

January 31, 1991

Ms. Judy Maring
Young Development and Construction Company
10803 Kent Kangley Road
Kent, WA 98031

Subject: Water Main Easement for the Terrace Heights Development
Incorrect Legal Description

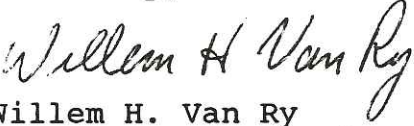
Dear Ms. Maring:

Attached is an easement to the City for the water mains in the Terrace Heights development. It has come to my attention that there is an error in the legal description. The legal description places the water main easement in a parcel of land in the southwest quarter of the northeast quarter of Section 28, Township 27 North, Range 5 East, W.M. whereas the development occupies the southwest quarter of the northeast quarter of the northeast quarter of Section 28, Township 27 North, Range 4 East, W.M. References to the incorrect parcel are made in a number of places in the legal description. The first location where the incorrect description appears is noted.

The legal must be corrected and the entire easement document recorded with the Snohomish County Auditor as if it were a new easement. The City is to retain the original version of the recorded easement. Also, the present easement should be vacated to avoid confusion in the future. Surveyor will likely be able to advise you of an appropriate procedure for vacating the easement.

If you, or your surveyor have questions, please call.

Sincerely,


Willem H. Van Ry
Assistant City Engineer

WHR/jp

Enclosure

cc: City Engineer
D. McGrath

Terrhts1.wpf



(206) 776-1161

MOUNTLAKE TERRACE

FAX (206) 776-5788

23200 - 58th AVENUE WEST CIVIC CENTER MOUNTLAKE TERRACE WASHINGTON 98043-4697

EASEMENT

THE GRANTOR, Young Development & Construction Co., Inc., a Washington Corporation, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), receipt of which is hereby acknowledged and for other good and valuable consideration, grants and conveys to The City of Mountlake Terrace, a municipal corporation of the State of Washington, GRANTEE and easement and right-of-way, over, under, through, across and upon those portions of property of Grantor described in Exhibit "A", attached hereto and made a part hereof.

For purpose of reconstructing , replacing, repairing, maintaining and operating a water main, pipelines and all necessary connections and appurtenances thereto.

TOGETHER WITH the right of ingress thereto and egress therefrom for all purposes necessary and related thereto, and also granting to Grantee and to those acting under or for Grantee, the use of such additional area immediately adjacent to the above easement as shall be required for the reconstruction or replacement of the water main and pipelines in the easement, such additional area to be held to a minimum necessary for the purpose, and immediately after the completion of reconstruction or replacement. Grantee shall restore the premises as near as may be to its condition immediately before such construction or entry.

This easement shall be a covenant running with the land and be binding upon the parties hereto, there heirs, successors and assigns.

IN WITNESS WHEREOF, Grantor has hereunto caused this instrument to be executed this 20 day of November, 1990.

YOUNG DEVELOPMENT & CONSTRUCTION CO., INC.

BY: James P. K. Young, President

STATE OF WASHINGTON) ss
COUNTY OF KING)

This is to certify that on this 20 day of November, 1990, before me, the undersigned, a Notary Public personally appeared James P. K. Young, President of Young Development & Construction CO., Inc., a Washington corporation, to me known to be the individual(s) who executed the within dedication, and acknowledged to me that he signed and sealed the same as his free and voluntary act and deed for the use and purposes therein mentioned and on oath stated that he is authorized to execute said instrument.

WITNESS my hand and official seal the day and year first above written.

Sydney A. West
Notary Public in and for the State of
WASHINGTON.

EXHIBIT "A"

WATER EASEMENT

3
OF THE NORTHEAST
QUARTER

~~XXXXXXXXXX~~
A strip of land 10 feet in width, being in the Southwest quarter of the Northeast quarter of Section 28, Township 27 North, Range 5 East, W.M.;

EXCEPT the South 105 feet of that portion lying West of the East 375 feet, situated in Snohomish County, Washington, having 5.0 feet of width on each side of the following described centerline:

BEGINNING at the Southeast Corner of said Southwest quarter of the Northeast quarter;
THENCE North 00° 00' 15" West along the East line of said Southwest quarter of the Northeast quarter, 35.41 feet to the TRUE POINT OF BEGINNING.

