

After recording return document to:

City of Seattle
Department of Transportation
700 5th Avenue – Suite 3800
P.O. Box 34996
Seattle, WA 98124-4996
Attn: Mary Jung



Document Title: Easement

Reference Number of Related Document: N/A

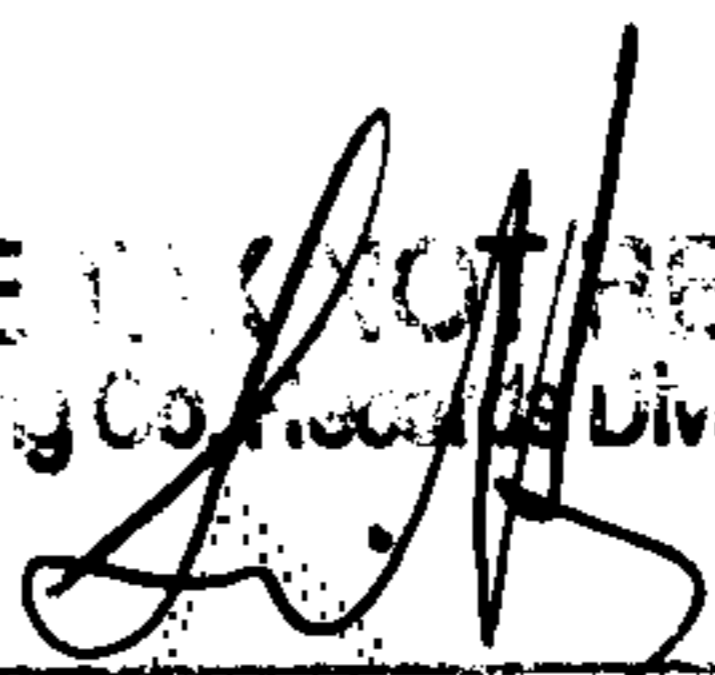
Grantor(s): The Polyclinic, A Professional Corporation

Grantee: City of Seattle

Abbreviated Legal Description: Lots 1 thru 7, Blk 39 and ptn of Blk 138, A. A. Denny's Broadway Addition, Vol. 6, PP 40, King County, Washington.

Assessor's Tax Parcel Number(s): 197820-1270

EASEMENT

EXCISE TAX NOT REQUIRED
King County Assessor's Division
By  Deputy

Project: First Hill Streetcar

THIS AGREEMENT, made this 17th day of December, 2013, between **THE POLYCLINIC, A PROFESSIONAL CORPORATION**, also known as The Polyclinic, a Washington professional corporation, hereinafter called the Grantor, its successors and assigns; and the **CITY OF SEATTLE**, a Washington municipal corporation, acting by and through its Seattle Department of Transportation, hereinafter called the Grantee;

WITNESSETH:

That the Grantee shall have the right, subject to the terms and conditions herein, to install, construct, erect, alter, improve, repair and maintain not more than 2 (two) permanent streetcar cable support eyebolt(s), or equivalent attachment structures, on the buildings ("Buildings") or structures located at 1110 Harvard Avenue on the following described lands and premises situated in the City of Seattle, County of King, State of Washington (the "Property"):

LOTS 1 THROUGH 7, INCLUSIVE, BLOCK 139, AND THAT PORTION OF BLOCK 138, LYING SOUTHERLY OF EAST UNION STREET AND NORTHEASTERLY OF HARVARD AVENUE, ALL IN A. A. DENNY'S BROADWAY ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 6 OF PLATS, PAGE 40, IN KING COUNTY, WASHINGTON; TOGETHER WITH THOSE PORTIONS OF VACATED SENECA STREET ADJOINING SAID BLOCK 138 AND LOTS 1 AND 2 OF SAID BLOCK 139, WHICH ATTACHED BY OPERATION OF LAW.

Together with the right, privilege and authority to attach support cables to such permanent eyebolt(s) or equivalent attachment structures for the sole purpose of supporting overhead wires needed for operation of streetcars that will operate on Broadway Avenue. Under no circumstances shall the cables attached to eyebolts on the Buildings carry or have the potential to carry any electrical current.

Also together with the right at all times to the Grantee, its successors and assigns, of ingress to and egress from said lands and premises across adjacent lands of the Grantor for the purpose of attaching streetcar wires to, maintaining streetcar wires on, or removing streetcar wires from said eyebolt(s) or equivalent attachment structures.

