

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercerisland.gov



CITY USE ONLY

PROJECT#

APPEAL#

FEE

Date Received:

APPEAL

Received By:

SITE ADDRESS OF PROPERTY WHERE THE DECISION IS BEING APPEALED:

6660 E. Mercer Way (9640 SE 68th St.), Mercer Island, WA 98040; 6800 SE 96th Ave., Mercer Island, WA 98040.

PROPERTY OWNER NAME:

Steve and Sophy Yang

ADDRESS:

6660 E. Mercer Way, Mercer Island

PHONE: 206-287-9900

E-MAIL: cassidy.ingram@acslawyers.com

APPELLANT NAME (If different from property owner):

Christopher and Nicole Niederman

ADDRESS:

6800 SE 96th Ave., Mercer Island

PHONE: 206-622-8020

E-MAIL: rose@carneylaw.com

APPELLANT ATTORNEY INFORMATION (if applicable):

Mark Rosencrantz of CarneyBadleySpellman

ADDRESS:

701 5th Avenue, Ste 3600, Seattle

PHONE: 206-622-8020

E-MAIL: rose@carneylaw.com

What is the decision that you are appealing? Include any applicable project file number.

Permit #SUB21-003

What are your reasons for appealing this decision? (Attach additional pages if necessary)

(You must indicate specifically that there were substantial errors, the decision is unsupported by the facts presented, the decision is in conflict with the standards for review of the action or there were irregularities in the procedure. Attachments or supporting information may be included.)

See Ex. 1

What is the outcome or changes in the decision that you are seeking? (Attach additional pages if necessary)

Permit # SUB21-003 should be overturned and the changes made to the area subject to litigation should be returned to its condition prior to the Yang's landscaping changes.

Signature:

Mark Rosencrantz

Digitally signed by Mark Rosencrantz
Date: 2021.10.01 13:11:40 -07'00'

Date: October 1, 2021

EXHIBIT 1

Christopher and Nicole Niederman appeal the approval of Permit No. SUB21-003 (the “Permit”). On or about March 29, 2021, Steve and Sophy Yang applied for the Permit seeking to modify and essentially eliminate a vehicle turnaround area located on their real property located at 6660 E. Mercer Way (9686 68th St. SE), Mercer Island, WA through a lot line revision. The Niedermans claim an ingress/egress easement over that area and are in the middle of a lawsuit with the Yangs concerning such issues, King County Superior Court Case No. 20-2-08679-7 SEA, *Christopher Niederman, et al. v. Steve Yang, et al.* (the “Lawsuit”). On or about Monday, September 20, 2021, the City of Mercer Island approved the Permit, which allowed the Yangs to remove the access road and landscape the area. It appears that in May 2021, the Yangs had already recorded a survey showing a lot line revision changing the area that the Niedermans have a property interest in – apparently well before the City issued a decision allowing the lot line revision on September 20, 2021. The Niedermans appeal the granting of the Permit, and request that it be overturned for at least the following reasons.

First, the approval of the Permit violates Washington law, which does not allow a government entity to terminate easement rights through approval of a permit. *See Hanna v. Margitan*, 193 Wn. App. 596, 607 (2016) (holding that short plat omission did not extinguish easement); 17 WASH. PRAC., REAL ESTATE, TERMINATION OF EASEMENTS AND PROFITS § 2.12 (2d ed.) (approval of short plat had no effect on easements that pre-existed the approval) (*citing Hanna*, 193 Wn. App. at 607); *see also Johnson v. Lake Cushman Maint. Co.*, 5 Wn. App. 2d 765, 779 (2018) (“An easement is only extinguishable in certain situations, such as when the easement holder releases the easement by instrument that complies with the statute of frauds, the owner of the servient estate uses the easement adversely, the easement is abandoned, or the dominant and servient estates merge.”). The City committed a substantial error by violating Washington law, and engaged in irregular procedure by approving a lot line revision when ownership to the area subject to the lot line revision is disputed.

Second, the permit violated Mercer Island Municipal Code 19.15.060(A)(8) (“MICC”), which requires consent of all owners of the “affected property,” and MICC 19.08.070(D)(2) which requires that “[a]ll persons having an ownership interest within the lot line revision shall sign the lot line revision documents” The Niedermans’ property plainly meets the definition of “affected property,” as they claim an easement benefiting their property over the area subject to the Permit. Because the Niedermans never consented to the Yangs’ Permit or the lot line revision that the Yangs recorded in May 2021, the Permit decision should be overturned. The City committed a substantial error by violating its own code and issued a decision that conflicts with the standards of review for a lot line revision under the MICC.

Third, the City is aware of the Lawsuit, and was aware of the Niederman’s claim to an ownership interest in the area subject to the Permit at the time the Yangs’ permit application was submitted and accepted as complete. By the City approving the Permit prior to a court fully and finally resolving the Niederman’s property interests in the area subject to the Permit, the City may have improperly influenced the outcome of the Lawsuit through the permit approval, which is an inappropriate use of the City’s authority, and runs contrary to Washington law. *See Halverson v. City of Bellevue*, 41 Wn. App. 457, 461 (1985). The City committed a substantial error by

approving a lot line revision when the real property rights affected by that lot line revision are in disputed and not fully and finally resolved.

Fourth, MICC 19.08.070(C)(6) provides that: “The lot line revision shall be consistent with any restrictions or conditions of approval for a recorded plat or short plat.” Allowing the Yangs to unilaterally eliminate the Niedermans’ easement right area in exchange for a new fire turnaround is inconsistent with the plat and the rights granted under it to the Niedermans. The City’s decision is in conflict with the standards for review for a lot line revision as set forth in the code, and the City committed substantial error in approving a Permit that violates the MICC.

