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



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SEATTLE CITY O EAS 78.00
PAGE-001 OF 007
04/01/2014 14:12
KING COUNTY, WA

Document Title: Easement

Reference Number of Related Document: N/A

Grantor(s): Burke-State Bldg., LLC

Grantee: City of Seattle

Abbreviated Legal Description: Blk 11 Lots 1, 2, 3 and 4 Maynard's D S Plat Less St, Vol. 1, PP 23, King County, Washington

Assessor's Tax Parcel Number(s): 524780-0695

EASEMENT

Project: First Hill Streetcar

THIS AGREEMENT, made this 15th day of Feb, 2014, for and in consideration of mutual and offsetting benefits, and other valuable consideration, between **BURKE-STATE BLDG., LLC**, a Washington limited liability company, 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;

That the Grantee shall have the right to install, construct, erect, alter, improve, repair and maintain permanent eyebolt(s), or equivalent attachment structures ("Eyebolts"), on the side of the Burke Building facing Jackson Street as shown on the drawings attached hereto as Exhibit "A" and Exhibit "B". The Burke Building is located at 316 Occidental Avenue S, Seattle, Washington and on the following described parcel of land situated in the City of Seattle, County of King, State of Washington:

LOTS 1, 2, 3 AND 4, BLOCK 11, TOWN OF SEATTLE, AS LAID OUT BY D.S. MAYNARD, COMMONLY KNOWN AS D.S. MAYNARD'S PLAT OF SEATTLE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 1 OF PLATS, PAGE(S) 23 IN KING COUNTY, WASHINGTON, EXCEPT THE WEST 9 FEET THEREOF CONDEMNED IN DISTRICT COURT CAUSE NO. 7089 FOR OCCIDENTAL AVENUE AS PROVIDED BY ORDINANCE NUMBER 1109 OF THE CITY OF SEATTLE.

EXCISE TAX NOT REQUIRED

King Co. Records Division

By Paul Johnson Deputy

Together with the right, privilege and authority to attach streetcar wires to permanent Eyebolts, subject to the limitations set forth in this Easement.

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 the Eyebolts.

The Grantee shall be responsible, as provided by law, for any damage resulting to the Burke Building caused by Grantee's acts, omissions or negligence when attaching Eyebolts, maintaining Eyebolts, or removing Eyebolts, and attaching streetcar wires to, maintaining streetcar wires on, or removing streetcar wires from the Eyebolts.

The right, title, privileges and authority hereby granted shall continue and be in force until (a) 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 the Eyebolts, at which time all such right, title, privilege and authority hereby granted shall terminate, or (b) if the Burke Building is damaged or destroyed, and Grantor, its successors and assigns, determines, in its sole discretion either not to reconstruct the Burke Building or to reconstruct the Burke Building in a manner that is inconsistent with locating Eyebolts on the side of the reconstructed building facing Jackson Street, and gives a formal written 180 day notification of such determination to Grantee at which time this Easement shall terminate and be of no further force and effect. If the Grantee, its successors and assigns, shall permanently remove the streetcar wires, or shall otherwise permanently abandon the use of the Eyebolts, then upon the request of Grantor, its successors and assigns, Grantee, its successors and assigns, shall remove the Eyebolts and properly and promptly repair any damage to the Burke Building caused by removal of the Eyebolts.

GRANTOR:

BURKE-STATE BLDG., LLC
a Washington limited liability company

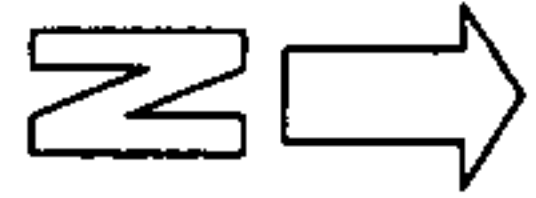
By: 

H. Martin Smith, III
Its: Manager

Dated: 2-5-2014

Exhibit A

Map Showing Approximate Connection Point to Building



Occidental Ave S

Eyebolt/Attachment
• **At 25.5' +/- Height**
(2' above Metro eyebolt)



