

**HIGHLINE WATER DISTRICT  
King County, Washington**

**RESOLUTION 10-4-7B**

**RESOLUTION AUTHORIZING RELEASE OF EASEMENT (LAKERIDGE DEVELOPMENT FOR HIGHLINE VIEW ESTATES DEVELOPER EXTENSION - KING COUNTY, WASHINGTON UNDER RECORDING NO. 8107200384) AND AUTHORIZING A NEW 15' UTILITY EASEMENT**

**WHEREAS**, an easement for water pipeline exists upon a portion of the following described real property:

Tax Parcel No. 692630-3575:

See Attachment 1 - Exhibit A, attached hereto and by this reference made a part hereof; and

**WHEREAS**, said easement for water pipeline is recorded in the records of King County, Washington under Recording No. 8107200384, see Attachment 2, attached hereto and by this reference made a part hereof; and

**WHEREAS**, the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints granted said easement for water pipeline for the benefit of Water District No. 75; and

**WHEREAS**, Lakeridge Development (hereinafter "GRANTOR") is successor in interest to the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints as the owner of the servient property burdened by said easement for water pipeline; and

**WHEREAS**, Highline Water District (hereinafter "GRANTEE") is successor in interest to Water District No. 75 as the owner of the dominant property benefitted by said easement for water pipeline; and

**WHEREAS**, GRANTEE desires to release and relinquish said easement (King Co. Recording No. 8107200384) for water pipeline.

**WHEREAS**, Smith Court, LLC will grant a new 15' utility easement to Highline Water District (attached as Attachment 3 and incorporated herein by this reference).

**NOW THEREFORE, BE IT RESOLVED:**

1. For valuable consideration, receipt of which is hereby acknowledged, Highline Water District (GRANTEE) hereby, releases and relinquishes, all right, title and interest it may have in said easement for water pipeline lying on Tax Parcel No. 692960-3575, said easement being legally described as follows: See Attachment 1 - Exhibit B for legal description, attached hereto and by this reference made a part hereof with the intention of permanently abandoning and terminating said easement for water pipeline.
2. The General Manager or designee is authorized to execute the Release of Easement #8107200384 as described in Attachment 1 incorporated herein.

**HIGHLINE WATER DISTRICT  
King County, Washington**

**RESOLUTION 10-4-7B**

3. The Board authorizes a new 15' easement for the District to install, operate, maintain, repair and use a water pipeline.

**ADOPTED BY THE BOARD OF COMMISSIONERS** of Highline Water District, King County, Washington, at a Regular Open Public Meeting held this 7th day of **April 2010**.

**BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Kathleen Quong-Vermeire, President

  
\_\_\_\_\_  
Gerald R. Guite, Secretary

  
\_\_\_\_\_  
Daniel Johnson, Commissioner

  
\_\_\_\_\_  
George Landon, Commissioner

  
\_\_\_\_\_  
Vince Koester, Commissioner

Attachment 1

**Return Address:**

HIGHLINE WATER DISTRICT  
P.O. BOX 3867  
23828 30<sup>TH</sup> AVE. S.  
KENT, WA 98032

Please print or type information WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Document Title(s) (or transactions contained therein): (all areas applicable to your document must be filled in)

1. Release of Easement (Lakeridge Development, A Washington Corporation)
- 2.
- 3.
- 4.

Reference Numbers (s) of Documents assigned or released: 8107200384

Additional reference #'s on page 4 of legal description

Grantor(s) (Last name first, then first name and initials)

1. Lakeridge Development
- 2.
- 3.
- 4.

Additional names on Attachment 2 page of Utility Easement

Grantee(s) (Last name first, then first name and initials)

1. Highline Water District
- 2.
- 3.
- 4.

Additional names on page Attachment 2 of document.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range) *NW21-22-04*

*Portions of the Plat of Puget Sound Park Addition to Des Moines, as recorded in Volume 4 of Plats, page 61, In King County, Washington.*

Additional legal is on pages 2 of Legal Description.

Assessor's Property Tax Parcel/Account Number 692960-3575

Assessor Tax # not yet assigned.

