Ordinance No. 7340	Ordinance No.	7340	
--------------------	---------------	------	--

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, PROVIDING FOR THE ACQUISTION BY EMINENT DOMAIN OF PROPERTY LOCATED NEAR OR ADJACENT TO FONES ROAD, OLYMPIA, WASHINGTON, FOR ROADWAY IMPROVEMENTS AND ESTABLISHING AN EFFECTIVE DATE

**WHEREAS**, the City of Olympia is a non-charter optional municipal code city as provided in title 35A RCW, incorporated under the laws of the State of Washington, and authorized to acquire title to real property for public purposes pursuant to RCW Chapter 8.12; and

**WHEREAS**, in the interest of improving Fones Road within the City, the City of Olympia identified a street improvement project ("Project") in compliance with goals announced in the City's Comprehensive Plan; and

WHEREAS, the Project involves improvements to Fones Road to serve the public; and

**WHEREAS**, the City determined that it must acquire certain property and/or property rights for the Project; and

**WHEREAS**, for this Project, the City determined that the acquisition of certain rights and interests from the real properties identified in Exhibit A attached hereto all located within the City of Olympia, Washington, and identified as Thurston County Tax Parcel Nos. 11819141300, 11819142300, 66450000400, 36200400100, 11819140400, 11819140800, 36200302200, 11819110100, 11819110600, 11819110500, 11819141201, 11819110601, 11819140600, 11819140500, 11819141000, 11819141301, 11819120000, 11819140300, 11819140306, 11819110400, 11819140100, 11819111000, 11819111000, 11819141500, 1181910800, 11819141800, 11819141100, 11819141400, 11819110901, 11819110900, 11819142503, 11819142200, 11819142400, 11819140200, 11819110700; and legally described in Exhibit A, attached hereto and incorporated by reference ("Parcels"), is necessary to accomplish and construct the Project, and those rights and interests are hereinafter referred to as the "Real Property Take"; and

WHEREAS, the City appraised the fair market value of the Real Property Take; and

**WHEREAS**, the City negotiated in good faith with the owners of the Parcels for the voluntary acquisition of the Real Property Take; and

**WHEREAS**, the City to date has been unable to reach a negotiated voluntary resolution with said owners; and

**WHEREAS**, while this Ordinance authorizes condemnation, the City Council does hereby express its intent that negotiations continue in regard to the Real Property Take; and

**WHEREAS**, the City complied with the notice requirements set forth in RCW 8.25.290 by providing notice to every property owner of record as indicated on the tax rolls of the county to the address provided on such tax rolls, for each property potentially subject to condemnation, at least fifteen days before the final action adopting this Ordinance, and through publication once per week for two weeks, prior to the passage of a Motion authorizing condemnation and subsequent enactment of this Ordinance; and

**WHEREAS**, payment of just compensation and costs of litigation should be made from the City's General Fund or from such other monies that the City may have available or attain for the acquisition;

#### NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

**Section 1. Incorporation of Recitals**. The recitals set forth above are hereby adopted and incorporated herein as if set forth in full.

**Section 2. Public Use and Necessity Declared**. The City Council of the City of Olympia finds and declares that: i) the Project for roadway and utility purposes is a public use; ii) the acquisition of the rights and interests in the Real Property Take legally described and depicted in Exhibit A is necessary for the construction of the Project; and iii) the acquisition of the Real Property Take and the construction of the Project are in the best interests of the citizens residing within the City of Olympia.

**Section 3. Acquisition**. The City Council of the City of Olympia authorizes the acquisition, condemnation and taking of the Real Property Take as legally described and depicted on Exhibit A. The City Council authorizes the acquisition of the Real Property Take under threat of condemnation or by initiation of legal action for condemnation to acquire the Real Property Take as necessary for the commencement and completion of the Project, subject to the making or paying of just compensation to the owner thereof in the manner provided by law. The City Council further directs that no condemnation action should be filed with the courts until after the property owner has had a reasonable opportunity to review the offer and engage in good faith negotiations with the City for the payment of just compensation. *Provided*, however that the review period or period for negotiation shall not result in project delays.

<u>Section 4. Reservation of Rights</u>. Nothing in this Ordinance limits the City in its identification and acquisition of property and property rights necessary for this public purpose. The City reserves the right to acquire additional or different properties as needed for the Project.

**Section 5. Authority of City Manager**. The City Manager, by and through his designees, is authorized and directed to continue negotiations for the acquisition of property and property rights and prosecute actions and proceedings in the manner provided by law to condemn, take, damage and appropriate the Real Property Take necessary to carry out the provisions of this Ordinance. In conducting said negotiations and condemnation proceedings, the Olympia City Attorney, by and through his designees, is hereby authorized to enter into stipulations for the Real Property Take. Settlement of any actions by the City Manager shall be made only upon the recommendation of legal counsel.

**Section 6. Compensation**. The compensation to be paid to the owners of the Real Property Take acquired through this condemnation action shall be paid from the City's General Fund or from such other monies that the City may have available or attain for the acquisition.

**Section 7. Severability**. If any section, subsection, sentence, clause, phrase or work of this Ordinance should be held to be invalid or unconstitutional by a court or competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the constitutionality of any other section, subsection, sentence, clause, phrase or word of this Ordinance.

<u>Section 8. Effective Date</u>. This Ordinance shall be in full force and effect five (5) days after passage and publication of a summary of this Ordinance in the City's official newspaper. The summary shall consist of this Ordinance's title.

