



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**October 18, 2005**

**Ordinance 15303**

**Proposed No.** 2005-0321.1

**Sponsors** Edmonds

1. AN ORDINANCE authorizing the King County executive  
2. to, under threat of condemnation, enter into a possession  
3. and use agreement with the Washington state Department  
4. of Transportation, and upon payment of just compensation,  
5. to convey to the Washington state Department of  
6. Transportation certain land interests necessary for the  
7. widening and improvements of State Route 9 in Snohomish  
8. county.

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11 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

12 SECTION 1. Findings.

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A. In 2003, King County passed Ordinance 14699, authorizing the wastewater treatment division in the department of natural resources and parks to acquire property for the Brightwater treatment plant located at State Route 9 ("SR 9") in Snohomish county.

17 B. King County has acquired fee title to all of the property required for the  
18 Brightwater treatment plant at the SR 9 site, except for three parcels.

19 C. The Washington state Department of Transportation ("WSDOT") is in the  
20 process of acquiring fee title and temporary and permanent easement rights necessary for  
21 the widening and improvements along SR 9 from State Route 522 to 212th Street SE in  
22 Snohomish county ("the SR 9 widening project").

23 D. The SR 9 widening project requires certain fee simple property, temporary  
24 construction and clear zone easements on or across portions of certain parcels acquired  
25 by King County's wastewater treatment division for the Brightwater treatment plant as  
26 described in Attachment A to this ordinance.

27 E. The WSDOT is required to pay the county wastewater treatment division in  
28 the department of natural resources and parks just compensation for the subject  
29 properties. The WSDOT has asked King County to enter into a possession and use  
30 agreement that authorizes WSDOT to possess and use the subject property for the SR 9  
31 widening project in order to allow the SR 9 widening project to proceed on schedule  
32 while the parties come to an agreement on compensation for the property. The SR 9  
33 widening project has been advertised and construction is expected to commence in July  
34 2005. The SR 9 widening project will benefit the Brightwater project by increasing  
35 traffic capacity in the area. By entering into the possession and use agreement, WSDOT  
36 will be able to adhere to its construction schedule for the SR 9 widening project and King  
37 County will be able to continue to negotiate the compensation amount from WSDOT for  
38 the subject properties.

39 F. If necessary, WSDOT is prepared to acquire King County's interests in the  
40 required properties through eminent domain.

41 G. Pursuant to K.C.C. 4.56.140, the county may dispose of county property to  
42 another governmental agency by direct negotiation, upon such terms as may be agreed  
43 upon and for such consideration as may be deemed by the county to be adequate.

44 SECTION 2. The King County executive is hereby authorized, under threat of  
45 eminent domain, to execute the possession and use agreement with WSDOT for the  
46 subject properties and to, upon receipt of just compensation from WSDOT, convey King

**Ordinance 15303**

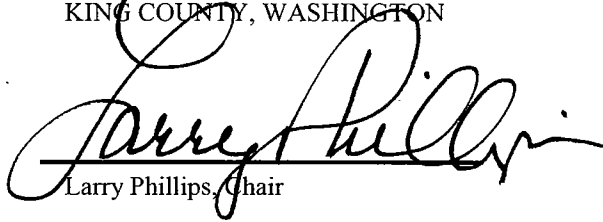
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47 County's interest in the lands, as described in Attachment A to this ordinance, to WSDOT  
48 for the SR 9 widening project.  
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Ordinance 15303 was introduced on 9/19/2005 and passed by the Metropolitan King County Council on 10/17/2005, by the following vote:

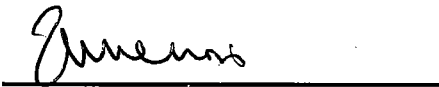
Yes: 11 - Mr. Phillips, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Ms. Hague, Mr. Irons, Ms. Patterson and Mr. Constantine  
No: 0  
Excused: 2 - Mr. Pelz and Mr. Gossett

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON




Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 21 day of OCTOBER 2005.