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

**RELINQUISHMENT OF EASEMENT FOR WATER PIPELINE**

WHEREAS, an easement for water pipeline exists upon a portion of the following described real property:

Tax Parcel No. 629630-3575:

See Exhibit A, attached hereto and by this reference made a part hereof;

AND WHEREAS, said easement for water pipeline is recorded in the records of King County, Washington under Recording No. 8107200384; and

WHEREAS, the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints granted said easement for water pipeline for the benefit of Water District No. 75; and

WHEREAS, Lakeridge Development (hereinafter "GRANTOR") is successor in interest to the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints as the owner of the servient property burdened by said easement for water pipeline; and

WHEREAS, Highline Water District (hereinafter "GRANTEE") is successor in interest to Water District No. 75 as the owner of the dominant property benefitted by said easement for water pipeline; and

WHEREAS, GRANTEE desires to relinquish said easement for water pipeline;

NOW THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, GRANTEE hereby relinquishes, vacates, and quit claims to GRANTOR or its successor all interest, if any, in said easement for water pipeline lying on Tax Parcel No. 692960-3575, said easement being legally described as follows:

See Exhibit B for legal description, attached hereto and by this reference made a part hereof with the intention of permanently abandoning and terminating said easement for water pipeline.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010

**GRANTEE  
HIGHLINE WATER DISTRICT**

\_\_\_\_\_  
Signature

By \_\_\_\_\_  
Printed Name

Its \_\_\_\_\_  
Title

STATE OF WASHINGTON    )  
                                       ) ss.  
 COUNTY OF \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
 is the person who appeared before me, and said person acknowledged that (he/she) signed this  
 instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged  
 it as the \_\_\_\_\_  
 of \_\_\_\_\_  
 to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

\_\_\_\_\_  
 Dated

\_\_\_\_\_  
 Notary Public in and for the State of Washington

\_\_\_\_\_  
 Printed Name

Residing at: \_\_\_\_\_

Appointment Expires: \_\_\_\_\_

**EXHIBIT A  
LEGAL DESCRIPTION – BURDENED PROPERTY  
TAX PARCEL NO. 692960-3575**

Lots 1 through 6, inclusive, Block 19, Puget Sound Park Addition to Des Moines, according to the plat thereof recorded in Volume 4 of Plats, page 61, in King County, Washington,

EXCEPT the South 5.00 of said Lot 6;

(ALSO KNOWN AS Lot A of City of Des Moines Lot Line Adjustment No. DM2-85, approved January 24, 1985 and recorded under Recording No. 8501310952).

AND

Lots 25 through 30, inclusive, Block 19, Puget Sound Park Addition to Des Moines, according to the plat thereof recorded in Volume 4 of Plats, page 61, in King County, Washington,

TOGETHER WITH the West half of Vacated 22nd Avenue South adjacent on the East as would attach to said premises by operation of law, vacated under King County Ordinance No. 6008, recorded under Recording Nos. 8207130599 and 20020506001691;

AND

Lots 1 through 30, inclusive, Block 24, Puget Sound Park Addition to Des Moines, according to the plat thereof recorded in Volume 4 of Plats, page 61, in King County, Washington,

TOGETHER WITH the East half of vacated 22nd Avenue South adjacent to said Lots 1 through 6, inclusive, on the West, and the West half of vacated 22nd Place South adjacent said Lots 16 through 30, inclusive, on the East, as would attach to said premises by operation of law, vacated under King County Ordinance No. 6008, recorded under Recording Nos. 8207130599 and 20020506001691;

AND TOGETHER WITH the North half of South 241st Street adjacent to said Lots 15 and 16 on the south, as would attach to said premises by operation of law, vacated under City of Des Moines Ordinance No. 1432, recorded under Recording No. 20080813000843;

AND

Vacated Lots 1 through 7, inclusive, Lots 8 and 9, Vacated Lot 10 and Lots 11 through 15, inclusive, Block 25, Puget Sound Park Addition to Des Moines, according to the plat thereof recorded in Volume 4 of Plats, page 61, in King County, Washington,

TOGETHER WITH the East half of Vacated 22nd Place South adjacent to said Lots on the West as would attach to said premises by operation of law, vacated under King County Ordinance No. 6008, recorded under Recording Nos. 8207130599 and 20020506001691;

AND TOGETHER WITH the North half of South 241st Street adjacent to said Lot 15 on the South as would attach to said premises by operation of law, vacated under City of Des Moines Ordinance No. 1432, recorded under Recording No. 20080813000843.

