

After Recording, Return To:

Scott Kindred  
7204 91<sup>st</sup> Ave SE  
Mercer Island, WA 98040



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TRANSACTION TI TERM 26.00  
PAGE001 OF 008  
06/27/2005 10:51  
KING COUNTY, WA

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Easement recording No.: 8410179003  
Easement holder(s): City of Mercer Island  
James H. Altman  
Brenda Altman  
J.D. Wegner Homes, LLC  
Owner(s): James H. Altman and Brenda Altman  
Abbrev. Desc.: Lots 6 and 7, Mercer Island Short Plat No. MI-82-09-18  
Full Description on page 3(Exhibit "A") and delineated on page 4(Exhibit "B")  
Tax No.: 302405-9212 and 9213

*RE-20127318*

**TERMINATION OF EASEMENT**

*8/26*

Know all by these presents that the undersigned are the easement holders, beneficiaries, and dominant estate holders of certain rights in that appurtenant easement for access, maintenance and construction of utility and storm drain purposes as described in Mercer Island Short Plat No. MI-82-09-18 recorded October 17, 1984, under King County recording No. 8410179003, that is across, over, and upon Lots 6 and 7 of Mercer Island Short Plat No. MI-82-09-18 recorded October 17, 1984, under King County recording No. 8410179003, records of King County, Washington, and as delineated on Exhibit "B" to this instrument.

And the undersigned holders, beneficiaries, and dominant estate holders do hereby release, relinquish, terminate and otherwise abandon forever said easement and any rights in and to the Lots above described, and the covenants contained in said easement shall no longer be binding upon nor shall they run with title to said Lots.

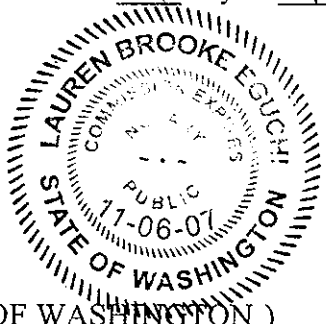
**FILED FOR RECORD AT REQUEST OF  
TRANSACTION TITLE INSURANCE CO**



STATE OF WASHINGTON )  
 ) ss.:  
COUNTY OF KING )

I certify that I know or have satisfactory evidence that James H. Altman and Brenda Altman are the persons who appeared before me, and acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned herein.

Dated this 24 day of May, 2005



Lauren Brooke Eguchi

Notary Public in and for the State of Washington. My commission expires: 11-06-07

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

On this 24 day of May, 2005, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Jens Wegner, to me known to be the Manager of J.D. Wegner Homes, LLC, a Washington Limited Liability Company, the entity that 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 in the name of said Company.

Witness my hand and official seal hereto affixed the day and year first above written.



Lauren Brooke Eguchi

Notary Public in and for the State of Washington. My Commission expires 11-06-07.

EXHIBIT A TO TERMINATION OF EASEMENT  
Property Legal Description

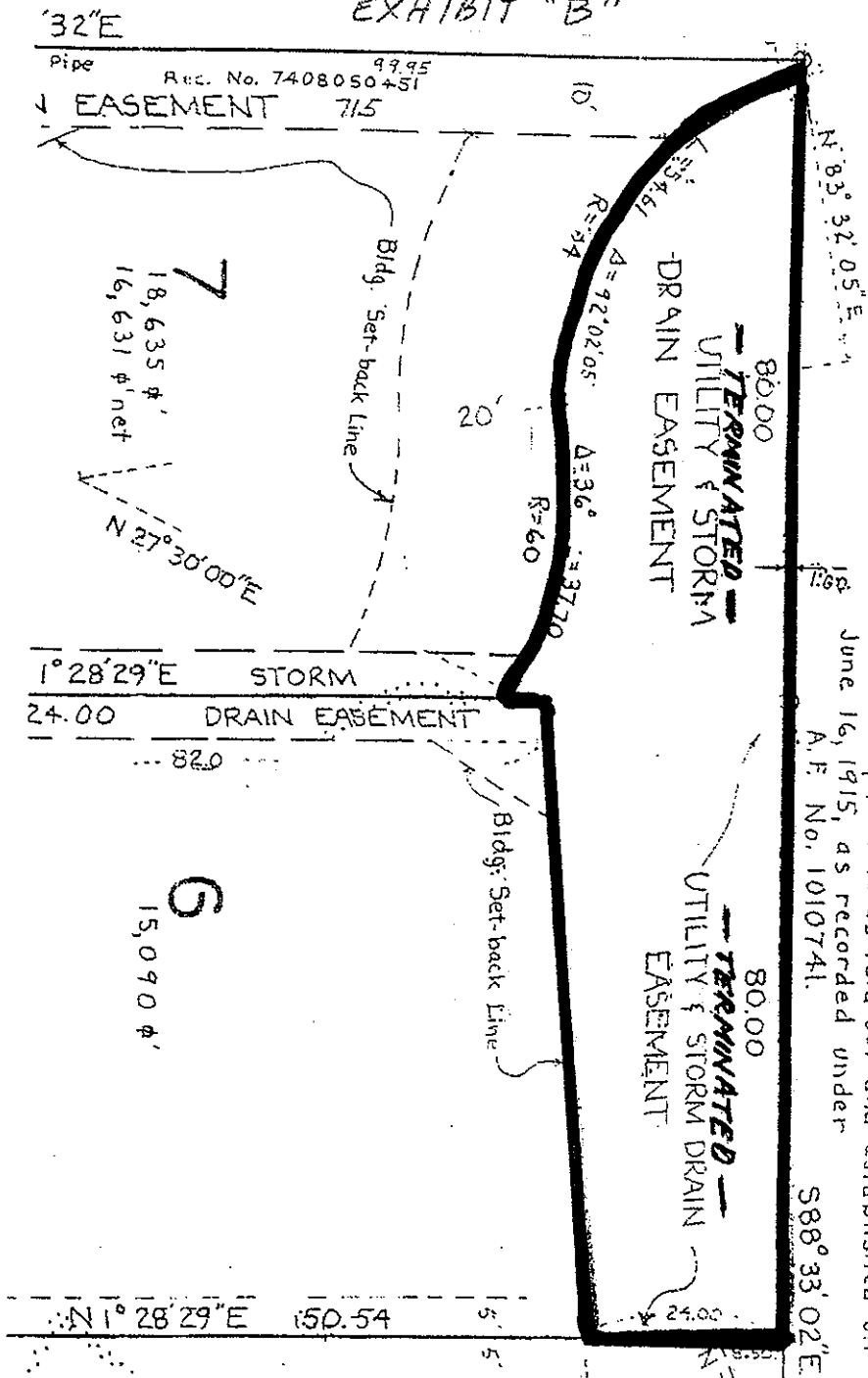
Lots 6 and 7 of Mercer Island Short Plat number 82-09-18, recording number 8410179003SD records of King County, Washington.

