

**HIGHLINE WATER DISTRICT
King County, Washington**

RESOLUTION 18-5-16D

**RELEASE OF RIGHT OF ENTRY AGREEMENT
YMCA OF GREATER SEATTLE - KING COUNTY RECORDING #20110819000328**

WHEREAS, a right of entry agreement for access to utility vault exists upon a portion of the following described real property:

3595 S 188th St., SeaTac, WA

WHEREAS, on October 15, 2009, YMCA of Greater Seattle (Grantors) granted Highline Water District (Grantee) a right of entry for a utility vault, recorded in the records of King County, Washington under Recording No. 20110819000328, as described in Attachment-1, incorporated herein by this reference; and

WHEREAS, the YMCA of Greater Seattle granted said right of entry agreement for water utility vault for the benefit of Highline Water District; and

WHEREAS, the grantor YMCA of Greater Seattle was not the property owner and it was found that this right of entry agreement should have been granted by the City of SeaTac; and

WHEREAS, Grantee desires to relinquish said right of entry for utility vault access; and

WHEREAS, Grantee has received a signed and executed replacement agreement from the City of SeaTac, (the legal owner of the property). Said agreement has been recorded with King County under recording no. 20180212001327.

NOW, THEREFORE, BE IT RESOLVED:

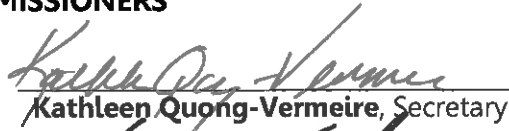
1. For valuable consideration, receipt of which is hereby acknowledged, Highline Water District (formerly King County Water District No. 75) (Grantee) hereby relinquishes, vacates, and quit claims all interest in said agreement No. 20110819000328 for water utility vault.
2. The General Manager or designee is authorized to execute the Release of Right of Entry No. 20110819000328 (Attachment-2) as described and incorporated herein.

ADOPTED BY THE BOARD OF COMMISSIONERS of Highline Water District, King County, Washington, at an open public meeting held this **16th** day of **May 2018**.

BOARD OF COMMISSIONERS



Daniel Johnson, President



Kathleen Quong-Vermeire, Secretary



Todd Fultz, Commissioner



Vince Koester, Commissioner



George Landon, Commissioner

ATTACHMENT - 1

Return Address:

 HIGHLINE WATER DISTRICT

 P.O. BOX 3867

 23828 30TH AVE. S.

 KENT, WA 98032



20110819000328
 HIGHLINE WATER MISC 64.00
 PAGE-001 OF 003
 08/19/2011 11:19
 KING COUNTY, WA

RTI

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 <u>must</u> be filled in)
1. Right of Entry
Reference Numbers (s) of Documents assigned or released: Additional reference #'s on page _____ of legal description
Grantor(s) (Last name first, then first name and initials) 1. YMCA of Greater Seattle 2. <input type="checkbox"/> Additional names on 1st page of Utility Easement
Grantee(s) (Last name first, then first name and initials) 1. Highline Water District 2. <input type="checkbox"/> Additional names on page _____ of document.
Legal description (abbreviated: i.e. lot, block, plat or section, township, range SW-34-23-04) <input type="checkbox"/> Additional legal is on pages _____ of Utility Easement Legal Description.
Assessor's Property Tax Parcel/Account Number: 3423049088 <input type="checkbox"/> 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.

Unofficial Copy

HIGHLINE WATER DISTRICT

Right of Entry Agreement

YMCA OF GREATER SEATTLE hereinafter referred to as "Owner", is the Owner of the property legally described in Exhibit "A" attached hereto. The address of such property is: 3595 S 188TH, SEATTLE, WA

Owner grants to Highline Water District the right to enter upon the above described property for purposes of reading and maintaining the by-pass water meter and Touch Read Pit Lid (TRPL) attached to the 4 inch double detector check valve assemble (DDCVA) installed inside the fire vault. The Owner shall retain ownership of the cement vault and the 4 inch DDCVA.

Except for access necessary to maintain and operate said by-pass water meter and TRPL, all rights granted hereby shall be limited to the portions of Owner's property approximately portrayed by the two red lines and connected symbols also in red all as shown on Exhibit "B" attached hereto.

