

April 20, 1995

INTRODUCED BY: LARRY GOSSETT

HPM:jl

PROPOSED NO: 95 - 358

ORDINANCE NO.

11799

AN ORDINANCE authorizing the condemnation of property for Northeast Union Hill Road, 198th Avenue Northeast to 206th Place Northeast, right-of-way 9-1991-001, and repealing Ordinance No. 11641.

STATEMENT OF FACTS

1. The King County council on November 22, 1993, by Ordinance No. 11130, did adopt the 1994 Budget and Program and did provide therein for a transportation program:

2. The King County council received a final Environmental Impact Statement issued under WAC 197-11-460 on October 6, 1991 subsequent to a required State Environmental Policy Act review procedure.

3. The King County Transportation Program provides for the County Road System Development and Improvement Program which coordinates road types with other elements of the larger transportation system, abutting land uses and business, industry, government, and residential processes.

4. The Capital Budget and Program provides for the acquisition and improvement of Northeast Union Hill Road, 198th Avenue Northeast to 206th Place Northeast.

5. In order to acquire the property and property rights required to lay out and construct improvements along Northeast Union Hill Road, 198th Avenue Northeast to 206th Place Northeast, it is necessary for King County to condemn certain lands and property rights for road purposes as hereinafter more particularly set forth.

6. The King County council finds that public health, safety, necessity and convenience demand that Northeast Union Hill Road, 198th Avenue Northeast to 206th Place Northeast be improved within King County in accordance with the Capital Budget and Program, and that certain properties, property rights, and rights in property be condemned, appropriated, taken and damaged for the purpose of constructing improvements along Northeast Union Hill Road, 198th Avenue Northeast to 206th Place Northeast as provided in this ordinance.

7. Incorrect legal descriptions and square footage areas were found in Exhibit "A" Attachments, Parcel 9, Ordinance No. 11641.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance No. 11641 is hereby repealed.

SECTION 2. The King County council has deemed it necessary and in the best interest of the citizens of King County that the lands hereinafter described in the attached Exhibit "A," and other property rights and/or rights in property be condemned, appropriated, taken and damaged for the purpose of constructing improvements along Northeast Union Hill Road,

1 198th Avenue Northeast to 206th Place Northeast, subject to the
2 making or paying of just compensation to the owners herein in
3 the manner provided by law.

4 SECTION 3. Condemnation proceedings are hereby authorized
5 to acquire property and property rights and/or rights in
6 property, together with the right to construct and maintain
7 slopes for cuts and fills on certain abutting properties
8 described in the attached Exhibit "A" for the purpose of the
9 subject road improvements.

10 SECTION 4. The attorneys for King County are hereby
11 authorized and directed to begin to prosecute the proceedings
12 provided by law to condemn, take, and appropriate the land and
13 other property and property rights necessary to carry out the
14 provisions of this ordinance.

15 INTRODUCED AND READ for the first time this 15th
16 day of May, 1995.

17 PASSED by a vote of 12 to 0
18 this 30th day of May 1995.

19 KING COUNTY, COUNCIL
20 KING COUNTY, WASHINGTON

21 Kent Pullen
22 Chair

23 ATTEST:

24 Gerald A. Peterson
25 Clerk of the Council

26 APPROVED this 7th day of June, 1995.

27 Greg Lohse
28 King County Executive

29 Attachments:

- 30 A. Index
31 B. Documents with attached Exhibit "A"

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WARRANTY DEED

No. 9-1991-001 **11799**
Parcel #2107-8

The Grantors herein, William C. Nelson and Barbara J. Nelson, husband and wife for the consideration of Ten Dollars and other valuable consideration, conveys and warrants to the County of King, State of Washington, all interest in the following described real estate:

SEE ATTACHED EXHIBIT "A"

Together with the right of ingress and egress and the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes, and to the same extent and purposes as if the rights herein granted had been acquired by condemnation proceedings under Eminent Domain statutes of the State of Washington.

Situated in the County of King, State of Washington

Dated this _____ day of _____, 1992

Witness:

William C. Nelson

Barbara J. Nelson

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

On this _____ day of _____ 1992, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared before me William C. Nelson and Barbara J. Nelson to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged to me 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 the day and year last above written.

