



MEMORANDUM

DATE: April 20, 2022
TO: City of Mercer Island
FROM: Brett Pudists, PE
RE: 2825 W Mercer Way - Easement Extinguishment Request

This project consists of a single parcel (2174502425) with a physical address of 2825 West Mercer Way, Mercer Island, WA 98040. The parcel is zoned R-8.4 and adjacent parcels are also zoned R-8.4 and contain single-family homes. The site contained an existing vacant building (East Seattle School) that was demolished under permit number 1704-191.

The project proposes to subdivide the 2.88 acres into 14 lots with associated infrastructure to support single-family homes. The project will be developed in accordance with Mercer Island regulations for the R-8.4 zone and will follow the required development and design standards set forth in MICC Title 19.

There is an existing 20' water easement (recording numbers 5361487 and 5081481) and existing 6" cast iron water main within the easement that run through the middle of the property. Refer to the easement documents provided with this request for history of/information on the easement and water main.

We are requesting that the existing easement be extinguished as the easement restricts development potential for the site (no structures are allowed over the utility easement). Extinguishment of the existing easement would allow the site to be developed as allowed per the City's zoning code. Other design options that retain the easement were not considered as the location of the easement limits the number of units that can be achieved given the minimum required lot size and dimensions.

We are requesting that the easement be extinguished in favor of water main replacement in 62nd Ave SE. Replacement of the existing water main provides the following benefits to the City:

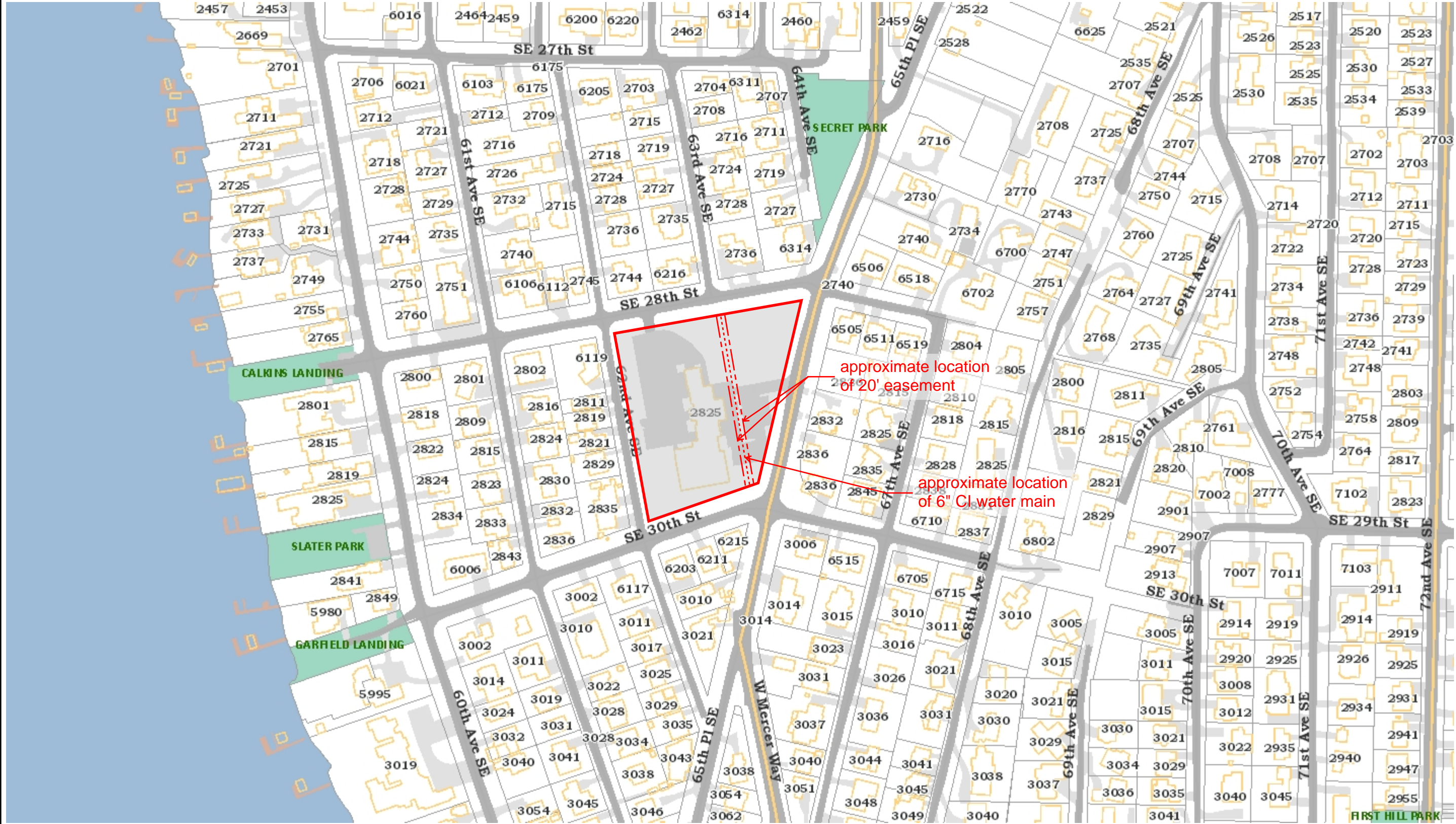
- The existing 6" cast iron water main will be replaced with larger diameter (8") ductile iron pipe, which provides additional capacity and brings the main up to the City's standard.
- The proposed removal of the existing water main through the site and replacement of water main in 62nd Ave SE would relocate water access within the vicinity of the project from a 20' easement to the City's 40' right-of-way.
- Assuming the existing pipe was installed at the time the easement documents were signed, the existing cast iron pipe is over 60 years old, which is likely in excess of the expected service life of the pipe. Replacement will provide the City with an upgraded main for service within the vicinity of the project.