Such eyebolts shall be attached to the Buildings at a height of not less than 15 feet above sidewalk grade at all locations, at the approximate points on the perimeter building walls along Broadway Avenue as are shown on the map attached hereto as Exhibit A, and shall use the hardware and attachment procedure that are described in the specifications and drawings attached hereto as Exhibit B, or hardware and attachment procedures that are substantially identical thereto. Either before or after attachment of such eyebolts, the City may request changes in any such attachment locations and/or the attachment procedures or hardware by submitting revised maps, drawings, or specifications, as applicable, showing the requested changes. Grantor will not unreasonably withhold approval of such changes, and if Grantor disapproves such changes it shall give specific reasons for such disapproval so that Grantee may re-submit a revised proposal to address Grantor's objections and concerns. Grantor's failure to approve or disapprove of any such changes in writing within 10 business days after receipt of any request for changes shall be deemed to be an approval of such request.

Grantee shall give Grantor at least 72 hours advance written notice of its intention to install or replace the eyebolts and support cables on the Building and shall maintain access to vehicle and pedestrian entrances to the Building.

Should Grantor at any time desire to demolish, remove, redevelop, or alter the Buildings located on the Property such that cables attached to such eyebolts must be removed, it shall have the absolute right to do so, but must give at least 6 months advance written notice to Grantee of such plans for removal, redevelopment, reconstruction, or alteration of such Buildings, and shall give more specific advance written notice not less than 60 days prior to the date by which cables attached to the Buildings must be removed to enable such reconstruction or alteration. In that instance, Grantee shall be obligated at its expense to remove such cables and eyebolts from the Buildings, repair any damage caused to the Buildings by such removal, install two (2) or more poles within City Right of Way and transfer attachments to poles.

The Grantee shall be responsible, as provided by law, for any damage caused to the Buildings and shall reimburse, pay, defend, and indemnify Grantor against any costs, demands, claims or liabilities except for costs, demands, claims, suits, damages, loss or liabilities arising from the Grantor's negligence; asserted against, incurred by, or resulting to the Grantor arising out of Grantee's attachment of eyebolts and cables to the Buildings, and Grantee's negligence when attaching streetcar wires to, maintaining streetcar wires on, or removing streetcar wires from the eyebolt(s) or equivalent attachment structures that occurs in the exercise of the rights granted by this easement.

The right, title, privileges and authority hereby granted shall continue and be in force until such time as the Grantee, its successors and assigns, by way of a formal written notification, shall permanently remove the streetcar wires, or shall otherwise permanently abandon the use of said eyebolt(s) or equivalent attachment structures, at which time all such right, title, privilege and authority hereby granted shall terminate. If Grantee terminates use of the streetcar lines on Broadway Avenue without any plans for reinstatement of such lines within the following five years, it shall give notice of termination of this easement as to the points of connection that served the terminated streetcar line.

The rights granted hereunder are personal to the Grantee as operator of a public streetcar line and may not be assigned to any private party or other governmental entity.

[Signatures on next page]

GRANTOR:

THE POLYCLINIC, A PROFESSIONAL CORPORATION,
a Washington professional corporation

