

NO EXCISE TAX
REQUIRED

DEC 30 1987

1200
CITY OF MOUNTLAKE TERRACE
23204 - 58th AVE. WEST
MOUNTLAKE TERRACE, WA 98043-4697

KIRKE SIEVERS, Snohomish County Treasurer
By R. Keller
Deputy

WATERLINE EASEMENT

8712300169
Blue Cross of Washington and Alaska, a nonprofit corporation organized and existing under the laws of the State of Washington ("Grantor"), for and in consideration of the benefits expected to flow to it from the grant hereinafter set forth and for other good and valuable consideration in hand paid; the receipt and sufficiency of which Grantor hereby acknowledges, does hereby grant and convey to the City of Mountlake Terrace, a municipal corporation ("Grantee"), a non-exclusive Easement upon, across, along, over, through, and under the real property (the "Property") situated in the County of Snohomish and legally described in Exhibit A, attached hereto and incorporated by reference herein:

1. Grantor acknowledges, declares, and establishes the Easement for the purposes of allowing Grantee at its sole expense to construct, install, reconstruct, replace, repair, maintain and operate a water pipeline and lines and all necessary connections and appurtenances thereto, together with the right of ingress thereto and egress therefrom for the purpose of enjoying the Easement.

Grantor further grants 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 construction of the water pipeline or lines in the Easement, such reasonable additional area to be held to a minimum necessary for that purpose, and immediately after the completion of the construction and installation, or any subsequent entry upon the Easement, Grantee shall restore the Easement area and adjacent land as near as may be to its condition immediately before such construction or entry. Grantee shall give Grantor reasonable notice and shall coordinate its activities so as to cause minimum disruption to Grantor.

- 2.a. Grantee shall indemnify, protect, defend and save harmless Grantor from any and all claims, demands, loss, damage, expense, including attorneys' fees, and liability of every kind and description, including personal injury, and for any damage to or loss or destruction of property whatsoever suffered by Grantor, its heirs, successors and assigns, or by any persons, firms or corporations arising from the exercise of any of Grantee's rights granted herein, provided that in the event of the concurrent negligence of Grantor and Grantee, Grantee shall be liable only to the extent of Grantee's negligence or such greater extent as may be permitted by Washington law, and further provided that Grantee shall not be required to indemnify Grantor against liability for damages caused by or result-

ing from the sole negligence of Grantor if proof of such sole negligence i.e. established by Grantee. Notwithstanding anything herein to the contrary, the parties intend that Grantee shall indemnify Grantor against liability as heretofore described to the greatest extent permitted by the laws of the State of Washington. Grantee, after mutual negotiation with Grantor, specifically and expressly agrees that by agreeing to so indemnify Grantor, Grantee waives any indemnity that it may have under industrial insurance under Title 51, RCW or under the law of any other jurisdiction.

- b. Grantor shall not be liable for any claims or damage to Grantee's property, facilities or appurtenances constructed or placed in said Easement by Grantee.
3. Grantor reserves the right to use the Easement for any purpose not inconsistent with the rights herein granted, including, but not limited to landscape, parking facilities, roadways, ingress and egress facilities, sidewalks, signage and other utility improvements and facilities, provided: that Grantor and the heirs, successors, or assigns of Grantor hereby covenant and agree not to construct or permit to be constructed any building or other similar structure on the Easement which would interfere with the exercise of the rights herein granted without written approval of the Grantee; and that no digging, tunneling or other form of construction activity shall be done on the Property which would disturb substantially the compaction or unearth Grantee's facilities on the Easement, or endanger the lateral support to said facilities.
4. The Easement and all rights herein granted shall, without any action whatsoever on the part of Grantor or Grantee, automatically terminate in the event that Grantee abandons or terminates the use of the waterlines or breaches the terms hereof.

RECORDED

87 DEC 30 AM 11:12

DEAN V. WILLIAMS, AUDITOR
SNOHOMISH COUNTY, WASH.
DEPUTY _____

Deputy Auditor

BLUE CROSS OF WASHINGTON AND ALASKA,
a Washington corporation

By:

Betty Woods
Its Executive Vice President,
Chief Administrative Officer

STATE OF WASHINGTON)
County of King) ss.

I certify that I know or have satisfactory evidence that Betty Woods signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the EVP-Chief Administrative Officer of BLUE CROSS OF WASHINGTON AND ALASKA to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: November 24, 1987.

Claudia D. Spring
Notary Public in and for the
State of Washington, residing
at Mountlake Terrace
My commission expires 5/1/89.

Approved by the City of Mountlake Terrace this 7th day of December, 1987.