The existing 6” cast iron water main in the easement is proposed to be cut, capped and removed through the site. Refer to sheet EC-01 showing the existing easement to be extinguished and sheet UP-01 showing the proposed water main replacement, included on the following pages. Exhibits A, B and C provide the legal descriptions of the existing property and existing easement and are included on the following pages.

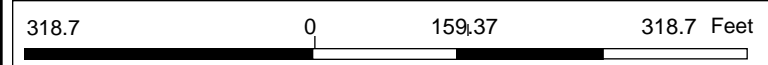
Per email correspondence with the City on March 14, 2022, extinguishment cannot be executed until the new water main is constructed and accepted by the City and the existing water main is abandoned and removed from service both according to site development permit number XXXX.

City of Mercer Island VICINITY MAP - 2825 W MERCER WAY



- Legend**
- Address
 - Building
 - Property Line
 - Docks
 - Freeway
 - Major Street
 - Street
 - Paved Driveway
 - Paved Road
 - Paved Parking Area
 - Parks
 - Lake Washington

1: 2,500



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

Notes

EXHIBIT "A"
LEGAL DESCRIPTION OF ENTIRE PROPERTY

ALL OF BLOCKS 12 AND 13 IN EAST SEATTLE ADDITION, AS PER PLAT RECORDED IN VOLUME 3 OF PLATS,
AT PAGES 22 AND 23, RECORDS OF KING COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF VACATED 63RD AVENUE SOUTHEAST ADJOINING OR ABUTTING
THEREON, WHICH UPON VACATION, ATTACHED TO SAID PREMISES BY OPERATION OF LAW.

SITUATE IN THE CITY OF MERCER ISLAND, COUNTY KING, STATE OF WASHINGTON.