By: Rex F. Ochi
Rex F. Ochi, M.D., President

By: Lloyd David
Lloyd David, Chief Executive Officer

Dated: 12/9/13

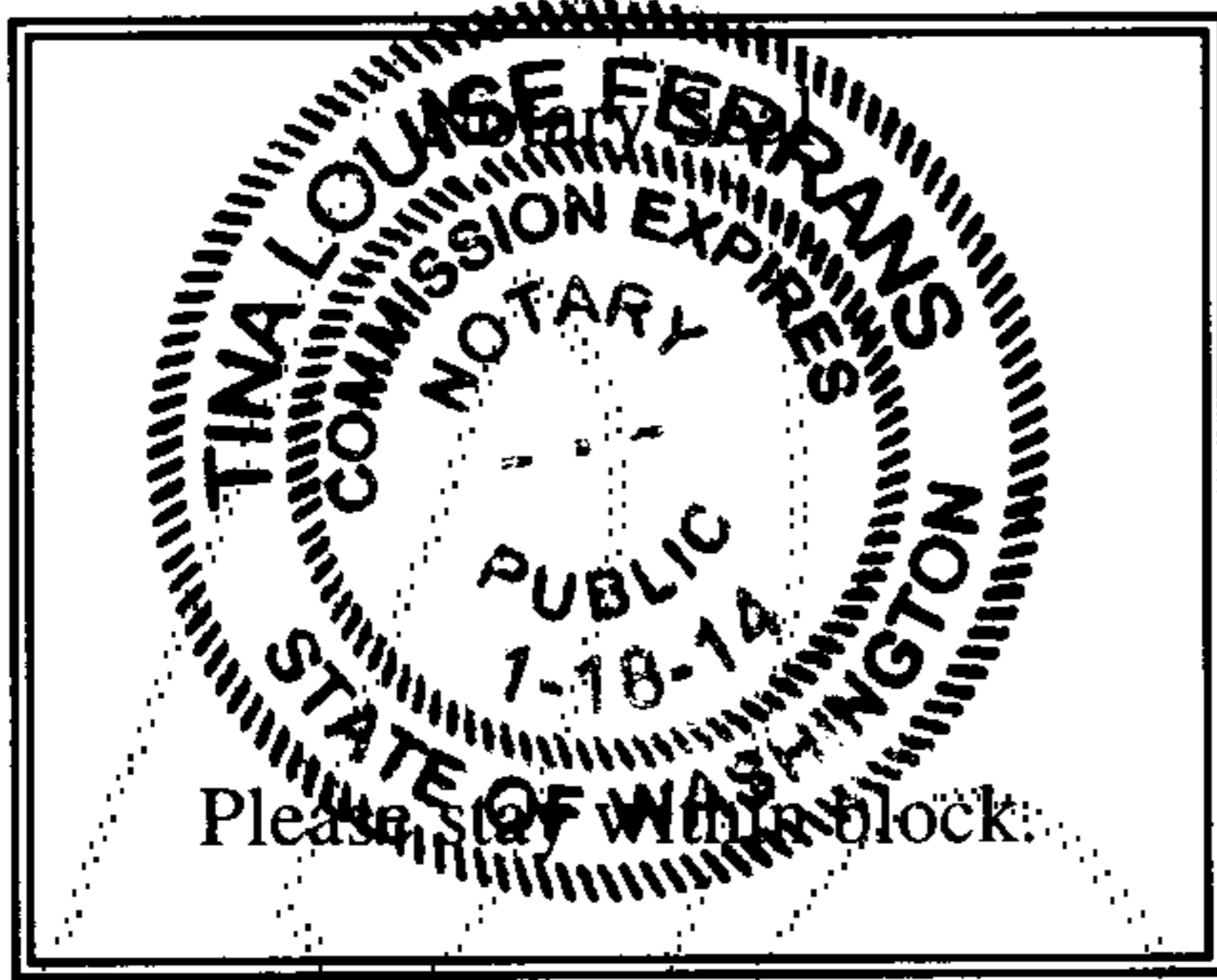
Dated: 12-9-13

STATE OF WASHINGTON)

County of King)

On this 9 day of December, 2013, I certify that I know or have satisfactory evidence that REX F. OCHI, M.D. is the person who appeared before me and acknowledged that he signed this instrument and on oath stated that he was authorized to execute this instrument as President of THE POLYCLINIC, A PROFESSIONAL CORPORATION, also known as The Polyclinic, a Washington professional corporation, to be the free and voluntary act for the use and purpose mentioned in this instrument.

GIVEN under my hand and official seal the day and year last above written.