Ron Sims, County Executive

Attachments      A. Legal Descriptions

RECEIVED  
2005 OCT 21 PM 1:49  
CLERK  
KING COUNTY COUNCIL

Legal Descriptions

RIGHTS TO BE ACQUIRED IN FEE:

All that portion of the hereinafter described PARCEL "A" lying westerly of a line beginning at Highway Engineer's Station (hereinafter referred to as HES) 185+00 on the SR 9 line survey of SR 9, SR 522 to Clearview Vic.; thence easterly to a point opposite said HES 185+00 and 55 feet easterly therefrom; thence northerly to a point opposite HES 188+00 on said line survey and 63 feet easterly therefrom; thence easterly to a point opposite said HES 188+00 and 70 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 192+85 thereon; thence northeasterly to a point opposite HES 193+20 on said line survey and 110 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 193+80 thereon; thence northwesterly to a point opposite HES 194+05 on said line survey and 70 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 194+40 thereon; thence westerly to a point opposite said HES 194+40 and 65 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 199+00 thereon; thence northerly to a point opposite HES 201+00 on said line survey and 60 feet easterly therefrom; thence northerly to a point opposite HES 202+20 on said line survey and 57 feet easterly therefrom; thence northerly to a point opposite HES 202+80 on said line survey and 55.5 feet easterly therefrom; thence northerly to a point opposite HES 204+65.85 on said line survey and 50 feet easterly therefrom; thence westerly to a point opposite said HES 204+65.85 and 43 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 206+85 thereon; thence easterly to a point opposite said HES 206+85 and 70 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 210+00 thereon; thence easterly to a point opposite said HES 210+00 and 75 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 214+00 thereon; thence westerly to said HES 214+00 and the end of this line description.

The lands herein described contain an area of 16,998 square feet, more or less, the specific details concerning all of which are to be found in that certain map of definite location now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval September 16, 1994, revised April 8, 2005.

RIGHTS TO BE ACQUIRED IN EASEMENT:

Purpose: clear zone, which is an area free from obstruction, except that vegetation with a four-inch or smaller diameter trunk is permitted.

TRACT 1:

All that portion of the hereinafter described PARCEL "A" lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 182+00 on the SR 9 line survey of SR 9, SR 522 to Clearview Vic., and 55 feet easterly therefrom; thence northerly to a point opposite HES 185+35 on said line survey and 68.38 feet easterly therefrom; thence northerly to a point opposite HES 185+90 on said line survey and 69.75 feet easterly

therefrom; thence northerly to a point opposite HES 188+00 on said line survey and 70 feet easterly therefrom; thence westerly to a point opposite said HES 188+00 and 63 feet easterly therefrom; thence southerly to a point opposite HES 185+00 on said line survey and 55 feet easterly therefrom; thence southerly parallel with said line survey to a point opposite HES 182+00 thereon and the point of beginning.

TRACT 2:

All that portion of the hereinafter described PARCEL "A" lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 195+40 on the SR 9 line survey of SR 9, SR 522 to Clearview Vic., and 65 feet easterly therefrom; thence easterly to a point opposite said HES 195+40 and 70 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 199+00 thereon; thence westerly to a point opposite said HES 199+00 and 65 feet easterly therefrom; thence southerly parallel with said line survey to a point opposite HES 195+40 thereon and the point of beginning.

The lands herein described contain an area of 3,842 square feet, more or less, the specific details concerning all of which are to be found in that certain map of definite location now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval September 16, 1994, revised April 8, 2005.

RIGHTS TO BE ACQUIRED IN EASEMENT:

Purpose: Constructing and maintaining a drainage facility.

All that portion of the hereinafter described PARCEL "A" lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 206+10 on the SR 9 line survey of SR 9, SR 522 to Clearview Vic., and 43 feet easterly therefrom; thence easterly to a point opposite said HES 206+10 and 70 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 206+65 thereon; thence westerly to a point opposite said HES 206+65 and 43 feet easterly therefrom; thence southerly parallel with said line survey to a point opposite HES 206+10 thereon and the point of beginning.