1/19/22

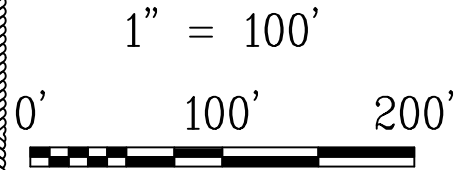
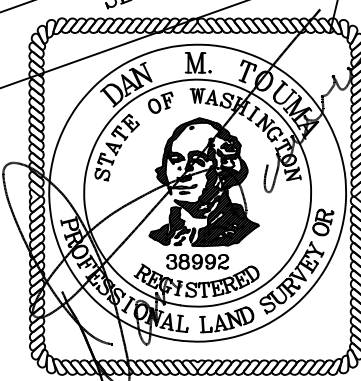
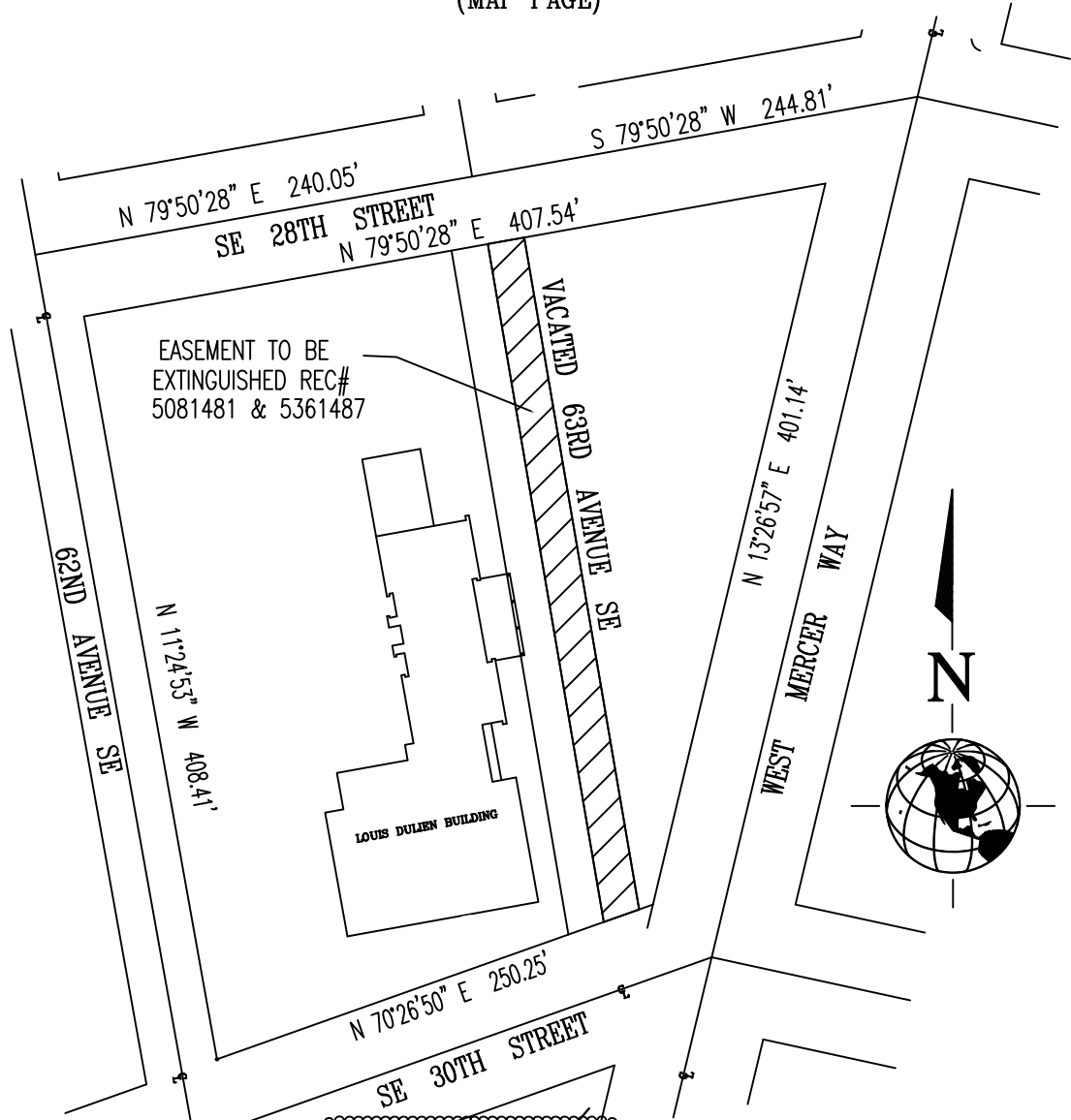
EXHIBIT "B"
LEGAL DESCRIPTION OF WATER LINE TO BE EXTINGUISHED
RECORDING NUMBERS 5081481 & 5361487

AN EASEMENT 20 FEET IN WIDTH, 10 FEET ON EACH SIDE OF THE CENTERLINE OF CERTAIN EXISTING 6" CAST IRON WATER MAIN LOCATED IN 63RD AVENUE SE, EXTENDED FROM SE 28TH STREET TO SE 30TH STREET.