NOTARY PUBLIC in and for the State of Washington, residing at

EXHIBIT "A"

PROPERTY DESCRIPTION: The East half of the West half of Section 8, Township 25 North, Range 6 East, W.M., in King County, Washington, lying Southerly of the South right-of-way margin of Northeast Union Hill Road; EXCEPT that portion thereof lying Easterly of the following described line: Commencing at the South quarter corner of said Section; thence North 89°00'11" West along the South line of said Section a distance of 1,132.91 feet to the point of beginning of said line; thence the following courses along said line: North 13°49' East a distance of 301.75 feet; North 44°29' East a distance of 214.00 feet; North 07°18' East a distance of 160.00 feet; North 02°11' West a distance of 113.00 feet; North 10°20' West a distance of 180.00 feet; North 35°44' West a distance of 90.00 feet; North 28°58' East a distance of 164.00 feet; North 07°27' West a distance of 216.00 feet; North 30°47' East a distance of 250.00 feet; North 07°14' West a distance of 121.00 feet; North 07°14' East a distance of 239.00 feet; North 53°00' East a distance of 95.00 feet; North 03°52' East a distance of 238.00 feet; North 50°46' East a distance of 125.00 feet; North 88°10' East a distance of 229.00 feet; North 44°07' East a distance of 151.00 feet; North 66°27' East a distance of 169.00 feet; North 02°13' East a distance of 53.00 feet; North 68°26' West a distance of 213.00 feet; North 34°31' East a distance of 165.00 feet; North 28°58' East a distance of 166.00 feet; North 01°55' East a distance of 133.00 feet; North 56°38' West a distance of 118.00 feet; North 18°19' East a distance of 249.00 feet; North 40°10' East a distance of 245.43 feet; North 02°14' East a distance of 61.75 feet; North 67°23' West a distance of 257.07 feet; thence North 18°03' East a distance of 210 feet, more or less, to the said Southerly right-of-way margin of said road and the terminus of said line.

DEED TAKE: That portion of the above described parcel lying Northeasterly of a straight and curved line, parallel, concentric to and 42 feet Southwesterly of the centerline of Northeast Union Hill Road as surveyed under King County Survey No. 12-25-5-5. Area of said take being 29,817 sq. ft. more or less.

TOGETHER WITH AN EASEMENT FOR CLEAR SIGHT DISTANCE AND MAINTENANCE THEREOF: That portion of the above described parcel lying Northeasterly of a curved line, concentric to and 62 feet Southwesterly of the centerline of Northeast Union Hill Road and Easterly of a line commencing at a point located on the West line of the East half of the West half of Section 8, Township 25 North, Range 6 East, W.M. at Highway Engineer's Station 13+26.82, 42.00 feet right; thence along said West line to a point at Highway Engineer's Station 13+30.76, 62.00 feet right and Northwesterly of a line radial to the centerline of Northeast Union Hill Road at Highway Engineer's Station 18+65.00 as surveyed under King County Survey No. 12-25-5-5. Area of said easement being 9,797 square feet more or less.

The lands described herein shall not be improved in anyway to impair the line of sight into the right of way of Northeast Union Hill Road. Such improvement includes, but is not limited to, structures and landscaping. The Grantors shall be required to obtain written approval of the Traffic Division of the King County Department of Public Works prior to any planting, landscaping, fencing or any other alteration or modification within the Easement.

TOGETHER WITH A TEMPORARY CONSTRUCTION EASEMENT: That portion of the above described parcel lying Southwesterly of a curved line, concentric to and 42 feet Southwesterly of the centerline of Northeast Union Hill Road, and Northeasterly of a curved line, concentric to and 102 feet Southwesterly of the centerline of Northeast Union Hill Road, from Highway Engineer's Station 14+00 to Highway Engineer's Station 15+30 as surveyed under King County Survey No. 12-25-5-5. Area of said easement being 6,936 square feet more or less.

