ORDINANCE NO. 4161

AN ORDINANCE of the City Council of the city of Kent, Washington, providing for the acquisition of certain property and/or property rights by eminent domain in order to construct, extend, widen, improve, alter, maintain, and reconstruct portions of the Green River levee system, and declaring the same to be a public use; providing for the condemnation, appropriation, taking and damaging of such property rights as are necessary for that purpose; directing the city attorney to prosecute the appropriate legal proceedings, together with the authority to enter into settlements, stipulations, or other agreements; and acknowledging that all of the affected real property is located within the corporate limits of the city of Kent in King County, Washington.

RECITALS

A. The SR 516 to S. 231st Way Levee Improvement Project ("Project") is necessary to provide flood protection to the Green River Valley, which includes the city of Kent, the city of Tukwila and the city of Renton.
B. The city of Kent ("City") must acquire certain property and property rights along the Project alignment in order to complete the Project.

C. Efforts by City staff are currently ongoing to acquire the property necessary for this public use by negotiation and settlement agreements.

D. In the event that negotiated acquisition is not fully successful it is essential that the City be prepared to initiate condemnation proceedings so that the Project can be timely constructed.

E. The City has provided the requisite notice in the manner provided for in RCW 8.12.005 and 8.25.290.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

ORDINANCE

SECTION 1. - After receiving the report of City staff and after reviewing the planned improvements for the Project, the City Council finds and declares that the public convenience, use, health, safety and necessity demand that the city of Kent condemn, appropriate, take, and damage portions of certain real property located within the corporate limits of Kent in King County, Washington, in order to acquire the necessary property and/or property rights for the construction of the Project, including all necessary appurtenances. The property to be acquired or which property rights are to be acquired (collectively the "Acquisition Area") is legally described in Exhibit "A" and approximately depicted in Exhibit "B," both of which are attached hereto and incorporated herein by this reference. The
precise scope of the taking may change if engineering requires modification of present plans. The purposes for which this condemnation is authorized shall include, without limitation, all acts necessary to complete the construction, extension, improvement, widening, alteration, maintenance, and reconstruction required for the Project.

**SECTION 2.** - The City Council authorizes the acquisition by condemnation of all or a portion of the Acquisition Area for the construction, extension, improvement, widening, alteration, maintenance, and reconstruction of the Project, including acquisition of property and/or property rights, together with all necessary appurtenances and related work to make a complete improvement according to established standards.

**SECTION 3.** - The City shall condemn the Acquisition Area only upon completion of all steps and procedures required by applicable federal, state, and local laws and regulations, and only after just compensation has first been made or paid into court for the owner or owners in the manner prescribed by law.

**SECTION 4.** - The City shall pay for the entire cost of the acquisition by condemnation provided for in this ordinance through the City’s project fund or from any of the City’s general funds if necessary, as may be provided by law.

**SECTION 5.** - The City Council authorizes and directs the city attorney to commence those proceedings provided by law that are necessary to condemn the property. In commencing this condemnation procedure, the City Council authorizes the city attorney to enter into settlements, stipulations, or agreements in order to minimize damages, which settlements, stipulations, or agreements may include but not be

*Upper Russell Road North and South Reach Levee Improvement Condemnation Ordinance*
limited to the amount of just compensation to be paid, the size and dimensions of the property condemned, and the acquisition of temporary construction easements and other property interests.

**SECTION 6.** - *Severability.* If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, that decision shall not affect the validity of the remaining portion of this ordinance and the same shall maintain its full force and effect.

**SECTION 7.** - *Corrections by City Clerk or Code Reviser.* Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section or subsection numbering; or references to other local, state or federal laws, codes, rules, or regulations.

**SECTION 8.** - *Effective Date.* This ordinance shall take effect and be in force thirty (30) days from and after its passage as provided by law.