Cleby	
MAYOR ~	

ATTEST:

Sean Krier

CITY CLERK

**APPROVED AS TO FORM:** 

\_Mark Barber
CITY ATTORNEY

PASSED: October 25, 2022

APPROVED: October 25, 2022

PUBLISHED: October 28, 2022

#### **EXHIBIT A**

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

Grantor:

Taylor, Rod M. City of Olympia

Grantee:

Legal Description: PTN SE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819141300

#### STATUTORY WARRANTY DEED

The Grantor, Rod M. Taylor, as his separate estate, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of	., 2022.
Rod M. Taylor	
STATE OF WASHINGTON ) ) ss. COUNTY OF THURSTON )	
be the individual described in and wh	red before me, to me known to no executed the within and foregoing instrument, and same as his/her free and voluntary act and deed, for ned.
GIVEN under my hand and o 2022.	fficial seal this day of,
	Print Name:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Date:	

STATUTORY WARRANTY DEED Page 2 of 4

### EXHIBIT A PARCEL NO. 11819141300 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 45.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 15.00 FEET.

THENCE SOUTH 88° 52' 35" EAST, 10 00 FEET TO A LINE THAT IS 35.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 54 78 FEET TO THE NORTH LINE OF SAID PARCEL "A" AND TERMINUS OF SAID DESCRIBED LINE.

CONTAINING 501 SQUARE FEET, MORE OR LESS.

#### PARCEL "A"

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30677, DATED FEBRUARY 9TH, 2021)

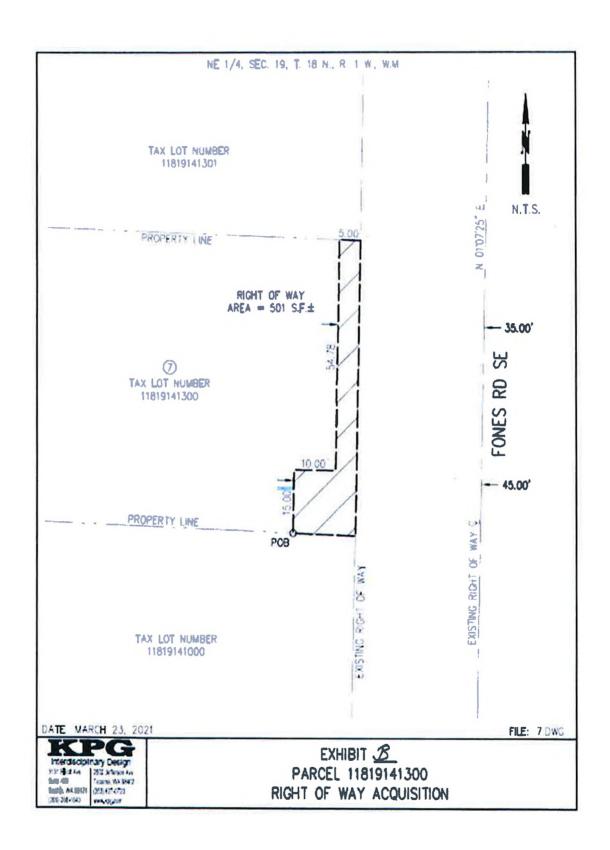
THE SOUTH 70 FEET OF THE EAST 2:0 FEET OF THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS

BEGINNING AT A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, A DISTANCE OF 132 FEET NORTH OF ITS SOUTHEAST CORNER, RUNNING THENCE NORTH ALONG SAID EAST LINE 132 FEET. THENCE WEST 330 FEET. SOUTH 132 FEET AND EAST 330 FEET TO THE POINT BEGINNING EXCEPTING THE EAST 30 FEET FOR FONES RD.

04/05/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Taylor, Rod M. Grantee(s): City of Olympia

Legal Description: PTN SE 1/4 NE 1/4 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819141300

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), Rod M. Taylor, as his separate estate, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on \_\_\_\_\_\_\_, hereinafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its authorized agent.

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Page 1 of (4) Pages

Dated:	, 2022
Rod M. Taylor	
7	
	Accepted and Approved
	CITY OF OLYMPIA
	Ву:
	Date:, 2022
Acknowledgment	
STATE OF WASHINGTON ) ss.	
COUNTY OF THURSTON )	
described in and who executed the within a	before me, to me known to be the individual nd foregoing instrument, and acknowledged that he/she signed the same for the uses and purposes therein mentioned.
GIVEN under my hand and offici	al seal this day of, 2022.
	Print Name:
	residing atCommission expires:

LPA-325 Rev. 5/2021

Page 2 of (4) Pages

### EXHIBIT A PARCEL NO. 11819141300 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS.

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 45.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 15:00 FEET,

THENCE SOUTH 86" 52" 35" EAST, 10:00 FEET TO A LINE THAT IS 35:00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 13.76 FEET

THENCE NORTH 88° 52' 35' WEST, 16.00 FEET TO A LINE THAT IS 51.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE SOUTH 01\* 07' 25" WEST ALONG SAID PARALLEL LINE, 28.62 FEET TO THE SOUTH LINE OF SAID PARCEL "A";

THENCE SOUTH 87" 30" 38" EAST ALONG SAID SOUTH LINE, 6 00 FEET TO THE POINT OF BEGINNING.

CONTAINING 310 SQUARE FEET, MORE OR LESS.

PARCEL "A".

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30677,
DATED FEBRUARY 9TH, 2021)