EXHIBIT "A"

TOGETHER WITH A DRAINAGE EASEMENT: That portion of the above described parcel, lying Southwesterly of a curved line, concentric to, and 42.00 feet Southwesterly of the centerline of Northeast Union Hill Road, and bounded by the following straight lines, beginning at a point located at Highway Engineer's Station 13+95.26, 42.00 feet right; thence to a point located at Highway Engineer's Station 14+11.56, 66.38 feet right; thence to a point located at Highway Engineer's Station 14+14.68, 77.09 feet right; thence to a point located at Highway Engineer's Station 14+27.78, 73.93 feet right; thence to a point located at Highway Engineer's Station 14+23.88, 61.47 feet right; thence to a point located at Highway Engineer's Station 14+10.30, 42.00 feet right, based on the centerline of Northeast Union Hill Road as surveyed under King County Survey No. 12-25-5-5. Area of said easement being 455 square feet more or less.

Following the initial construction of Union Hill Road, Grantee agrees to reconstruct Grantor's driveway over the following described property:

That portion of the following described parcel lying Southwesterly of a curved line, concentric to and 42 feet Southwesterly of the centerline of Northeast Union Hill Road and Northeasterly of a curved line, concentric to and 64 feet Southwesterly of the centerline of Northeast Union Hill Road and Northwesterly of a line radial to the centerline of Northeast Union Hill Road at Highway Engineer's Station 13+30 as surveyed under King County Survey No. 12-25-5-5. Together with that portion of the following described parcel lying Southwesterly of a curved line, concentric to and 42 feet Southwesterly of the centerline of Northeast Union Hill Road and Northeasterly of a curved line, concentric to and 69 feet Southwesterly of the centerline of Northeast Union Hill Road from Highway Engineer's Station 13+65 to Highway Engineer's Station 14+00 as surveyed under King County Survey No. 12-25-5-5. Said described parcel being as follows:

The East half of the West half of Section 8, Township 25 North, Range 6 East, W.M., in King County, Washington, lying Southerly of the South right-of-way margin of Northeast Union Hill Road; EXCEPT that portion thereof lying Easterly of the following described line: Commencing at the South quarter corner of said Section; thence North 89°00'11" West along the South line of said Section a distance of 1,132.91 feet to the point of beginning of said line; thence the following courses along said line: North 13°49' East a distance of 301.75 feet; North 44°29' East a distance of 214.00 feet; North 07°18' East a distance of 160.00 feet; North 02°11' West a distance of 113.00 feet; North 10°20' West a distance of 180.00 feet; North 35°44' West a distance of 90.00 feet; North 28°58' East a distance of 164.00 feet; North 07°27' West a distance of 216.00 feet; North 30°47' East a distance of 250.00 feet; North 07°14' West a distance of 121.00 feet; North 07°14' East a distance of 239.00 feet; North 53°00' East a distance of 95.00 feet; North 03°52' East a distance of 238.00 feet; North 50°46' East a distance of 125.00 feet; North 88°10' East a distance of 229.00 feet; North 44°07' East a distance of 151.00 feet; North 66°27' East a distance of 169.00 feet; North 02°13' East a distance of 53.00 feet; North 68°26' West a distance of 213.00 feet; North 34°31' East a distance of 165.00 feet; North 28°58' East a distance of 166.00 feet; North 01°55' East a distance of 133.00 feet; North 56°38' West a distance of 118.00 feet; North 18°19' East a distance of 249.00 feet; North 40°10' East a distance of 245.43 feet; North 02°14' East a distance of 61.75 feet; North 67°23' West a distance of 257.07 feet; thence North 18°03' East a distance of 210 feet, more or less, to the said Southerly right-of-way margin of said road and the terminus of said line. Area of said agreement being 889 square feet more or less.

WARRANTY DEED

11799

No. 9-1991-001
Parcel #2107-9

The Grantors herein, Wallace Nelson and John Gibson, as Trustee under Northwest Neurological Surgery, Inc., P.S. Retirement Trust Fund for the consideration of Ten Dollars and other valuable consideration, conveys and warrants to the County of King, State of Washington, all interest in the following described real estate:

SEE ATTACHED EXHIBIT "A"

Together with the right of ingress and egress and the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes, and to the same extent and purposes as if the rights herein granted had been acquired by condemnation proceedings under Eminent Domain statutes of the State of Washington.