[Suzette Cooke, Mayor]

[Suzette Cooke, Mayor]

**ATTEST:**

[Ronald F. Moore, City Clerk]

[Ronald F. Moore, City Clerk]
APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 18th day of August, 2015.
APPROVED: 18th day of August, 2015.
PUBLISHED: 21st day of August, 2015.

I hereby certify that this is a true copy of Ordinance No. 4161 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

RONALD F. MOORE, CITY CLERK

(SEAL)
EXHIBIT A

TAX LOT 7212220000

THAT PORTION OF REGATTA AT THE LAKES, A CONDOMINIUM, PHASE 1, AS RECORDED IN VOLUME 121 OF CONDOMINIUMS, PAGES 19 THROUGH 30, INCLUSIVE, AND REGATTA AT THE LAKES, A CONDOMINIUM, PHASE 2, AS RECORDED IN VOLUME 121 OF CONDOMINIUMS, PAGES 76 THROUGH 86, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON, IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF RUSSELL ROAD AND THE NORTH LINE OF JAMES STREET, AS SHOWN ON BRIDGEMAKER III, A CONDOMINIUM, AS RECORDED IN VOLUME 90 OF CONDOMINIUMS, PAGES 89 THROUGH 95, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON, SAID POINT BEING ON A 780.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH POINT THE CENTER OF SAID CURVE BEARS S70°24'10"W; THENCE NORTHWESTERLY, ALONG SAID CURVE AND THE NORTHEASTERLY MARGIN OF RUSSELL ROAD, THROUGH A CENTRAL ANGLE OF 5°39'21", AN ARC DISTANCE OF 77.00 FEET TO THE MOST SOUTHERLY CORNER OF BRIDGEMAKER IV, A CONDOMINIUM, AS RECORDED IN VOLUME 92 OF CONDOMINIUMS, PAGES 64 THROUGH 69, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON; THENCE CONTINUING ALONG SAID 780.00 FOOT RADIUS CURVE TO THE LEFT AND THE NORTHEASTERLY MARGIN OF RUSSELL ROAD, THROUGH A CENTRAL ANGLE OF 30°05'21", AN ARC DISTANCE OF 409.62 FEET TO THE MOST SOUTHEASTERLY CORNER OF SAID REGATTA AT THE LAKES, CONDOMINIUM, PHASE 1, BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID 780.00 FOOT RADIUS CURVE TO THE LEFT AND THE NORTHEASTERLY MARGIN OF RUSSELL ROAD, THROUGH A CENTRAL ANGLE OF 03°17'03", AN ARC DISTANCE OF 44.71 FEET TO A POINT OF COMPOUND CURVATURE WITH A 1619.61 FOOT RADIUS, CIRCULAR CURVE TO THE LEFT; THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°31'10", AN ARC DISTANCE OF 297.35; THENCE N69°08'38"W 231.56 FEET TO A POINT OF TANGENCY WITH A 216.00 FOOT RADIUS, CIRCULAR CURVE TO THE RIGHT; THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 32°44'38", AN ARC DISTANCE OF 123.44 FEET; THENCE S69°33'16"E, LEAVING SAID NORTHEASTERLY MARGIN OF RUSSELL ROAD, 149.01 FEET; THENCE S68°39'47"E 65.34 FEET; THENCE S71°00'54"E 28.90 FEET; THENCE S69°57'17"E 186.39 FEET; THENCE S62°56'07"E 129.28 FEET; THENCE S68°02'33"E 33.75 FEET; THENCE S74°39'04"E 30.34 FEET; THENCE S52°13'57"E 80.11 FEET TO THE SOUTHEASTERLY LINE OF SAID REGATTA AT THE LAKES, CONDOMINIUM, PHASE 1; THENCE S36°06'49"W, ALONG SAID SOUTHEASTERLY LINE, 41.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 25,144 SQUARE FEET, MORE OR LESS.
EXHIBIT A