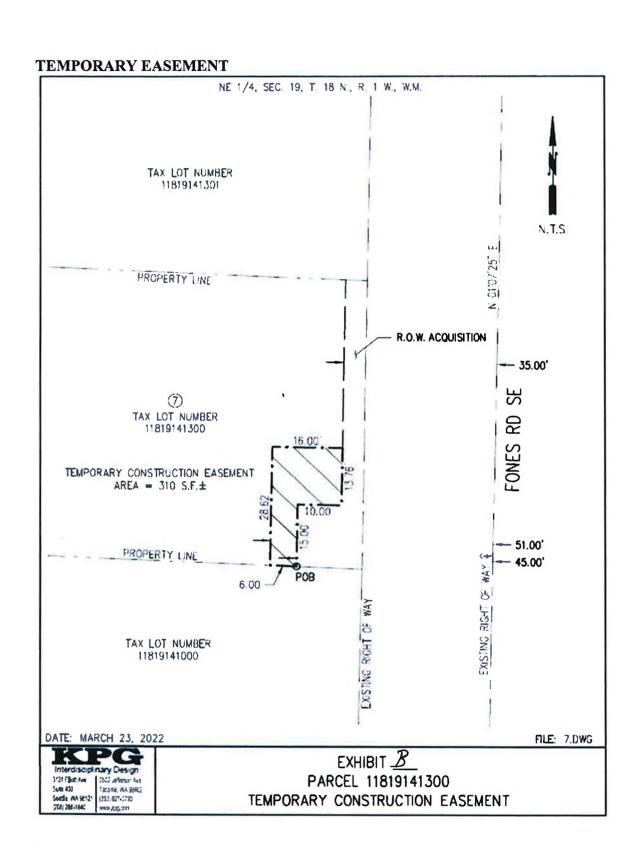
THE SOUTH 70 FEET OF THE EAST 210 FEET OF THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF THE NORTHWEST OUARTER OF SAID SOUTHEAST OUARTER OF THE NORTHEAST OUARTER OF SECTION 19, A DISTANCE OF 132 FEET NORTH OF ITS SOUTHEAST CORNER, RUNNING THENCE NORTH ALONG SAID EAST LINE 132 FEET, THENCE WEST 330 FEET, SOUTH 132 FEET AND EAST 330 FEET TO THE POINT BEGINNING. EXCEPTING THE EAST 30 FEET FOR FONES RD.



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Page 3 of (4) Pages



Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

Document Title: Statutory Warranty Deed

Grantor: Schick, Brent C. Grantee: City of Olympia

Legal Description: PTN SE ¼ NE1/4 19-18-1W Assessor's Tax Parcel Number: 11819142300

#### STATUTORY WARRANTY DEED

The Grantor, **Brent C. Schick**, as his separate estate, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, **CITY OF OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

Granted this day of	
STATE OF WASHINGTON ) ss.  COUNTY OF THURSTON )  On this day personally appeared before me, to me kn be the individual described in and who executed the within and foregoing instrume acknowledged that he/she signed the same as his/her free and voluntary act and de the uses and purposes therein mentioned.  GIVEN under my hand and official seal this day of  Print Name: NOTARY PUBLIC in and for the Stat Washington, residing at Commission expires:  GRANTEE:  Accepted and Approved: Approved as to form:	
On this day personally appeared before me, to me kn be the individual described in and who executed the within and foregoing instrume acknowledged that he/she signed the same as his/her free and voluntary act and de the uses and purposes therein mentioned.  GIVEN under my hand and official seal this day of	
On this day personally appeared before me, to me kn be the individual described in and who executed the within and foregoing instrume acknowledged that he/she signed the same as his/her free and voluntary act and de the uses and purposes therein mentioned.  GIVEN under my hand and official seal this day of	
De the individual described in and who executed the within and foregoing instrume acknowledged that he/she signed the same as his/her free and voluntary act and de the uses and purposes therein mentioned.  GIVEN under my hand and official seal this day of	
Print Name:  NOTARY PUBLIC in and for the Stat Washington, residing at	ent, and
NOTARY PUBLIC in and for the State Washington, residing at Commission expires:  GRANTEE:  Accepted and Approved: CITY OF OLYMPIA  Approved as to form:	
NOTARY PUBLIC in and for the State Washington, residing at Commission expires:  GRANTEE:  Accepted and Approved: CITY OF OLYMPIA  Approved as to form:	
Washington, residing at Commission expires:  GRANTEE:  Accepted and Approved: Approved as to form: CITY OF OLYMPIA	
GRANTEE:  Accepted and Approved: CITY OF OLYMPIA  Approved as to form:	
GRANTEE:  Accepted and Approved: Approved as to form:  CITY OF OLYMPIA	
Accepted and Approved: Approved as to form: CITY OF OLYMPIA	
CITÝ OF OLYMPIA	
By: City Attorney  Steven J. Burney, City Manager  City Attorney	
Steven J. Burney, City Manager City Attorney	
Date:	

STATUTORY WARRANTY DEED Page 2 of 4

### EXHIBIT A PARCEL NO. 11819142300 RIGHT OF WAY ACQUSITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL "A", SAID CORNER ALSO BEING ON THE EASTERLY MARGIN OF FONES ROAD SOUTHEAST.

THENCE NORTH 01° 19' 58" EAST ALONG SAID EASTERLY MARGIN, 6.88 FEET TO THE TRUE POINT OF BEGINNING:

THENCE CONTINUING ALONG SAID EASTERLY MARGIN NORTH 01° 19' 58" EAST, 10.02 FEET

THENCE SOUTH 88\* 40' 02" EAST, 5.18 FEET TO A LINE THAT IS 35.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF SAID FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 10,00 FEET

THENCE NORTH 88° 52' 35" WEST, 5.22 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 52 SQUARE FEET, MORE OR LESS.

#### PARCEL AT

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30673. DATED FEBRUARY 9TH, 2021)