Highline Water District and the Owner agree that the Owner shall not alter the installed 4 inch DDCVA and vault, including covering or obstructing access to the vault, without the prior written approval of Highline Water District. Any damage caused by the Owner or their agents to the by-pass meter and/or TRPL shall be repaired by Highline Water District at the Owner's expense.

Owner agrees and understands that this perpetual right-of-entry document will be recorded with the County Auditor and will be binding upon heirs, successors and assigns of Owner.

Owner and Highline Water District agree that the Owner has incurred no displacement costs or relocation costs by virtue of the Agreement. Highline Water District agrees to furnish, install, operate and maintain the by-pass meter and TRPL in a reasonable condition and to do the work in a workmanlike manner, promptly, neatly, and with as little interference to the real property and improvements thereon of Owner as reasonably practicable. Ownership of the by-pass meter and TRPL on the described parcel of real property shall remain the property of Highline Water District.

BY: 

TITLE: SVP & CFO

Dated this 15TH day of OCTOBER, 2009

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF WASHINGTON)
)SS
COUNTY OF KING)

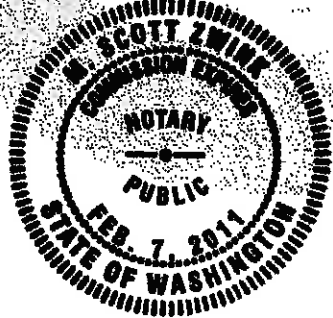
On this _____ day of _____, _____, before me the undersigned, A Notary Public, personally appeared _____, to me known to be the individual or individuals described in and who executed the within and foregoing instrument, and acknowledged that it was signed as a free and voluntary act and deed for the uses and purposes therein mentioned. **IN WITNESS WHEREOF** I have hereunto set my hand and official seal the day and year first above written.

Signature of Notary
Print or stamp name of Notary
Notary Public for the State of Washington, residing at _____
My appointment expires _____

CORPORATION ACKNOWLEDGEMENT

STATE OF WASHINGTON)
)SS
COUNTY OF KING)

On this 15th day of OCT, 2009, before me the undersigned, a Notary Public, personally appeared GLENN T. TSUBAKI, to me known to be 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. **IN WITNESS WHEREOF** I have hereunto set my hand and official seal the day and year first above written.



Signature of Notary
Print or stamp name of Notary
Notary Public for the State of Washington, residing at <u>SEATTLE</u>
My appointment expires <u>02-07-2011</u>

When Recorded Mail to:
Highline Water District
23828 30th Ave S
Kent, WA 98032

ATTACHMENT - 2

**HIGHLINE WATER DISTRICT
RELEASE OF RIGHT OF ENTRY**

GRANTORS: **YMCA of Greater Seattle**
GRANTEE: **Highline Water District**
Reference No. of Document Released: **20110819000328**

Highline Water District is the Grantee of a right of entry agreement for water utility vault dated 10/15/2009, recorded under King County Recorder's No.20110819000328 :

For value received, Highline Water District (formerly King County Water District No. 75) hereby quit claims its entire interest in said right of entry, subject to its rights in the right of entry recorded under King County Recorder's No. 20110819000328.

HIGHLINE WATER DISTRICT

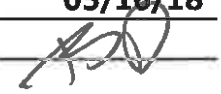
By: _____
Title: Jeremy S Delmar, Engineering/Operations Manager
Date: _____

State of Washington)
) SS ACKNOWLEDGMENT
County of King) OF
) REPRESENTATIVE

I certify that I know or have satisfactory evidence that Matt Everett signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the General Manager of Highline Water District to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____ day of _____ 2018.

Notary Public, in and for the State of Washington,
Residing in _____
My appointment expires _____

Agenda Item No.: 5.4
Agenda Date: 05/16/18
Reviewed By: 

Subject: Release of Right Of Entry (King County Recording No. 20110819000328)
YMCA of Greater Seattle

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"/>
Amount: \$ _____			

ATTACHMENTS:

1. Resolution 18-5-16D
2. Attachment-1 Right of Entry #20110819000328
3. Attachment-2 Release of Right of Entry

COMMENTS:

The Grantor, YMCA of Greater Seattle, was not the property owner and it was found that this right of entry agreement should have been granted by the City of SeaTac.

The District (Grantee) desires to relinquish said right of entry for water utility vault access.

Staff recommends approval of this resolution.