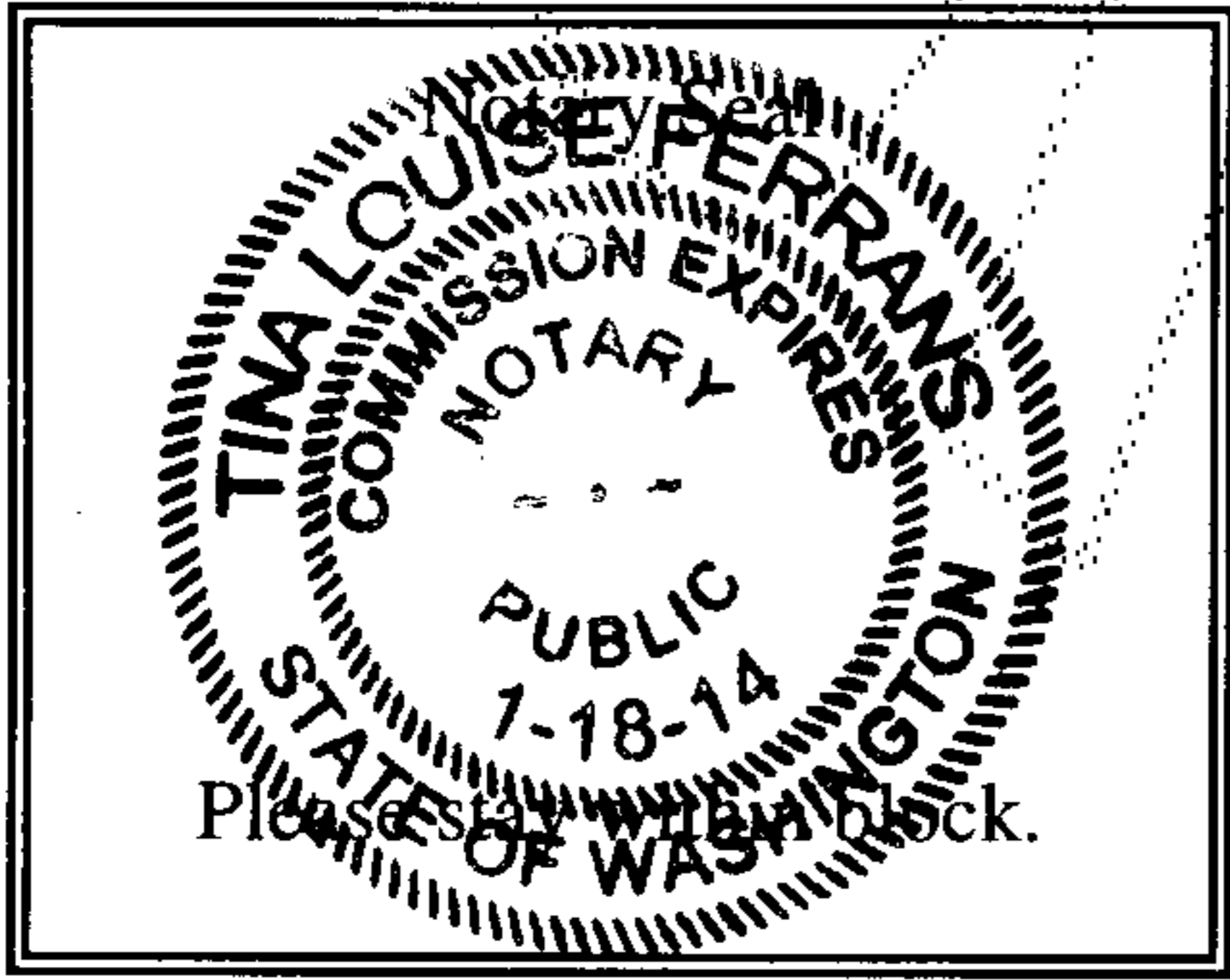


Tina Louise Ferrans
Notary (print name) Tina Louise Ferrans
Notary Public in and for the State of Washington,
residing at Kent
My Appointment expires 1-18-2014

STATE OF WASHINGTON)
 : §
 County of King)

On this 9 day of December, 2013, I certify that I know or have satisfactory evidence that LLOYD DAVID is the person who appeared before me and acknowledged that he signed this instrument and on oath stated that he was authorized to execute this instrument as the Chief Executive Officer of THE POLYCLINIC, A PROFESSIONAL CORPORATION, also known as The Polyclinic, a Washington professional corporation, to be the free and voluntary act for the use and purpose mentioned in this instrument.

GIVEN under my hand and official seal the day and year last above written.