The lands herein described contain an area of 1,480 square feet, more or less, the specific details concerning all of which are to be found in that certain map of definite location now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval September 16, 1994, revised April 8, 2005.

RIGHTS TO BE ACQUIRED IN TEMPORARY EASEMENT:

Purpose: Grading to match proposed Brightwater Treatment Plant topography.

Termination date: December 31, 2007

TRACT 1:

All that portion of the hereinafter described PARCEL "A" lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 182+00 on the SR 9 line survey of SR 9, SR 522 to Clearview Vic., and 55 feet easterly therefrom; thence easterly to a point opposite said HES 182+00 and 60 feet easterly therefrom; thence northerly to a point opposite HES 185+35 on said line survey and 68.38 feet easterly therefrom; thence easterly to a point opposite said HES 185+35 and 175 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 185+90 thereon; thence westerly to a point opposite said HES 185+90 and 69.75 feet easterly therefrom; thence northerly to a point opposite HES 188+00 on said line survey and 75 feet easterly therefrom; thence easterly to a point opposite said HES 188+00 and 80 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 190+38 thereon; thence easterly to a point opposite said HES 190+38 and 170 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 190+85 thereon; thence westerly to a point opposite said HES 190+85 and 80 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 192+85 thereon; thence westerly to a point opposite said HES 192+85 and 70 feet easterly therefrom; thence southerly parallel with said line survey to a point opposite HES 188+00 thereon; thence southerly to a point opposite HES 182+00 on said line survey and 55 feet easterly therefrom and the point of beginning.

TRACT 2:

All that portion of the hereinafter described PARCEL "A" lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 194+05 on the SR 9 line survey of SR 9, SR 522 to Clearview Vic., and 70 feet easterly therefrom; thence easterly to a point opposite said HES 194+05 and 80 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 199+00 thereon; thence westerly to a point opposite said HES 199+00 and 75 feet easterly therefrom; thence northerly to a point opposite HES 201+00 on said line survey and 70 feet easterly therefrom; thence westerly to a point opposite said HES 201+00 and 60 feet easterly therefrom; thence southerly to a point opposite HES 199+00 on said line survey and 65 feet easterly therefrom; thence easterly to a point opposite said HES 199+00 and 70 feet easterly therefrom; thence southerly parallel with said line survey to a point opposite HES 194+05 thereon and the point of beginning.

TRACT 3:

All that portion of the hereinafter described PARCEL "A" lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 202+20 on the SR 9 line survey of SR 9, SR 522 to Clearview Vic., and 57 feet easterly therefrom; thence easterly to a point opposite said HES 202+20 and 150 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 202+80 thereon; thence westerly to a point opposite said HES 202+80 and 55.5 feet easterly therefrom; thence southerly to a point opposite HES 202+20 on said line survey and 57 feet easterly therefrom and the point of beginning.

The lands herein described contain an area of 18,874 square feet, more or less, the specific details concerning all of which are to be found in that certain map of definite location now of

record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval September 16, 1994, revised April 8, 2005.

PARCEL "A"

(Tax parcel 27052600300300) The south half of the northwest quarter of the southwest quarter of Section 26, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington;

EXCEPT Northern Pacific Railway right of way;

ALSO EXCEPT county road known as Secondary State Highway No. 1-A (SR 9);

ALSO EXCEPT that portion thereof conveyed to the State of Washington by deed recorded under Recording No. 200103200053.

AND

(Tax parcels 27052600303300 and 27052600303400) Lots 3 and 4, TOGETHER WITH an undivided 50% interest in Tract 100, of Woodinville North Business Park Binding Site Plan PFN 99-115773 BG, recorded July 30, 2001, under Recording No. 200107305004, in Snohomish County, Washington.

