

Agenda Item No.: 5.3
Agenda Date: 07/17/24
Reviewed By: [Signature]

Subject: Resolution authorizing the release of easement
King County Recording #198303180671 and #198007160698

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>			<i>Not-to Exceed</i> 0.00

ATTACHMENTS:

1. Resolution 24-7-17C w/Exhibit A

COMMENTS:

The District partnered with the Washington State Department of Transportation as part of the SR509 Project to relocate and replace water system appurtenances in conflict. The District relocated existing water mains within the parcels and no longer needs the easements.

The Department of Transportation granted the District new easements for the relocated infrastructure and the property for easements under Recording No. 198303180671 and 198007160698 have been found to be no longer needed and will be replaced by a new easement granted by the State of Washington through its Department of Transportation.

Staff recommends approval of this resolution.

**HIGHLINE WATER DISTRICT
King County, Washington**

RESOLUTION 24-7-17C

**RESOLUTION AUTHORIZING RELEASE OF EASEMENT
KING COUNTY RECORDING #198303180671 and #198007160698**

WHEREAS, the District owns and maintains an easement for water services and appurtenances upon a portion of the following described real property:

Tax Parcel No. 0922049367, 0922049367, and 0922049392
See Exhibit A, attached hereto and by this reference made a part hereof, and

WHEREAS, the District partnered with the Washington State Department of Transportation as part of the SR509 Project to relocate and replace water system appurtenances in conflict; and,

WHEREAS, the District relocated existing water mains within the said parcels and no longer needs said easements; and,

WHEREAS, the Department of Transportation granted the District new easements for the relocated infrastructure, recorded in the records of King County, Washington under Recording No. 20210902001714; and,

WHEREAS, the property for easements under Recording No. 198303180671 and 198007160698 have been found to be no longer needed and will be replaced by a new easement granted by the State of Washington through its Department of Transportation; and

NOW, THEREFORE, BE IT RESOLVED:

The General Manager or designee is authorized to execute necessary documents to release the easements under Recording No. 198303180671 and 198007160698.

ADOPTED BY THE BOARD OF COMMISSIONERS of Highline Water District, King County, Washington, at an open public meeting held this **17th** day of **July 2024**.

BOARD OF COMMISSIONERS

Signed by:

Kathleen Quong-Vermeire, President

DocuSigned by:

Vince Koester, Secretary

DocuSigned by:

Polly Daigle, Commissioner

Signed by:

Todd Fultz, Commissioner

Signed by:

Daniel Johnson, Commissioner

QUITCLAIM DEED

EXHIBIT A

All that portion of the easement rights, held by the Grantor in those Easements filed under King County Recording Nos. 8007160698 and 8303180671, as the benefitted property hereinafter described as Tract X, lying between the following described Line 1 and Line 2:

Line 1:

Beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) NBCD 763+42.26 on the NBCD Line Survey of SR 5, SR 516 Vic. to S. 204th St., and 216.65 feet southwesterly therefrom; thence northwesterly on the arc of a curve with a radius measuring 8,880 feet for an arc distance of 982.66 feet to a point opposite HES NBCD 769+75.37 L/A on said line survey and 178.61 feet southwesterly therefrom and the end of this line description.

Line 2:

Beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) NBCD 766+00 on the NBCD Line Survey of SR 5, SR 516 Vic. to S. 204th St., and 64.43 feet southeasterly therefrom; thence northwesterly to a point opposite HES NBCD 766+20 on said line survey and 63.14 feet northeasterly therefrom; thence northwesterly to a point opposite HES 768+50 on said line survey and 54 feet northeasterly therefrom and the end of this line description.

Tract X: (Benefitted Property)

An Easement for water line purposes located in the Northeast quarter (easement recorded as number 8007160698 states Northwest quarter) of Section 9, Township 22 North, Range 4, East, W.M., King County, Washington, being a strip of land 20 feet in width, lying 10 feet on each side of the following described centerline:

Beginning at the Northeast corner of said Section 9; thence N 88°31'37" W, along the North line of said Section, 649.70 feet to the True Point of Beginning of said easement; thence S 11°55'31" W, 376.38 feet; thence S 0°56'12" W, 77.36 feet; thence S 1°28'23" W, 190.00 feet to a point on the Northerly line of that tract as awarded by Decree of Distribution dated July 24, 1959 under Probate Court Number 140 537, that bears N 88°23'42" W, 148.00 from the Northeasterly corner thereof.