S Jackson St

Burke Building
Masonry Wall/Column,
Typical



Eyebolt/Attachment
At 25.0' +/- Height
(2' above Metro eyebolt)



Alley

Exhibit B (Sheet 1 of 2)

Drawings/Specifications
For Eyebolt

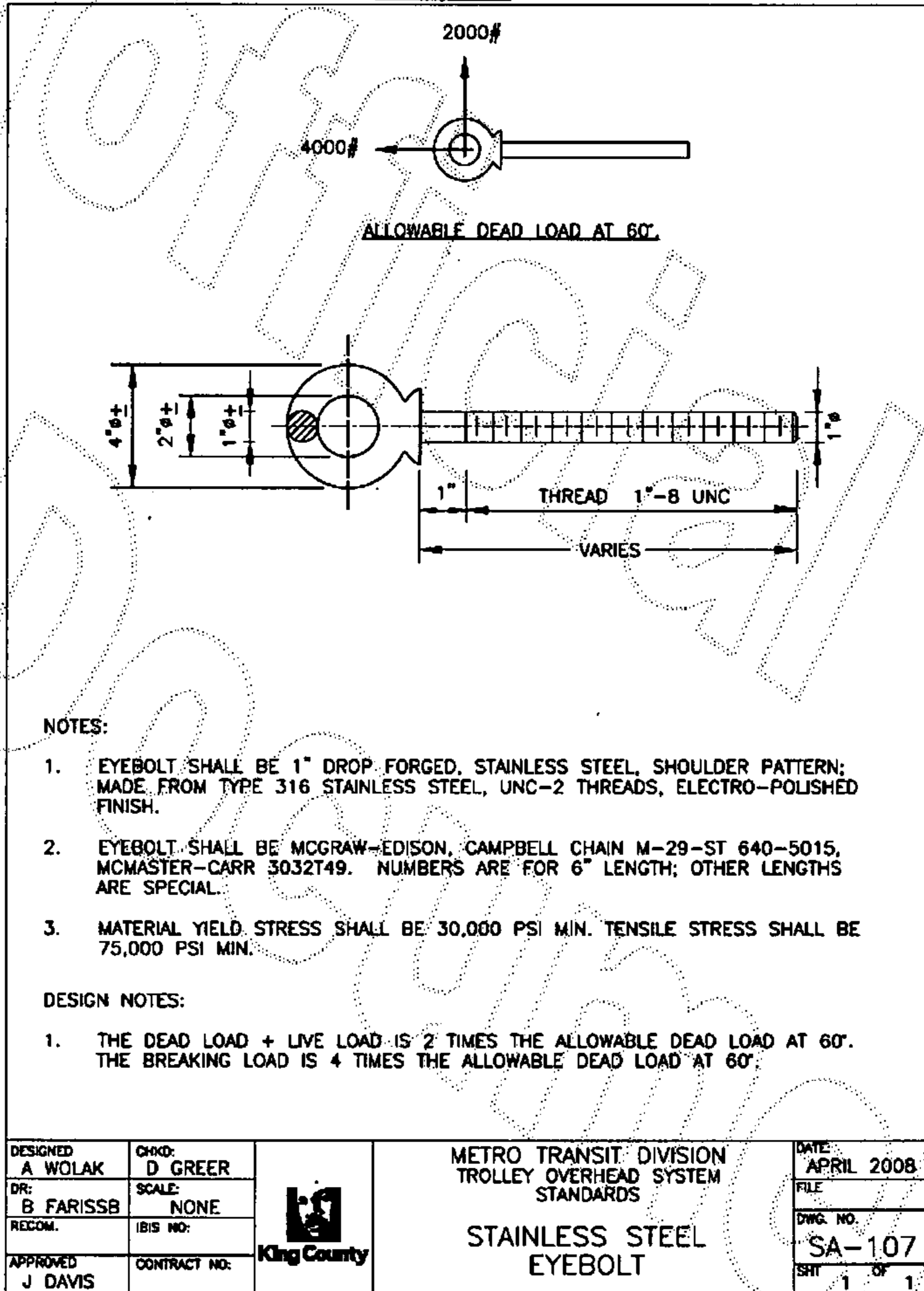
