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ATTN: REAL ESTATE SERVICES
DEPARTMENT OF TRANSPORTATION
P.O. BOX 47338
OLYMPIA, WA 98504-7338

Document Title: Amended Quitclaim Deed
Reference Number of Related Document: 20000425001234
Grantor(s): State of Washington Department of Transportation
Grantee(s): City of Mercer Island
Legal Description: Ptn. of Lots 1 and 2, Block 15 and lot 5 Block 20 of McGilvra's Island Addition, recorded in Volume 16, page 58, King County Records and Ptn of the NW1/4, NE1/4, Sec. 12, T. 24 N., R. 4 E., W.M.
Additional Legal is on Page 2 of document
Assessor's Tax Parcel: Adjacent to 7698440000 and 5315101235

AMENDED QUITCLAIM DEED

SR 90, Mercer Island: West Shore to East Channel Bridge Sec 2, 76th Ave. Vic. To Shorewood Dr. Vic.

The STATE OF WASHINGTON acting by and through its DEPARTMENT OF TRANSPORTATION, hereby amends that certain Quitclaim Deed recorded on April 25, 2000, under King County Recording Number 20000425001234.

The Grantor conveyed and quitclaimed unto the City of Mercer Island, a municipal corporation of the State of Washington, Grantee, all right, title, and interest under the jurisdiction of the Department of Transportation, in and to multiple parcels of properties, including the property identified as Parcel 12, as detailed in said Quitclaim Deed. The Quitclaim Deed, in part, specified the property transfers to the Grantee were for road and street purposes unless otherwise agreed to by the parties.

Pursuant to Substitute Senate Bill 5165, Sections 213 and 913 (2021), that certain Quitclaim Deed recorded on April 25, 2000, under King County, State of Washington Recording Number 20000425001234 is amended as to Parcel 12 only, described as follows:

Parcel 12 (Portions of 78TH Avenue SE and FR-1 LINE) in sheet 2 of 7 of SR 90, Mercer Island: West Shore to East Channel Bridge Sec 2, 76th Ave. Vic. To Shorewood Dr. Vic. plan is legally defined as follows:

BEGINNING AT A POINT OPPOSITE HES FR-1 11+99.97 ON THE FR-1 SURVEY LINE OF SAID SR 90 AND 29.70 FEET SOUTHWESTERLY THEREFROM;
THENCE NORTHEASTERLY TO A POINT OPPOSITE SAID HES AND 30.30 FEET NORTHEASTERLY THEREFROM;
THENCE SOUTHEASTERLY TO A POINT OPPOSITE HES FR-1 13+69.78 ON SAID SURVEY LINE AND 30.30 FEET NORTHEASTERLY THEREFROM;
THENCE SOUTHEASTERLY TO A POINT OPPOSITE HES FR-1 14+67.39 ON SAID SURVEY LINE AND 40.30 FEET NORTHEASTERLY THEREFROM;
THENCE SOUTHEASTERLY TO A POINT OPPOSITE HES FR-1 16+65 ON SAID SURVEY LINE AND 40.30 FEET NORTHEASTERLY THEREFROM;
THENCE NORTHEASTERLY TO A POINT OPPOSITE SAID HES AND 65.00 FEET NORTHEASTERLY THEREFROM;
THENCE SOUTHEASTERLY TO A POINT OPPOSITE HES LL 260+56.00 ON THE LL SURVEY LINE OF SAID HIGHWAY AND 346.50 FEET SOUTHWESTERLY THEREFROM;
THENCE SOUTHWESTERLY TO A POINT OPPOSITE SAID HES AND 430.43 FEET SOUTHWESTERLY THEREFROM;
THENCE NORTHWESTERLY TO A POINT OPPOSITE HES FR-1 14+67.39 ON SAID FR-1 SURVEY LINE AND 19.69 FEET SOUTHWESTERLY THEREFROM;
THENCE WESTERLY TO A POINT OPPOSITE HES FR-1 14+38.79 ON SAID SURVEY LINE AND 34.22 FEET SOUTHWESTERLY THEREFROM;
THENCE SOUTHERLY TO A POINT OPPOSITE HES FR-1 14+44.97 ON SAID SURVEY LINE AND 46.41 FEET SOUTHWESTERLY THEREFROM;
THENCE WESTERLY TO A POINT OPPOSITE HES FR-1 13+91.71 ON SAID SURVEY LINE AND 73.24 FEET SOUTHWESTERLY THEREFROM;
THENCE NORTHERLY TO A POINT OPPOSITE HES FR-1 13+69.78 ON SAID SURVEY LINE AND 29.70 FEET SOUTHWESTERLY THEREFROM;
THENCE NORTHWESTERLY TO A POINT BEGINNING AND THE END OF THIS PARCEL 12 DESCRIPTION.