AND

An easement for road and utility purposes over a strip of land 20 feet in width, the center line of which is described as follows:

Beginning at the Northeast corner of Section 9, Township 22 North, Range 4 East, W.M.; thence North 88°31'37" West, 447.23 feet; thence South 0°56'12" West, 340.00 feet; thence

QUITCLAIM DEED

North 88°31'37" West, 128.00 feet; thence South 0°56'12" West, 297.86 feet; thence North 88°23'42" West, 258.65 feet; thence North 1°28'23" East, 190 feet to the True Point of Beginning; thence South 88°23'42" East, 108.71 feet; thence North 0°56'12" East, 77.01 feet; thence North 11°55'31" East, 346.23 feet, more or less, to the South line of South 208th Street, all situate in King County, Washington.

Herein conveyed is the extinguishment of that portion of the above described easements, the specific details all of which are to be found on sheets 17 and 18 of that certain plan entitled SR 5, SR 516 VIC. TO S. 204TH ST., now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval April 23, 2004, and revised December 3, 2021.

Grantor's Initials

Instrument Number: 20210902001714 Document: EAS Rec: \$209.50 Page-1 of 7

Record Date: 9/2/2021 4:42 PM

Electronically Recorded King County, WA EXCISE TAX NOT REQUIRED BY HELEN HUANG, DEPUTY

AFTER RECORDING RETURN TO:

ATTN: REAL ESTATE SERVICES
DEPARTMENT OF TRANSPORTATION
P.O. BOX 47338
OLYMPIA, WA 98504-7338

Document Title: *Easement*

Reference Number of Related Document: 8102260619, 20080324001530, 20080324001531

Grantor: *State of Washington, Department of Transportation*

Grantee: *Highline Water District*

Legal Description: *N1/2 NE1/4, Section 9, T22N, R4E W.M., King County*

Additional Legal Description is on Page 6 of document

Assessor's Tax Parcel Number: 0922049367

EASEMENT

State Route 5, SR516 Vic. to S. 204th St.

Said document(s) were filed for record by Rainier Title as accommodation only. It has not been examined as to proper execution or as to its effect upon title.

The Grantor, **STATE OF WASHINGTON** acting by and through its **DEPARTMENT OF TRANSPORTATION**, for and in consideration of terms set forth in Agreement No. UTB1363 dated 25 June 2020, between Grantor and Grantee, hereby transfers and conveys unto **HIGHLINE WATER DISTRICT**, a Washington municipal corporation and its successors and assigns ("Grantee"), a non-exclusive, permanent easement over, under, across, and through the Grantor's real property for Road and Utility purposes hereinafter legally described in **Exhibit A** and depicted in **Exhibit B**, and incorporated herein by this reference ("Easement Area").

The utility purpose of this Easement shall be for the installation, operation, maintenance, repair, inspection and replacement of a water pipeline, together with all below ground facilities, connectors and appurtenances ("Water Main"), together with all right of ingress and egress to and from said easement for all purposes necessary and related thereto.

RES 413

Page 1 of 7 Pages

Parcel No. 1-17493

5/2018

I.C. # 1-17-15658

AFTER RECORDING RETURN TO:

ATTN: REAL ESTATE SERVICES
DEPARTMENT OF TRANSPORTATION
P.O. BOX 47338
OLYMPIA, WA 98504-7338

Document Title: *Easement*

Reference Number of Related Document: *8102260619, 20080324001530, 20080324001531*

Grantor: *State of Washington, Department of Transportation*

Grantee: *Highline Water District*

Legal Description: *N1/2 NE1/4, Section 9, T22N, R4E W.M., King County*

Additional Legal Description is on Page 6 of document

Assessor's Tax Parcel Number: 0922049367

EASEMENT

State Route 5, SR516 Vic. to S. 204th St.