By:

Its:

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH) ss.

I certify that I know or have satisfactory evidence that Lois Anderson signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the MAYOR of THE CITY OF MOUNTLAKE TERRACE to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: December 7, 1987.

Frances Jean Smith
Notary Public in and for the
State of Washington, residing
at Seattle, WA
My commission expires March 89

AJB:jb/hs

10' WATER LINE EASEMENT

A 10.0 FOOT WIDE STRIP; BEING A PORTION OF THE BLUE CROSS OF WASHINGTON AND ALASKA PROPERTY DESCRIBED AS:

REAL PROPERTY LOCATED IN THE CITY OF MOUNTLAKE TERRACE, COUNTY OF SNOHOMISH, STATE OF WASHINGTON, BEING SITUATED IN THE SOUTHEAST ONE QUARTER OF THE NORTHWEST ONE QUARTER AND THE SOUTHWEST ONE QUARTER OF THE NORTHEAST ONE QUARTER OF SECTION 29, TOWNSHIP 27 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTIONS OF 66TH AVENUE WEST AND 220TH STREET S.W. NORTH 89°17'26" WEST 230.02 FEET; THENCE NORTH 0°00'04" EAST 38.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID 220TH STREET S.W. AND THE TRUE POINT OF BEGINNING; THENCE ALONG THE SAID NORTH RIGHT-OF-WAY LINE NORTH 89°17'26" WEST 425.27 FEET; THENCE NORTH 89°14'53" WEST 436.34 FEET; THENCE NORTH 85°10'15" WEST 155.57 FEET; THENCE NORTH 89°10'42" WEST 80.58 FEET; THENCE NORTH 69°23'07" WEST 35.96 FEET; THENCE SOUTH 89°52'54" WEST 90.81 FEET; THENCE SOUTH 57°01'44" WEST 28.13 FEET; THENCE NORTH 79°21'09" WEST 61.47 FEET; THENCE NORTH 86°47'04" WEST 41.40 FEET; THENCE NORTH 54°42'17" WEST 11.96 FEET; THENCE SOUTH 84°16'07" WEST 15.32 FEET; THENCE SOUTH 49°42'20" WEST 7.15 FEET; THENCE SOUTH 75°27'50" WEST 55.17 FEET TO A POINT ON THE EAST LINE OF THE CITY OF MOUNTLAKE TERRACE PROPERTY DESCRIBED BY DEED RECORDED UNDER A.F. NO. 8005050113, RECORDS OF SNOHOMISH COUNTY; THENCE NORTH 37.47 FEET; THENCE NORTH 61°16'46" WEST 71.94 FEET; THENCE NORTH 5°27'53" WEST 92.00 FEET; THENCE NORTH 59°14'06" WEST 127.50 FEET TO A POINT ON A 1158.57 FOOT RADIUS CURVE TO THE RIGHT (RADIUS POINT BEARS SOUTH 79°38'16" EAST); THENCE NORTH AND EASTERLY ALONG SAID CURVE 330.16 FEET THROUGH A CENTRAL ANGLE OF 16°19'40"; THENCE LEAVING SAID CURVE RADially NORTH 63°18'36" WEST 65.00 FEET TO A POINT ON A RADIAL 1223.57 FOOT RADIUS CURVE TO THE RIGHT (RADIUS POINT BEARS SOUTH 63°18'36" EAST); THENCE NORTH AND EASTERLY ALONG SAID CURVE 736.58 FEET THROUGH A CENTRAL ANGLE OF 34°29'30"; THENCE NORTH 61°10'54" EAST 323.53 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 216TH STREET S.W.; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE SOUTH 89°22'20" EAST 356.49 FEET; THENCE SOUTH 89°03'47" EAST 326.26 FEET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE SOUTH 0°04'02" WEST 634.49 FEET; THENCE NORTH 89°10'39" WEST 126.96 FEET; THENCE SOUTH 0°07'55" WEST 332.37 FEET; THENCE SOUTH 89°14'04" EAST 224.67 FEET; THENCE SOUTH 0°00'04" WEST 294.15 FEET TO THE TRUE POINT OF BEGINNING.