**EXHIBIT B**  
**LEGAL DESCRIPTION – EASEMENT FOR WATER PIPELINE**

A strip of land twenty (20) feet wide over a portion of the Northwest Quarter of Section 21, Township 22 North, Range 4 East, W.M., in King County, Washington, being described as follows:

BEGINNING at the intersection of the East line of Lot 30 Block 19, Puget Sound Park Addition to Des Moines, according to the plat thereof as recorded in Volume 4 of Plats, page 61, records of King County, Washington, and the Southerly margin of South 240th Street;

THENCE Southerly along the East line of said Block 19 to the Southeast corner of Lot 25 of said Block 19;

THENCE Easterly parallel with the South line of said Block 19 a distance of 20 feet;

THENCE Northerly parallel with the East line of said Block 19 to the Southerly margin of South 240th Street;

THENCE Westerly along the Southerly margin of South 240th Street to the POINT OF BEGINNING.

8107200384

Dr. Richard Mitchell

WATER DISTRICT NO. 75      81-07/20      40384 E  
RECD F      5.00  
EASEMENT FOR WATER PIPELIN      CREHSL      11\*\*5.00  
23

CONTINUATION OF THE IRREDEEMABLE INSTRUMENT OF  
The Grantor THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS  
does hereby grant to WATER DISTRICT NO. 75, KING COUNTY, WASHINGTON, a  
municipal corporation, Grantee, its successors and assigns, an ease-  
ment and right-of-way over, through, under, across, upon and in the  
following described property and situated in the City of \_\_\_\_\_  
King County, Washington, to-wit:

See attached sheet 3/3.

J. Teuffel  
For the construction, operation, maintenance, repair and/or replace-  
ment of a water pipeline and appurtenances thereto, together with all  
right of ingress and egress to and from said easement for all purposes  
necessary and related thereto.

Dated this 27 day of April, 1981.

C. Teuffel

RECORDED THIS DAY  
JUL 10 9 02 AM '81  
RECORDS & ELECTIONS  
AND CLERK

STATE OF WASHINGTON )  
                                  ) ss.  
COUNTY OF KING      )

On this 23<sup>rd</sup> day of April, 1981, before me the  
undersigned, a Notary Public, personally appeared C. Teuffel  
individuals described in and who executed the within and foregoing instru-  
ment, and acknowledged that he (she or they) signed the same as his  
(her or their) free and voluntary act and deed, for the uses and pur-  
poses therein mentioned.

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

FILED for Board of Request of Wesley D. Simpson  
Notary Public In and for the State  
Name: CURTIS AND BOZZER LARSON YBIRKHO of Washington, residing at  
1300 IBM BLDG  
SEATTLE, WA 98101



(Corporate Acknowledgement)

STATE OF WASHINGTON)

)ss.

COUNTY OF KING )

8107200384

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned, a Notary Public, personally appeared \_\_\_\_\_, to me known to be the

of \_\_\_\_\_, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he (she or they) was (were) authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

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

\_\_\_\_\_  
Notary Public in and for the State  
of Washington, residing at \_\_\_\_\_

Dr. Richard Mitchell  
3/3

EASEMENT DESCRIPTION

8107200384

A STRIP OF LAND TWENTY (20) FEET WIDE FOR A WATER LINE EASEMENT OVER A PORTION OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF LOT 30 BLOCK 19, PUGET SOUND PARK ADDITION TO DES MOINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN VOLUME 4, PAGE 61, RECORDS OF KING COUNTY, WASHINGTON, AND THE SOUTHERLY MARGIN OF SOUTH 240TH STREET; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID BLOCK 19 TO THE SOUTHEAST CORNER OF LOT 25 OF SAID BLOCK 19; THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 19, A DISTANCE OF 20 FEET; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID BLOCK 19 TO THE SOUTHERLY MARGIN OF SOUTH 240TH STREET; THENCE WESTERLY ALONG THE SOUTHERLY MARGIN OF SOUTH 240TH STREET TO THE POINT OF BEGINNING.