THENCE North 86° 57' 33" West, 194.14 feet;
THENCE North 02° 22' 07" East, 78.25 feet;
THENCE South 87° 39' 53" East, 14.98 feet;
THENCE North 87° 39' 53" West, 14.98 feet;
THENCE North 00° 36' 40" West, 40.59 feet;
THENCE North 89° 23' 20" West, 14.85 feet;
THENCE South 89° 23' 20" East, 14.85 feet;
THENCE North 00° 36' 40" West, 14.18 feet;
THENCE South 89° 23' 20" West, 25.69 feet;
THENCE North 89° 23' 20" East, 25.69 feet;
THENCE North 00° 36' 40" West, 42.18 feet;
THENCE North 89° 34' 47" West, 25.87 feet;
THENCE South 89° 34' 47" East, 25.87 feet;
THENCE North 04° 46' 11" East, 39.60 feet;
THENCE South 85° 29' 19" East, 65.81 feet;
THENCE North 85° 29' 19" West, 65.81 feet;
THENCE North 01° 39' 09" West, 54.52 feet to a point hereinafter referred to as Point "A";
THENCE North 04° 28' 29" East, 22.69 feet;
THENCE North 37° 25' 46" East, 42.39 feet;
THENCE North 52° 34' 14" West, 25.07 feet;
THENCE South 52° 34' 14" East, 25.07 feet;
THENCE North 37° 25' 46" East, 44.86 feet;
THENCE North 52° 34' 14" West, 45.04 feet;
THENCE South 52° 34' 14" East, 45.04 feet;
THENCE North 37° 25' 46" East, 6.69 feet;
THENCE South 52° 34' 14" East, 15.49 feet;
THENCE North 52° 34' 14" West, 15.49 feet;
THENCE North 37° 25' 46" East, 76.07 feet;
THENCE North 00° 00' 15" West, 76.16 feet;
THENCE North 89° 59' 45" East, 28.90 feet;
THENCE South 89° 59' 45" West, 28.90 feet;
THENCE North 00° 00' 15" West, 7.46 feet;

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THENCE South 00° 28' 32" West, 30.38 feet;
THENCE North 89° 31' 28" West, 61.76 feet;
THENCE South 02° 05' 19" West, 92.31 feet;
THENCE South 84° 14' 15" West, 10.56 feet;
THENCE North 84° 14' 15" East, 10.56 feet;
THENCE North 02° 05' 19" East, 92.31 feet;
THENCE North 88° 44' 19" West, 82.07 feet;
THENCE South 01° 08' 02" West, 12.57 feet;
THENCE North 01° 08' 02" East, 12.57 feet;
THENCE North 89° 05' 12" West, 59.03 feet to a point on the West line of said Southwest quarter of the Northeast quarter, said point being 352.70 feet South of the Northwest corner of said Southwest quarter of the Northeast quarter as measured along the West line of said Southwest quarter of the Northeast quarter and the terminus of this described line.

The sidelines of all strips shall be shortened or lengthened as necessary to intersect at angle points, the South 105 feet of the East 375 feet of said Southwest quarter of the Northeast quarter, and the West line of said Southwest quarter of the Northeast quarter.

RECORDED
EASEMENT

THE GRANTOR, Young Development & Construction Co., Inc., a Washington Corporation, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), receipt of which is hereby acknowledged and for other good and valuable consideration, grants and conveys to The City of Mountlake Terrace, a municipal corporation of the State of Washington, GRANTEE and easement and right-of-way, over, under, through, across and upon those portions of property of Grantor described in Exhibit "A", attached hereto and made a part hereof.

For purpose of reconstructing, replacing, repairing, maintaining and operating a water main, pipelines and all necessary connections and appurtenances thereto.