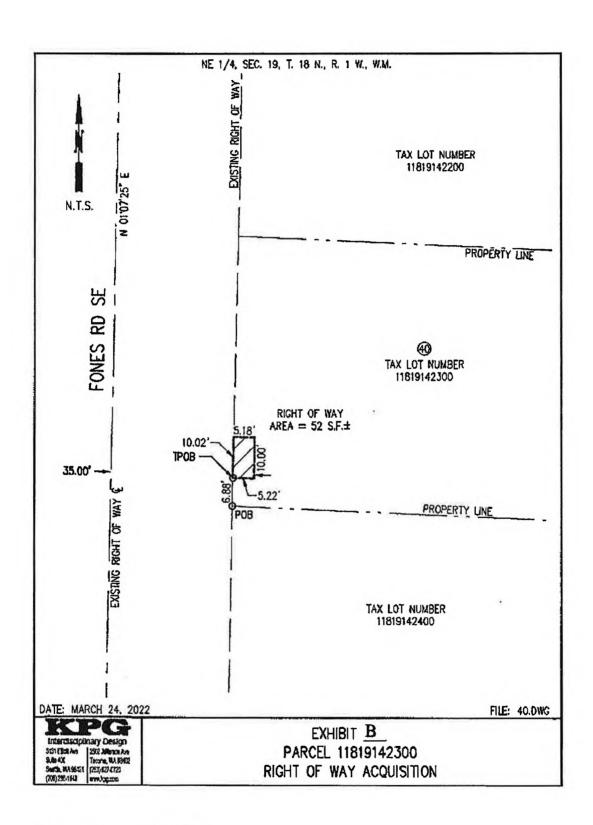
THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.W., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., THENCE SOUTH 4 RODS TO THE TRUE POINT OF BEGINNING: THENCE EAST 20 RODS: THENCE SOUTH 4 RODS, THENCE WEST 20 RODS; THENCE NORTH 4 RODS TO THE TRUE POINT OF BEGINNING; LESS COUNTY ROAD.

04/05/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Schick, Brent C. Grantee(s): City of Olympia

Legal Description: PTN SE 1/4 NE 1/4 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819142300

#### **TEMPORARY EASEMENT**

Fones Road Improvements

The Grantor(s), **Brent C. Schick, as his separate estate**, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the **City of Olympia**, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall co	mmence on the date of acceptance of this
Temporary Easement by Grantee and shall terminate	on,
hereinafter the "Term".	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its authorized agent.

LPA-325 Rev. 5/2021 Page 1 of (4) Pages

Parcel Number: 11819142300

Dated:	, 20	022		
Brent C. Schick				
		Accepted and Ap	proved	
		CITY OF OLY	MPIA	
		Ву:		
		Date:	, 2022	
Acknowledgment				
STATE OF WASHINGTON	)			
COUNTY OF THURSTON	) ss. )			
On this day personally described in and who executed the as his/her free and voluntary act a	within and fore	egoing instrument, and ac		ne individual ned the same
GIVEN under my hand a	and official seal	this day of	, 2022,	
		Print Name:		
			in and for the State of Wa	
		Commission expire	PS:	
LPA-325 Rev. 5/2021	Pag	e 2 of (4) Pages		

EXHIBIT A - FONES ROAD EMINENT DOMAIN ORDINANCE - Page A-14

#### EXHIBIT A\_ PARCEL NO. 11819142300 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL "A", SAID CORNER ALSO BEING ON THE EASTERLY MARGIN OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 19' 58" EAST ALONG SAID EASTERLY MARGIN, 6.88 FEET.

THENCE SOUTH 88° 52' 35° EAST, 5.19 FEET TO A LINE THAT IS 35,00 FEET EASTERLY OF AND FARALLEL WITH THE CENTERLINE OF SAID FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 10,00 FEET:

THENCE NORTH 88° 40' 02" WEST, 5.18 FEET TO SAID EASTERLY MARGIN OF FONES ROAD SOUTHEAST:

THENCE NORTH 101° 191 58" EAST ALONG SAID EASTERLY MARGIN, 49,12 FEET TO THE NORTH LINE OF SAID PARCEL "A":

THENCE SOUTH 87° 30' 38" EAST ALONG SAID NORTH LINE, 8,00 FEET TO A LINE THAT IS 38,00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF SAID FONES ROAD SOUTHEAST.

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 51,44 FEET.

THENCE SOUTH 88" 52" 35" EAST. 15.00 FEET TO A LINE THAT IS 53.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF SAID FONES ROAD SOUTHEAST.

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 14,93 FEET TO THE SOUTH LINE OF SAID. PARCEL 14"

THENCE NORTH 87° 30' 38" WEST ALONG SAID SOUTH LINE, 23 25 FEET TO THE POINT OF BEGINNING.

CONTAINING 705 SQUARE FEET, MORE OR LESS:

#### PARCEL "A"

PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30673, DATED FEBRUARY 9TH, 2021)

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.W., DESCRIBED AS FOLLOWS

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19. TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., THENCE SOUTH 4 RODS TO THE TRUE POINT OF BEGINNING; THENCE EAST 20 RODS, THENCE SOUTH 4 RODS; THENCE WEST 20 RODS, THENCE NORTH 4 RODS TO THE TRUE POINT OF BEGINNING; LESS COUNTY ROAD.

40-TCE.DOCX

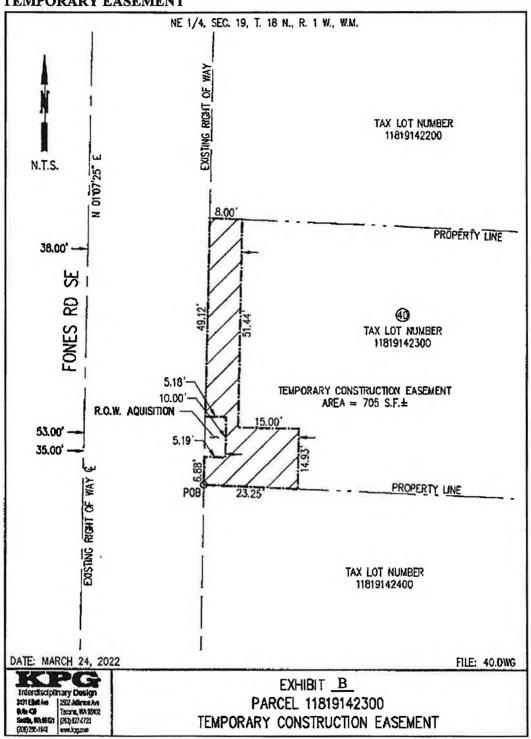
Page 1 of 1

KPG

IN ONLY STREET

THE LAND

Page 3 of (4) Pages



Page 4 of (4) Pages

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Olympia Square South, LLC

Grantee(s): City of Olympia

Legal Description: PTN Lot 4 Olympia Square BSP

Additional Legal Description is on Pages 3 and 4 of Document.