Situated in the County of King, State of Washington

Dated this _____ day of _____, 19____

Witness:

John C. Gibson, Trustee

Wallace Nelson, Trustee

STATE OF WASHINGTON)

COUNTY OF KING)

On this _____ day of _____ 1992, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared before me John C. Gibson and Wallace Nelson to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged to me 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 the day and year last above written.

NOTARY PUBLIC in and for the State of Washington, residing at

EXHIBIT "A"

PROPERTY DESCRIPTION: That portion of the East half of the Northwest quarter of Section 8, Township 25 North, Range 6 East, W.M., in King County, Washington, lying Northeasterly and Easterly of Union Hill County Road; except that portion thereof described as follows: Beginning at the intersection of the Easterly margin of Union Hill Road 'W.W. Perrigo Road No. 54' and the Northerly limit of said Section 8; thence South 35°39' East along said road margin a distance of 48.30 feet to the TRUE POINT OF BEGINNING; thence continuing South 35°39' East 15 feet; thence North 54°21' East 15 feet; thence North 35°39' West 15 feet; thence South 54°21' West 15 feet to the TRUE POINT OF BEGINNING; and except that portion thereof described as follows: That portion of the Northeast quarter of the Northwest quarter of Section 8, Township 25 North, Range 6 East, W.M., in King County, Washington, described as follows: Beginning at the Northeast corner of said subdivision; thence South 0°19'19" West along the East line thereof a distance of 716.68 feet; thence North 76°49'42" West a distance of 422.35 feet to the TRUE POINT OF BEGINNING of the herein described tract; thence South 13°10'18" West a distance of 150.00 feet; thence South 80°01'29" West a distance of 157.42 feet, more or less, to a point on the Northeasterly margin of a 60.00 foot right-of-way known as Union Hill Road 'W.W. Perrigo Road 1, No. 54'; thence North 32°58'03" West along said margin a distance of 305.78 feet, more or less, to a point which bears North 76°49'42" West from the point of beginning; thence South 76°49'42" East a distance of 365.23 feet, more or less, to the TRUE POINT OF BEGINNING.

DEED TAKE: That portion of the above described parcel lying Southwesterly of a straight and curved line, parallel with, concentric to, and 42 feet Northeasterly of the centerline of Northeast Union Hill Road and that portion lying Southwesterly and Westerly of a line beginning at a point at Highway Engineer's Station 32+71.73, 42.00 feet left; thence to a point at Highway Engineer's Station 33+95.00, 55.00 feet left; thence to a point at Highway Engineer's Station 34+10.00, 70.00 feet left; thence to a point on the East line of the West half of Section 8, Township 25 North, Range 6 East, W.M. said point being at Highway Engineer's Station 34+40.70, 70.00 feet left; thence Southerly along said East line of the West half of Section 8 to the Northerly margin of Northeast Union Hill Road as surveyed under King County Survey No. 12-25-5-5.

Together with that portion of the above described parcel, BEGINNING at a point on the North line of the East half of the Northwest quarter of said Section 8, said point being located at Highway Engineer's Station 15+42.57, 92.70 feet left; thence to a point located at Highway Engineer's Station 15+60.85, 82.86 feet left; thence to a point on said North line, said point being located at Highway Engineer's Station 15+91.84, 127.47 feet left; thence along said North line to the point of BEGINNING, based on the centerline of Northeast Union Hill Road as surveyed under King County Survey No. 12-25-5-5. Area of said take being 42,084 square feet more or less.

2107-09
 NW 8-25-6
 TL 9
 W. Nelson & J. Gibson

LEGAL DESCRIPTION OF EASEMENT for slopes and underground wall anchor.

