

1

1410381

Vol 720 Page 437

ASSURANCE

AGREEMENT

THIS AGREEMENT by and between MICHAEL MURPHY and LU ELIA MURPHY, his wife, and OSCAR CECOTTI and EVELYN CECOTTI, his wife, hereinafter referred to as "Owners", and the CITY OF MOUNTLAKE TERRACE, a municipal corporation, hereinafter referred to as "City", in consideration of the mutual covenants herein contained,

block 7 - see description below

WITNESSETH:

1. That the Owners now own contiguous property situated on Lot 7 of Lake Ballinger's Land Company Plat, Subdivision No. 1, as recorded in Volume 9 of Plats, at Pages 57 and 58, records of Snohomish County, Washington;
2. That each of the aforesaid Owners will, by separate instrument, execute in favor of the City a quit claim deed to that portion of the property owned by him as appears after the name of each of the said Owners as follows:

MURPHY

Parcel "A":

A portion of Lots 24 and 25 in Block 7 of Lake Ballinger Land Co.'s Plat Subdivision No. 1, recorded in volume 9 of plats on pages 57 and 58, records of Snohomish County, Washington, described as follows:

Parcel "A"

Commencing at the southwest corner of said Lot 25 and running thence S 88°25'43" E along the south line of said Lot 25 a distance of 75.00 feet and thence N 47°31'15" E 14.38 feet to an intersection with the northerly margin of 244th Street S.W. (now 10.00 feet north of and parallel with the south line of said lots) and the Point of Beginning of this description; thence N 88°25'43" W along said northerly margin of 244th St. S.W. 15.00 feet; thence N 21°43'25" E, 63.91 feet; thence S 88°25'43" E, 55.00 feet; thence S 47°31'15" W, 86.29 feet to the Point of Beginning, SUBJECT TO an easement in favor of the grantors for road purposes 15.00 feet in width measured along the southerly line of the property hereinabove described, said easement running along the westerly line of the said property hereinabove described; TOGETHER WITH a permanent easement and right-of-way, including the perpetual right to enter upon the real estate herein-after described, at any time that the grantee sees fit and to construct, maintain and repair underground pipe lines and/or mains for the purpose of conveying

Plotted

sanitary sewerage, over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of said pipe lines and/or mains, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said pipe lines and/or mains. Said easement and right-of-way being more particularly described as follows:

A portion of Lot 25 in Block 7 of Lake Ballinger Land Co.'s Plat Subdivision No. 1, recorded in volume 9 of plats on pages 57 and 58, records of Snohomish County, Washington, described as follows:

Commencing at the southwest corner of said Lot 25 and running thence S 88°25'43" E along the south line of said Lot 25 a distance of 75.00 feet and thence N 47°31'15" E, 14.38 feet to an intersection with the northerly margin of 244th St. S.W. (now 10.00 feet north of and parallel with the south line of said lot); thence N 88°25'43" W along said northerly margin of 244th St. S.W., 15.00 feet to the Point of Beginning of this description; thence continuing N 88°25'43" W, 10.00 feet; thence N 46°34'17" E, 22.34 feet to a point on the westerly line of Parcel "A" hereinabove described; thence S 21°43'25" W along said westerly line of Parcel "A", 16.83 feet to the Point of Beginning.

CRCOTT

A portion of Lot 25 in Block 7 of Lake Ballinger Land Co.'s Plat Subdivision No. 1, recorded in volume 9 of plats on pages 57 and 58, records of Snohomish County, Washington, described as follows:

Commencing at the southwest corner of said Lot 25 and running thence S 88°25'43" E along the south line of said Lot 25 a distance of 75.00 feet and thence N 47°31'15" E 14.38 feet to an intersection with the northerly margin of 244th Street S.W. (now 10.00 feet north of and parallel with the south line of said lot) and the Point of Beginning of this description; thence continuing N 47°31'15" E, 86.29 feet; thence S 1°34'17" W, 35.00 feet; thence S 47°31'15" W, 35.95 feet; thence N 88°25'43" W along said northerly margin of 244th St. S.W., 36.13 feet to the Point of Beginning.