Assessor's Tax Parcel Number: 66450000400

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), Olympia Square South, LLC, a Washington Limited Liability Company, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on \_\_\_\_\_\_\_, hereinafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its

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Page 1

authorized agent. Dated: \_\_\_\_\_\_, 2022 Olympia Square South, LLC By: Accepted and Approved CITY OF OLYMPIA Date: \_\_\_\_\_\_\_, 2022 Acknowledgment STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_ On this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2022, before me personally appeared \_\_\_\_\_\_, to me known to be the managing member of Olympia Square South, LLC, the company that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute said instrument. IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written. Print Name:

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residing at \_\_

NOTARY PUBLIC in and for the State of Washington,

Commission expires:\_\_\_\_\_

## EXHIBIT A PARCEL NO. 66450000400 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A", SAID CORNER ALSO BEING ON THE WESTERLY MARGIN OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID WESTERLY MARGIN, 74.50 FEET TO A POINT HEREINAFTER DESCRIBED AS POINT "A":

THENCE NORTH 88° 52' 35" WEST, 25.00 FEET TO A LINE THAT IS 55.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF SAID FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 70.00' FEET TO THE SOUTH LINE OF SAID PARCEL "A";

THENCE SOUTH 78° 40' 36" EAST ALONG SAID SOUTH LINE, 25,40 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

BEGINNING AT SAID POINT "A":

THENCE CONTINUING ALONG SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST NORTH 01° 07' 25" EAST, 123.96 FEET;

THENCE CONTINUING ALONG SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST NORTHERLY ON A CURVE TO THE LEFT WHOSE CENTER BEARS NORTH 88° 52' 35" WEST, 2814.54 FEET, AN ARC DISTANCE OF 3.57 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST NORTHERLY ON SAID CURVE TO THE LEFT WHOSE CENTER BEARS NORTH 88° 56" 56" WEST, 2814.54 FEET, AN ARC DISTANCE OF 85.00 FEET:

THENCE NORTH 88° 59' 04" WEST, 40.02 FEET TO A LINE THAT IS 70.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTHERLY ALONG SAID PARALLEL LINE ON A CURVE TO THE RIGHT WHOSE CENTER BEARS SOUTH 89° 17' 46" WEST, 2774.54 FEET, AN ARC DISTANCE OF 84.97 FEET;

THENCE SOUTH 88° 56' 56" EAST, 40.00 FEET TO THE TRUE POINT OF BEGINNING.

TOTAL TEMPORARY CONSTRUCTION EASEMENT CONTAINING 5,205 SQUARE FEET, MORE OR LESS.

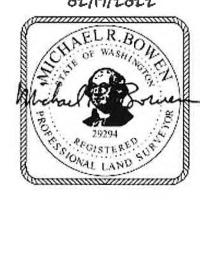
PARCEL "A":

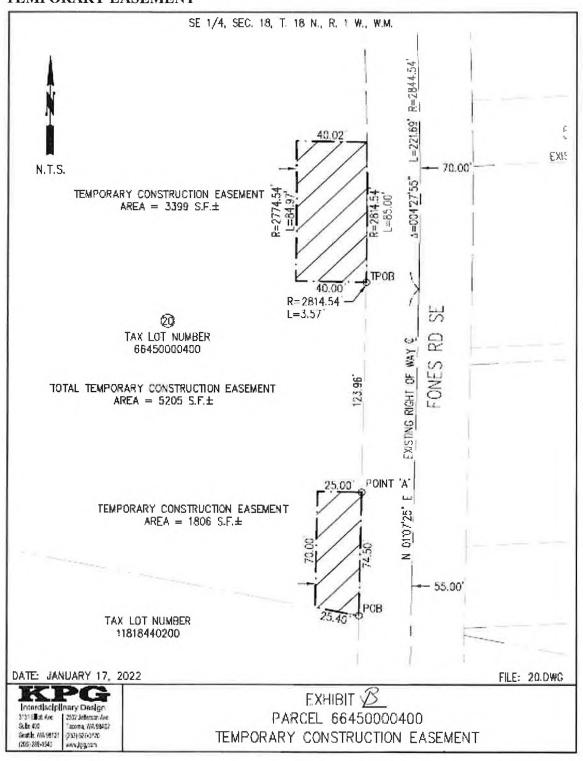
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30697. DATED FEBRUARY 9TH, 2021)

LOT 4 OF OLYMPIA SQUARE SOUTH, BINDING SITE PLAN, FIRST AMENDMENT, AS RECORDED JUNE 3, 2019 UNDER AUDITOR'S FILE NO. 4686287, AND AS CORRECTED BY INSTRUMENT RECORDED FEBRUARY 7, 2020 UNDER AUDITOR'S FILE NO. 4735724, WHICH IS AN AMENDMENT OF BINDING SITE PLAN RECORDED SEPTEMBER 19, 1991 UNDER AUDITOR'S FILE NO. 9109190237.

IN THURSTON COUNTY, WASHINGTON.