That portion of the following described parcel lying Northeasterly of a straight and curved line, parallel with, concentric to, and 42 feet Northeasterly of the centerline of Northeast Union Hill Road from Highway Engineer's Station 16+50.00 to Highway Engineer's Station 32+71.73, and Northeasterly of a line beginning at a point at Highway Engineer's Station 32+71.73, 42.00 feet left; thence to a point at Highway Engineer's Station 33+95.00, 55.00 feet left; thence to a point at Highway Engineer's Station 34+10.00, 70.00 feet left; thence to a point on the East line of the West half of Section 8, Township 25 North, Range 6 East, W.M. said point being at Highway Engineer's Station 34+40.70, 70.00 feet left, and lying Southwesterly of a curved line, concentric to and 57 feet Northeasterly of the centerline of Northeast Union Hill Road from Highway Engineer's Station 16+50.00 to Highway Engineer's Station 17+58.00, and Southwesterly of a straight and curved line, parallel with, concentric to, and 77 feet Northeasterly of the centerline of Northeast Union Hill Road from Highway Engineer's Station 17+58.00 to Highway Engineer's Station 19+91.18, and Southwesterly of a straight line, parallel with and 57 feet Northeasterly of the centerline of Northeast Union Hill Road from Highway Engineer's Station 19+91.18 to Highway Engineer's Station 20+60.00, and Southwesterly of a straight line, parallel with and 87 feet Northeasterly of the centerline of Northeast Union Hill Road from Highway Engineer's Station 20+60.00 to Highway Engineer's Station 23+20.00, and Southwesterly of a straight and curved line, parallel with, concentric to, and 57 feet Northeasterly of the centerline of Northeast Union Hill Road from Highway Engineer's Station 23+20.00 to Highway Engineer's Station 26+98.39, and Southwesterly of a line beginning at a point at Highway Engineer's Station 26+98.39, 57.00 feet left; thence to a point at Highway Engineer's Station 27+77.89, 66.19 feet left; thence to a point at Highway Engineer's Station 27+77.89, 78.17 feet left; thence to a point at Highway Engineer's Station 28+04.07, 79.79 feet left; thence to a point at Highway Engineer's Station 29+50.00, 94.50 feet left, and lying Southwesterly of a curved line, concentric to and 94.50 feet left of the centerline of Northeast Union Hill Road from Highway Engineer's Station 29+50.00 to a point on the said East line of the West half of Section 8, said point being located at Highway Engineer's Station 34+36.43, 94.50 feet left and Southeasterly of a line radial to the centerline of Northeast Union Hill Road at Highway Engineer's Station 16+50.00 and Westerly and Northwesterly of the Said East line of the West half of Section 8 as surveyed under King County Survey No. 12-25-5-5.

Said described parcel being as follows:

That portion of the East half of the Northwest quarter of Section 8, Township 25 North, Range 6 East, W.M., in King County, Washington, lying Northeasterly and Easterly of Union Hill County Road; except that portion thereof described as follows:

Beginning at the intersection of the Easterly margin of Union Hill Road 'W.W. Perrigo Road No. 54' and the Northerly limit of said Section 8; thence South 35°39' East along said road margin a distance of 48.30 feet

to the TRUE POINT OF BEGINNING; thence continuing South 35°39' East 15 feet; thence North 54°21' East 15 feet; thence North 35°39' West 15 feet; thence South 54°21' West 15 feet to the TRUE POINT OF BEGINNING; and except that portion thereof described as follows:

That portion of the Northeast quarter of the Northwest quarter of Section 8, Township 25 North, Range 6 East, W.M., in King County, Washington, described as follows:

Beginning at the Northeast corner of said subdivision; thence South 0°19'19" West along the East line thereof a distance of 716.68 feet; thence North 76°49'42" West a distance of 422.35 feet to the TRUE POINT OF BEGINNING of the herein described tract; thence South 13°10'18" West a distance of 150.00 feet; thence South 80°01'29" West a distance of 157.42 feet, more or less, to a point on the Northeasterly margin of a 60.00 foot right-of-way known as Union Hill Road 'W.W.Perrigo Road 1, No. 54'; thence North 32°58'03" West along said margin a distance of 305.78 feet, more or less, to a point which bears North 76°49'42" West from the point of beginning; thence South 76°49'42" East a distance of 365.23 feet, more or less, to the TRUE POINT OF BEGINNING.