Fifth, the City violated the MICC in issuing its decision on September 20, 2021 without following the required public notice procedures under the MICC. Under MICC 19.15.030 a lot line revision is a Type II Permit. MICC 19.15.120 explains that: “***The city shall provide notice*** in a timely manner of its final decision or recommendation ***on development proposals requiring Type II, III and IV land use decisions***, including the SEPA threshold determination, if any, the dates for any public hearings, and the procedures for administrative appeals, if any. ***Notice shall be provided to the applicant, parties of record, and agencies with jurisdiction. Notice of decision shall also be provided to the public as provided in MICC 19.15.090. The notice of decision may be provided by email or a hard copy may be mailed.***”¹ The City failed to in any way comply with this requirement, providing the Niedermans without any notice whatsoever of its decision. The failure is exacerbated by the fact that the Niedermans, through legal counsel, on repeated occasions wrote to the City requesting an update on the status of the City’s decision but received no response. The City was well aware that the Niedermans are interested parties in the Permit and claim an ownership interest in the area subject to the Permit. Yet the City did nothing to inform the Niedermans about the status of the Permit after submittal and has apparently permitted the Yangs to record a lot line revision that seeks to extinguish the Niederman’s property rights without their consent or the legal authority to do so. Eventually the City’s outside legal counsel in a related appeal brought by the Yangs (since denied) advised the Niedermans to check on mybuildingpermit.com, but otherwise provided no substantive information. The Niedermans, through legal counsel, checked mybuildingpermit.com on a daily basis, but the status of the Permit was not updated to “RECORDED” until September 20, 2021. No copy of a decision or any other documentation indicating the status of the Permit has ever been provided to the Niedermans or the public through mybuildingpermit.com. The City committed substantial error, issued a decision that conflicts with the standards in the code for a Type II permit, and engaged in irregular procedure that violates the procedural and notice requirements in the MICC.

The Permit allowing the lot line revision should be overturned and the lot line revision recorded by the Yangs without consent of the Niedermans should be nullified.

¹ (Emphasis added.)

EVAN'S ADDITION

SECTION 30, TWP. 24 N., RGE. 5 E., W.M.

CITY OF MERCER ISLAND · KING COUNTY, WASHINGTON

A REPLAT OF LOT "C" OF THE DOGAN SHORT PLAT

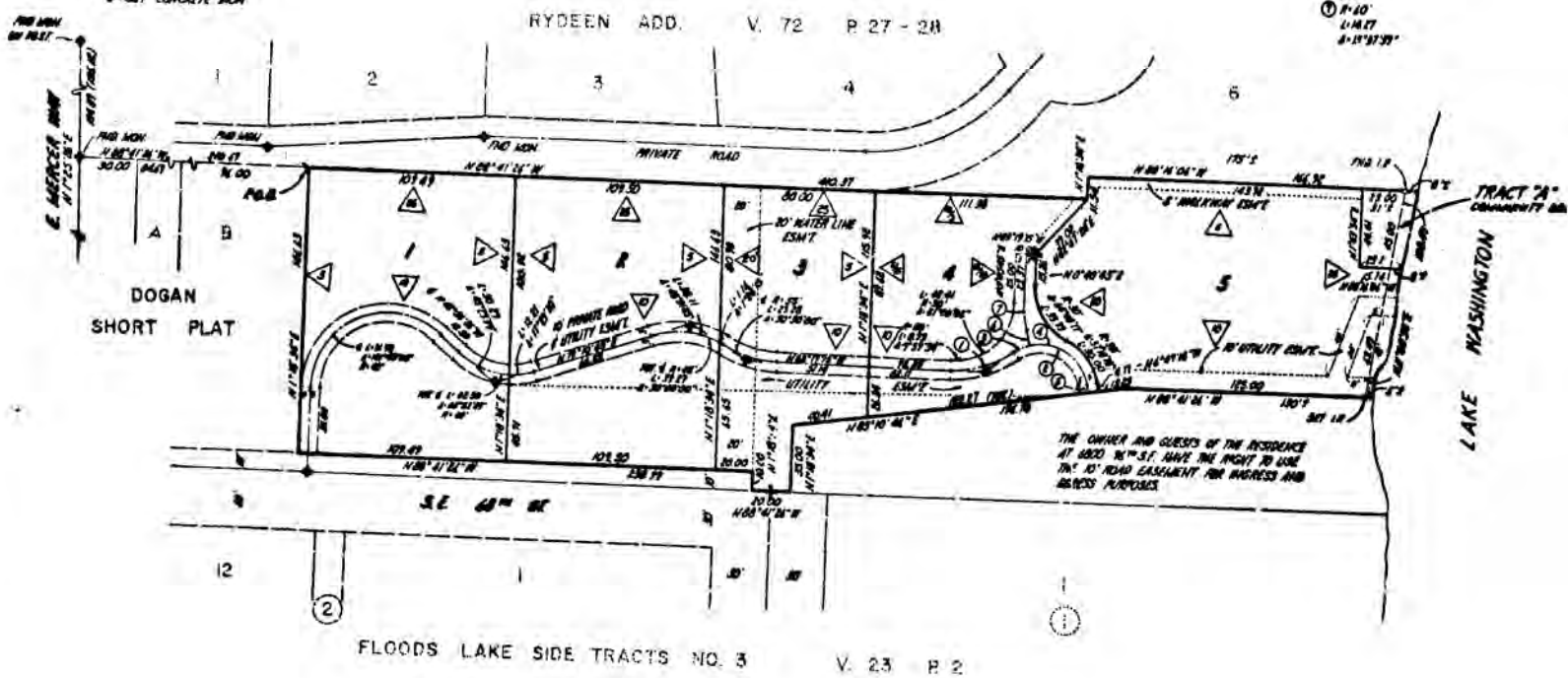
7701260554
PLT

7701260554 101/90



SCALE: 1"=50'
◆ SET CONCRETE MARK

- ① N. 55° 25.00'
- ② N. 75° 51.72'
- ③ N. 117° 00.01'
- ④ N. 25° 52.81'
- ⑤ N. 41° 34.18'
- ⑥ N. 88° 41' 26" W
- ⑦ N. 88° 41' 26" W
- ⑧ N. 88° 41' 26" W
- ⑨ N. 88° 41' 26" W
- ⑩ N. 88° 41' 26" W