AND

(Tax parcels 27052600301100 and 27052600301000) That portion of the south half of the southwest quarter of the southwest quarter of Section 26, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington, described as follows:

Commencing at the southwest corner of said Section 26; thence South 88°35'41" East along the south line of said Section 26 a distance of 55.83 feet to the east margin of SR 9, as conveyed to Snohomish County by deed recorded under Recording No. 526361, and the True Point of Beginning; thence continuing South 88°35'41" East along said south line a distance of 59.78 feet to an intersection with a line drawn parallel with and 75 feet easterly of the centerline of SR 9 as shown on the Right of Way Plan for SR 9, SR 522 to Clearview Vic., approved September 16, 1994; thence North 00°03'32" West along said parallel line a distance of 41.96 feet to a point 75.00 feet easterly of HES 193+87.34 as shown on the Right of Way Plan for SR 9, SR 522 to Clearview Vic., approved September 16, 1994; thence South 44°19'36" East a distance of 15.58 feet; thence South 88°35'41" East parallel with the south line of said Section 26 a distance of 23.78 feet; thence South 83°34'49" East a distance of 54.84 feet; thence South 50°41'36" East a distance of 3.99 feet; thence South 88°35'41" East parallel with the said south line a distance of 21.08 feet; thence North 01°24'19" East a distance of 2.00 feet; thence South 88°35'41" East parallel with the said south line a distance of 21.25 feet to an intersection with a line drawn parallel with and 250.00 feet easterly, as measured along the south line, of the west line of said Section 26; thence continuing South 88°35'41" East a distance of 20.00 feet; thence North 00°29'35" East parallel with the west line of said Section 26 a distance of 118.03 feet; thence North 88°35'41" West parallel with the south line of said Section 26 a distance of 20.00 feet;



thence North 00°29'35" East parallel with the west line of said Section 26 a distance of 56.13 feet; thence North 88°35'41" West parallel with the south line of said Section 26 a distance of 196.13 feet to the east margin of SR 9 as conveyed to Snohomish County by deed recorded under Recording No. 526361; thence South 00°04'05" East along said east margin a distance of 200.04 feet to the True Point of Beginning;

(Also known as New Parcel 1 of Snohomish County Boundary Line Adjustment No. 98-105798, recorded under Recording No. 9807150356;)

EXCEPT that portion thereof conveyed to the State of Washington by Deed recorded under Recording No. 199908201034, records of Snohomish County, Washington;

TOGETHER WITH an easement for storm drainage as described in and disclosed by instrument recorded under Recording No. 200006130476;

ALSO TOGETHER WITH an easement for ingress, egress and utilities as described in and disclosed by instrument recorded under Recording No. 200010190027.

AND

(Tax parcels 27052600303200 and 27052600303500) Lots 2 and 5, TOGETHER WITH an undivided 50% interest in Tract 100, of Woodinville North Business Park Binding Site Plan PFN 99-115773 BG, recorded July 30, 2001, under Recording No. 200107305004, in Snohomish County, Washington.

AND

(Tax parcel 27053500203400) Lot 2 of Snohomish County Short Plat No. ZA 9306128 SP (PFN 93 160465 SP), according to Short Plat recorded February 7, 2002, under Recording No. 200202075001, in Snohomish County, Washington.

AND

(Tax parcels 27053500203300, 27053500203500, 27053500203600) Lots 1, 3 and 4 of Snohomish County Short Plat No. ZA 9306128 SP (PFN 93 160465 SP), according to Short Plat recorded February 7, 2002, under Recording No. 200202075001, in Snohomish County, Washington.

AND

(Tax parcel 27053500200300) Lot D of Snohomish County Short Plat No. SP-273 (12-74), according to Short Plat recorded under Recording No. 2369885, in Snohomish County, Washington.

EXCEPT those portions thereof deeded to the State of Washington for the Highway, recorded under Recording Nos. 8605160307 and 200008300110.