Area of said easement being 50,403 square feet more or less.

Following the initial construction of Union Hill Road, Grantee agrees to reconstruct Grantor's driveway over the following described property:

That portion of the above described parcel, BEGINNING at a point located at Highway Engineer's Station 34+07.18, 67.26 feet left; thence to a point located at Highway Engineer's Station 33+93.02, 123.86 feet left; thence to a point on the East line of the of the East half of the Northwest quarter of Section 8, Township 25 North, Range 6 East, W.M., said point being located at Highway Engineer's Station 34+29.60, 129.62 feet left; thence along the said East line of the East half to a point located at Highway Engineer's Station 34+40.70, 70.00 feet left; thence to a point located at Highway Engineer's Station 34+10.00, 70.00 feet left; thence to the point of BEGINNING, based on the centerline of Northeast Union Hill Road as surveyed under King County Survey No. 12-25-5-5. Area of said agreement being 1,737 square feet more or less.

EXHIBIT "A"

2107-09
NW 8-25-6
TL 9
W. Nelson & J. Gibson

11799

LEGAL DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT

That portion of the following described parcel, BEGINNING at a point located at Highway Engineer's Station 15+60.85, 82.86 feet left; thence to a point at Highway Engineer's Station 15+81.59, 72.70 feet left; thence to a point at Highway Engineer's Station 15+86.70, 86.56 feet left; thence to a point at Highway Engineer's Station 15+99.04, 81.00 feet left; thence to a point at Highway Engineer's Station 15+94.13, 67.04 feet left; thence to a point at Highway Engineer's Station 16+01.46, 63.89 feet left; thence to a point at Highway Engineer's Station 16+80.12, 200.63 feet left; thence to a point on the North line of the East half of the Northwest quarter of Section 8, Township 25 North, Range 6 East, W.M., said point being located at Highway Engineer's Station 16+70.99, 201.67 feet left; thence along said North line to a point located at Highway Engineer's Station 15+91.84, 127.47 feet left; thence to the point of BEGINNING, based on the centerline of Northeast Union Hill Road, as surveyed under King County Survey No. 12-25-5-5.

Said described parcel being as follows:

That portion of the East half of the Northwest quarter of Section 8, Township 25 North, Range 6 East, W.M., in King County, Washington, lying Northeasterly and Easterly of Union Hill County Road; except that portion thereof described as follows:

Beginning at the intersection of the Easterly margin of Union Hill Road 'W.W. Perrigo Road No. 54' and the Northerly limit of said Section 8; thence South 35°39' East along said road margin a distance of 48.30 feet to the TRUE POINT OF BEGINNING; thence continuing South 35°39' East 15 feet; thence North 54°21' East 15 feet; thence North 35°39' West 15 feet; thence South 54°21' West 15 feet to the TRUE POINT OF BEGINNING; and except that portion thereof described as follows:

That portion of the Northeast quarter of the Northwest quarter of Section 8, Township 25 North, Range 6 East, W.M., in King County, Washington, described as follows:

Beginning at the Northeast corner of said subdivision; thence South 0°19'19" West along the East line thereof a distance of 716.68 feet; thence North 76°49'42" West a distance of 422.35 feet to the TRUE POINT OF BEGINNING of the herein described tract; thence South 13°10'18" West a distance of 150.00 feet; thence South 80°01'29" West a distance of 157.42 feet, more or less, to a point on the Northeasterly margin of a 60.00 foot right-of-way known as Union Hill Road 'W.W. Perrigo Road 1, No. 54'; thence North 32°58'03" West along said margin a distance of 305.78 feet, more or less, to a point which bears North 76°49'42" West from the point of beginning; thence South 76°49'42" East a distance of 365.23 feet, more or less, to the TRUE POINT OF BEGINNING.

Area of said easement being 5,668 square feet more or less.