3. That in consideration of the execution and delivery of the aforesaid quit claim deeds, the City of Mountlake Terrace promises to each of the Owners as follows:

a. That the City will conduct an accurate topographical survey to establish the boundaries of the property conveyed as hereinabove, and to establish the common boundaries between the respective parcels owned by each of the Owners, and

will set property corner stakes upon the completion of the said survey.

b. That the City will provide legal descriptions of the parcels conveyed to the City as aforesaid, and of the property then remaining in the ownership of each of the Owners after the aforesaid conveyance.

c. That the City will provide two sewer connections for each of the said Owners, each on his own tract of land, and will provide sewer service to each of the said Owners when it is available to residents of the City of Mountlake Terrace. The Owners will pay whatever connection charges are levied generally against users of the said sewer system, and will pay whatever sewer service charge is levied against residents of the City of Mountlake Terrace for the same sewer service. ~~In the event that at some future time the City of Mountlake Terrace offers sewer service to non-residents generally, then, in that event, the Owners agree to pay the same sewer service charge which is levied or required to be paid by non-residents of the said City generally for the same service.~~

d. That the City will install an eight-inch (8") diameter pipe storm drain from the property conveyed to it to Lake Ballinger, generally parallel to the common boundary between the parcels owned by each of the aforesaid Owners, and at such precise location as may be agreed upon by each of the said Owners, and upon such easements as may be granted to the City for such purpose.

e. That during the construction of its municipal sewer system, the City agrees to furnish, place and spread such fill material as may be requested by the Owners, but not in any event to exceed 2,000 cubic yards thereof to each of said Owners, on the property owned by the said Owners, in the locations and to the depths to be designated by said Owners, said fill material to consist of excess excavated material from the sewer construction and

VOL 720 PAGE 440

pumping station site, and/or other suitable fill material which may be elsewhere obtained by the City, all to be delivered and suitably spread by bulldozer or similar means, without cost to the property Owners.

DATED this 5th day of ^{AUG} ~~August~~, 1959.



ATTEST:

Bertine J. Johnson
City Clerk

CITY OF MOUNTLAKE TERRACE

By: Lucille Jones
City Manager

x Oscar Cicatti

x Evelyn Cicatti

Richard Murphy
Joe Lolla Murphy

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH) ss.

VOL 720 H1441

I, William F. Hennessey, Notary Public in
and for the State of Washington, residing at Seattle,
do hereby certify that on this _____ day of March, 1959, personally
appeared before me MICHAEL MURPHY and LU ELLA
MURPHY, his wife, to me known to be the individuals
described in and who executed the within instrument and acknowledged
that they signed and sealed the same as their free and voluntary
act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 19th day
of March, 1959.

William F. Hennessey
NOTARY PUBLIC in and for the State
of Washington, residing at Seattle

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH) ss.

I, William F. Hennessey, Notary Public in
and for the State of Washington, residing at Seattle,
do hereby certify that on this _____ day of March, 1959, personally
appeared before me OSCAR CECOTTI and EVELYN CECOTTI, his wife, to
me known to be the individuals described in and who executed the
within instrument and acknowledged that they signed and sealed the
same as their free and voluntary act and deed for the uses and
purposes therein mentioned.

GIVEN under my hand and official seal this 26 day
of March, 1959.

