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RECORDS & ELECTIONS

RECIPROCAL GRANT OF STORM SEWER EASEMENT

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David M. Syferd and Trudi A. Syferd, husband and wife ("Syferd"), is the owner of the real property legally described in Exhibit A hereto and incorporated herein by this reference ("Syferd Property").

Mercer Construction Co., a Washington corporation ("Mercer Construction"), is the owner of certain real property adjacent to the Syferd Property and more particularly described in Exhibit B hereto and incorporated herein by this reference ("Mercer Construction Property").

Syferd and Mercer Construction hereby grant, convey and quitclaim to each other in perpetuity, as a covenant running with the land, a two and one-half (2-1/2) foot easement ("Easement") for the purposes and subject to the conditions hereinafter stated, over and across their respective properties in the location as described in Exhibit C hereto.

1. Purpose. This Easement is granted for the purpose of locating a storm sewer line and providing for access for maintenance and repair thereof. The Easement is for the joint benefit of the Syferd Property and the Mercer Construction Property and shall be a burden thereon as well.

2. Indemnity. Syferd agrees to indemnify and hold Mercer Construction harmless from any loss suffered by or damages to any person or property sustained by Syferd's agents, employees, guests or invitees and resulting from use of the Easement unless such loss or damage is found to be proximately caused by the gross negligence of Mercer Construction. Mercer Construction agrees to indemnify and hold Syferd harmless from any loss suffered by or damages to any person or property sustained by Mercer Construction's agents, employees, guests or invitees and resulting from use of the Easement unless such loss or damage is found to be proximately caused by the gross negligence of Syferd.

3. Successors and Assigns. The terms and provisions of this Reciprocal Grant of Storm Sewer Easement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

4. Term. The Easement granted herein and the rights and obligations of the parties hereto shall have perpetual existence unless terminated by the written agreement of the parties hereto.

5. Record Notice. This Grant of Easement shall be recorded with the King County Department of Records and Elections.

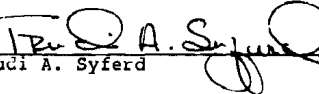
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ENCLOSURE NOT REQUIRED  
King Co. Records Division  
By *[Signature]* Deputy

DATED this 2 day of December, 1988.

SYFERD:

  
\_\_\_\_\_  
David N. Syferd

  
\_\_\_\_\_  
Trudi A. Syferd

MERCER CONSTRUCTION:

MERCER CONSTRUCTION CO., a  
Washington corporation

BY   
its \_\_\_\_\_

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STATE OF WASHINGTON )  
                              ) ss.  
COUNTY OF KING )

I certify that I know or have satisfactory evidence that David M. Syferd and Trudi A. Syferd, signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 2nd day of December, 1988.

S.E. Pearson  
Notary Public in and for the State of  
Washington, residing at Seattle

My appointment expires: 7-19-90

STATE OF WASHINGTON )  
                              ) ss.  
COUNTY OF KING )

I certify that I know or have satisfactory evidence that Grant L. Beck signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President of Mercer Construction Co. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 2nd day of December, 1988.

Steven A. Baker  
Notary Public in and for the State of  
Washington, residing at Seattle

My appointment expires: 8-1-91

12/02/88

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EXHIBIT A  
(Syferd Property)

Lot 3 of Mercer Island Boundary Line Revision No.  
M.I.-88-06-23(J-4), recorded August 29, 1988, under  
Auditor's File No. 8808299046, in King County, Washington.

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EXHIBIT B  
(Mercer Construction Property)

Lots 1 and 4 of Mercer Island Boundary Line Revision  
No. M.I.-88-06-23(J-4), recorded August 29, 1988,  
under Auditor's File No. 8808299046, in King County,  
Washington.

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EXHIBIT C  
(Legal Description of the Easement)

An easement for storm drainage purposes over, across, under and through Lots 3 and 4, Whitman Short Plat of a portion of Government Lot 1, Section 31, Township 24 North, Range 5 East, W. M. in King County, Washington and adjoining shorelands, said short plat having been approved by the City of Mercer Island July 13, 1968 and recorded under King County Recorder's Recording No. \_\_\_\_\_;

said Lots 3 and 4 having been revised by Boundary Line Revision, Mercer Island File No. M.I.-88-06-23(J-4) as approved by the City of Mercer Island August 25, 1988 and recorded in Vol. \_\_\_\_\_ of Surveys, pages \_\_\_\_\_ and under Recording No. 8808299046,

records of said King County; said storm drainage easement shall be 5.00 feet in width, having 2.5 feet on each side of the following described center-line; Commencing at the most westerly corner of said Lot 3 as shown on said Boundary Line Revision; thence northeasterly along the northwesterly line of said Lot 3 along the arc of a curve to the left, having a radius of 105.52 feet, for a distance of 30 feet, more or less, to an intersection with an existing storm drain pipe line; thence southeasterly along said existing storm drain pipe line 2 feet or more to an intersection with the southeasterly line of the easement for ingress, egress and utilities as shown on said Boundary Line Revision, said intersection being the True Point of Beginning of the center-line of said storm drainage easement; thence continuing southeasterly along said existing storm drain pipe line

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36 feet, more or less, to the approximate location of a proposed storm drain man-hole; thence S 17° 55' 06" W 17 feet, more or less, to an intersection with the common line between said Lots 3 and 4 as shown on said Boundary Line Revision, said intersection bears S 72° 04' 54" E distant 50 feet, more or less, from the most westerly corner of said Lot 3; thence S 72° 04' 54" E along said common line to a common corner to said Lots 3 and 4, said common corner being the most southerly corner of said Lot 3 and the most easterly corner of said Lot 4, said common corner being the terminus of the center-line of said storm drainage easement.

FILED for Record at Request of:

Name David Syferd

Address 7844 S.E. 71<sup>st</sup>

Mercer Island, Wash. 98040

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