AND

(Tax parcels 27053500201100 and 27053400102700) That portion of the northwest quarter of Section 35, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington, described as follows:

Commencing at the southwest corner of said subdivision; thence North 01°37'43" West along the west line thereof 412.50 feet to the True Point of Beginning; thence South 88°01'03" East parallel to the south line of said northwest quarter 592.90 feet to the northwesterly margin of the Burlington Northern Railroad right of way; thence southwesterly along said northwesterly margin to the west line of said northwest quarter; thence North 01°37'43" West along said west line 271.45 feet to the True Point of Beginning;

TOGETHER WITH that portion of the northwest quarter of Section 35, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington, described as follows:  
Commencing at the southwest corner of said subdivision; thence North 01°37'43" West along the west line thereof for 412.50 feet; thence South 88°01'03" East parallel to the south line of said northwest quarter 34.80 feet to the True Point of Beginning; thence North 84°53'35" East 649.37 feet to the northwesterly margin of the Burlington Northern Railroad right of way; thence southwesterly along said northerly margin to a point which bears South 88°01'03" East from the True Point of Beginning; thence North 88°01'03" West 558.10 feet to the True Point of Beginning;

TOGETHER WITH a non-exclusive easement for ingress and egress over the west 28 feet of the south 275 feet of the north half of the south 50 rods of the southwest quarter of the northwest quarter of Section 35, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington;

EXCEPT that portion conveyed to Snohomish County under Recording No. 526882;

ALSO EXCEPT that portion conveyed to State of Washington by deed recorded under Recording No. 8801290045;

TOGETHER WITH that portion of the southeast quarter of the northeast quarter of Section 34, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington, lying southeast of State Highway No. 15 and northwest of the Northern Pacific Railroad right of way.

AND

(Tax parcel 27053500200400) The west 586.72 feet of the south 165 feet of the north half of the south half of the northwest quarter of the northwest quarter of Section 35, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington;

EXCEPT the west 30 feet thereof for road;

TOGETHER WITH that portion of the west 586.72 feet of the south half of the south half of the northwest quarter of the northwest quarter of said Section 35 lying northerly of the following described line and said line produced west to the west line of said subdivision;

Commencing at the southwest corner of said subdivision; thence South 87°42'11" East along the south line of said subdivision 30.07 feet to the east margin of State Highway No. 9 as established 60.00 feet in width; thence North 01°37'01" West along said highway margin 80.00 feet to the True Point of beginning of this line description; thence North 88°28'51" East 556.72 feet to the east line of the west 586.72 feet of said subdivision and the end of this line description;

EXCEPT the west 30 feet thereof for road;

ALSO EXCEPT from all the above that portion thereof conveyed to the State of Washington by deed recorded under Recording No. 200009210078.

AND

(Tax parcels 27053500201400, 27053500201200 and 27053500201900)

TRACT Y:

The north half of the south 50 rods of the southwest quarter of the northwest quarter of Section 35, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington;

EXCEPT that portion lying easterly of the Northern Pacific Railroad right of way;

ALSO EXCEPT Northern Pacific Railroad right of way;

ALSO EXCEPT portion conveyed to Snohomish County under Recording No. 526882;

ALSO EXCEPT any portion thereof lying southerly of the following described line:

Commencing at the southwest corner of said subdivision; thence North 01°37'43" West along the west line thereof for 412.50 feet to the True Point of Beginning of said line; thence South 88°01'03" East parallel to the south line of said northwest quarter 34.80 feet; thence North 84°53'35" East 649.37 feet to the northwesterly margin of the Burlington Northern Railroad right of way and the terminus of said line;

ALSO EXCEPT that portion conveyed to the State of Washington by deed recorded under Recording No. 8801290045;

ALSO EXCEPT that portion condemned in Snohomish County Superior Court Cause No. 95-2-06972-8;

ALSO EXCEPT that portion, if any, lying north of the south line of TRACT Z herein described below.