SAID 10.0 FOOT WIDE STRIP LIES 5.0 FEET ON EACH SIDE OF THE AS-BUILT WATERLINE, THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWING:

COMMENCING AT THE ABOVE DESCRIBED TRUE POINT OF BEGINNING; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE NORTH 89°17'26" WEST 425.27 FEET; THENCE NORTH 89°14'53" WEST 436.34 FEET; THENCE NORTH 85°10'15" WEST 155.57 FEET; THENCE NORTH 89°10'42" WEST 80.58 FEET; THENCE NORTH 69°23'07" WEST 35.96 FEET; THENCE SOUTH 89°52'54" WEST 62.40 FEET TO THE POINT OF BEGINNING FOR THIS CENTERLINE DESCRIPTION; THENCE NORTH 0°15'00" EAST 18.32 FEET; THENCE NORTH 11°30'00" EAST 130.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'A'; THENCE CONTINUING NORTH 11°30'00" EAST 164.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'B'; THENCE CONTINUING NORTH 11°30'00" EAST 83.50 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'C'; THENCE CONTINUING NORTH 11°30'00" EAST 55.00 FEET; THENCE NORTH 36°25'07" EAST 30.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'D'; THENCE CONTINUING NORTH 36°25'07" EAST 84.40 FEET; THENCE NORTH 62°30'00" EAST 65.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'E'; THENCE CONTINUING NORTH 62°30'00" EAST 230.31 FEET; THENCE NORTH 11°30'00" EAST 30.80 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'F'; THENCE CONTINUING NORTH 11°30'00" EAST 8.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'G'; THENCE CONTINUING NORTH 11°30'00" EAST 93.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'H'; THENCE CONTINUING NORTH 11°30'00" EAST 78.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'T'; THENCE CONTINUING NORTH 11°30'00" EAST 123.60 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'I'; THENCE CONTINUING NORTH 11°30'00" EAST 65.00 FEET; THENCE NORTH 2°38'36" EAST 16.21 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'U'; THENCE SOUTH 87°21'24" EAST 84.30 FEET; THENCE SOUTH 78°30'00" EAST 33.00 FEET TO A POINT HEREINAFTER REFERRED TO A POINT 'J'; THENCE CONTINUING SOUTH 78°30'00" EAST 195.60 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'L'; THENCE CONTINUING SOUTH 78°30'00" EAST 141.00 FEET; THENCE SOUTH 11°30'00" WEST 160.60 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'M'; THENCE CONTINUING SOUTH 11°30'00" WEST 121.80 FEET; THENCE NORTH 78°30'00" WEST 129.00 FEET; THENCE SOUTH 53°41'34" WEST 82.94 FEET TO A POINT HEREINAFTER REFERRED TO A POINT 'N'; THENCE CONTINUING SOUTH 53°41'34" WEST 12.35 FEET; THENCE SOUTH 11°30'00" WEST 79.00 FEET; THENCE SOUTH 56°30'00" WEST 63.90 FEET; THENCE NORTH 89°45'00" WEST 137.50 FEET TO THE INTERSECTION OF AN EXISTING WATER LINE AND A POINT HEREINAFTER REFERRED TO AS POINT 'K'; THENCE SOUTH 1°27'50" EAST 76.58 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'V'; THENCE SOUTH 0°29'02" WEST 147.95 FEET; THENCE SOUTH 0°54'01" WEST 86.06 FEET; THENCE SOUTH 9°00'35" WEST 29.46 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'W'; THENCE SOUTH 1°12'26" WEST 72.36 FEET; THENCE SOUTH 37°56'09" WEST 7.93 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'X'; THENCE CONTINUING SOUTH 37°56'09" WEST 3.00 FEET; THENCE SOUTH 1°23'43" WEST 19.35 FEET; THENCE SOUTH 88°47'13" WEST 100.00 FEET TO THE TERMINUS OF THIS CENTERLINE.