DESCRIPTION

This Plat of Evan's Addition is a replat of Lot "C" of the Dogan Short Plat, located in Section 30, Township 24 North, Range 5 East, W.M., filed with the City of Mercer Island in May, 1974, more particularly described as follows:

Commencing at a brass monument marked with an 'X' on the intersection of E. Mercer Way and the north property line of the said Dogan Short Plat extended westerly, thence S 88° 41' 26" E along the south line of the Plat of Rydeen Addition, recorded in Volume 72, pages 27 and 28, records of King County, Washington, a distance of 210.69 feet to the northeast corner of Lot "B" of said Dogan Short Plat, and the Point of Beginning; thence continuing along the south line of said Rydeen Addition S 88° 41' 26" E a distance of 410.37 feet; thence N 01° 18' 34" E a distance of 11.54 feet; thence S 88° 16' 06" E a distance of 166.92 feet to an existing iron pipe; thence continuing S 88° 16' 06" E a distance of 7.0 feet more or less to the shoreline of Lake Washington; thence southwesterly along said shoreline to the southerly line of said Dogan Short Plat extended easterly; thence along said southerly line N 88° 41' 26" W a distance of 5.0 feet more or less to an iron pipe; thence continuing N 88° 41' 26" W a distance of 125.00 feet; thence S 83° 10' 44" W a distance of 176.78 feet; thence S 01° 18' 34" W a distance of 35.00 feet; thence N 88° 41' 26" W a distance of 20.00 feet; thence N 01° 18' 34" W a distance of 10.00 feet; thence N 88° 41' 26" W along the north right-of-way of S.E. 68th St. a distance of 238.99 feet to the southeast corner of said Lot "C"; thence N 01° 18' 34" E along the east line of said Lot "B" a distance of 146.63 feet to the Point of Beginning.

Together with the second class shorelands adjoining and lying between the northerly and southerly lines of the above described plat produced easterly.

RESTRICTIONS

- Maintenance and repair of the private road, the community beach tract "A" and all storm drainage facilities located within the utility easement, shall be the responsibility of the owners of each lot herein and each lot owner shall pay one fifth (1/5) of the cost thereof. In the event that maintenance and repair of the storm water drainage facilities is not performed to the satisfaction of the City Engineer, after a timely demand has been made for such action, the City shall have the right to enter upon the premises and perform the necessary maintenance and repair and charge the owner of each lot for his pro rata share of the total cost of such maintenance and repair. In addition, the City or the owner of any lot shall have the right to bring an action in superior court to require such maintenance and repair to the storm water drainage facilities as is deemed necessary by the City Engineer.
- The engineered street, water, sanitary sewer, and storm drainage designs are on file with the City of Mercer Island.
- All footing and roof drains shall be tightlined directly to the storm drainage system.
- Access to all lots shall be limited to the 10' private road easement.
- No land clearing permits will be issued prior to the issuance of building permits for individual single family houses.
- No land clearing, filling, or building construction shall be allowed in that portion of land lying south of the 10' private road easement except with the expressed approval of the Planning Commission.

All lots in this plat are subject to the protective covenants as recorded in Volume _____ page _____ Book _____ Records of King County, Washington.

EVAN'S ADDITION

SECTION 30, TWP. 24 N., RGE. 5 E., W.M.

CITY OF MERCER ISLAND · KING COUNTY, WASHINGTON

A REPLAT OF LOT "C" OF THE DOGAN SHORT PLAT

7701260554 101/91/92

DEDICATION

KNOW ALL MEN BY THESE PRESENTS that I, the undersigned, owner in fee simple of the land hereby platted, hereby declare this plat and dedicate to the public forever all roads and ways shown hereon, except Tract A and the 10 foot private road, with the right to make all necessary slopes for cuts and fills and the right to continue to drain said roads and ways over and across any lot where water might take a natural course, in the original reasonable grading of the roads and ways shown hereon.

Jon Evans Irene Dogan
Joyce C. Evans

PLANNING COMMISSION

Examined and approved this 15th day of December, 1976.
Sam Fry Highland Paulson
 Chairman Secretary

ACKNOWLEDGMENTS

STATE OF WASHINGTON
 COUNTY OF KING

This is to certify that on the 9th day of December, 1976, before me, the undersigned a Notary Public, personally appeared JON EVANS and JOYCE EVANS his wife, to me known to be the individuals who executed the within dedication and acknowledged to me they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

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

T. B. Humbler
 Notary Public in and for the State of
 Washington residing at Lynnwood

CITY COUNCIL

Examined and approved this 10th day of January, 1977.
Bob Johnson Ronald L. Martin
 Mayor Account Clerk

TREASURER'S CERTIFICATE

I hereby certify that all city assessments on the property herein contained are paid in full. This 11th day of January, 1977.