1/19/22

PORTION OF THE SE 1/4, NE 1/4, SECTION 11, TWP. 24 N., RGE. 4 E., W.M.
KING COUNTY, WASHINGTON
EXHIBIT "C"
(MAP PAGE)



01/19/22

5081481

Easement for Water Pipe Line

The undersigned Grantor for and in consideration of the approval by King County Water District No. 93 of the vacation of 63rd Avenue S. E. from S. E. 28th Street to S. E. 30th Street on Mercer Island, King County, Washington, and other valuable consideration, the receipt of which is hereby acknowledged, by these presents bargains, sells, transfers and conveys unto Water District No. 93, King County, Washington, Grantee, an easement over, across, along and under the following described property situated on Mercer Island in King County, State of Washington, to wit:

An easement 20 feet in width, 10 feet on each side of the centerline of that certain existing 6 inch cast iron water main located in 63rd Avenue S. E. extended from S. E. 28th Street to S. E. 30th Street

said easement being for the purpose of installing, constructing, maintaining, operating and repairing the water pipe line or lines and all necessary connections and appurtenances thereto, together with the right of ingress and egress to, from and across said described property for the foregoing purposes.

IN WITNESS WHEREOF the said Grantor has caused this instrument to be executed by the members of its Board of Directors and attested by its Secretary this 10th day of September, 1959.

MERCER ISLAND SCHOOL DISTRICT NO. 400

Howard E. [Signature]
H. [Signature]
[Signature]
John M. Davis
Directors

Grantor

ATTEST:
Robert W. Wiley
Secretary

SEP 18 1959

5361486 N.C.

5361487

Easement for Water Pipe Line

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MERCER ISLAND SCHOOL DISTRICT NO. 400

Howard E. [Signature]
A.S. [Signature]
Harold J. Oliver
John M. Davis
Directors
Grantor

ATTEST:
Robert W. Wiley
Secretary

DEC 6 - 1961



20071108001733
42.00

LANDAMERICA CO WD
PAGE001 OF 003
11/08/2007 15:57
KING COUNTY, WA

When recorded return to:

Dale Frank & Associates, Inc.
7825 SE 76th Street
Mercer Island, WA 98040

E2319458

11/08/2007 15:55
KING COUNTY, WA
TAX \$106,805.00
SALE \$6,000,000.00

PAGE001 OF 001

STATUTORY WARRANTY DEED

3/42

THE GRANTOR(S) Boys and Girls Clubs of King County, a Washington Non-Profit corporation for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys, and warrants to OB Mercer Island Properties, LLC, a Washington limited liability company the following described real estate, situated in the County of King, State of Washington:

ALL OF BLOCKS 12 AND 13 OF EAST SEATTLE ADDITION, AS PER PLAT RECORDED IN VOLUME 3 OF PLATS, PAGES 22 AND 23, RECORDS OF KING COUNTY AUDITOR;

TOGETHER WITH THAT PORTION OF VACATED 63rd AVENUE SOUTHEAST ADJOINING, WHICH, UPON VACATION, ATTACHED TO SAID PROPERTY BY OPERATION OF LAW;

SITUATE IN THE CITY OF MERCER ISLAND, COUNTY OF KING, STATE OF WASHINGTON.

SUBJECT TO: Attached hereto as Exhibit "A" and by this reference incorporated herein.

Tax Parcel Number(s): 2174502425

Dated: November 7, 2007

Boys and Girls Clubs of King County, a Washington Non-Profit corporation

By: Daniel Johnson
Name: Daniel Johnson
Its: President + CEO

FILED FOR RECORD
AT THE REQUEST OF
LandAmerica
Commercial Services

11096270

STATE OF WASHINGTON

ss.