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The utility purpose of this Easement shall be for the installation, operation, maintenance, repair, inspection and replacement of a water pipeline, together with all below ground facilities, connectors and appurtenances ("Water Main"), together with all right of ingress and egress to and from said easement for all purposes necessary and related thereto.

The specific details concerning all of which are to be found on sheet 18 of 22 sheets of that certain plan entitled SR 5, SR 516 VIC. TO S. 204TH ST., now of record and on file in the office of the Secretary of Transportation at Olympia, bearing date of approval April 23, 2004, revised November 19, 2020.

The road purpose of this easement shall be for a driveway allowing ingress and egress to the grantee's adjacent property utilized as its pump station and identified as APN 0922049282, address 20850 30th AV South SeaTac, WA 97198. Legally described as that portion of the northeast quarter of the northeast quarter of Section 9, Township 22 North, Range 4 East, W.M., in King County, Washington, additional legal description as follows:

Beginning at the northeast corner of said Section 9;
Thence North 88°31'37" West, along the north line thereof 447.23 feet;
Thence South 00°56'12" West 340.00 feet;
Thence North 88°31'37" West 128.00 feet;
Thence South 00°56'12" West 297.86 feet;
Thence North 88°23'42" West 458.65 feet to the True Point of Beginning of the tract herein described;
Thence North 01°28'23" East 200.00 feet;
Thence South 88°23'42" East 200.00 feet;
Thence South 01°28'23" West 200.00 feet;
Thence North 88°23'42" West 200.00 feet to the True Point of Beginning;

Subject to all existing encumbrances, including easements, restrictions and reservations, if any.

Grantor specifically reserves the right to use the easement area for any purpose reasonably not inconsistent with Grantee's use of the easement area for ingress and egress, insofar as the easement area is located on the land of the Grantor. Grantee, its successors, or assigns, hereby agrees not to interfere with Grantor's use of its land as provided herein.

Grantee, its successors, or assigns, agrees to and shall maintain the property in good, sanitary, and safe repair. Grantee its successors, or assigns, agrees to and shall repair damages to the easement area caused by or arising out of its use thereof.

The Grantee herein, on behalf of itself and its successors, or assigns, waives and/or releases Grantor from any past, present, or future claims for damages directly or indirectly caused by highway drainage or runoff, and further Grantee its successors, or assigns, shall have no right of compensation for damages to the property herein conveyed caused directly or indirectly by highway drainage or runoff.

The Grantee, its successors, or assigns, shall protect, save, and hold harmless the Grantor, its agents, and employees, from all claims, actions, costs, damages (both to persons and/or property), or expenses of any nature whatsoever by reason of the acts or omissions of the Grantee, its agents, contractors, licensees, invitees, employees, or any person whomsoever arising out of or in connection with any acts or activities related to this Easement.

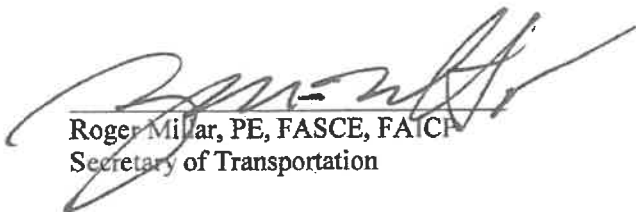
The Grantee, its successors, or assigns, further agrees to defend the Grantor, its agents, or employees in any litigation, including payment of any judgments, costs or attorney's fees, for any claims or action commenced arising out of or in connection with acts or activities related to this Easement. This obligation shall not include such claims, costs, damages (both to persons and/or property), or expenses which may be caused by the sole negligence of the Grantor, or its agents, and/or employees; provided that, if the claims or damages are caused by or result from the concurrent negligence of (a) the Grantor, its agents, or employees and (b) the Grantee, its agents, contractors, licensees, invitees, employees, and/or any other person, or involves those actions covered by RCW 4.24.115, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Grantee or Grantee's agents, contractors, licensees, invitees, employees, and/or any other person.

The Grantee, on behalf of itself and its successors, or assigns, as part consideration herein, do hereby agree to comply with all civil rights and anti-discrimination requirements of chapter 49.60 RCW as to the lands herein conveyed.