TRACT Z:

That portion of the southwest quarter of the northwest quarter of Section 35, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington, more particularly described as follows:

Commencing at the northwest corner of said subdivision; thence South 01°37'01" East along the west line of said subdivision 496.16 feet to the south line of the north 30 rods of said subdivision; thence South 87°42'11" East along said south line 24.00 feet, more or less, to the east margin of State Highway No. 1, as established, 60.00 feet in width and the True Point of Beginning; thence northerly along said road margin 17.48 feet to an existing fence; thence North 84°50'39" East along existing fence line 941.00 feet, more or less, to the westerly margin of the Northern Pacific Railroad right of way; thence southerly along said margin 131.00 feet, more or less, to the south line of the north 30 rods of said subdivision; thence North 87°42'11" West along said south line 882.00 feet, more or less, to the True Point of Beginning;

EXCEPT that portion conveyed to the State of Washington by deed recorded under Recording No. 8801290045;

ALSO EXCEPT that portion condemned in Snohomish County Superior Court Cause No. 95-2-06972-8.

AND

(Tax parcel 27053500202600) Lot 1 of Snohomish County Short Plat No. 84 (3-85), according to Short Plat recorded June 17, 1986, under Recording No. 8606170284, in Snohomish County, Washington;

EXCEPT that portion thereof conveyed to Woodinville North, a Washington general partnership, by deed recorded under Recording No. 9810270771;

ALSO EXCEPT those portions thereof conveyed to the State of Washington by deeds recorded under Recording Nos. 200104050301 and 200204170974;

(Also known as Lot 1 of Boundary Line Adjustment recorded under Recording No. 9810270770.)

TOGETHER WITH an undivided one-third interest in and to that portion of the north half of the northwest quarter of the northwest quarter of Section 35, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington, described as follows:

Commencing at the northwest corner of said subdivision; thence South 87°23'00" East along the north line thereof 55.53 feet to the easterly margin of State Highway No. 1-A; thence South 01°08'44" West along said easterly margin 270.00 feet to the True Point of Beginning; thence South 01°08'44" West 30.00 feet; thence South 87°23'00" East 584.00 feet; thence North

01°08'44" East 30.00 feet; thence North 87°23'00" West 584.00 feet to the True Point of Beginning;

EXCEPT any portion thereof lying within Highway known as State Route 9;

ALSO EXCEPT any portion thereof conveyed to the State of Washington by deed recorded under Recording No. 200211200200, said deed being a re-recording of deed recorded under Recording No. 200205061014;

ALSO EXCEPT any portion thereof conveyed to the State of Washington by deed recorded under Recording No. 200205300677.

AND

(Tax parcels 27053500203700) The westerly 50.0 feet of the Burlington Northern and Santa Fe Railway Company's (formerly Northern Pacific Railway Company) 200.00 foot wide Seattle to Sumas, Washington Branch line right of way, being 100.00 feet wide on each side of said railway company's main track centerline, as originally located and constructed upon, over and across the northwest quarter of the northwest quarter of Section 35, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington, lying between two lines drawn parallel and concentric with and distant respectively 50.00 feet and 100.00 feet westerly, as measured at right angles and radially from said main track centerline, bounded on the north by the north line of said Section 35, and bounded on the south by a line drawn radially to said main track centerline at a point 530.00 feet south of the north line of said Section 35, as measured along said main track centerline.

AND

(Tax parcel 27053500200700) Commencing at a point on the east line of State Highway 1-A that is 12 feet north of, measured at right angles to, the south line of the north half of the northwest quarter of the northwest quarter of Section 35, Township 27 North, Range 5 East, W.M., Snohomish County, Washington; thence east parallel to and 12 feet distant from the south line of said subdivision for 589 feet to an existing fence; thence northerly along said fence 162 feet two inches to an existing fence line; thence southwesterly along said existing fence line to the westerly end of said fence; thence westerly in a straight line to an intersection with a line parallel to and 121 feet north of the south line of said subdivision at a point 168 feet east of the east line of said highway; thence west along said parallel line 168 feet; thence south along the east line of said highway for 109 feet to the point of beginning;

EXCEPT that portion conveyed to the State of Washington for road purposes by deed recorded under Recording No. 199912060648.