Ronald L. Martin
 City Treasurer

STATE OF WASHINGTON
 COUNTY OF KING

This is to certify that on the 9th day of December, 1976, before me, the undersigned, a Notary Public, personally appeared IRENE DOGAN to me known to be the individual who executed the within dedication and acknowledged to me she signed and sealed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first above written.
J. G. Marshall
 Notary Public in and for the State of
 Washington residing at Seattle

DEPARTMENT OF ASSESSMENTS

Examined and approved this 12 day of January, 1977.

HARVEY H. HOPPE A. Martin
 King County Assessor Deputy King County Assessor

LAND SURVEYOR'S CERTIFICATE

I hereby certify that this plat of Evan's Addition is based upon an actual survey and subdivision of Section 30, TWP 24N, RGE. 5 E. W.M., that the courses and distances are shown correctly thereon; that the monuments will be set, and the lot and block corners staked correctly on the ground as construction is completed, and that I have complied with the provisions of the platting regulations.



Howard C. Cornell
 Howard C. Cornell
 Professional Land Surveyor
 Certificate No. 10927

COMPTROLLER'S CERTIFICATE

I hereby certify that all property taxes are paid, that there are no delinquent assessments certified to this office for collection and that all special assessments certified to this office for collection on any of the property contained, dedicated as streets, alleys or for other public use, are paid in full. This 21st day of Jan., 1977.

HUAN L. JAMES W. B. Martin
 King Co. Comptroller Deputy King Co. Comptroller

RECORDING CERTIFICATE

Filed for record at the request of the Mercer Island City Council this day of _____, 19____, at _____ minutes past _____ m., and recorded in Volume _____ of Plats, page _____, records of King County, Washington.

DEPARTMENT OF RECORDS AND ELECTIONS

 Manager Superintendent of Records

DEPARTMENT OF SYSTEMS ENGINEERING

Examined and approved this 11th day of January, 1977.

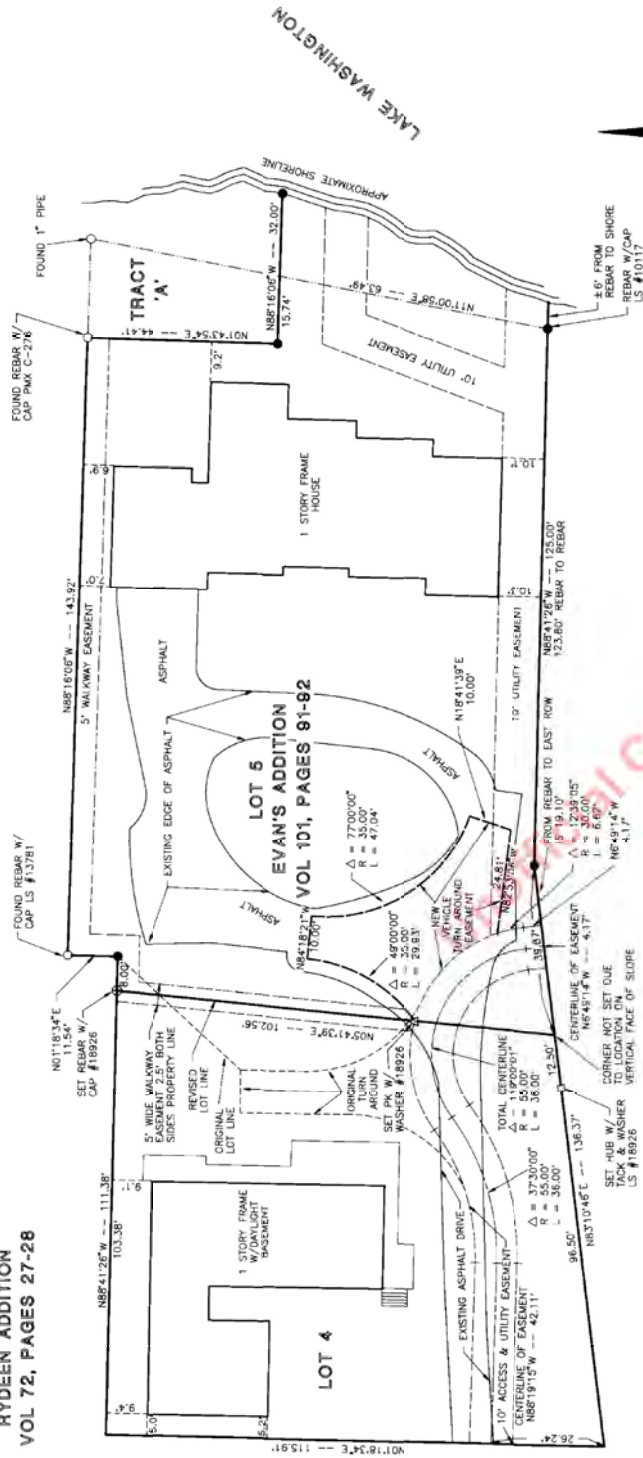
Philip D. Kaufeldt
 City Engineer



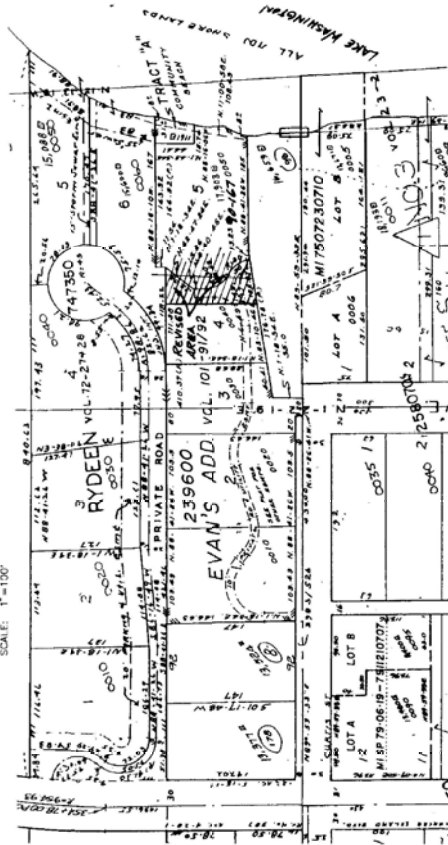
EVANS/YANG LOT LINE REVISION

MI-94-1039

RYDEEN ADDITION
VOL 72, PAGES 27-28



VICINITY MAP
SCALE: 1"=100'