The lands herein described are not required exclusively for state highway purposes and are conveyed pursuant to the provisions of RCW 47.12.063

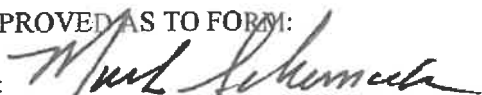
Dated at Olympia, Washington, this 13 day of August, 2021

STATE OF WASHINGTON,
DEPARTMENT OF TRANSPORTATION -
GRANTOR



Roger Miller, PE, FASCE, FAICP
Secretary of Transportation

APPROVED AS TO FORM:

By: 
Assistant Attorney General

STATE OF WASHINGTON)

) : ss

COUNTY OF THURSTON)

On this 13th day of August, 2021, before me personally appeared Roger Millar, known to me as the Secretary of Transportation, State of Washington, Department of Transportation, and executed the foregoing instrument, acknowledging said instrument to be the free and voluntary act and deed of the State of Washington, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

Given under my hand and official seal the day and year last above written.



V W
Notary (print name) Verna Wuerth
Notary Public in and for the State of Washington,
residing at Olympia, WA
My Appointment Expires 6/1/25

EXHIBIT "A"

Parcel Number 1-17493

I.C. # 1-17-15658

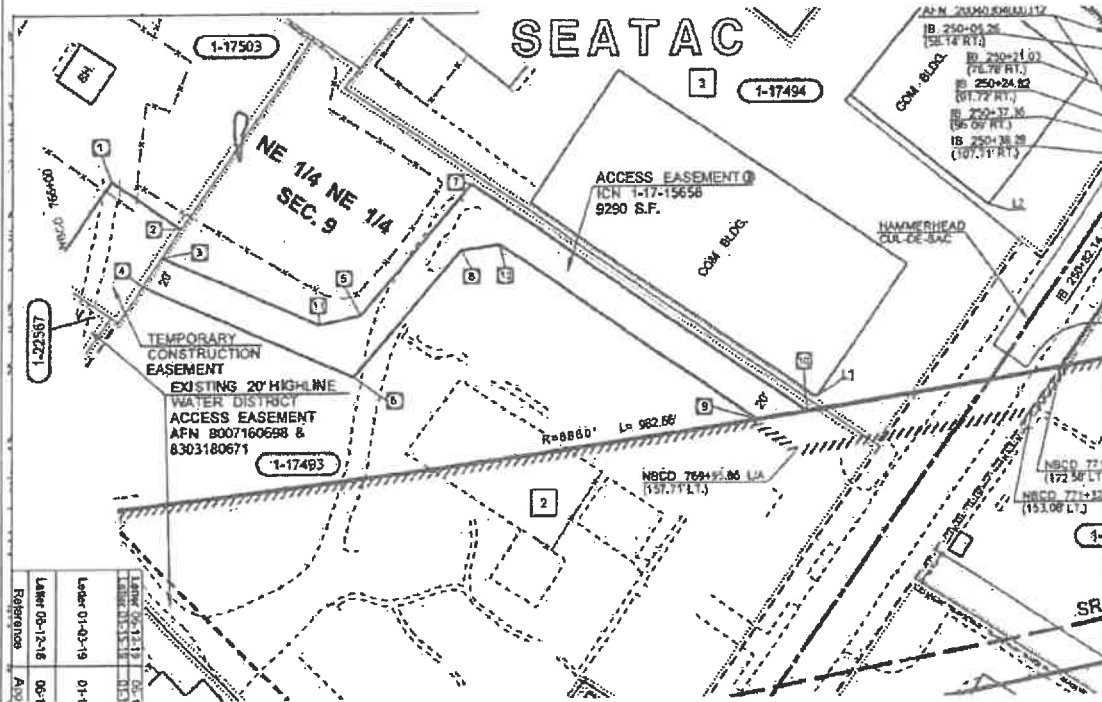
An EASEMENT situate in the northeast quarter of the northeast quarter of Section 9, Township 22 North, Range 4 East, Willamette Meridian, in King County, Washington, being a portion of that property conveyed by Warranty Deed, recorded March 24, 2008, under Recording Number 20080324001531, records of said county, described as follows:

