

JA

MEMORANDUM OF UNDERSTANDING

January 8, 2021

Lance Matteson
Chair, Board of Directors
First Church of Christ, Scientist
Mercer Island, WA

RE: Shoring Easement for Construction of Mixed-Use Project at 2885 78th Ave SE

Dear Lance,

Johnston Architects, on behalf of the Xing Hua Group Ltd, is submitting a Building Permit Application for a new mixed-use development at 2885 78th Ave SE ("Project"), which borders First Church of Christ, Scientist Mercer Island property.

It is understood by Johnston Architects and the Xing Hua Group Ltd ("Grantee") that a shoring easement is required from First Church of Christ, Scientist Mercer Island ("Grantor") to construct the Project in its current configuration, as temporary shoring elements are proposed under Grantor Property.

Grantor and Grantee are currently negotiating in good faith to obtain legally-binding shoring easements and expect to come to favorable resolution in February 2021, upon obtaining official approval of the same from Grantor's Board of Directors.

It is understood by the Grantee that a legally recorded easement is a condition of both the Building Permit approval and start of construction with the configuration of shoring shown in the Building Permit application for the Project. Should the parties fail to come to an agreement concerning a shoring easement, Grantee understands all costs associated with re-design and re-engineering of the shoring elements and permit revision or City review fees will be borne by the Grantee.

Sincerely,



Megan McKay
Partner
Johnston Architects LLC

Approved:



Lance Matteson
Chair, Board of Directors
First Church of Christ, Scientist