LOT AREAS

ORIGINAL LOT 4 AREA	10823sq ft
GROSS LESS ROAD EASEMENT)	10823sq ft
REVISED LOT 4 AREA	10823sq ft
NET (LESS ROAD EASEMENT)	9810sq ft
ORIGINAL LOT 5 AREA	18108sq ft
REVISED LOT 5 AREA	18108sq ft
NET	18108sq ft

OWNERS

FRANK R. TARTER
 9200 S.E. 66th STREET
 MERGER ISLAND, WASHINGTON 98040
 I-HSING YANG AND YANG HSU PEI-YU
 6640 E. MERKER WAY
 MERGER ISLAND, WASHINGTON 98040

BASIS OF BEARING
THE PLAT OF EVAN'S ADDITION



NOTE:
 THIS SURVEY EXCEEDS CURRENT FIELD TRAVERSE
 STANDARDS CONTAINED IN WAC 332-130-006
 PER WAC 332-130-100, A SIX SECOND TOTAL
 ALLOWABLE ERROR (TOLERANCE) IN THE
 WAS USED FOR ALL FIELD MEASUREMENTS.
 THIS INSTRUMENT HAS BEEN MAINTAINED IN
 ADJUSTMENT ACCORDING TO MANUFACTURER'S
 RECOMMENDATIONS AND IS CALIBRATED
 ON A N.G.S. BASELINE WITHIN THE LAST YEAR.

C & T SURVEYING
 2630 118th AVE. N.E., SUITE 101
 Bellevue, WA 98004-1459
 (206)822-0667

DWN BY	WLA	DATE	9-27-94	JOB NO.	90167
CHKD BY	FT	SCALE	1" = 20'	SHEET 1	OF 2

LOT LINE REVISION
 FOR
 EVANS/YANG
 LOTS 4 & 5, EVAN'S ADDITION



SURVEYOR'S CERTIFICATE
 This map correctly represents a survey made by me or
 under my direction with the requirements of the Survey
 Recording Act at the request of EVANS/YANG
 Certificate No. 18926 in SEPT 1994
 Signature

RECORDERS CERTIFICATE
 Filed for record this 23rd day of DEC 19 94
 at 8:45 A.M. in book 131 at page 22
 the request of FRANK R. TARTER
 Supt. of Records

EVANS/YANG LOT LINE REVISION

MI-94-1039

LOT LINE REVISION

FILE NO. MERCER ISLAND CITY OF MERCER ISLAND KING COUNTY, WASHINGTON AFFIDAVIT OF OWNERSHIP

Approvals

KING COUNTY Department of Assessments Examined and approved this 21 day of Dec 1994 by Scott Wilson City Engineer

NE 1/4 30-24-05 2.5% CO-90-40 & 666 Department of Records

Filed for record at the request of:

APPROVALS

CITY OF MERCER ISLAND DATE PLANNER CODE OFFICIAL CITY ENGINEER

YANG PEI YU

EVANS L. EVANS

ACKNOWLEDGMENTS

STATE OF WASHINGTON COUNTY OF KING

ON THIS 25th DAY OF October 1994 THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED TO ME, KNOW TO BE THE PRESIDENT AND OFFICER OF THE CORPORATION OF EVANS/YANG LOT LINE REVISION, INC. AND DEED OF SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT THEY WERE AUTHORIZED TO EXECUTE THE SAID INSTRUMENT AND THAT THE SEAL AFFIXED IS THE CORPORATE SEAL OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL HERETO AFFIXED THE DAY AND YEAR FIRST ABOVE WRITTEN.



EVAN KOMER NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING AT: 11000 1st Ave NE, Seattle, WA 98150 MY COMMISSION EXPIRES: 12-31-99

STATE OF WASHINGTON COUNTY OF KING

ON THIS DAY PERSONALLY APPEARED BEFORE ME DONALD L. EVANS AND JEANETTE D. EVANS TO ME KNOWN TO BE THE INDIVIDUALS DESCRIBED HEREIN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT, I, A NOTARY PUBLIC, DO HEREBY ACKNOWLEDGE AND CONFIRM THE VALIDITY OF THE SAID INSTRUMENT AND DEED, FOR THE USES AND PURPOSES THEREIN MENTIONED.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 28th DAY OF October 1994

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING AT: 11000 1st Ave NE, Seattle, WA 98150 MY COMMISSION EXPIRES: 12-31-99



DOOROTHY BRADLEY Notary Public - Commission Expires 12/31/99

STATE OF WASHINGTON COUNTY OF KING

ON THIS 28th DAY OF October 1994 THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED TO ME, KNOW TO BE THE SECRETARY OF THE CORPORATION OF EVANS/YANG LOT LINE REVISION, INC. AND DEED OF SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT THEY WERE AUTHORIZED TO EXECUTE THE SAID INSTRUMENT AND THAT THE SEAL AFFIXED IS THE CORPORATE SEAL OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL HERETO AFFIXED THE DAY AND YEAR FIRST ABOVE WRITTEN.