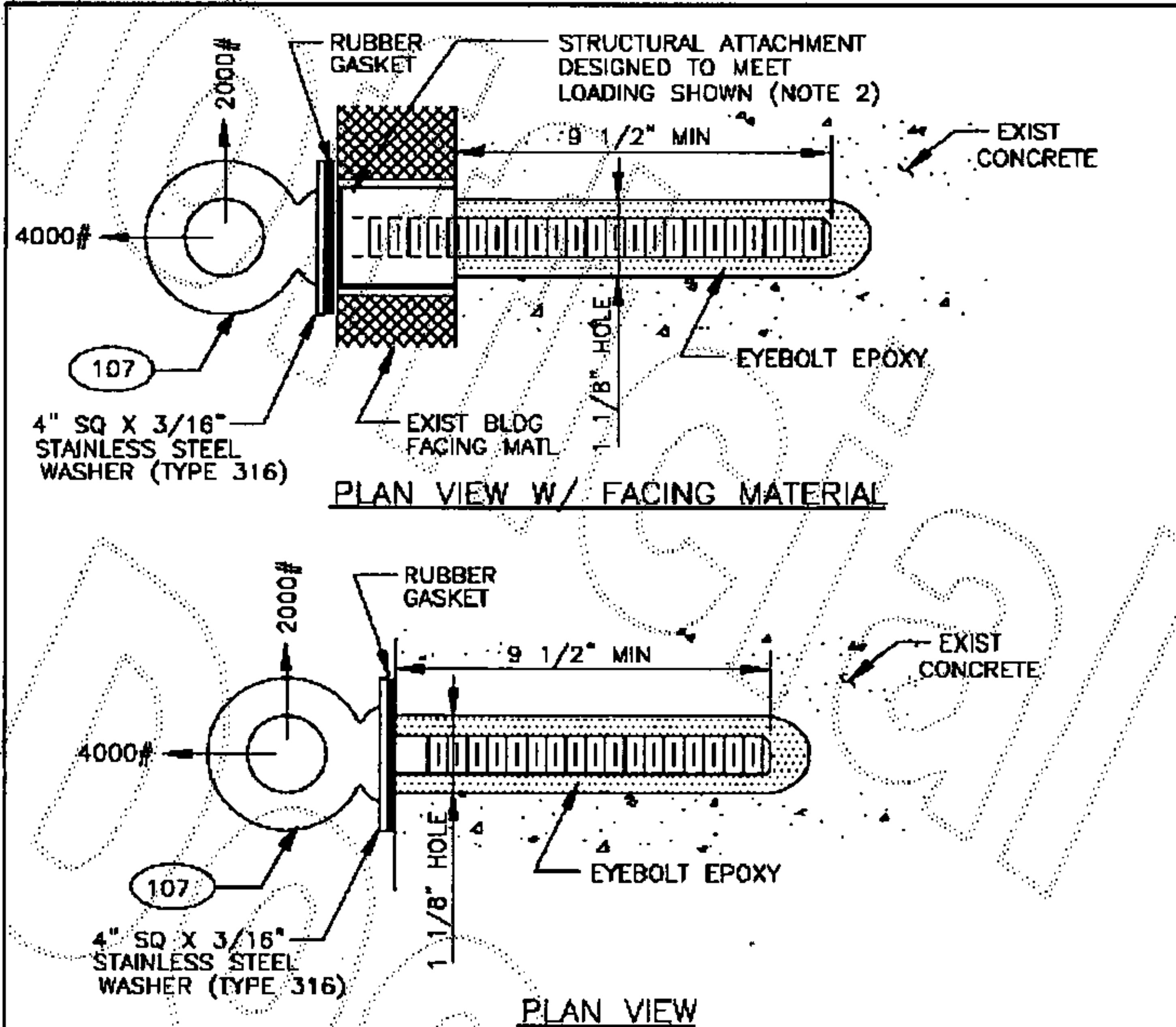



Exhibit B (Sheet 2 of 2)

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 MANUFACTURER'S 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	CHKD: DDW	 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				SMT: 1 OF 5