Tina Louise Ferrans
 Notary (print name) Tina Louise Ferrans
 Notary Public in and for the State of Washington,
 residing at Kent
 My Appointment expires 1-18-2014

Approved and Accepted By:
CITY OF SEATTLE

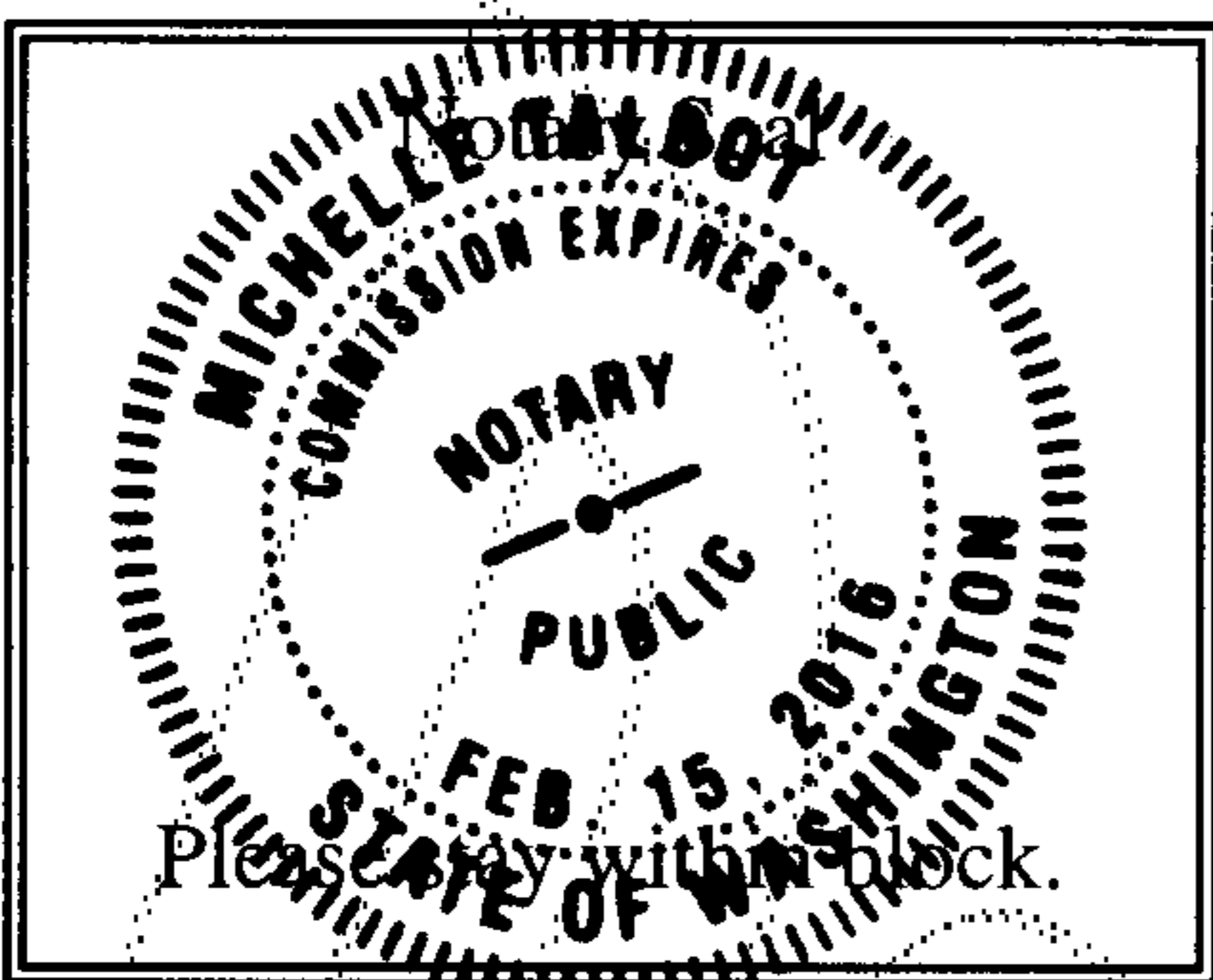
By: *Peter E. Hahn*
Peter E. Hahn, Director
Seattle Department of Transportation

Dated: 12/17/, 2013

STATE OF WASHINGTON)
County of King) §

On this 17th day of December, 2013, before me personally appeared PETER E. HAHN, to me known to be the 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.



