

Instrument Number: 20190118000363 Document: EAS Rec: \$105.00 Page-1 of 7  
Record Date: 1/18/2019 1:45 PM  
King County, WA

When recorded, return to

In Our Backyard, LLC  
4701 W. Mercer Way  
Mercer Island, WA 98040

EXCISE TAX NO: [REDACTED]  
King Co. Records Division  
By *Ken Dandy*, Deputy

EASEMENT  
(Access and Utilities Easement)

Reference #	JOB-01142018
Grantor:	IN OUR BACKYARD, LLC
Grantee:	NEIGHBORHOOD WORKS, LLC
Abbreviated Legal Description:	LOT 5, SECTION 7, TOWNSHIP 24 N, RANGE 5 E, W.M, KING CO, WASHINGTON
Tax Parcel Number	0724059012 and 0724059092

This easement is made this 18<sup>th</sup> day of January, 2019 between IN OUR BACKYARD, LLC, a Washington Limited Liability Company, the GRANTOR and, NEIGHBORHOOD WORKS, LLC a Washington Limited Liability Company, the GRANTEE, as follows:

GRANTOR'S PROPERTY: 3440 97<sup>th</sup> Avenue SE, Mercer Island, WA 98040 – Tax Parcel Number 0724059012

THE SOUTH 90 FEET OF THE NORTH 200 FEET OF THE SOUTH 450 FEET OF THE WEST 100 FEET OF THE EAST 921.44 FEET OF GOVERNMENT LOT 5, SECTION 7, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON,

EXCEPT THAT PORTION, IF ANY, OF THE ABOVE DESCRIBED PARCEL, LYING SOUTHERLY OF A LINE DESCRIBED AS BEGINNING AT A POINT OPPOSITE HIGHWAY ENGINEER'S STATION (HEREINAFTER REFERRED TO AS HES) LL 326+13.33 ON THE LL LINE SURVEY OF SR 90, MERCER ISLAND; WEST SHORE TO EAST CHANNEL BRIDGE SECTION 3, SHOREWOOD DRIVE VICINITY TO EAST CHANNEL BRIDGE, AND 103.15 FEET NORTHEASTERLY THEREFROM;

THENCE EASTERLY TO A POINT OPPOSITE RESIDENTIAL LL 327+11.41 ON SAID LL LINE SURVEY AND 122.61 FEET NORTHEASTERLY THEREFROM;

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THENCE NORTHEASTERLY TO A POINT OPPOSITE HES LL 329+95.43 ON SAID LL LINE SURVEY AND 231.47 FEET NORTHEASTERLY THEREFROM AND THE END OF THIS LINE DESCRIPTION.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

GRANTEE'S PROPERTY: 3434 97<sup>th</sup> Avenue SE, Mercer Island, WA 98040 – Tax Parcel Number 0724059092

THE EAST 100 FEET OF THAT PART OF THE FOLLOWING DESCRIBED PARCEL "A" LYING NORTHERLY OF A LINE DESCRIBED AS BEGINNING AT A POINT OPPOSITE HIGHWAY ENGINEER'S STATION (HEREINAFTER REFERRED TO AS HES) LL 326+13.33 ON THE LL LINE SURVEY OF SR 90, MERCER ISLAND; WEST SHORE TO EAST CHANNEL BRIDGE SECTION 3, SHOREWOOD DRIVE VICINITY TO EAST CHANNEL BRIDGE, AND 102.15 FEET NORTHEASTERLY THEREFROM;

THENCE EASTERLY TO A POINT OPPOSITE RESIDENTIAL LL 327-11.41 ON SAID LL LINE SURVEY AND 122.61 FEET NORTHEASTERLY THEREFROM; THENCE NORTHEASTERLY TO A POINT OPPOSITE HES LL 329+95.43 ON SAID LL LINE SURVEY AND 231.47 FEET NORTHEASTERLY THEREFROM AND THE END OF THIS LINE DESCRIPTION.

PARCEL A;

THAT PORTION OF GOVERNMENT LOT 5, SECTION 7, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WA, DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT 921.44 FEET WEST AND 30.00 FEET NORTH OF THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 5; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID GOVERNMENT LOT 5, 220.00 FEET; THENCE EAST ALONG A LINE 250.00 FEET NORTH AND PARALLEL WITH THE SOUTH LINE OF SAID GOVERNMENT LOT, 100.00 FEET; THENCE NORTH PARALLEL WITH SAID EAST LINE, 100.00 FEET; THENCE EAST PARALLEL WITH SAID SOUTH LINE, 100.00 FEET; THENCE SOUTH PARALLEL WITH SAID EAST LINE, 320.00 FEET; THENCE WEST PARALLEL WITH SAID SOUTH LINE, 200.00 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON

**WITNESSETH:**

That the GRANTOR, IN OUR BACKYARD, LLC, a Washington Limited Liability Company, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt and sufficiency of which is hereby acknowledged, hereby grants to the GRANTEE, NEIGHBORHOOD WORKS, LLC, a Washington Limited Liability Company, its