H0472

S. 240TH ST.

V2572

V2573

10" AC

1234.69

H0471

CONTRACT: 64-1,p.1/7

S. 240TH ST.

V3573

Tract A WETLAND

Tract B DRAINAGE

HIGHLINE VIEW ESTATES

22ND AVE S

22ND PL S

CONTRACT 89-2

10330	1	24105	30
29	2	24104	29
28	3	61653722	28
11 27	4	24111	27
78426	5		26
25	6	61653733	25
1 24	7	24114	24
23	8	24119	24

30	7	24020	24
29	8	61653726	23
28	9		22
4003	10	24026	21
17862	11	61653724	20
4015	12		19
179149	13	24034	18
20	14	61653725	17
21	15		16

1	24104	24101	30
2	M11123		29
3		61178232	28
4	24112	24109	27
5	61653737	M11285	26
6		24117	25
7	24120	M11286	24

18	17	16	15	14
19	20	21	22	23
24	25	26	27	28
29	30	31	32	33

1	24102	24103	30
2	61178229	61653672	29
3			28
4	24110	24111	27
5	61653687	617823126	26
6			25
7	24110		24

1	24019	27
2	2241	26
3	24023	25
4	56359462	24
5	24027	23
6	24027	22
7	24035	21
8	61653689	20
9	24035	19
10	24035	18
11	616536717	17
12	16	30
13	30	30

1	2	3	2401
4	62099594		
5			
6			
7	24024		
8			
9	6179281		
10			
11	24036		
12	61179269		
13	24044		
14			
15	6117976		
16	510		

1	2	3	4	5	6
1	2	3	4	5	6
1	2	3	4	5	6
1	2	3	4	5	6
1	2	3	4	5	6
1	2	3	4	5	6

D.E. HOSKINSON, D.

CONF EX 1997

HO 465 V3572

HO 465 V3572

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HO 465 V3572

**HIGHLINE WATER DISTRICT  
UTILITY EASEMENT**

The Grantor, Smith Court, LLC, does hereby grant to Highline Water District, King County, Washington, a municipal corporation, Grantee, its successors and assigns, an easement and right-of-way over, through, under, across, upon and in the following-described property & situated in the City of Des Moines, King County, Washington, to-wit:

See attached legal description and map exhibit

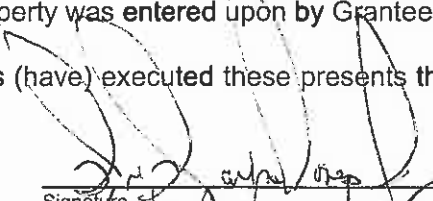
for the construction, operation, maintenance, repair and/or replacement of a water pipeline and appurtenances thereto, together with all rights of ingress and egress to and from said easement for all purposes necessary and related thereto;

Grantee and its agents, designees or assigns shall have the right, without prior institution of any suit or proceeding at law, and without prior notice to Grantor, at such time as Grantee deems necessary to enter upon said property, by foot or vehicle, for the installation, repair, reconstruction or maintenance of water facilities and appurtenances without incurring any legal obligation or liability therefore, provided that such shall be accomplished in a manner that existing private improvements shall not be disturbed or destroyed, or in the event that they are disturbed or destroyed they will be replaced or repaired, as nearly as is practicable, to as good a condition as they were immediately before the property was entered upon by the Grantee.

Grantor hereby agrees that no building, wall rockery, trees or structure of any kind shall be erected or planted, nor shall any fill material be placed within the boundaries of said easement area. No excavation shall be made within three feet of said water service facilities, and the surface level of the ground within the easement area shall be maintained at the elevation as currently existing. In the event that this provision is violated, the Grantee shall have the right to require removal of any such structure and same shall be accomplished within a reasonable period of time and at Grantor's expense. Failure of Grantee to so exercise its right to require removal shall not constitute waiver of this right.

Grantor additionally grants to the Grantee, its agents, designees or assigns the use of such additional area immediately adjacent to said easement area as shall be required for the construction, re-construction, maintenance and operation of said water service facilities. The use of such additional area shall be held to a reasonable minimum and be returned to its condition existing immediately before the property was entered upon by Grantee or its agents.

IN WITNESS WHEREOF, the Grantor(s) has (have) executed these presents this 12<sup>th</sup> day of MARCH, 2010.

  
\_\_\_\_\_  
Signature  
WM WAYNE JONES JR  
\_\_\_\_\_  
Printed Name  
MANAGER  
\_\_\_\_\_  
Title

Individual Acknowledgment

STATE OF WASHINGTON )
) ss.
COUNTY OF \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that \_\_\_\_\_
(is/are) the person(s) who appeared before me, and said person(s) acknowledged that
(he/she/they) signed this instrument and acknowledged it to be (his/her/their) free and
voluntary act for the uses and purposes mentioned in the instrument.