TAX LOT 7212220000
UTILITY EASEMENT

THAT PORTION OF REGATTA AT THE LAKES, A CONDOMINIUM, PHASE 1, AS RECORDED IN VOLUME 121 OF CONDOMINIUMS, PAGES 19 THROUGH 30, INCLUSIVE, AND REGATTA AT THE LAKES, A CONDOMINIUM, PHASE 2, AS RECORDED IN VOLUME 121 OF CONDOMINIUMS, PAGES 76 THROUGH 86, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON, IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF RUSSELL ROAD AND THE NORTH LINE OF JAMES STREET, AS SHOWN ON BRIDGEWATER III, A CONDOMINIUM, AS RECORDED IN VOLUME 90 OF CONDOMINIUMS, PAGES 89 THROUGH 95, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON, SAID POINT BEING ON A 780.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH POINT THE CENTER OF SAID CURVE BEARS S70°24'10"W; THENCE NORTHEASTERLY, ALONG SAID CURVE AND THE NORTHEASTERLY MARGIN OF RUSSELL ROAD, THROUGH A CENTRAL ANGLE OF 5°39'21", AN ARC DISTANCE OF 77.00 FEET TO THE MOST SOUTHERLY CORNER OF BRIDGEWATER IV, A CONDOMINIUM, AS RECORDED IN VOLUME 92 OF CONDOMINIUMS, PAGES 64 THROUGH 69, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON; THENCE CONTINUING ALONG SAID 780.00 FOOT RADIUS CURVE TO THE LEFT AND THE NORTHEASTERLY MARGIN OF RUSSELL ROAD, THROUGH A CENTRAL ANGLE OF 30°05'21", AN ARC DISTANCE OF 409.62 FEET TO THE MOST SOUTHEASTERLY CORNER OF SAID REGATTA AT THE LAKES, CONDOMINIUM, PHASE 1; THENCE CONTINUING ALONG SAID 780.00 FOOT RADIUS CURVE TO THE LEFT AND THE NORTHEASTERLY MARGIN OF RUSSELL ROAD, THROUGH A CENTRAL ANGLE OF 03°17'03", AN ARC DISTANCE OF 44.71 FEET TO A POINT OF COMPOUND CURVATURE WITH A 1619.61 FOOT RADIUS, CIRCULAR CURVE TO THE LEFT; THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°31'10", AN ARC DISTANCE OF 297.35; THENCE N69°08'38"W 231.56 FEET TO A POINT OF TANGENCY WITH A 216.00 FOOT RADIUS, CIRCULAR CURVE TO THE RIGHT; THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 32°44'38", AN ARC DISTANCE OF 123.44 FEET TO THE POINT OF BEGINNING; THENCE S69°33'16"E, LEAVING SAID NORTHEASTERLY MARGIN OF RUSSELL ROAD, 149.01 FEET; THENCE S68°39'47"E 65.34 FEET; THENCE S71°00'54"E 28.90 FEET; THENCE S69°57'17"E 186.39 FEET; THENCE S62°56'07"E 129.28 FEET; THENCE S68°02'33"E 33.75 FEET; THENCE S74°39'04"E 30.34 FEET; THENCE S52°13'57"E 80.11 FEET TO THE SOUTHEASTERLY LINE OF SAID REGATTA AT THE LAKES, CONDOMINIUM, PHASE 1; THENCE N36°06'49"E, ALONG SAID SOUTHEASTERLY LINE, 10.00 FEET; THENCE N52°13'57"W, LEAVING SAID SOUTHEASTERLY LINE, 81.80 FEET; THENCE N74°39'04"W 31.74 FEET; THENCE N68°02'33"W 32.73 FEET; THENCE N62°56'07"W 129.45, THENCE N69°57'17"W 187.09 FEET; THENCE N71°00'54"W 28.79 FEET; THENCE N68°39'47"W 65.21
FEET; THENCE N69°33'16"W 163.13 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID REGATTA AT THE LAKES, CONDOMINIUM, PHASE 1, ALSO BEING THE NORTHEASTERLY MARGIN OF RUSSELL ROAD, SAID POINT BEING ON A 216.00 FOOT RADIUS, NON-TANGENT CIRCULAR CURVE CONCAVE TO THE NORTHEAST, FROM WHICH THE CENTER OF SAID CURVE BEARS N58°10'32"E; THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°34'32", AN ARC DISTANCE OF 17.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 7,117 SQUARE FEET, MORE OR LESS.
EXHIBIT A