EXHIBIT B TO TERMINATION OF EASEMENT  
Delineation of Easement Area for Termination

See attached drawing.

# AREA TERMINATED:

## EXHIBIT "B"



### MERCER ISLAND SHORT PLAT No. MI-82-09-18

NOTE: The northerly portions of Lots 5, 6 & 7 are subject to an easement of undefined width for maintenance of a water pipe line as laid out and established on June 16, 1915, as recorded under A.F. No. 1010741.



**CITY OF MERCER ISLAND, WASHINGTON**

9611 S.E. 36th St. • Mercer Island, WA 98040-3732  
(206) 236-5300 • FAX: (206) 236-3599

June 15, 2005

Scott Kindred  
7204 91<sup>st</sup> Avenue SE  
Mercer Island, WA 98040

**RE: Easement on Lots 6 & 7 of MI Short Plat No. MI-82-09-18**  
**Tax Assessor File: 302405-9212 & 302405-9213**

This letter is written at your request to clarify the City of Mercer Island's need regarding the portions of two existing easements lying across the northern portions of the subject parcels. I've reviewed all available records and find no current or future public sewer, drainage, or access needs across the easements in question. However, during my review, I found a couple of items that you should investigate further.

Item 1

On Lot 6, the easement is described for "utility and storm drain". Please note that the short plat drawing shows this easement extending across lot 5 as well. You should consult with your legal counsel about whether you can terminate the easement without the consent of the owner of lot 5. *(DONE)*

Item 2

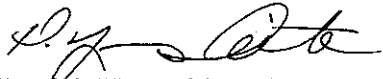
In my review of the short plat file, I found an engineering drawing approved August 26, 1983 for construction of a private storm drainage system for the short plat including a stormwater detention system. The plan proposed a 6-inch diameter storm drainage pipe across the northerly portions of lots 5 and 6 then easterly toward East Mercer Way along the property line between lots 6 and 7. There is no record in our file that indicates that these improvements were ever constructed. You may want to investigate whether this line was ever constructed or not. I've attached a copy of the plan for your information. *(NOT CONSTRUCTED)*

It is my understanding that you are seeking to terminate the portions of the existing easements under the direction of your legal counsel. The subject easements are shown and described in the attached 6 page document (3 pages plus Attachment A & B - 3 pages) furnished to City of Mercer Island by you when requesting this letter. We have not reviewed the 6 page form and make no opinion with regard to that document.

Based on my review of maps and plans of City of Mercer Island facilities, I find that the City of Mercer Island Utilities (including sanitary sewer, potable water and storm water) has no municipal utilities in the northern portion of the drainage easements on lots 6 and 7 as recorded in MI Short Plat No. MI-82-09-18 under King County recording No. 8410179003 and has no future need for the easement.

I trust this letter fulfills your May 24, 2005 request to the City of Mercer Island. This letter is not a legal opinion nor is it a land use decision by the Code Official. I can be reached at 206-236-3620 if you have any questions.

Sincerely,



Patrick Yamashita, PE  
City Engineer

Attachment:

1. Altman Addition Storm Drainage Improvement Plan
2. Document provided by Scott Kindred (6 pages)