02/17/2022





Page 5

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

**Grantor: Grantee:** 

Olympia III, LLC City of Olympia

Legal Description:

PTN Lots 1 to 6 & 18 to 22 & PTN Lot 17 Blk 4 Boyd's Add to

Olv

Assessor's Tax Parcel Number: 36200400100

#### STATUTORY WARRANTY DEED

The Grantor, **Olympia III**, **LLC**, a Delaware Limited Liability Company, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, **CITY OF OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of, 2	022.
Olympia III, LLC By:	
STATE OF) ss. COUNTY OF)	
	2022 before me nersonally anneared
LLC, the company that executed the with instrument to be the free and voluntary act therein mentioned, and on oath stated that h	, 2022, before me personally appeared ne known to be the managing member of Olympia III, in and foregoing instrument, and acknowledged said and deed of said company, for the uses and purposes re/she is authorized to execute said instrument.
	Delet No.
	Print Name:NOTARY PUBLIC in and for the State of
	Washington, residing at
	Commission expires:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:	
Steven J. Burney, City Manager	City Attorney
Date:	

STATUTORY WARRANTY DEED Page 2 of 4

#### **EXHIBIT A**

#### PARCEL NO. 36200400100 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING WESTERLY OF A LINE THAT IS 42.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

CONTAINING 2,766 SQUARE FEET, MORE OR LESS.

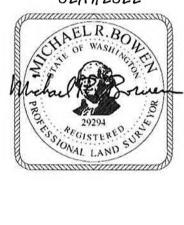
PARCEL "A"

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30698 DATED FEBRUARY 9TH, 2021)

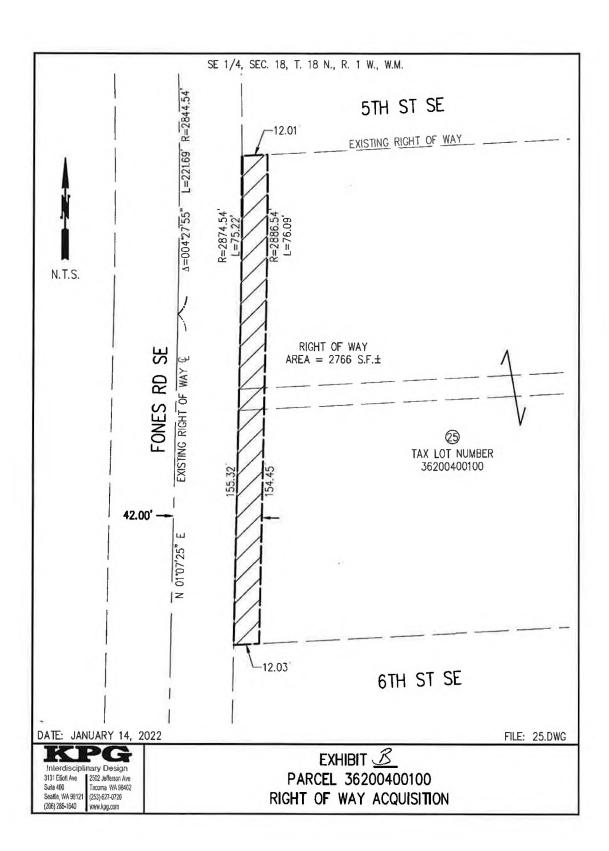
LOTS 1 TO 6 INCLUSIVE AND LOTS 17 TO 22 INCLUSIVE IN BLOCK 4 OF BOYD'S ADDITION TO OLYMPIA, AS RECORDED IN VOLUME 3 OF PLATS, PAGE 52; TOGETHER WITH THAT PART OF VACATED ALLEY LYING BETWEEN SAID LOTS; EXCEPT THAT PORTION OF SAID LOT 17, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTH 3°07'14" WEST 53.83 FEET; THENCE NORTH 88°44' WEST 17.34 FEET; THENCE SOUTH 1°16' WEST 42.0 FEET; THENCE SOUTH 88°44' EAST 6.0 FEET; THENCE SOUTH 1°16' WEST TO THE SOUTH LINE OF SAID LOT 17; THENCE NORTH 86°52'46" EAST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

02/17/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Olympia III, LLC Grantee(s): City of Olympia

Legal Description: PTN Lots 1 to 6 & 18 to 22 & PTN Lot 17 Blk 4 Boyd's Add to Oly

Additional Legal Description is on Page 3 and 4 of Document.

Assessor's Tax Parcel Number: 36200400100

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), **Olympia III, LLC**, a Delaware Limited Liability Company for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the **City of Olympia**, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall comm	ence on the date of acceptance of this
Temporary Easement by Grantee and shall terminate on	,
hereinafter the "Term".	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its authorized agent.

LPA-325 Rev. 5/2021 Page 1 of (4) Pages

Dated:	_, 2022
Olympia III, LLC,	
By:	
	Accepted and Approved
	CITY OF OLYMPIA
	By:
	Date:, 2022
Acknowledgment	
STATE OF) ss.	
COUNTY OF	
On this day of _	, 2022, before me personally appeared to me known to be the managing member of Olympia III, LLC,
the company that executed the within a	and foregoing instrument, and acknowledged said instrument to of said company, for the uses and purposes therein mentioned,
IN WITNESS WHEREOF I ha and year first above written.	ve hereunto set my hand and affixed my official seal the day
	Print Name:
	NOTARY PUBLIC in and for the State of Washington,
	residing atCommission expires:

LPA-325 Rev. 5/2021 Page 2 of (5) Pages

#### Exhibit A

### PARCEL NO. 36200400100 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY MARGIN OF 6<sup>TH</sup> STREET SOUTHEAST AND A LINE THAT IS 42.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 154,45 FEET:

THENCE CONTINUING ALONG SAID PARALLEL LINE NORTHERLY ON A CURVE TO THE LEFT WHOSE CENTER BEARS NORTH 88° 52′ 35" WEST, 2886.54 FEET, AN ARC DISTANCE OF 76.09 FEET TO THE SOUTHERLY MARGIN OF 5<sup>TH</sup> STREET SOUTHEAST:

THENCE NORTH 86° 58' 46" EAST ALONG SAID SOUTHERLY MARGIN, 4.00 FEET TO A LINE THAT IS 46.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST AND HEREINAFTER DESCRIBED AS POINT 'A':

THENCE SOUTHERLY ALONG SAID PARALLEL LINE ON A CURVE TO THE RIGHT WHOSE CENTER BEARS SOUTH 89° 36' 35" WEST, 2890.54 FEET, AN ARC DISTANCE OF 76.38 FEET;