TAX LOT 7212220000
RIVER PROTECTION EASEMENT

THAT PORTION OF REGATTA AT THE LAKES, A CONDOMINIUM, PHASE 1, AS
RECORDED IN VOLUME 121 OF CONDOMINIUMS, PAGES 19 THROUGH 30,
INCLUSIVE, AND REGATTA AT THE LAKES, A CONDOMINIUM, PHASE 2, AS
RECORDED IN VOLUME 121 OF CONDOMINIUMS, PAGES 76 THROUGH 86,
INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON, IN THE SOUTHEAST
QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 4 EAST,
W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF RUSSELL ROAD AND
THE NORTH LINE OF JAMES STREET, AS SHOWN ON BRIDGEWATER III, A
CONDOMINIUM, AS RECORDED IN VOLUME 90 OF CONDOMINIUMS, PAGES 89
THROUGH 95, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON, SAID
POINT BEING ON A 780.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH
POINT THE CENTER OF SAID CURVE BEARS S70°24'10"W; THENCE
NORTHWESTERLY, ALONG SAID CURVE AND THE NORTHEASTERLY MARGIN OF
RUSSELL ROAD, THROUGH A CENTRAL ANGLE OF 5°39'21", AN ARC DISTANCE OF
77.00 FEET TO THE MOST SOUTHERLY CORNER OF BRIDGEWATER IV, A
CONDOMINIUM, AS RECORDED IN VOLUME 92 OF CONDOMINIUMS, PAGES 64
THROUGH 69, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON; THENCE
CONTINUING ALONG SAID 780.00 FOOT RADIUS CURVE TO THE LEFT AND THE
NORTHEASTERLY MARGIN OF RUSSELL ROAD, THROUGH A CENTRAL ANGLE OF
30°05'21", AN ARC DISTANCE OF 409.62 FEET TO THE MOST SOUTHEASTERLY
CORNER OF SAID REGATTA AT THE LAKES, CONDOMINIUM, PHASE 1; THENCE
CONTINUING ALONG SAID 780.00 FOOT RADIUS CURVE TO THE LEFT AND THE
NOR THEASTERLY MARGIN OF RUSSELL ROAD, THROUGH A CENTRAL ANGLE OF
03°17'03", AN ARC DISTANCE OF 44.71 FEET TO A POINT OF COMPOUND
CURVATURE WITH A 1619.61 FOOT RADIUS, CIRCULAR CURVE TO THE LEFT;
THENCE NORTHW ESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF
10°31'10", AN ARC DISTANCE OF 297.35; THENCE N69°08'38"W 231.56 FEET TO A
POINT OF TANGENCY WITH A 216.00 FOOT RADIUS, CIRCULAR CURVE TO THE
RIGHT; THENCE NORTHW ESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL
ANGLE OF 32°44'38", AN ARC DISTANCE OF 123.44 FEET TO THE POINT OF
BEGINNING; THENCE S69°33'16"E, LEAVING SAID NORTHEASTERLY MARGIN OF
RUSSELL ROAD, 149.01 FEET; THENCE S68°39'47"E 65.34 FEET; THENCE
S71°00'54"E 28.90 FEET; THENCE S69°57'17"E 186.39 FEET; THENCE S62°56'07"E
129.28 FEET; THENCE S68°02'33"E 33.75 FEET; THENCE S74°39'04"E 30.34 FEET;
THENCE S52°13'57"E 80.11 FEET TO THE SOUTHEASTERLY LINE OF SAID REGATTA
AT THE LAKES, CONDOMINIUM, PHASE 1; THENCE N36°06'49"E, ALONG SAID
SOUTHEASTERLY LINE, 15.01 FEET; THENCE N52°13'57"W, LEAVING SAID
SOUTHEASTERLY LINE, 82.65 FEET; THENCE N74°39'04"W 32.44 FEET; THENCE
N68°02'33"W 32.22 FEET; THENCE N62°56'07"W 129.53, THENCE N69°57'17"W
187.45 FEET; THENCE N71°00'54"W 28.73 FEET; THENCE N68°39'47"W 65.15
FEET; THENCE N69°33'16"W 169.39 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID REGATTA AT THE LAKES, CONDOMINIUM, PHASE 1, ALSO BEING THE NORTHEASTERLY MARGIN OF RUSSELL ROAD, SAID POINT BEING ON A 216.00 FOOT RADIUS, NON-TANGENT CIRCULAR CURVE CONCAVE TO THE NORTHEAST, FROM WHICH THE CENTER OF SAID CURVE BEARS N60°17'35"E; THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°41'34", AN ARC DISTANCE OF 25.23 FEET TO THE POINT OF BEGINNING.

