation Wells dated July 28, 1965, and recorded under Recording No. 116817 in Pend Oreille County, Washington, lying within that property legally described as follows:

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Release of Permit Area:

Government Lot 2 of Section 10 and the SW ¼ of SE ¼ of Section 3, Township 39 North, Range 43 East, W.M., EXCEPT Mineral rights underlying, situated in Pend Oreille County, State of Washington.

GRANTOR ALSO CONVEYS AND QUITCLAIMS to Grantees all right, title or interest, whether real or personal, in the monitoring well Grantor previously constructed on Grantees' Property (Government Lot 2 of Section 10) pursuant to the Permit for Groundwater Observation Wells described above ("Monitoring Well"), SUBJECT TO Grantees' acceptance of the Monitoring Well as-is, where-is, with all faults and without any representation or warranty whatsoever, express or implied, as to its condition or its suitability or sufficiency for the Grantees' intended purposes. Grantees acknowledge that wells that are no longer used for their intended purposes must be properly decommissioned according to Washington Administrative Code Section 173-160-381 and Grantees accept full responsibility for any such decommissioning. Grantees also releases and shall indemnify, defend, and hold Grantor and its past, present and future officials, employees, and agents, harmless from and against any and all claims, demands, penalties, fees, damages, losses, expenses (including but not limited to regulatory agencies, attorneys, contractors and consultants' fees and costs), and liabilities arising out of, or in any way connected with, the Monitoring Well, it being intended that Grantees shall so indemnify Grantor and such personnel without regard to any fault or responsibility of Grantor or Grantees. The obligation to decommission the Monitoring Well and the acknowledgement, release and indemnification touch and concern Grantees' Property and are intended to run with the land and bind Grantee and Grantee's heirs, successors and assigns, and inure to the benefit of Grantor and its successors and assigns.

This instrument is given by the CITY OF SEATTLE for the purpose of abandoning the Access Road Easement, the Permit for Groundwater Observation Well and the Monitoring Well aforesaid, and releasing and conveying its rights and interests thereto to Grantees, and is given for and in consideration of Grantees' acceptance of the terms and conditions set forth herein.

IN WITNESS WHEREOF, the CITY OF SEATTLE has caused this instrument to be executed pursuant to Ordinance _____ on this _____ day of _____, 2015.

CITY OF SEATTLE
SEATTLE CITY LIGHT

By: _____

Name: _____

Title: _____

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STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

On this _____ day of _____, 2015, before me, personally appeared JAMES VAN DYKE, to me known to be the person who executed the foregoing agreement, and acknowledged the same to be the free and voluntary act and deed of such person for the uses and purposes therein mentioned. WITNESS my hand and official seal hereto affixed the day and year written above in this certificate.

(Signature) _____

(Printed or typed name of Notary Public)
Notary Public in and for the State of Washington,
residing at _____
My appointment expires _____

(Seal)

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

On this _____ day of _____, 2015, before me, personally appeared VALERIE VAN DYKE, to me known to be the person who executed the foregoing agreement, and acknowledged the same to be the free and voluntary act and deed of such person for the uses and purposes therein mentioned. WITNESS my hand and official seal hereto affixed the day and year written above in this certificate.

(Signature) _____

(Printed or typed name of Notary Public)
Notary Public in and for the State of Washington,
residing at _____
My appointment expires _____

(Seal)