AND

(Tax parcel 27052600300800) Lot 1 of Woodinville North Business Park Binding Site Plan PFN 99-115773 BG, recorded July 30, 2001, under Recording No. 200107305004, in Snohomish County, Washington;

TOGETHER WITH an easement for ingress, egress and utilities created pursuant to Declaration of Covenants, Conditions, Restrictions, Easements and Reservations for Woodinville 522 Business Park dated November 1, 1999, and recorded November 2, 1999, as Document No. 199911020656, as amended by Amendment No. 1 to Declaration of Covenants, Conditions, Restrictions, Easements and Reservations for Woodinville 522 Business Park dated November 4, 1999, and recorded November 10, 1999, as Document No. 199911100812 over Tract 100 of Woodinville North Business Park Binding Site Plan PFN 99-115773 BG, recorded July 30, 2001, under Recording No. 200107305004, in Snohomish County, Washington.

AND

(Tax parcels 27053500200500, 27053500200800, 27053500200900, 27053500201000 and 27053500202300) That portion of the south half of the south half of the northwest quarter of the northwest quarter of Section 35, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington, lying westerly of the Northern Pacific Railway right of way and lying northerly of the following described line:

Commencing at the southwest corner of said subdivision; thence South 87°42'11" East along the south line of said subdivision 30.07 feet to the east margin of State Highway No. 9 as established 60.00 feet in width; thence North 01°37'01" West along said highway margin 20.00 feet to an existing fence and the True Point of Beginning of this line description; thence North 88°28'51" East along said fence 993.00 feet, more or less, to the westerly margin of the Northern Pacific Railway Co. right of way and the end of this line description;

EXCEPT that portion of the west 586.72 feet thereof lying northerly of the southerly 60.00 feet thereof;

ALSO EXCEPT the westerly 30.00 feet thereof for road;

ALSO EXCEPT that portion condemned in Snohomish County Superior Court Cause No. 01-2-02059-3 for SR 9 (State Highway No. 9);

TOGETHER WITH that portion of the north 30 rods of the southwest quarter of the northwest quarter of Section 35, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington, lying west of the west right of way line of the Northern Pacific Railway right of way;

EXCEPT that portion conveyed to Snohomish County by Quit Claim Deed recorded under Auditor's File No. 526882;

ALSO EXCEPT that portion thereof lying southerly of the following described line:

Commencing at the northwest corner of said southwest quarter of the northwest quarter; thence South 01°37'01" East along the west line of said subdivision 496.16 feet to the south line of the north 30 rods of said subdivision; thence South 87°42'11" East along said south line 24.00 feet, more or less, to the east margin of State Highway No. 9, as established 60.00 feet in width; thence northerly along said road margin 17.48 feet to an existing fence and the True Point of Beginning of said line; thence North 84°50'39" East along existing fence line 941.00 feet, more or less, to the westerly margin of the Northern Pacific Railroad right-of-way and the terminus of said line;

TOGETHER WITH that portion of the northwest quarter of the northwest quarter of Section 35, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington, more particularly described as follows:

Commencing at the southwest corner of said subdivision; thence South 87°42'11" East along the south line of said subdivision 30.07 feet to the east margin of State Highway No. 9, as established 60.00 feet in width and the True Point of Beginning; thence North 01°37'01" West along said highway margin 20.00 feet to an existing fence; thence North 88°28'51" East along existing fence line 1043.00 feet, more or less, to the westerly margin of the Northern Pacific Railroad right of way; thence southerly along said margin 89.00 feet, more or less, to the south line of said subdivision; thence North 87°42'11" West along said south line 1034.44 feet, more or less, to the True Point of Beginning;

EXCEPT that portion conveyed to Snohomish County by Quit Claim Deed recorded under Auditor's File No. 526363;

ALSO EXCEPT that portion condemned in Snohomish County Superior Court Cause No. 01-2-02059-3 for SR 9 (State Highway No. 9);

TOGETHER WITH the south 165.00 feet of the north half of the south half of the northwest quarter of the northwest quarter of Section 35, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington, lying westerly of the Northern Pacific Railway Co. right of way;

EXCEPT the west 586.72 feet thereof.