BEGINNING at a point opposite Highway Engineers Station (hereinafter referred to as HES) NBCD 769+75.37 on the NBCD line survey of SR 5, SR 516 VIC. TO S. 204TH ST., and 178.61 feet Southwesterly therefrom, said point being on the southwesterly right of way line of SR 509; Thence Southerly to a point opposite HES NBCD 768+47.67 on said line survey and 308.85 feet Southwesterly therefrom; Thence Southeasterly to a point opposite HES NBCD 768+25.43 on said line survey and 310.22 feet Southwesterly therefrom; Thence Easterly to a point opposite HES NBCD 767+50.38 on said line survey and 250.53 feet Southwesterly therefrom; Thence Southerly to a point opposite HES NBCD 766+41± on said line survey and 326.97 feet Southwesterly therefrom, said point being on the south line of that property acquired by Warranty Deed, recorded March 24, 2008, under Recording Number 20080324001531, records of King County, Washington; Thence Westerly along said south line to a point opposite HES NBCD 766+56± on said line survey and 341.13 feet Southwesterly therefrom; Thence Northerly to a point opposite HES NBCD 767+37.32 on said line survey and 284.07 feet Southwesterly therefrom; Thence Northwesterly to a point opposite HES NBCD 767+61.35 on said line survey and 284.81 feet Southwesterly therefrom; Thence Westerly to a point opposite HES NBCD 768+38.83 on said line survey and 346.44 feet Southwesterly therefrom; Thence Northerly to a point opposite HES NBCD 770+04.60 on said line survey and 177.37 feet Southwesterly therefrom, said point being on said southwesterly right of way line of SR 509; Thence Southeasterly along said southwesterly right of way line to the POINT OF BEGINNING.

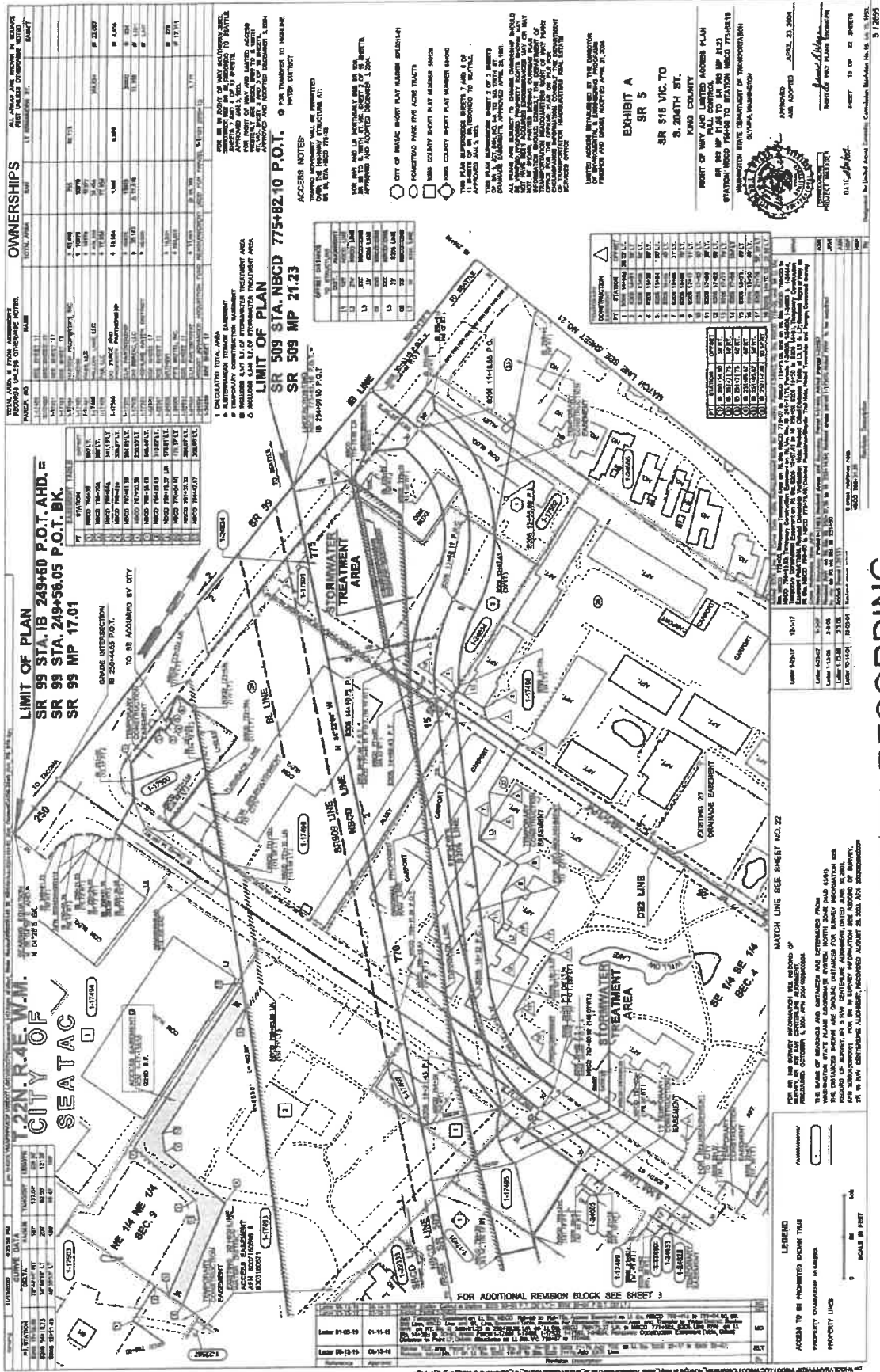
EXHIBIT "B"