LEGAL DESCRIPTION OF REVISED LOT 5

THAT PORTION OF LOTS 4 AND 5, EVANS'S ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 101 OF PLATS, PAGES 91 AND 92, IN KING COUNTY, WASHINGTON, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE.

BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 4, EVANS'S ADDITION WHICH BEARS S88°41'20"E, DISTANT 103.38' FROM THE NORTHWEST CORNER OF SAID LOT 4; HENCE S88°41'20"E, DISTANT 102.36' TO THE SOUTH LINE OF SAID LOT 4; AND THE TERMINUS OF THIS LINE.

TOGETHER WITH SECOND CLASS SHORELANDS ADJOINING AS DELINEATED ON THE FACE OF THE PLAT;

TOGETHER WITH AN UNDIVIDED INTEREST IN TRACT A (COMMUNITY BEACH) AND SECOND CLASS SHORELANDS ADJACENT TO AND ABUTTING THEREON;

AND TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITY PURPOSES OVER THE 10 FOOT PRIVATE ROAD AS DELINEATED ON THE FACE OF THE PLAT.

SUBJECT TO: ALL EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD, IF ANY.

LEGAL DESCRIPTION OF ORIGINAL LOTS

LOT 4, EVANS'S ADDITION, ACCORDING TO THE PLAT THEREOF IN VOLUME 101 OF PLATS, PAGES 91 AND 92, IN KING COUNTY, WASHINGTON;

TOGETHER WITH AN UNDIVIDED INTEREST IN TRACT A (COMMUNITY BEACH) AND SECOND CLASS SHORELANDS ADJACENT TO AND ABUTTING THEREON;

AND TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITY PURPOSES OVER THE 10 FOOT PRIVATE ROAD AS DELINEATED ON THE FACE OF THE PLAT.

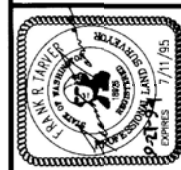
SUBJECT TO: ALL EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD, IF ANY.

RECORDER'S CERTIFICATE

Filed for record this 21 day of Dec 1994 at 10:00 AM in book 101 of 1994 at the request of FRANK R. TARVER Supt. of Records

SURVYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction with the requirements of the Survey Recording Act at the request of EVANS/YANG in SEPT 1994. Certificate No. 18926 Signatures



LOT LINE REVISION FOR EVANS/YANG LOTS 4 & 5 EVAN'S ADDITION

Table with 4 columns: DIV BY (WLA), DATE (9-27-94), JOB NO. (90167), SCALE (NONE), SHEET (2 OF 2). Includes contact info for C & T Surveying.

MAP ON FILE IN VAULT Return to: City of Mercer Island Planning Department P. O. Box 1440, Mercer Island, WA 98040-1440

DECLARATION: Know all men by these presents that we, the undersigned, owners in interest of the land herein described do hereby make a lot line revision thereof pursuant to RCW 58.17.060 and declare this lot line revision to be the graphic representation of the true and correct boundaries of the land as shown on the plat and in accordance with the desire of the owners, in witness whereof we have set our hands and seals.

Signatures of Donald L. Evans, Jeanette D. Evans, and Dorothy Bradley.

446/165

AMENDED EVANS/YANG DOT LINE REVISION MERCER ISLAND LOT LINE REVISION MI-94-1039

AS FILED IN VOLUME 101 OF SURVEYS, PAGES 185 AND 185A,
KING COUNTY RECORDING NO. 9412229001
A PORTION OF THE NE 1/4 OF THE NE 1/4, SECTION 30, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M.
MERCER ISLAND, KING COUNTY, WASHINGTON

DECLARATION
WE, THE UNDERSIGNED OWNER(S) IN SET CONTRACT
THE SUBJECT OF THIS INSTRUMENT DESCRIBED, DO HEREBY MAKE A LOT LINE
REVISION TO BE THE GRAPHIC REPRESENTATION OF THE SAME, AND THAT SAID
LOT LINE REVISION IS MADE WITH THE BEST OF OUR KNOWLEDGE AND IN ACCORDANCE WITH
THE DESIRES OF THE OWNER(S).

IN WITNESS WHEREOF WE HAVE SET OUR HANDS AND SEALS
BY: [Signature]
(NAME) Steve Yang Sophi Chen Yang
BY: [Signature] Stacy
(NAME) Yan Yang Wang Jia Gu

ACKNOWLEDGEMENT

STATE OF WASHINGTON | SS.
COUNTY OF KING

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT
ARE THE PERSONS WHO APPEARED BEFORE ME AND SAID PERSONS ACKNOWLEDGED
THAT THEY SIGNED THIS INSTRUMENT, ON DATE STATED THEREIN, FOR THE USES AND PURPOSES
MENTIONED IN THE INSTRUMENT.



GIVEN UNDER MY HAND AND OFFICIAL SEAL
THIS 3 DAY OF July 2021.
[Signature]
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
PRINTED NAME: Robynne H. Reichman
MY COMMISSION EXPIRES: 5/18/23

ACKNOWLEDGEMENT

STATE OF WASHINGTON | SS.
COUNTY OF KING

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT
ARE THE PERSONS WHO APPEARED BEFORE ME AND SAID PERSONS ACKNOWLEDGED
THAT THEY SIGNED THIS INSTRUMENT, ON DATE STATED THEREIN, FOR THE USES AND PURPOSES
MENTIONED IN THE INSTRUMENT.