TOGETHER WITH THE FOLLOWING 10 FOOT WIDE EASEMENTS, EACH LYING 5.0 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'A'; THENCE NORTH 85°47'47" WEST 153.54 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'O'; THENCE NORTH 78°30'00" WEST 217.60 FEET; THENCE NORTH 11°30'00" EAST 227.50 FEET TO A POINT HEREINAFTER REFERRED TO A POINT 'P'; THENCE NORTH 5°17'44" EAST 144.35 FEET; THENCE SOUTH 80°41'19" EAST 157.11 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'Q'; THENCE SOUTH 78°30'00" EAST 167.00 FEET; THENCE SOUTH 57°44'50" EAST 78.43 FEET TO THE HEREINBEFORE DESCRIBED POINT 'D', AND THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'B'; THENCE NORTH 78°30'00" WEST 44.90 FEET; THENCE NORTH 11°30'00" EAST 10.00 FEET TO THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'C'; THENCE SOUTH 78°30'00" EAST 70.50 FEET TO THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'E'; THENCE NORTH 27°30'00" WEST 65.00 FEET TO THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'F'; THENCE SOUTH 88°22'00" EAST 46.70 FEET; THENCE NORTH 1°38'00" EAST 8.00 FEET TO THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'G'; THENCE NORTH 78°30'00" WEST 35.00 FEET TO THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'H'; THENCE SOUTH 78°30'00" EAST 52.56 FEET TO A POINT HEREINAFTER REFERRED TO A POINT 'S'; THENCE CONTINUING SOUTH 78°30'00" EAST 58.00 FEET MORE OR LESS TO ENCOMPASS THE EXISTING DETECTOR CHECK VAULT AND THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'I'; THENCE NORTH 78°30'00" WEST 65.00 FEET TO THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'J'; THENCE SOUTH 11°30'00" WEST 85.50 FEET; THENCE NORTH 78°30'00" WEST 10.00 FEET TO THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'K'; THENCE NORTH 2°20'43" EAST 199.31 FEET; THENCE NORTH 0°51'24" EAST 84.95 FEET; THENCE NORTH 66°41'17" WEST 30.00 FEET TO THE HEREINBEFORE DESCRIBED POINT 'T'; AND THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'L'; THENCE SOUTH 11°30'00" WEST 17.50 FEET TO THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'M'; THENCE

SOUTH 78°30'00" EAST 16.40 FEET TO THE TERMINUS OF THIS CENTER-LINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'N'; THENCE SOUTH 36°18'21" EAST 41.40 FEET TO THE TERMINUS OF THIS CENTER-LINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'O'; THENCE NORTH 11°30'00" EAST 7.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'R'; THENCE CONTINUING NORTH 11°30'00" EAST 58.00 FEET MORE OR LESS TO ENCOMPASS AN EXISTING DETECTOR CHECK VAULT AND THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'P'; THENCE SOUTH 78°30'00" EAST 100.60 FEET TO THE TERMINUS OF THIS CENTER-LINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'Q'; THENCE SOUTH 11°30'00" WEST 28.40 FEET TO THE TERMINUS OF THIS CENTER-LINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'R'; THENCE NORTH 78°30'00" WEST 15.60 FEET TO THE TERMINUS OF THIS CENTER-LINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'S'; THENCE NORTH 11°30'00" EAST 50.00 FEET TO THE TERMINUS OF THIS CENTER-LINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'U'; THENCE NORTH 87°21'24" WEST 9.70 FEET; THENCE NORTH 2°53'51" EAST 58.94 FEET; THENCE NORTH 28°02'51" EAST 47.05 FEET; THENCE NORTH 2°34'46" WEST 54.67 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 216TH STREET SW AND THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'V'; THENCE NORTH 88°59'02" WEST 10.00 FEET TO THE TERMINUS OF THIS CENTER-LINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'W'; THENCE NORTH 89°50'44" WEST 157.73 FEET; THENCE NORTH 88°11'00" WEST 15.34 FEET; THENCE SOUTH 84°17'36" WEST 25.96 FEET; THENCE SOUTH 86°09'10" WEST 45.26 FEET; THENCE NORTH 88°45'25" WEST 48.61 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'Y'; THENCE SOUTH 7°21'45" WEST 22.87 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'Z'; THENCE SOUTH 1°14'18" WEST 26.05 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'A-A'; THENCE CONTINUING SOUTH 1°14'18" WEST 8.00 FEET; THENCE SOUTH 33°02'04" WEST 154.21 FEET; THENCE SOUTH 49°08'41" WEST 81.58 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 220TH STREET SW AND THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'X'; THENCE

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SOUTH 40°33'50" EAST 7.50 FEET TO THE TERMINUS OF THIS CENTER-LINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'Y'; THENCE NORTH 0°13'55" EAST 185.21 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT 'B-B'; THENCE NORTH 11°12'07" WEST 24.69 FEET; THENCE NORTH 17°43'13" WEST 23.84 FEET; THENCE NORTH 41°21'30" WEST 36.25 FEET; THENCE NORTH 67°12'52" WEST 15.00 FEET TO THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'Z'; THENCE NORTH 84°42'30" EAST 12.00 FEET TO THE TERMINUS OF THIS CENTER-LINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'A-A'; THENCE NORTH 88°27'25" WEST 23.42 FEET; THENCE NORTH 77°44'31" WEST 26.00 FEET TO THE TERMINUS OF THIS CENTERLINE.

AND BEGINNING AT THE HEREINBEFORE DESCRIBED POINT 'B-B'; THENCE SOUTH 88°17'26" EAST 9.00 FEET TO THE TERMINUS OF THIS CENTER-LINE.

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