CONTAINING 10,736 SQUARE FEET, MORE OR LESS.
THAT PORTION OF MARINA POINTE AT THE LAKES, A CONDOMINIUM, PHASE 3, AS RECORDED IN VOLUME 139 OF CONDOMINIUMS, PAGES 25 THROUGH 35, INCLUSIVE, AND MARINA POINTE AT THE LAKES, A CONDOMINIUM, PHASE 4, AS RECORDED IN VOLUME 141 OF CONDOMINIUMS, PAGES 38 THROUGH 47, INCLUSIVE, AND MARINA POINTE AT THE LAKES, A CONDOMINIUM, PHASE 6, AS RECORDED IN VOLUME 148 OF CONDOMINIUMS, PAGES 79 THROUGH 90, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON, IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHWESTERLY CORNER OF SAID PHASE 3; THENCE S89°20'00"E, ALONG THE SOUTH LINE OF SAID PHASE 3, A DISTANCE OF 10.04 FEET TO A POINT ON A 410.00 FOOT RADIUS, CIRCULAR CURVE TO THE LEFT, FROM WHICH POINT THE CENTER OF SAID CURVE BEARS N84°24'27"W, SAID CURVE BEING 10.00 FEET PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES FROM THE WEST LINE OF SAID PHASE 3; THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°25'33", AN ARC DISTANCE OF 181.94 FEET TO A POINT OF TANGENCY; THENCE N19°50'00"W 181.77 FEET TO THE SOUTHEASTERLY LINE OF SAID PHASE 4; THENCE CONTINUING N19°50'00"W 24.23 FEET ON A LINE THAT IS 10.00 FEET PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, FROM THE SOUTHWESTERLY LINE OF SAID PHASE 4 TO A POINT OF TANGENCY WITH A 435.00 FOOT RADIUS, CIRCULAR CURVE TO THE LEFT; THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 31°12'51", AN ARC DISTANCE OF 236.98 FEET TO THE SOUTHEASTERLY LINE OF SAID PHASE 6; THENCE CONTINUING ON SAID 435.00 FOOT RADIUS, CIRCULAR CURVE TO THE LEFT, SAID CURVE BEING 10.00 FEET PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, FROM THE SOUTHWESTERLY LINE OF SAID PHASE 6, THROUGH A CENTRAL ANGLE OF 3°09'39", AN ARC DISTANCE OF 24.00 FEET TO A POINT OF TANGENCY; THENCE N54°12'30"W 224.00 FEET TO A POINT OF TANGENCY WITH A 1515.00 FOOT RADIUS, CIRCULAR CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 4°20'02", AN ARC DISTANCE OF 114.60 FEET TO AN ANGLE POINT; THENCE S40°07'32"W 10.00 FEET TO THE SOUTHWESTERLY LINE OF SAID PHASE 6 AND A POINT ON A 1525.00 FOOT RADIUS, CIRCULAR CURVE TO THE LEFT, FROM WHICH POINT THE CENTER OF SAID CURVE BEARS N40°07'32"E; THENCE SOUTHWESTERLY, ALONG SAID CURVE AND SAID SOUTHWESTERLY LINE, THROUGH A CENTRAL ANGLE OF 4°20'02", AN ARC DISTANCE OF 115.35 FEET TO A POINT OF TANGENCY; THENCE S54°12'30"E 224.00 FEET TO A POINT OF TANGENCY WITH A 425.00 FOOT RADIUS, CIRCULAR CURVE TO THE RIGHT;
EXHIBIT A