COUNTY OF KING

I certify that I know or have satisfactory evidence that

Daniel Johnson

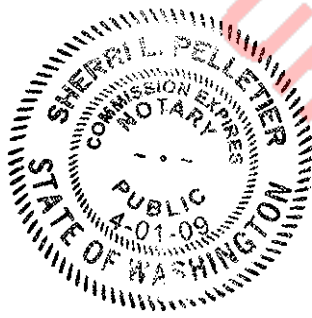
(is) the person(s) who appeared before me, and said person(s) acknowledged that *he* signed this instrument, on oath stated that *he is* authorized to execute the instrument and acknowledge it as the *President* of Boys and Girls Club of King County, a Washington Non-Profit corporation to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this

instrument.

Dated: *Nov. 7, 2007*

[Signature]

Notary name printed or typed: *Sherri L Pelletier*
Notary Public in and for the State of Washington
Residing at *Blatt*
My appointment expires: *4/01/09*



Official Copy

EXHIBIT "A"

SUBJECT TO:

1. NOTICE OF TAP OR CONNECTION CHARGES WHICH HAVE BEEN OR WILL BE DUE IN CONNECTION WITH DEVELOPMENT OR RE-DEVELOPMENT OF THE LAND AS DISCLOSED BY RECORDED INSTRUMENT. INQUIRIES REGARDING THE SPECIFIC AMOUNT OF THE CHARGES SHOULD BE MADE TO THE CITY/COUNTY/AGENCY.

CITY/COUNTY/AGENCY: CITY OF MERCER ISLAND
RECORDED: DECEMBER 6, 1977
RECORDING NO.: 7712060812

2. EASEMENT RIGHTS AND MAINTENANCE AGREEMENTS, IF ANY, FOR UTILITIES WHICH MAY HAVE BEEN GRANTED IN VACATED STREETS AND ALLEYS PRIOR TO THEIR VACATION.

3. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

RECORDED: FEBRUARY 8, 1922
RECORDING NO.: 1588424
REGARDING: SEWER SERVICE CONNECTION

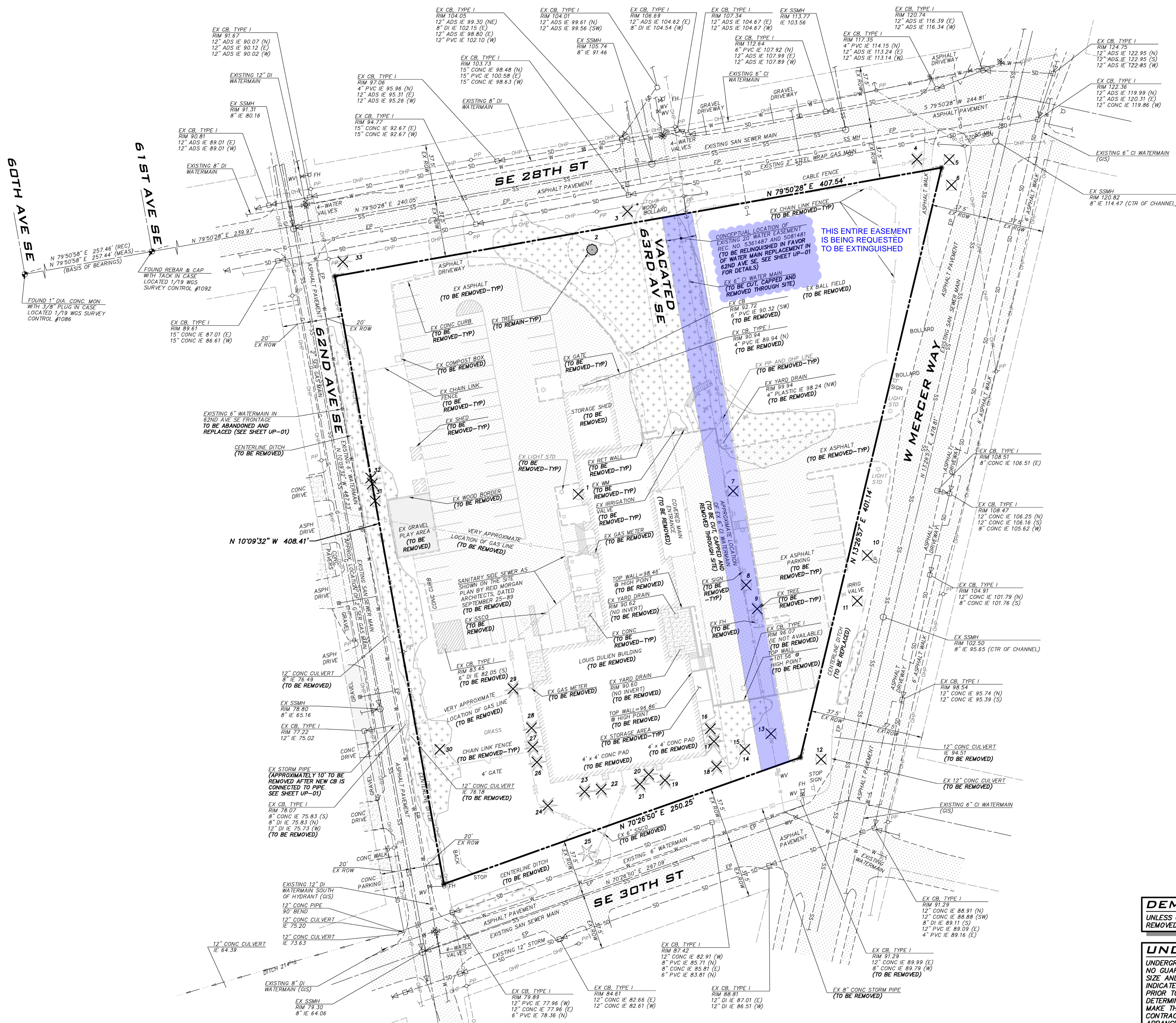
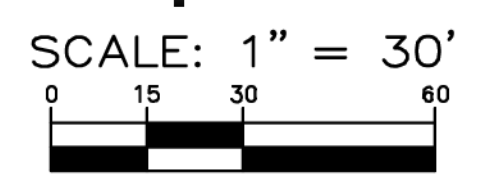
4. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: WATER DISTRICT NO. 93
PURPOSE: WATER PIPE LINE OR LINES
AREA AFFECTED: A PORTION OF SAID PREMISES
RECORDED: SEPTEMBER 18, 1958 AND DECEMBER 6, 1961
RECORDING NO.'S.: 5081481 AND 5361487



BLUELINE
25 CENTRAL WAY, SUITE 400,
KIRKLAND, WA 98033
P: 425.218.4551 F: 425.218.4002
WWW.THEBLUELINEGROUP.COM

SCALE:
AS NOTED
PROJECT MANAGER:
BRETT K PUDISTS, PE
PROJECT ENGINEER:
NICK RASOR, PE
DESIGNER:
AARON C LANCE
ISSUE DATE:
10/19/2021

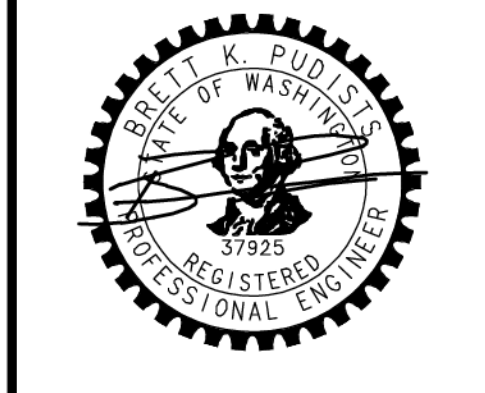


CONCEPTUAL LOCATION OF EXISTING 20" WATER EASEMENT
EXISTING REC. NO. 5361487 AND 5081481
TO BE RELINQUISHED IN FAVOR
OF WATER MAIN REPLACEMENT IN
62ND AVE SE. SEE SHEET UP-01
FOR DETAILS

THIS ENTIRE EASEMENT IS BEING REQUESTED TO BE EXTINGUISHED

NO	DATE	BY	REVISIONS
1	7/12/21	NWK	REVISED PER CITY COMMENTS

EXISTING CONDITIONS & DEMO PLAN
2825 W MERCER WAY
PRELIMINARY PLAN
PARCEL #2174502425
CITY OF MERCER ISLAND WASHINGTON



7/12/21
JOB NUMBER:
13-118
SHEET NAME:
EC-01
SHT **2** OF **9**

DEMO NOTE
UNLESS OTHERWISE NOTED, EXISTING ONSITE BUILDINGS AND HARDSCAPE TO BE REMOVED. SEPARATE DEMO PERMIT IS REQUIRED.