The specific details concerning all of which may be found on sheet 2 of 7 of SR 90, Mercer Island: West Shore to East Channel Bridge Sec 2, 76th Ave. Vic. To Shorewood Dr. Vic., now of record and on file in the office of the Secretary of Transportation at Olympia, Washington, bearing the date of approval February 1, 1980, revised July 22, 1994.

It is understood and agreed that the above referenced property is transferred for road/street purposes only, and no other use shall be made of said property without obtaining prior written approval of the Grantor. So long as commuter parking, as part of the vertical development of the property, is one of the significant uses of the property, this requirement is deemed satisfied. This use restriction applies to Grantee, its successors, or assigns.

It is also understood and agreed that the Grantee, its successors or assigns, shall not revise either the right of way lines or the access control without prior written approval from the Grantor, its successors or assigns. The parties acknowledge and agree the right of way line may need to be revised consistent with Substitute Senate Bill 5165, Sections 213 and 913 (2021). Grantee shall submit a request to make such revision to Grantor and Grantor shall not unreasonably withhold its approval.

Revenues resulting from any vacation, sale, rental, or use of this property, or any portion thereof, shall: (1) if the property is disposed of to a governmental entity for public use, be placed in the grantee's road/street fund and used exclusively for road/street purposes; (2) if the property is disposed of other than as provided in (1) above, be shared by the Grantee and Grantor, their successors or assigns in the same proportion as acquisition costs were shared, except that the Grantee may deduct the documented direct costs of any such vacation or sale, or (3) if the property is rented or used in a manner that generates revenue, the revenue shall be placed in Grantee's road/street fund and used exclusively for road/street purposes.

The Grantee herein, its successor or assigns, shall not have the right of ingress and egress to, from, and between said SR 90, and the lands herein conveyed and will maintain the control of ingress and egress to, from and between the lands herein conveyed and the lands

adjacent thereto, as indicated by the prohibition of access symbol appearing on sheet 2 of 7 of SR 90, Mercer Island: West Shore to East Channel Bridge Sec 2, 76th Ave. Vic. To Shorewood Dr. Vic., now of record and on file in the office of the Secretary of Transportation at Olympia, Washington, bearing the date of approval February 1, 1980, revised July 22, 1994; nor shall the Grantee herein, its successors or assigns, be entitled to compensation for any loss of light, view and air occasioned by the location, construction, maintenance or operation of said highway.

The Grantee as part consideration herein does hereby agree to comply with all civil rights and anti-discrimination requirements of Chapter 49.60 RCW, as to the lands herein described.

The lands herein described are not required for State highway purposes and are conveyed pursuant to the provisions of Substitute Senate Bill 5165, Sections 213 and 913 (2021).

Dated at Olympia, Washington, this _____ day of _____, 2021.

STATE OF WASHINGTON,
DEPARTMENT OF TRANSPORTATION

Roger Millar, PE, FASCE, FAICP
Secretary of Transportation

Reviewed as to Form:

By: _____

Bio Park, City Attorney

STATE OF WASHINGTON)

): ss

COUNTY OF THURSTON)

On this _____ day of _____, 2021, before me personally appeared Roger Millar, known to me as the Secretary of Transportation, State of Washington, Department of Transportation, and executed the foregoing instrument, acknowledging said instrument to be the free and voluntary act and deed of the State of Washington, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

Given under my hand and official seal the day and year last above written.

Notary (print name) _____

Notary Public in and for the State of Washington,
residing at _____

My Appointment Expires _____