Michelle Talbot
Notary (print name) Michelle Talbot
Notary Public in and for the State of Washington,
residing at Anacortes
My Appointment expires 2/15/16

Exhibit A

Map Showing Approximate Connection Points to Buildings

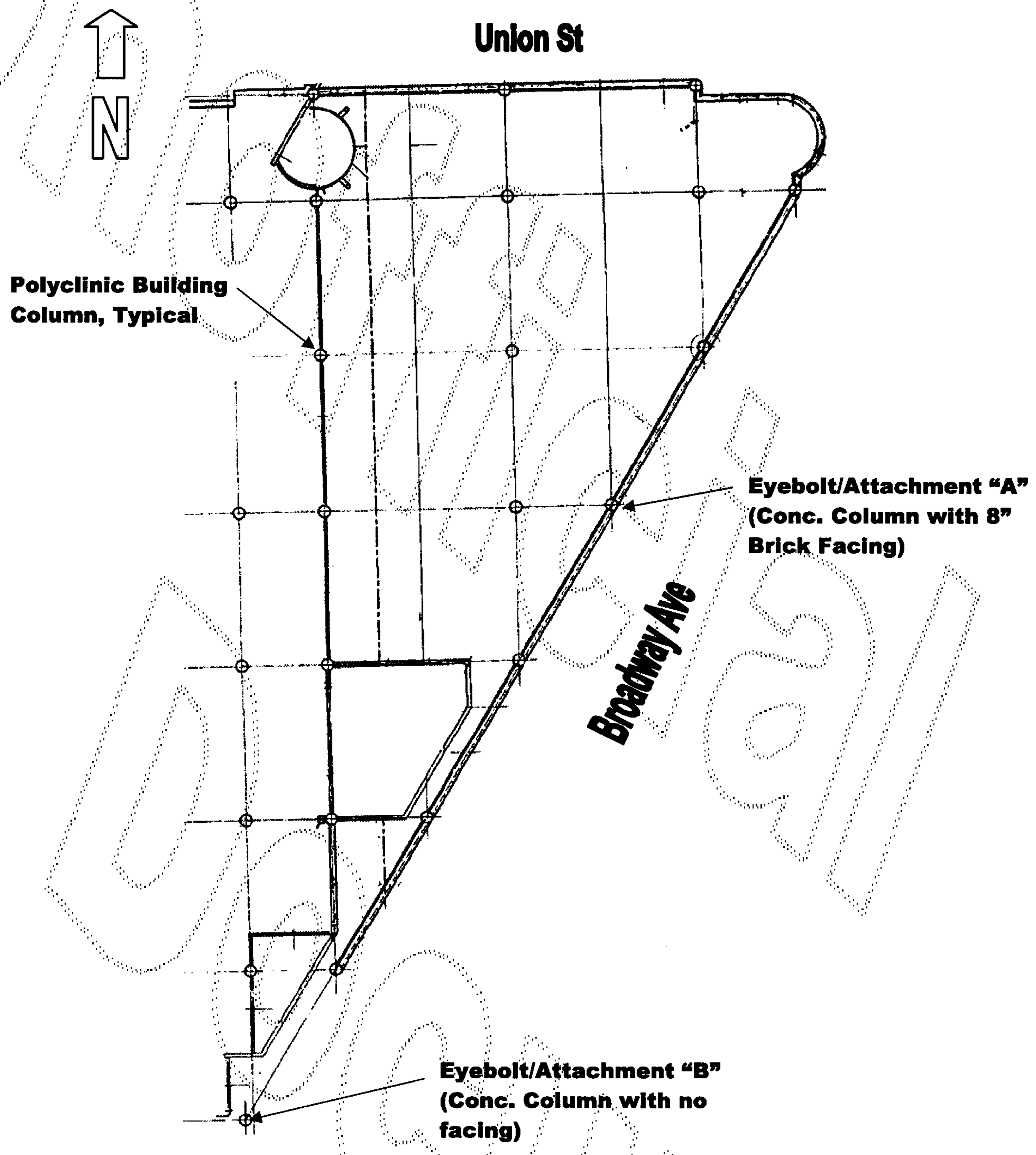


Exhibit B (Sheet 1 of 2)