UNDERGROUND UTILITY NOTE
UNDERGROUND UTILITIES ARE SHOWN IN THE APPROXIMATE LOCATION. THERE IS NO GUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SIZE AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNCOVER ALL INDICATED PIPING WHERE CROSSING, INTERFERENCES, OR CONNECTIONS OCCUR PRIOR TO TRENCHING OR EXCAVATION FOR ANY PIPE OR STRUCTURES. TO DETERMINE ACTUAL LOCATIONS, SIZE AND MATERIAL. THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROVISION FOR PROTECTION OF SAID FACILITIES. THE CONTRACTOR SHALL NOTIFY ONE CALL AT 8-1-1 (WASHINGTON811.COM) AND ARRANGE FOR FIELD LOCATION OF EXISTING FACILITIES BEFORE CONSTRUCTION.

24-35
Oct 19, 2021 - 9:10am - User: lfsade
\\msrserver\eng\Projects\13118\DWG\Preliminary\PrePlan\13118EC-01.dwg

BLUELINE

25 CENTRAL WAY, SUITE 400,
KIRKLAND, WA 98033
P: 425.214.4551 F: 425.214.4002
WWW.THEBLUENELINEGROUP.COM

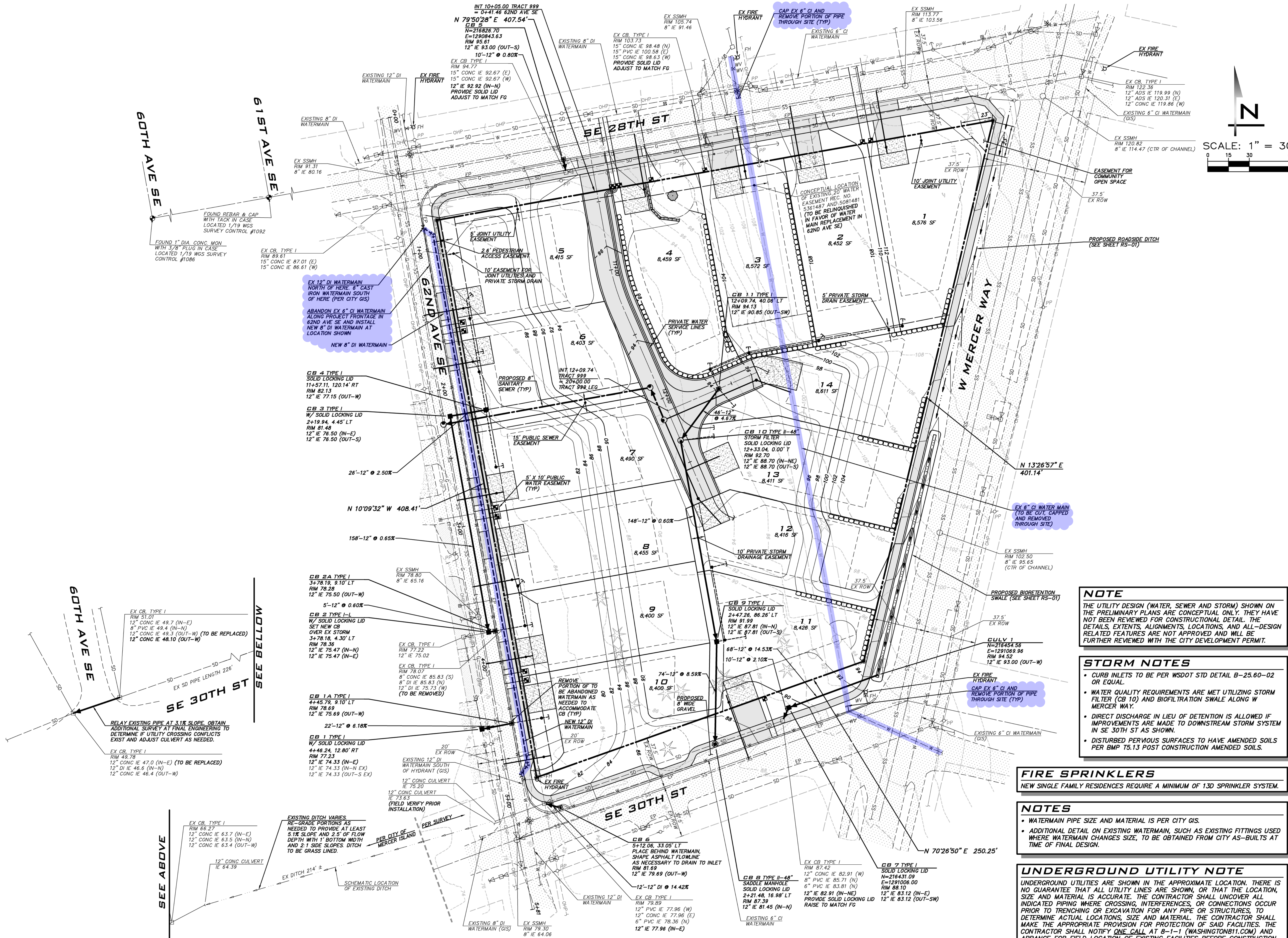
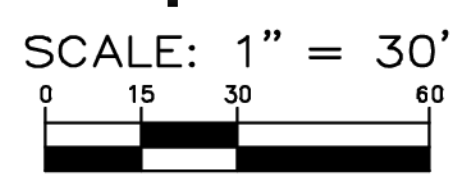
SCALE:
AS NOTED