Dated \_\_\_\_\_

Notary Public in and for the State of Washington

Printed Name \_\_\_\_\_

Residing at: \_\_\_\_\_

Appointment Expires: \_\_\_\_\_

Corporate Acknowledgement

STATE OF WASHINGTON )
) ss.
COUNTY OF King )

I certify that I know or have satisfactory evidence that Wayne Jones
is the person who appeared before me, and said person acknowledged that (he/she) signed
this instrument, on oath stated that (he/she) was authorized to execute the instrument and
acknowledged it as the manager
of Smith County LLC
to be the free and voluntary act of such party for the uses and purposes mentioned in the
instrument.

3-17-10
Dated \_\_\_\_\_

[Signature]
Notary Public in and for the State of Washington

Kristina A Nelson
Printed Name \_\_\_\_\_

Residing at: Federal Way \_\_\_\_\_

Appointment Expires: 9-9-12 \_\_\_\_\_



LEGAL DESCRIPTION

WATERLINE EASEMENT

A strip of land 15.00 feet in width over, under and across that portion of Lots 26 through 30, inclusive, Block 19, Puget Sound Park Addition to Des Moines, according to the plat thereof recorded in Volume 4 of Plats, page 61, records of King County, Washington and that portion of 22nd Avenue South as vacated under King County Ordinance No. 6008, recorded under Recording Nos. 8207130599 and 20020506001691, records of King County, Washington, having 7.50 feet of such width lying on each side of the following described centerline:

COMMENCING at the Northwest corner of said vacated 22nd Avenue South, being the Northeast corner of said Lot 30;

THENCE South 87° 18' 14" East, 5.15 feet along the North line of said vacation to the TRUE POINT OF BEGINNING of herein described centerline;

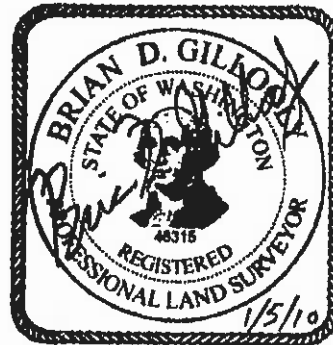
THENCE South 02° 41' 46" West, 103.42 feet;

THENCE South 42° 18' 14" East, 60.57 feet;

THENCE South 47° 41' 46" West, 5.21 feet to the South line of said vacation and the terminus.

The sidelines of said easement shall be shortened or lengthened as necessary to intersect with said North line, said South line and the North line of said Lot 30.

All situate in the Northeast quarter of the Northwest quarter of Section 21, Township 22 North, Range 4 East, W.M., in the city of Des Moines, King County, Washington.