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 3°07'30", AN ARC DISTANCE OF 23.18 FEET TO THE SOUTHWESTERLY CORNER OF SAID PHASE 6; THENCE CONTINUING ON SAID 425.00 FOOT RADIUS, CIRCULAR CURVE TO THE RIGHT, SAID CURVE BEING THE SOUTHWESTERLY LINE OF SAID PHASE 4, THROUGH A CENTRAL ANGLE OF 31°15'00", AN ARC DISTANCE OF 231.80 FEET TO A POINT OF TANGENCY; THENCE S19°50'00"E 24.23 FEET TO THE SOUTHWESTERLY CORNER OF SAID PHASE 4; THENCE CONTINUING S19°50'00"E 181.77 FEET ON THE WEST LINE OF SAID PHASE 3 TO A POINT OF TANGENCY WITH A 400.00 FOOT RADIUS, CIRCULAR CURVE TO THE RIGHT; THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°32'57", AN ARC DISTANCE OF 178.37 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,831 SQUARE FEET, MORE OR LESS.
EXHIBIT A

EXHIBIT __

EASEMENT
RIVER PROTECTION
APN #7338100000

THAT PORTION OF RIVERPLACE AT THE LAKES, A CONDOMINIUM, PHASE 1, AS
RECORDED IN VOLUME 128 OF CONDOMINIUMS, PAGES 5 THROUGH 7,
INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON, IN THE SOUTHEAST
QUARTER OF SECTION 15, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M.,
DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHWESTERLY CORNER OF SAID PHASE 1; THENCE
S89°20'00"E, ALONG THE NORTH LINE OF SAID PHASE 1, A DISTANCE OF 10.04
FEET TO A POINT ON A 410.00 FOOT RADIUS, CIRCULAR CURVE TO THE RIGHT,
FROM WHICH POINT THE CENTER OF SAID CURVE BEARS N84°24'27"W, SAID
CURVE BEING 10.00 FEET PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES
FROM THE WEST LINE OF SAID PHASE 1; THENCE SOUTHWESTERLY, ALONG SAID
CURVE, THROUGH A CENTRAL ANGLE OF 11°56'59", AN ARC DISTANCE OF 85.51
FEET TO THE BEGINNING OF A 116.88 FOOT RADIUS, NON-TANGENT CIRCULAR
CURVE TO THE RIGHT, FROM WHICH POINT THE CENTER OF SAID CURVE BEARS
N71°21'58"W; THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A
CENTRAL ANGLE OF 26°39'41", AN ARC DISTANCE OF 54.39 FEET TO A POINT ON
THE WEST LINE OF SAID PHASE 1, SAID POINT BEING THE BEGINNING OF A
400.00 FOOT RADIUS, CIRCULAR CURVE TO THE LEFT, FROM WHICH THE CENTER
OF SAID CURVE BEARS N64°57'34"W; THENCE NORTHERLY, ALONG SAID CURVE
AND SAID WEST LINE, THROUGH A CENTRAL ANGLE OF 19°19'29", AN ARC
DISTANCE OF 134.91 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,185 SQUARE FEET, MORE OR LESS.