Preliminary Engineering Drawings/Specifications
For Eyebolt

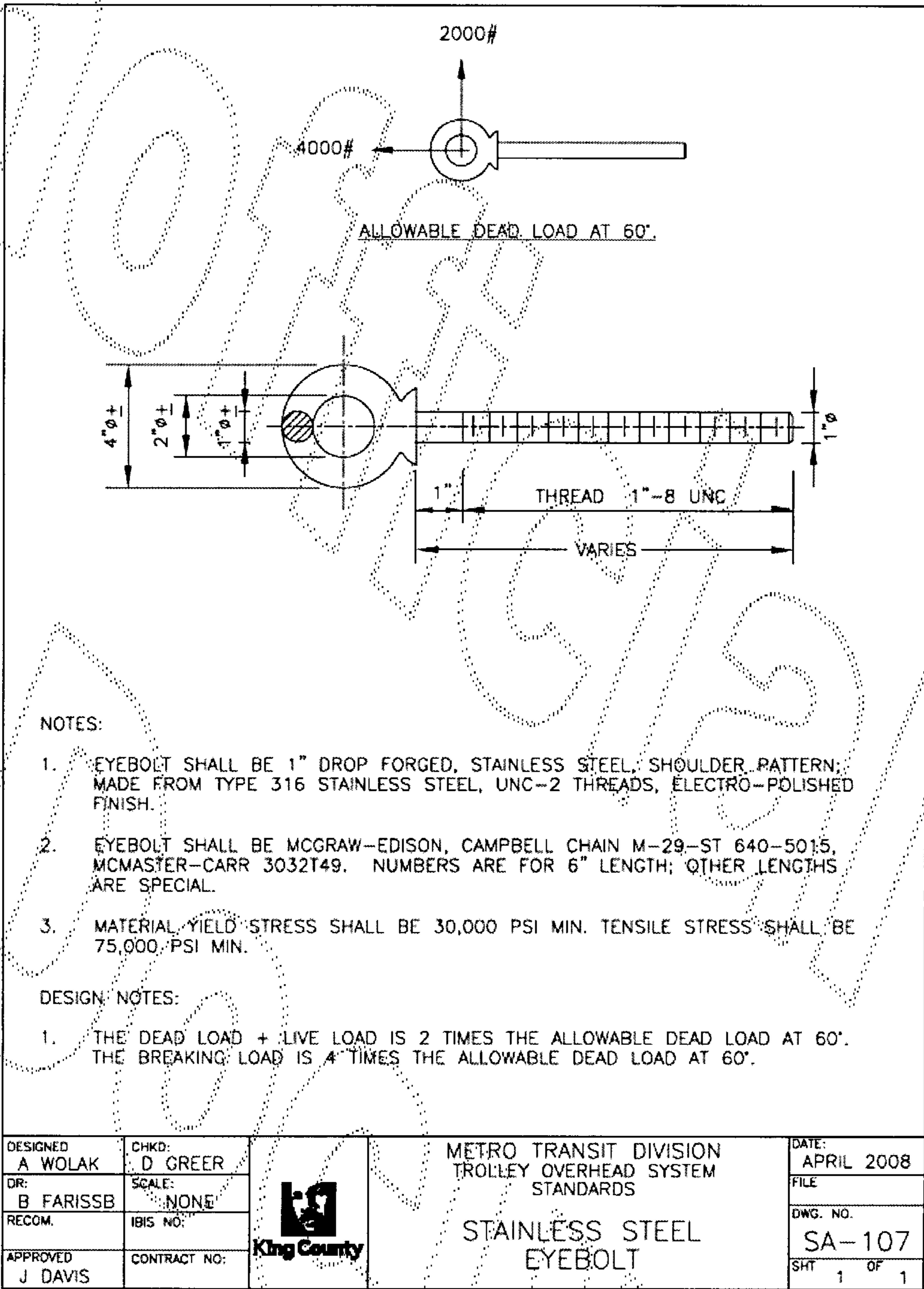
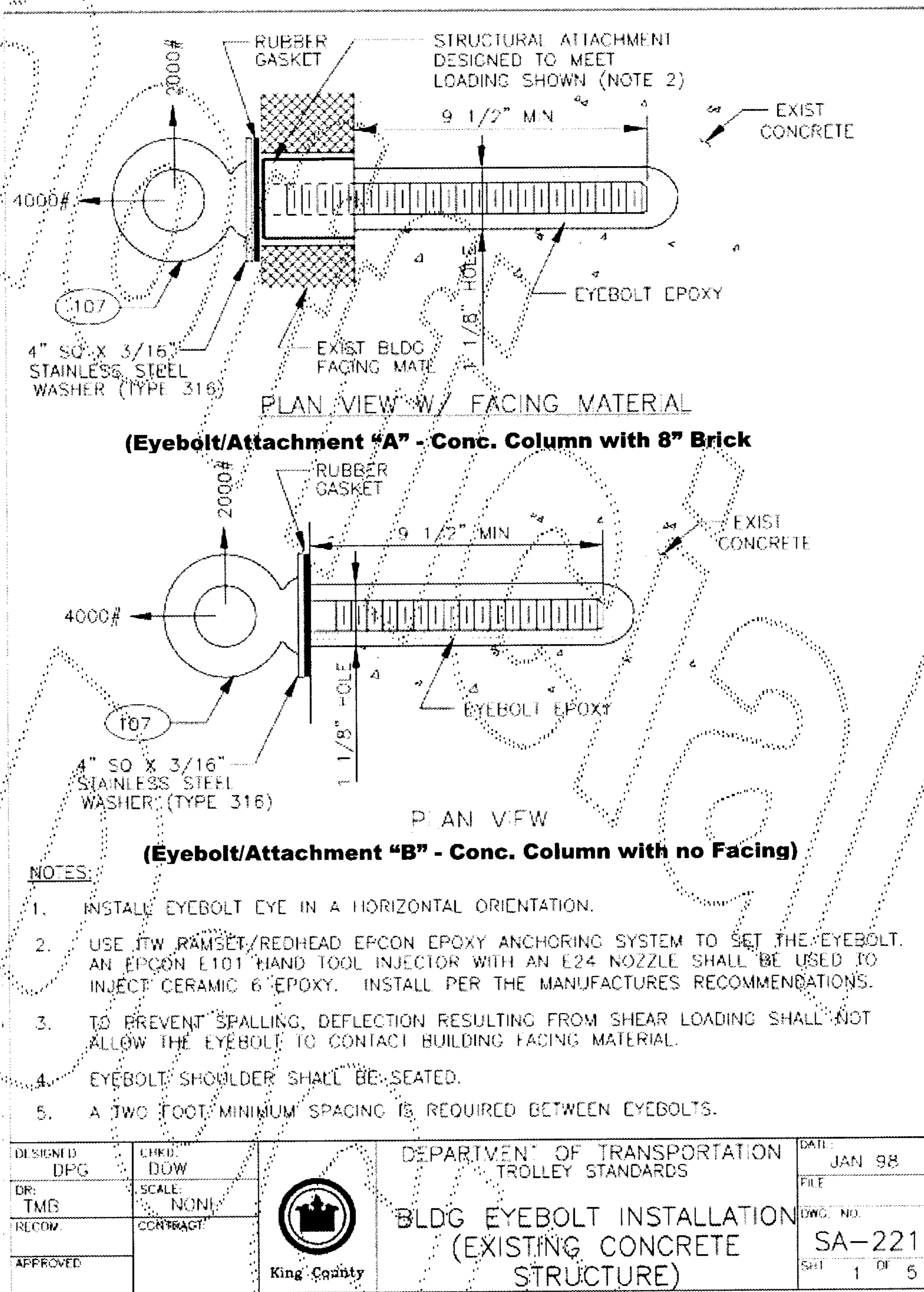