Ptn. 0922049367
 Parcel # 1-17493
 I.C # 1-17-15658

PT	STATION	OFFSET
1	NBCD 766+28	300' LT.
2	NBCD 766+70L	300' LT.
3	NBCD 766+288	341.13' LT.
4	NBCD 766+41A	308.97' LT.
5	NBCD 767+61.35	308.47' LT.
6	NBCD 767+70.58	343.47' LT.
7	NBCD 768+28.83	345.47' LT.
8	NBCD 769+23.43	310.22' LT.
9	NBCD 769+73.37 LK	178.61' LT.
10	NBCD 770+04.00	177.37' LT.
11	NBCD 767+37.23	304.07' LT.
12	NBCD 766+47.87	300.97' LT.



This depiction is for informational purposes only and not intended to show all matters to scale.



NOT FOR RECORDING
 FOR INFORMATIONAL
 PURPOSES ONLY

EXHIBIT A
SR 5
SR 916 VIC. TO
S. 264TH ST.
KING COUNTY

APPROVED: [Signature]
 DATE: APRIL 23, 2004

APPROVED: [Signature]
 DATE: APRIL 23, 2004

OWNERSHIPS

OWNER NAME	ADDRESS	APPROX. ACRES
1. [Name]	[Address]	[Acres]
2. [Name]	[Address]	[Acres]
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100. [Name]	[Address]	[Acres]

LIMIT OF PLAN

STATION	POINT	DESCRIPTION
SR 99 STA. 249+56.05	P.O.T. BK.	Point of Beginning
SR 99 MP 17.01		Stationing
SR 509 STA. NBCD 775+82.10	P.O.T.	Point of Beginning
SR 509 MP 21.23		Stationing

LEGEND

SYMBOL	DESCRIPTION
[Symbol]	Manhole
[Symbol]	Stormwater Treatment Area
[Symbol]	Sewer Line
[Symbol]	Property Boundary
[Symbol]	City Boundary
[Symbol]	Water Main
[Symbol]	Gas Line
[Symbol]	Electric Line
[Symbol]	Telephone Line
[Symbol]	Other Utility

FOR ADDITIONAL REVISION BLOCK SEE SHEET 3

DATE: APRIL 23, 2004

SCALE: 1" = 40'

PROJECT: SR 509 STA. NBCD 775+82.10 P.O.T. SR 509 MP 21.23

DESIGNED BY: [Name]

CHECKED BY: [Name]

APPROVED BY: [Name]