THENCE CONTINUING ALONG SAID PARALLEL LINE. SOUTH 01° 07' 25" WEST. 43.87 FEET:

THENCE NORTH 86° 58' 46" EAST, 7.02 FEET TO A LINE THAT IS 53.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 87,24 FEET:

THENCE SOUTH 88° 52' 35" EAST, 140.00 FEET;

THENCE SOUTH 01° 07' 25" WEST, 12.91 FEET TO SAID NORTHERLY MARGIN OF 6TH STREET SOUTHEAST;

THENCE SOUTH 86° 58' 46" WEST ALONG SAID NORTHERLY MARGIN, 151.40 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,211 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

BEGINNING AT SAID POINT 'A':

THENCE NORTH 86° 58' 46" EAST ALONG SAID SOUTHERLY MARGIN OF  $5^{\text{TH}}$  STREET SOUTHEAST, 79.08 FEET TO A LINE THAT IS 125.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST AND THE TRUE POINT OF BEGINNING;

THENCE SOUTHERLY ALONG SAID PARALLEL LINE ON A CURVE TO THE RIGHT WHOSE CENTER BEARS SOUTH 89° 32' 23" WEST, 2969.54 FEET, AN ARC DISTANCE OF 26.10 FEET:

THENCE SOUTH 89° 57' 24" EAST, 60.00 FEET TO A LINE THAT IS 185.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE NORTHERLY ALONG SAID PARALLEL LINE ON A CURVE TO THE LEFT WHOSE CENTER BEARS NORTH 89° 57' 24" WEST, 3029.54 FEET, AN ARC DISTANCE OF 29.31 FEET TO SAID SOUTHERLY MARGIN OF  $5^{TH}$  STREET SOUTHEAST:

LPA-325 Rev. 5/2021 Page 3 of (5) Pages

THENCE SOUTH 86° 58' 46" WEST ALONG SAID SOUTHERLY MARGIN. 60.06 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1,662 SQUARE FEET, MORE OR LESS.

TOTAL TEMPORARY CONSTRUCTION EASEMENT CONTAINING 5,873 SQUARE FEET, MORE OR LESS.

PARCEL "A":

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30698 DATED FEBRUARY 9TH, 2021)

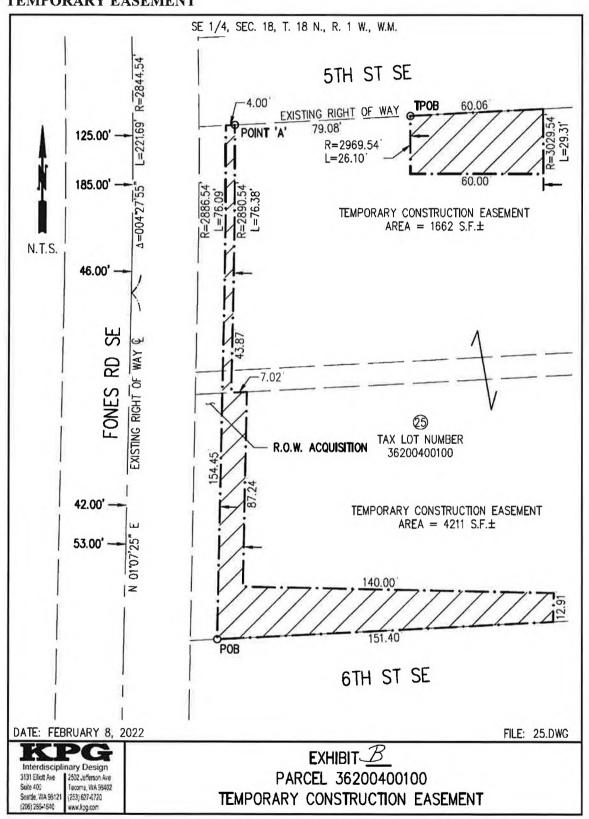
LOTS 1 TO 6 INCLUSIVE AND LOTS 17 TO 22 INCLUSIVE IN BLOCK 4 OF BOYD'S ADDITION TO OLYMPIA, AS RECORDED IN VOLUME 3 OF PLATS, PAGE 52; TOGETHER WITH THAT PART OF VACATED ALLEY LYING BETWEEN SAID LOTS; EXCEPT THAT PORTION OF SAID LOT 17, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT: THENCE NORTH 3°07'14" WEST 53.83 FEET; THENCE NORTH 88°44' WEST 17.34 FEET; THENCE SOUTH 1°16' WEST 42.0 FEET; THENCE SOUTH 88°44' EAST 6.0 FEET; THENCE SOUTH 1°16' WEST TO THE SOUTH LINE OF SAID LOT 17; THENCE NORTH 86°52'46" EAST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

02/17/2022



LPA-325 Rev. 5/2021 Page 4 of (5) Pages



After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

Document Title: Statutory Warranty Deed Grantor: Nicholson Properties LLC

Grantee: City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819140400

#### STATUTORY WARRANTY DEED

The Grantor, Nicholson Properties, LLC, a Washington Limited Liability Company, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