Exhibit B (Sheet 2 of 2)

**Preliminary Engineering Drawings/Specifications
 For Eyebolt**



NOTES:

1. INSTALL EYEBOLT EYE IN A HORIZONTAL ORIENTATION.
2. USE ITW RAMSET/REDHEAD EPCON EPOXY ANCHORING SYSTEM TO SET THE EYEBOLT. AN EPCON E101 HAND TOOL INJECTOR WITH AN E24 NOZZLE SHALL BE USED TO INJECT CERAMIC 6 EPOXY. INSTALL PER THE MANUFACTURES RECOMMENDATIONS.
3. TO PREVENT SPALLING, DEFLECTION RESULTING FROM SHEAR LOADING SHALL NOT ALLOW THE EYEBOLT TO CONTACT BUILDING FACING MATERIAL.
4. EYEBOLT SHOULDER SHALL BE SEATED.
5. A TWO FOOT MINIMUM SPACING IS REQUIRED BETWEEN EYEBOLTS.

DESIGNED DPG	CHECKED DOW	 King County	DEPARTMENT OF TRANSPORTATION TROLLEY STANDARDS	DATE: JAN 98
DR: TMB	SCALE: NONE		BLDG EYEBOLT INSTALLATION (EXISTING CONCRETE STRUCTURE)	FILE
RECOM:	CONTRACT:			DWG. NO. SA-221
APPROVED:				SHT 1 OF 5