William F. Hennessey
NOTARY PUBLIC in and for the State
of Washington, residing at Seattle

FILED
OF
- 85 C
1437 M
City Clerk
wa 720 H1437
Sub M. L. 2/1/59

A G R E E M E N T

THIS AGREEMENT by and between MICHAEL MURPHY and LU ELLA MURPHY, his wife, and OSCAR CECOTTI and EVELYN CECOTTI, his wife, hereinafter referred to as "Owners", and the CITY OF MOUNTLAKE TERRACE, a municipal corporation, hereinafter referred to as "City", in consideration of the mutual covenants herein contained,

W I T N E S S E T H:

1. That the Owners now own contiguous property situated on Lot 7 of Lake Ballinger's Land Company Plat, Subdivision No. 1, as recorded in Volume 9 of Plats, at Pages 57 and 58, records of Snohomish County, Washington;

2. That each of the aforesaid Owners will, by separate instrument, execute in favor of the City a quit claim deed to that portion of the property owned by him as appears after the name of each of the said Owners as follows:

MURPHYParcel "A":
Parcel "A"

A portion of Lots 24 and 25 in Block 7 of Lake Ballinger Land Co.'s Plat Subdivision No. 1, recorded in volume 9 of plats on pages 57 and 58, records of Snohomish County, Washington, described as follows:

Commencing at the southwest corner of said Lot 25 and running thence S 88°25'43" E along the south line of said Lot 25 a distance of 75.00 feet and thence N 47°31'15" E 14.38 feet to an intersection with the northerly margin of 244th Street S.W. (now 10.00 feet north of and parallel with the south line of said lots) and the Point of Beginning of this description; thence N 88°25'43" W along said northerly margin of 244th St. S.W. 15.00 feet; thence N 21°43'25" E, 63.91 feet; thence S 88°25'43" E, 55.00 feet; thence S 47°31'15" W, 86.29 feet to the Point of Beginning, SUBJECT TO an easement in favor of the grantors for road purposes 15.00 feet in width measured along the southerly line of the property hereinabove described, said easement running along the westerly line of the said property hereinabove described; TOGETHER WITH a permanent easement and right-of-way, including the perpetual right to enter upon the real estate herein-after described, at any time that the grantee sees fit and to construct, maintain and repair underground pipe lines and/or mains for the purpose of conveying

sanitary sewerage, over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of said pipe lines and/or mains, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said pipe lines and/or mains. Said easement and right-of-way being more particularly described as follows:

A portion of Lot 25 in Block 7 of Lake Ballinger Land Co.'s Plat Subdivision No. 1, recorded in volume 9 of plats on pages 57 and 58, records of Snohomish County, Washington, described as follows:

Commencing at the southwest corner of said Lot 25 and running thence S 88°25'43" E along the south line of said Lot 25 a distance of 75.00 feet and thence N 47°31'15" E, 14.38 feet to an intersection with the northerly margin of 244th St. S.W. (now 10.00 feet north of and parallel with the south line of said lot); thence N 88°25'43" W along said northerly margin of 244th St. S.W., 15.00 feet to the Point of Beginning of this description; thence continuing N 88°25'43" W, 10.00 feet; thence N 46°34'17" E, 22.34 feet to a point on the westerly line of Parcel "A" hereinabove described; thence S 21°43'25" W along said westerly line of Parcel "A", 16.83 feet to the Point of Beginning.

CECOTTI

Parcel B { A portion of Lot 25 in Block 7 of Lake Ballinger Land Co.'s Plat Subdivision No. 1, recorded in volume 9 of plats on pages 57 and 58, records of Snohomish County, Washington, described as follows:

Commencing at the southwest corner of said Lot 25 and running thence S 88°25'43" E along the south line of said Lot 25 a distance of 75.00 feet and thence N 47°31'15" E 14.38 feet to an intersection with the northerly margin of 244th Street S.W. (now 10.00 feet north of and parallel with the south line of said lot) and the Point of Beginning of this description; thence continuing N 47°31'15" E, 86.29 feet; thence S 1°34'17" W, 35.00 feet; thence S 47°31'15" W, 35.95 feet; thence N 88°25'43" W along said northerly margin of 244th St. S.W., 36.18 feet to the Point of Beginning.

3. That in consideration of the execution and delivery of the aforesaid quit claim deeds, the City of Mountlake Terrace promises to each of the Owners as follows:

a. That the City will conduct an accurate topographical survey to establish the boundaries of the property conveyed as hereinabove, and to establish the common boundaries between the respective parcels owned by each of the Owners, and