PROJECT MANAGER:
BRETT K PUDISTS, PE

PROJECT ENGINEER:
NICK RASOR, PE

DESIGNER:
AARON C LANCE

ISSUE DATE:
7/12/2021



NOTE

THE UTILITY DESIGN (WATER, SEWER AND STORM) SHOWN ON THE PRELIMINARY PLANS ARE CONCEPTUAL ONLY. THEY HAVE NOT BEEN REVIEWED FOR CONSTRUCTION DETAIL. THE DETAILS, EXTENTS, ALIGNMENTS, LOCATIONS, AND ALL-DESIGN RELATED FEATURES ARE NOT APPROVED AND WILL BE FURTHER REVIEWED WITH THE CITY DEVELOPMENT PERMIT.

- STORM NOTES**
- CURB INLETS TO BE PER WSDOT STD DETAIL B-25.60-02 OR EQUAL.
 - WATER QUALITY REQUIREMENTS ARE MET UTILIZING STORM FILTER (CB 10) AND BIOFILTRATION SWALE ALONG W MERCER WAY.
 - DIRECT DISCHARGE IN LIEU OF DETENTION IS ALLOWED IF IMPROVEMENTS ARE MADE TO DOWNSTREAM STORM SYSTEM IN SE 30TH ST AS SHOWN.
 - DISTURBED PERVIOUS SURFACES TO HAVE AMENDED SOILS PER BMP T5.13 POST CONSTRUCTION AMENDED SOILS.

FIRE SPRINKLERS

NEW SINGLE FAMILY RESIDENCES REQUIRE A MINIMUM OF 1.3D SPRINKLER SYSTEM.

- NOTES**
- WATERMAIN PIPE SIZE AND MATERIAL IS PER CITY GIS.
 - ADDITIONAL DETAIL ON EXISTING WATERMAIN, SUCH AS EXISTING FITTINGS USED WHERE WATERMAIN CHANGES SIZE, TO BE OBTAINED FROM CITY AS-BUILTS AT TIME OF FINAL DESIGN.

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NO	DATE	BY	REVISIONS
1	7/12/21	NWK	REVISED PER CITY COMMENTS

PRELIMINARY UTILITY PLAN
2825 W MERCER WAY
PRELIMINARY PLAT
 PARCEL #2174502425
 CITY OF MERCER ISLAND WASHINGTON

7/12/21

JOB NUMBER:
13-118

SHEET NAME:
UP-01

SHT **5** OF **9**