GIVEN UNDER MY HAND AND OFFICIAL SEAL
THIS 7 DAY OF May 2021.
[Signature]
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
PRINTED NAME: Robynne H. Reichman
MY COMMISSION EXPIRES: 5/18/23

RECORDER'S CERTIFICATE

FOR THE RECORD THIS 26th DAY OF May 2021
AT 4:57:16 IN BOOK 446 OF Surveys, AT PAGE 165
THE RECORD IS FILED IN ACCORDANCE WITH RCW 36.01.010
MANAGER [Signature] SUPERVISOR OF RECORDS

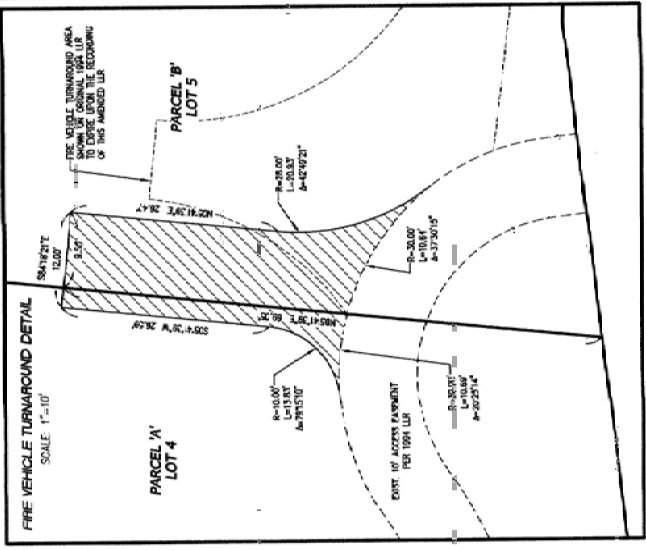
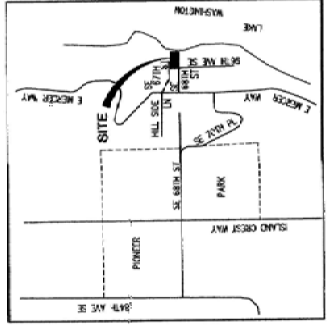
SURVEYOR'S CERTIFICATE

THIS MAP CURRENTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY
DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY
ACT, INCLUDING ACT 47, AND THE RECORD IS FILED IN ACCORDANCE WITH RCW 36.01.010.
[Signature] DATE 4/18/21
BY REGISTERED FIELD OR OFFICE



RECORD OF SURVEY
FOR
STEVE YANG
9668 SE 68TH ST
MERCER ISLAND, WASHINGTON

INDEXING INFORMATION	JOB: 35450	DATE: 2/16/2021
NE 1/4 NE 1/4	SCALE: NO SCALE	SHEET: 1 OF 2
SECTION: 30	DRAWN BY: M.L.	CHECKED BY: J.M.
TOWNSHIP: 24N		
RANGE: 5E		
COUNTY: KING		



AMENDMENT NOTE

THE SIDE PURPOSE OF THIS AMENDMENT IS TO CHANGE THE
LOCATION OF THE VEHICLE TURNAROUND AREA INDICATED IN LOT 5 OF
THE 1994 LOT LINE REVISION MAP TO THE NEW LOCATION SHOWN ON
SHEET 1, 2 AND DETAILED ON SHEET 1 OF THIS AMENDED LOT LINE
REVISION. NO LOT LINE ARE BEING REVISED.

CITY OF MERCER ISLAND APPROVALS

EXAMINED AND APPROVED THIS 17th DAY OF May 2021
[Signature]
CODE OFFICIAL

EXAMINED AND APPROVED THIS 6th DAY OF MAY 2021
[Signature]
CITY ENGINEER

KING COUNTY DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS 26th DAY OF MAY 2021
[Signature] DEPUTY ASSESSOR
ASSESSOR [Signature]
TAX ACCOUNT(S) 2398000040, 2396000000

NOTE:
THE FIRE VEHICLE TURNAROUND SHALL BE COMPOSED OF PAVEMENT
THAT WILL SUPPORT THE IMPOSING LOADS OF FIRE APPARATUS AS
LISTED IN THE INTERNATIONAL FIRE CODE. THE FIRE VEHICLE
TURNAROUND WILL BE MAINTAINED BY THE OWNERS OF THE LOTS
WHERE THE FIRE VEHICLE TURNAROUND IS LOCATED.
NOTWITHSTANDING THE FOREGOING, THE ACCOUNTS OF THIS
DOCUMENT SHALL NOT DIFFER FROM THE MAINTENANCE OBLIGATIONS
SET FORTH IN COVENANTS OR MAINTENANCE AGREEMENTS
ENCUMBERING THE EVANS ADDITION LOTS, OF PUBLIC RECORD.