TOGETHER WITH the right of ingress thereto and egress therefrom for all purposes necessary and related thereto, and also granting to Grantee and to those acting under or for Grantee, the use of such additional area immediately adjacent to the above easement as shall be required for the reconstruction or replacement of the water main and pipelines in the easement, such additional area to be held to a minimum necessary for the purpose, and immediately after the completion of reconstruction or replacement. Grantee shall restore the premises as near as may be to its condition immediately before such construction or entry.

This easement shall be a covenant running with the land and be binding upon the parties hereto, there heirs, successors and assigns.

IN WITNESS WHEREOF, Grantor has hereunto caused this instrument to be executed this 20 day of November, 1990.

YOUNG DEVELOPMENT & CONSTRUCTION CO., INC.

BY: James P. K. Young, President

STATE OF WASHINGTON) ss
COUNTY OF KING)

This is to certify that on this 20 day of November, 1990, before me, the undersigned, a Notary Public personally appeared James P. K. Young, President of Young Development & Construction CO., Inc., a Washington corporation, to me known to be the individual(s) who executed the within dedication, and acknowledged to me that he signed and sealed the same as his free and voluntary act and deed for the use and purposes therein mentioned and on oath stated that he is authorized to execute said instrument.

WITNESS my hand and official seal the day and year first above written.

Cynthia A. West

Notary Public in and for the State of
WASHINGTON.

NO EXCISE TAX
REQUIRED

JAN 15 1991

KIRKE SIEVERS, Snohomish County Treasurer
By Daniel Sato
Deputy

EXHIBIT "A"

WATER EASEMENT

A strip of land 10 feet in width, being in the Southwest quarter of the Northeast quarter of Section 28, Township 27 North, Range 5 East, W.M.;

EXCEPT the South 105 feet of that portion lying West of the East 375 feet, situated in Snohomish County, Washington, having 5.0 feet of width on each side of the following described centerline:

BEGINNING at the Southeast Corner of said Southwest quarter of the Northeast quarter;
THENCE North 00° 00' 15" West along the East line of said Southwest quarter of the Northeast quarter, 35.41 feet to the TRUE POINT OF BEGINNING.

THENCE North 86° 57' 33" West, 194.14 feet;
THENCE North 02° 22' 07" East, 78.25 feet;
THENCE South 87° 39' 53" East, 14.98 feet;
THENCE North 87° 39' 53" West, 14.98 feet;
THENCE North 00° 36' 40" West, 40.59 feet;
THENCE North 89° 23' 20" West, 14.85 feet;
THENCE South 89° 23' 20" East, 14.85 feet;
THENCE North 00° 36' 40" West, 14.18 feet;
THENCE South 89° 23' 20" West, 25.69 feet;
THENCE North 89° 23' 20" East, 25.69 feet;
THENCE North 00° 36' 40" West, 42.18 feet;
THENCE North 89° 34' 47" West, 25.87 feet;
THENCE South 89° 34' 47" East, 25.87 feet;
THENCE North 04° 46' 11" East, 39.60 feet;
THENCE South 85° 29' 19" East, 65.81 feet;
THENCE North 85° 29' 19" West, 65.81 feet;
THENCE North 01° 39' 09" West, 54.52 feet to a point hereinafter referred to as Point "A";
THENCE North 04° 28' 29" East, 22.69 feet;
THENCE North 37° 25' 46" East, 42.39 feet;
THENCE North 52° 34' 14" West, 25.07 feet;
THENCE South 52° 34' 14" East, 25.07 feet;
THENCE North 37° 25' 46" East, 44.86 feet;
THENCE North 52° 34' 14" West, 45.04 feet;
THENCE South 52° 34' 14" East, 45.04 feet;
THENCE North 37° 25' 46" East, 6.69 feet;
THENCE South 52° 34' 14" East, 15.49 feet;
THENCE North 52° 34' 14" West, 15.49 feet;
THENCE North 37° 25' 46" East, 76.07 feet;
THENCE North 00° 00' 15" West, 76.16 feet;
THENCE North 89° 59' 45" East, 28.90 feet;
THENCE South 89° 59' 45" West, 28.90 feet;
THENCE North 00° 00' 15" West, 7.46 feet;