Project Name: Highline View Estates  
January 5, 2010

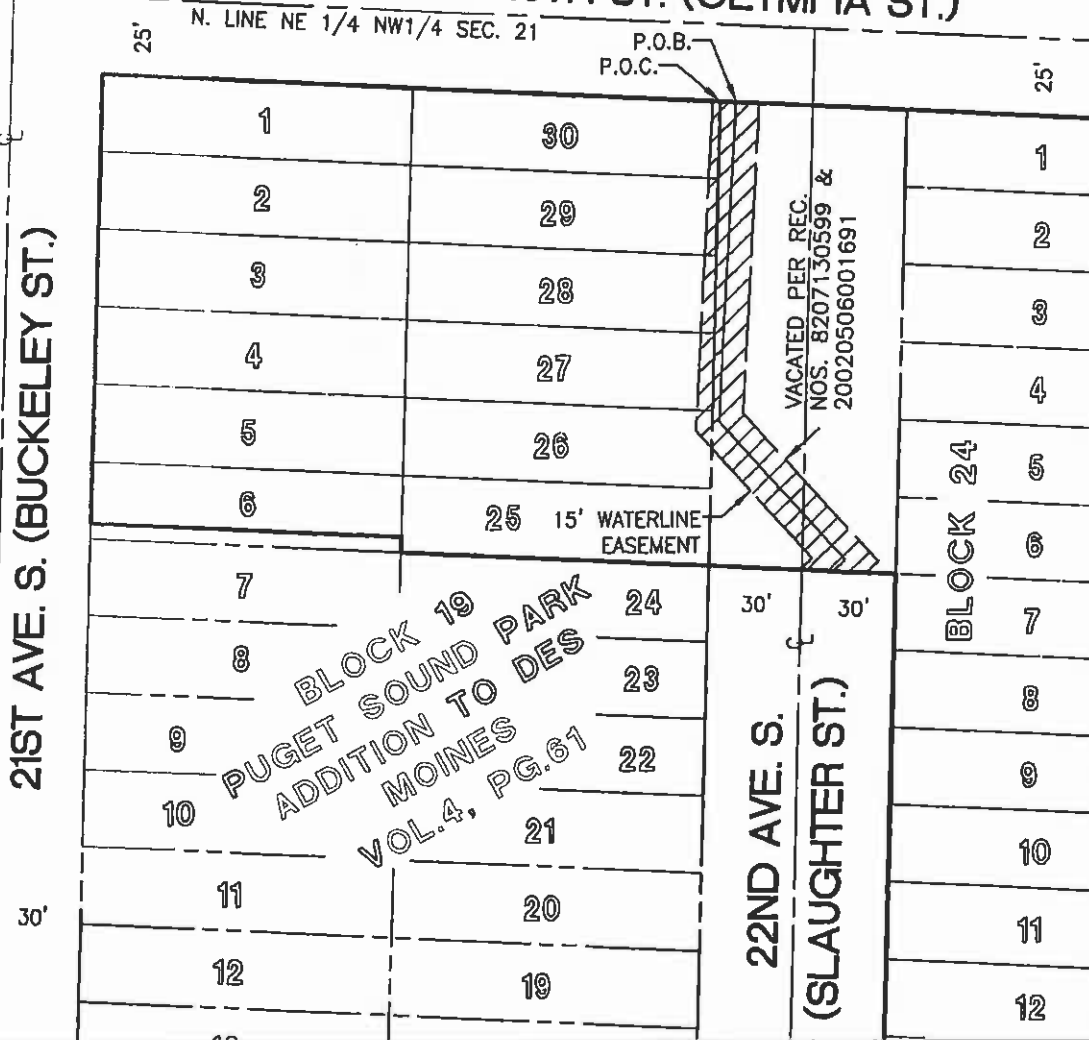
Page 1 of 1

BDG  
12386L.005.doc



1"=60'

### S. 240TH ST. (OLYMPIA ST.)



File:P:\12000s\12386\survey\12386EXH02--WAT.dwg Date/Time:1/5/2010 11:19 AM BRIAN GILLOOLY

SCALE:  
HORIZONTAL 1"=60' VERTICAL N/A



18215 72ND AVENUE SOUTH  
KENT, WA 98032  
(425)251-6222  
(425)251-8782 FAX  
CIVIL ENGINEERING, LAND  
PLANNING, SURVEYING,  
ENVIRONMENTAL SERVICES

For:  
**HIGHLINE VIEW  
ESTATES**

Title:  
**WATERLINE  
EASEMENT EXHIBIT**

JOB NUMBER  
**12386**

12386L.005.DOC

SHEET  
**1 of 1**

DESIGNED \_\_\_\_\_ DRAWN BDG CHECKED DJS APPROVED BDG DATE 1/5/10

Agenda Item No.: 5.1  
 Agenda Date: 4/7/2010  
 Reviewed By: [Signature]

**SUBJECT:** Authorize Release of Easement #8107200384/Authorize New 15' Utility Easement  
Lakeridge Development for Highline View Estates Developer Extension

CATEGORY	
<i>Executive</i>	<input type="checkbox"/>
<i>Administrative</i>	<input type="checkbox"/>
<i>Engineering/Operations</i>	<input checked="" type="checkbox"/>

FINANCIAL						
<i>Expenditures?</i>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
<i>Budgeted?</i>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
<i>Amount:</i>					\$	_____

**ATTACHMENTS**

1. Resolution 10-4-7B
2. Attachment 1 - Release of Easement (includes Exhibit(s) A & B)
3. Attachment 2 - Recorded Easement #8107200384
4. Attachment 3 – New Utility Easement
5. Map

**COMMENTS:**

Staff recommends approval of this resolution.