444/104

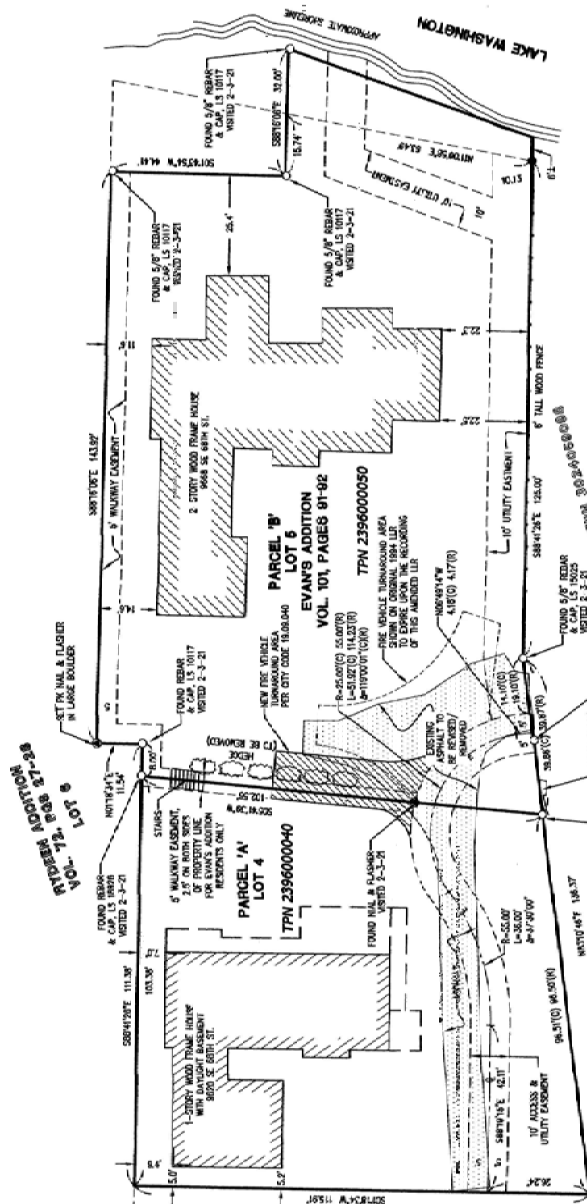
AMENDED EVANS/YANG DOT LINE REVISION MERCER ISLAND LOT LINE REVISION MI-94-1039

AS FILED IN VOLUME 101 OF SURVEYS, PAGES 185 AND 185A.
KING COUNTY RECORDING NO. 9412229001
A PORTION OF THE NE 1/4 OF THE NE 1/4, SECTION 30, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M.
MERCER ISLAND, KING COUNTY, WASHINGTON

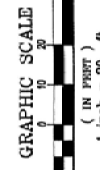
ORIGINAL LEGAL DESCRIPTIONS

PARCEL A (TIN 2396000040)
THAT PORTION OF LOTS 4 AND 5, EVANS ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 101 OF SURVEYS, PAGES 185 AND 185A, IN KING COUNTY, WASHINGTON, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:
BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 4, EVANS ADDITION, WHICH BEING CORNER OF SAID LOT 4, BEING THE POINT OF BEGINNING OF SAID LOT 4, AND THE TERMINUS OF THIS LINE;
TOGETHER WITH AN UNDIVIDED INTEREST IN TRACT A (COMMUNITY BEACH) AND SECOND CLASS SHORELANDS ADJACENT TO AND ABUTTING THEREON; AND TOGETHER WITH AN EASEMENT FOR ACCESS, EGRESS AND UTILITY PURPOSES OVER THE 10 FOOT PRIVATE ROAD AS DEPICTED ON THE FACE OF THE PLAT;
SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD, IF ANY.

PARCEL B (TIN 2396000050)
THAT PORTION OF LOT 4 AND 5, EVANS ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 101 OF SURVEYS, PAGES 185 AND 185A, IN KING COUNTY, WASHINGTON, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:
BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 4, EVANS ADDITION, WHICH BEING CORNER OF SAID LOT 4, BEING THE POINT OF BEGINNING OF SAID LOT 4, AND THE TERMINUS OF THIS LINE;
TOGETHER WITH SECOND CLASS SHORELANDS ADJACENT AS DELINEATED ON THE FACE OF THE PLAT;
TOGETHER WITH AN UNDIVIDED INTEREST IN TRACT A (COMMUNITY BEACH) AND SECOND CLASS SHORELANDS ADJACENT TO AND ABUTTING THEREON; AND TOGETHER WITH AN EASEMENT FOR ACCESS, EGRESS AND UTILITY PURPOSES OVER THE 10 FOOT PRIVATE ROAD AS DEPICTED ON THE FACE OF THE PLAT;
SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD, IF ANY.



- MONUMENT AS DESCRIBED
- SET 5/8\"/>
- FOUND NAIL AS NOTED
- FOUND NAIL & CAP AS NOTED
- RECORD DIMENSION (SEE REFERENCE LOT)
- MEASURED DISTANCE
- CALCULATED DIMENSION



PARCEL A AREAS
PARCEL A (TIN 2396000040)
(ORIGINAL)
GROSS AREA.....15,853 SF
NET (LESS ROAD EASEMENT).....9,644 SF
(REMOVED)
NET (LESS ROAD EASEMENT).....10,813 SF
NET (LESS ROAD EASEMENT).....9,653 SF

PARCEL B AREAS
PARCEL B (TIN 2396000050)
(ORIGINAL)
GROSS AREA.....18,081 SF
NET (LESS ROAD EASEMENT).....10,729 SF
(REMOVED)
NET (LESS ROAD EASEMENT).....17,546 SF

BASES OF DEAPINCES
AS SET OUT IN THE ORIGINAL RECORDS OF THIS SURVEY, PAGES 185 AND 185A, RECORDED IN VOLUME 101 OF SURVEYS, RECORDED IN KING COUNTY RECORDING NO. 9412229001.

REFERENCES
R1 PLAT OF EVANS ADDITION, VOL. 101, PG. 91.
R2 RECORD OF SURVEY UNDER REC. NO. 002010000002.

2801 South 26th, Suite 200
Tacoma, WA 98406
Tel: (253) 472-4444 Fax: (253) 472-1888
www.apexeng.com

DATE:	2/16/2021
JOB:	35450
INDEXING INFORMATION:	NE 1/4 NE 1/4
SECTION:	30
TOWNSHIP:	24N
RANGE:	5E
COUNTY:	KING
SHEET:	2 OF 2
SCALE:	1" = 20'
DRAWN BY:	WEL
CHECKED BY:	TJM

RECORD OF SURVEY FOR STEVE YANG
9608 SE 60TH ST
MERCER ISLAND, WASHINGTON