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THENCE North 89° 59' 45" East, 31.21 feet;
THENCE South 89° 59' 45" West, 31.21 feet;
THENCE North 00° 00' 15" West, 34.75 feet;
THENCE South 89° 59' 45" West, 18.04 feet;
THENCE North 89° 59' 45" East, 18.04 feet;
THENCE North 00° 00' 15" West, 39.15 feet;
THENCE North 88° 53' 41" West, 104.69 feet;
THENCE South 36° 06' 19" West, 77.07 feet;
THENCE North 53° 53' 41" West, 29.16 feet;
THENCE South 53° 53' 41" East, 29.16 feet;
THENCE South 36° 06' 19" West, 99.93 feet;
THENCE South 78° 13' 07" West, 1.12 feet;
THENCE South 11° 46' 53" East, 9.80 feet;
THENCE North 11° 46' 53" West, 9.80 feet;
THENCE South 78° 13' 07" West, 4.00 feet;
THENCE South 11° 46' 53" East, 9.00 feet;
THENCE North 11° 46' 53" West, 9.00 feet;
THENCE South 78° 13' 07" West, 103.30 feet;
THENCE North 11° 46' 53" West, 35.80 feet;
THENCE South 11° 46' 53" East, 35.80 feet;
THENCE South 78° 13' 07" West, 41.08 feet;
THENCE North 32° 03' 10" West, 71.89 feet;
THENCE South 57° 56' 50" West, 27.21 feet;
THENCE North 57° 56' 50" East, 27.21 feet;
THENCE North 32° 03' 10" West, 67.46 feet;
THENCE North 88° 53' 41" West, 8.00 feet;
THENCE South 01° 06' 19" West, 20.00 feet;
THENCE North 01° 06' 19" East, 20.00 feet;
THENCE North 88° 53' 41" West, 86.62 feet;
THENCE North 01° 06' 19" East, 23.83 feet;
THENCE South 01° 06' 19" West, 23.83 feet;
THENCE North 88° 53' 41" West, 6.50 feet;
THENCE South 01° 06' 19" West, 16.00 feet;
THENCE North 01° 06' 19" East, 16.00 feet;
THENCE North 88° 53' 41" West, 18.82 feet to a point on the West line of said Southwest quarter of the Northeast quarter, said point being 95.52 feet South of the Northwest corner of said Southwest quarter of the Northeast quarter as measured along the West line of said Southwest quarter of the Northeast quarter, and the terminus of this described line.

TOGETHER WITH a strip of land 10 feet in width lying 5.0 feet on each side of the following described line:

BEGINNING at the aforementioned Point "A";
THENCE North 88° 47' 02" West, 124.39 feet;
THENCE North 00° 48' 49" West, 31.08 feet;
THENCE South 00° 48' 49" East, 31.08 feet;
THENCE North 89° 31' 28" West, 116.99 feet;
THENCE North 00° 28' 32" East, 30.38 feet;

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-2-

THENCE South 00° 28' 32" West, 30.38 feet;
THENCE North 89° 31' 28" West, 61.76 feet;
THENCE South 02° 05' 19" West, 92.31 feet;
THENCE South 84° 14' 15" West, 10.56 feet;
THENCE North 84° 14' 15" East, 10.56 feet;
THENCE North 02° 05' 19" East, 92.31 feet;
THENCE North 88° 44' 19" West, 82.07 feet;
THENCE South 01° 08' 02" West, 12.57 feet;
THENCE North 01° 08' 02" East, 12.57 feet;
THENCE North 89° 05' 12" West, 59.03 feet to a point on the West line of said Southwest quarter of the Northeast quarter, said point being 352.70 feet South of the Northwest corner of said Southwest quarter of the Northeast quarter as measured along the West line of said Southwest quarter of the Northeast quarter and the terminus of this described line.

The sidelines of all strips shall be shortened or lengthened as necessary to intersect at angle points, the South 105 feet of the East 375 feet of said Southwest quarter of the Northeast quarter, and the West line of said Southwest quarter of the Northeast quarter.