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successor and/or assigns, the right, privilege and authority to put in a driveway, and have access for installation of utilities to include but not limited to, gas, sewer, electric, water, storm drainage, and any other access necessary for construction of a residence through a portion of the real property legally described above and commonly known as 3440 97th Avenue SE, Mercer Island, WA 98040 (Tax Parcel Number 0724059012), said easement is legally described as follows:

THE SOUTH 20 FEET TO THE FOLLOWING DESCRIBED PARCEL OF LAND;

THE SOUTH 90 FEET OF THE NORTH 200 FEET OF THE SOUTH 450 FEET OF THE WEST 100 FEET OF THE EAST 921.44 FEET OF GOVERNMENT LOT 5, SECTION 7, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON,

EXCEPT THAT PORTION, IF ANY, OF THE ABOVE DESCRIBED PARCEL, LYING SOUTHERLY OF A LINE DESCRIBED AS BEGINNING AT A POINT OPPOSITE HIGHWAY ENGINEER'S STATION (HEREINAFTER REFERRED TO AS HES) LL 326+13.33 ON THE LL LINE SURVEY OF SR 90, MERCER ISLAND; WEST SHORE TO EAST CHANNEL BRIDGE SECTION 3, SHOREWOOD DRIVE VICINITY TO EAST CHANNEL BRIDGE, AND 103.15 FEET NORTHEASTERLY THEREFROM;

THENCE EASTERLY TO A POINT OPPOSITE RESIDENTIAL LL 327+11.41 ON SAID LL LINE SURVEY AND 122.61 FEET NORTHEASTERLY THEREFROM; THENCE NORTHEASTERLY TO A POINT OPPOSITE HES LL 329+95.43 ON SAID LL LINE SURVEY AND 231.47 FEET NORTHEASTERLY THEREFROM AND THE END OF THIS LINE DESCRIPTION.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

"Easement Area"; see attached, EXHIBIT A: ACCESS and UTILITIES EASEMENT -LEGAL DESCRIPTION, and EXHIBIT B: EASEMENT MAP PAGE

Grantor shall not erect any structure as defined in RCW 18.08.320 over or within the Easement Area legally described above.

Grantee shall have the right, without prior notice to Grantor, to install, repair, reconstruct, operate and/or maintain Grantee's facilities within said easement, and to enter upon said real property without incurring any legal obligation or liability.

The Grantee agrees that any existing improvements on said real property that may be disturbed or destroyed by Grantee's facilities or activities related to such facilities, will be

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replaced, repaired, or otherwise restored as reasonably practicable, to the pre-event condition by and at Grantees' expense, including without limitation attorney's fees.

The parties intend and agree on behalf of themselves and on behalf of their heirs, successors and assigns that this Agreement shall be a covenant running with the land and shall be binding upon all parties and their heirs, executors, administrators, successors, assigns, lessees, sub-lessees, tenants and sub-tenants.

**GRANTOR:**

IN OUR BACKYARD, LLC,  
a Washington limited liability company:

Richard Posmantur, Jr.  
By: Richard Posmantur, Jr., Managing Member

STATE OF WASHINGTON    )  
  ) ss.  
COUNTY OF KING        )

On this day personally appeared before me RICHARD POSMANTUR, JR., to me known to be the MANAGING MEMBER of IN OUR BACKYARD, LLC, a Washington limited liability company, who executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument of said company.

SUBSCRIBED AND SWORN TO before me  
this 18 day of Jan, 2019

Shannon M Johnston  
Name: Shannon M. Johnston  
NOTARY PUBLIC in and for the State of  
Washington, residing at State  
My commission expires: 9-3-2020



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GRANTEE:

NEIGHBORHOOD WORKS, LLC,  
a Washington limited liability company:

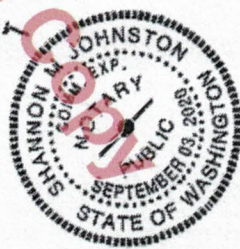
Richard Posmantur, Jr.  
By: Richard Posmantur, Jr. Managing Member

STATE OF WASHINGTON )  
COUNTY OF KING )

On this day personally appeared before me RICHARD POSMANTUR, JR., to me known to be the MANAGING MEMBER of NEIGHBORHOOD WORKS, LLC, a Washington limited liability company, who executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument of said company.

SUBSCRIBED AND SWORN TO before me  
this 18 day of January, 2019

Name: Shannon M. Johnston  
NOTARY PUBLIC in and for the State of  
Washington, residing at Seattle  
My commission expires: 9-3-2020



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**EXHIBIT "A"**  
**ACCESS AND UTILITIES EASEMENT**  
**LEGAL DESCRIPTION**

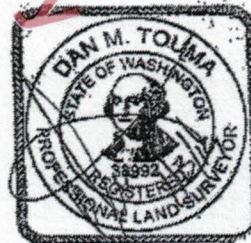
THE SOUTH 20 FEET TO THE FOLLOWING DESCRIBED PARCEL OF LAND;

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