WARRANTY DEED

11799 6.9-91-001
Parcel #2107-10

The Grantors herein, John C. Gibson and Marilyn E. Gibson, husband and wife for the consideration of Ten Dollars and other valuable consideration, conveys and warrants to the County of King, State of Washington, all interest in the following described real estate:

SEE ATTACHED EXHIBIT "A"

Together with the right of ingress and egress and the right to make all necessary slopes for cuts and fills upon the abutting property on each side of any road which is now, or may be constructed hereafter on said property, in conformity with standard plans and specifications for highway purposes, and to the same extent and purposes as if the rights herein granted had been acquired by condemnation proceedings under Eminent Domain statutes of the State of Washington.

Situated in the County of King, State of Washington

Dated this _____ day of _____, 1992

Witness:

John C. Gibson

Marilyn E. Gibson

STATE OF WASHINGTON)
)ss.
COUNTY OF KING)

On this _____ day of _____ 1992, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared before me John C. Gibson and Marilyn E. Gibson to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged to me 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 the day and year last above written.

NOTARY PUBLIC in and for the State of Washington, residing at

EXHIBIT "A"

PROPERTY DESCRIPTION: That portion of the Northeast quarter of the Northwest quarter of Section 8, Township 25 North, Range 6 East, W.M., in King County, Washington, described as follows: Beginning at the Northeast corner of said subdivision; thence South $0^{\circ}19'19''$ West along the East line thereof a distance of 716.68 feet; thence North $76^{\circ}49'42''$ West a distance of 422.35 feet to the TRUE POINT OF BEGINNING of the herein described tract; thence South $13^{\circ}10'18''$ West a distance of 150.00 feet; thence South $80^{\circ}01'29''$ West a distance of 157.42 feet, more or less, to a point on the Northeasterly margin of a 60.00 foot right of way known as Union Hill Road 'W.W.Perrigo Road 1, No. 54'; thence North $32^{\circ}58'03''$ West along said margin a distance of 305.78 feet, more or less, to a point which bears North $76^{\circ}49'42''$ West from the point of beginning; thence South $76^{\circ}49'42''$ East a distance of 365.23 feet, more or less, to the TRUE POINT OF BEGINNING; TOGETHER WITH an easement 60.00 feet in width for ingress, egress, drainage and utilities over, under and across a portion of the East one-half of the Northwest quarter of said Section 8, the centerline of which is described as follows: Beginning at the Northeast corner of said subdivision; thence South $0^{\circ}19'19''$ West along the East line thereof a distance of 716.68 feet; thence North $76^{\circ}49'42''$ West a distance of 422.35 feet; thence South $13^{\circ}10'18''$ West 30 feet to the TRUE POINT OF BEGINNING of said centerline; thence South $76^{\circ}49'42''$ East a distance of 398.42 feet to a point which is 30.00 feet distant Westerly as measured parallel with and perpendicular to the East line of said East one-half of the Northwest quarter of Section 8; thence South $0^{\circ}19'19''$ West parallel with said East line a distance of 771.63 feet, more or less, to the Northerly margin of Union Hill Road 'W.W.Perrigo Road No. 1, No. 54' and the terminus of said centerline. The margins of said easement lengthening or shortening so as to enclose the easement.

DEED TAKE: That portion of the above described parcel lying Southwesterly of a straight line, parallel with and 42 feet Northeasterly of the centerline of Northeast Union Hill Road as surveyed under King County Survey No. 12-25-5-5. Area of said take being being 5,177 square feet more or less.

TOGETHER WITH AN EASEMENT FOR SLOPES AND UNDERGROUND WALL ANCHOR: That portion of the above described parcel lying Northeasterly of a straight line, parallel with and 42 feet Northeasterly of the centerline of Northeast Union Hill Road and Southwesterly of a straight line, parallel with and 57 feet Northeasterly of the centerline of Northeast Union Hill Road as surveyed under King County Survey No. 12-25-5-5. Together with that portion of the following described parcel lying Northeasterly of a straight line, parallel with and 57 feet Northeasterly of the centerline of Northeast Union Hill Road and Southwesterly of a straight line, parallel with and 87 feet Northeasterly of the centerline of Northeast Union Hill Road and Northwesterly of a line perpendicular to the centerline of Northeast Union Hill Road at Highway Engineer's Station 23+20.00 as surveyed under King County Survey No. 12-25-5-5. Area of said easement being 7,596 square feet more or less.