By:	GRANTOR	:	
STATE OF WASHINGTON ) ss.  COUNTY OF	Granted this	day of, 2	022.
On this			
On this		\	
Nicholson Properties, LLC, the company that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute said instrument.  IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.  Print Name:  NOTARY PUBLIC in and for the State of Washington, residing at	COUNTY	)F)	
he/she is authorized to execute said instrument.  IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.  Print Name: NOTARY PUBLIC in and for the State of Washington, residing at	Nicholson P instrument,	roperties, LLC, the company and acknowledged said instr	to me known to be the managing member of y that executed the within and foregoing rument to be the free and voluntary act and deed
day and year first above written.    Print Name:			
NOTARY PUBLIC in and for the State of Washington, residing at			nto set my hand and affixed my official seal the
NOTARY PUBLIC in and for the State of Washington, residing at			Print Name:
GRANTEE:  Accepted and Approved: Approved as to form:  CITY OF OLYMPIA  By: Steven J. Burney, City Manager City Attorney  Date:			NOTARY PUBLIC in and for the State of Washington, residing at
Accepted and Approved: CITY OF OLYMPIA  By: Steven J. Burney, City Manager  City Attorney  Date:			•
By:	GRANTEE:		
Steven J. Burney, City Manager City Attorney  Date:	Accepted an CITY OF O	nd Approved: LYMPIA	Approved as to form:
Steven J. Burney, City Manager City Attorney  Date:	By:		
	Steven J	. Burney, City Manager	City Attorney
STATUTORY WARRANTY DEED	Date:		
	STATUTORY	WARRANTY DEED	

# EXHIBIT A PARCEL NO. 11819140400 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A "AND A LINE THAT IS 40 00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST"

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 82 27 FEET.

THENCE NORTH 88° 52' 35' WEST, 10:00 FEET TO A LINE THAT IS 50:00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE. 50 02 FEET TO THE NORTH LINE OF SAID PARCEL "A" AND TERMINUS OF SAID DESCRIBED LINE

CONTAINING 1,819 SQUARE FEET, MORE OR LESS.

PARCEL "A"

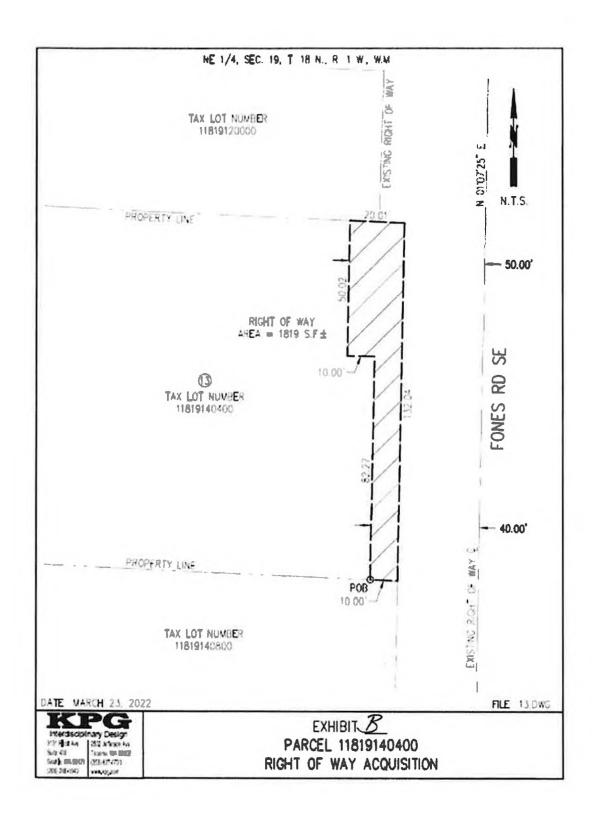
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30686 DATED FEBRUARY 9TH, 2021)

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19. TOWNSHIP 18 NORTH, RANGE! WEST, W.M., DESCRIBED AS FOLLOWS
BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER
OF THE NORTHEAST QUARTER OF SECTION 19. TOWNSHIP 18 NORTH, RANGE! WEST, W.M., THENCE SOUTH 132 FEET, THENCE WEST 330 FEET THENCE NORTH 132 FEET, THENCE EAST 330 FEET TO THE POINT OF BEGINNING, EXCEPTING COUNTY ROAD KNOWN AS FONES RD

04/05/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Nicholson Properties, LLC

Grantee(s): City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819140400

### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), Nicholson Properties, LLC, a Washington Limited Liability Company, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on \_\_\_\_\_\_, hereinafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its

LPA-325 Rev. 5/2021 Page 1 of (4) Pages

authorized agent.

Dated: \_\_\_\_\_\_\_\_\_, 2022

Nicholson Properties LLC, By: Accepted and Approved CITY OF OLYMPIA Date: \_\_\_\_\_\_, 2022 Acknowledgment STATE OF WASHINGTON On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me personally appeared \_\_\_\_\_, to me known to be the managing member of Nicholson Properties, LLC, the company that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute said instrument. IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written. NOTARY PUBLIC in and for the State of Washington,

LPA-325 Rev. 5/2021 Page 2 of (4) Pages

residing at \_\_\_\_\_

Commission expires:

### EXHIBIT A PARCEL NO. 11819140400 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS.

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 50 00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE SOUTH 01" 07" 25" WEST ALONG SAID PARALLEL LINE, 9.21 FEET.

THENCE NORTH 86\* 52' 40" WEST, 46,17 FEET,

THENCE NORTH 01" 07" 20" EAST, 10.34 FEET TO SAID NORTH LINE OF PARCEL "A".

THENCE SOUTH 87" 28" 20" EAST ALONG SAID NORTH LINE, 46,19 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 40.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 82:27 FEET.

THENCE NORTH 88° 52' 35" WEST, 9:00 FEET TO A LINE THAT IS 49,00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 82 05 FEET TO SAID SOUTH LINE OF PARCEL "A"

THENCE SOUTH 97" 28" 20" EAST ALONG SAID SOUTH LINE, 9,00 FEET TO THE POINT OF BEGINNING.

TOTAL TEMPORARY EASEMENT AREA CONTAINING 1,190 SQUARE FEET, MORE OR LESS.

### PARCEL 'A'

PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30686 DATED FEBRUARY 9TH, 2021)

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19. TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., THENCE SOUTH 132 FEET, THENCE WEST 330 FEET THENCE NORTH 132 FEET, THENCE EAST 330 FEET TO THE POINT OF BEGINNING EXCEPTING COUNTY ROAD KNOWN AS FONES RD.

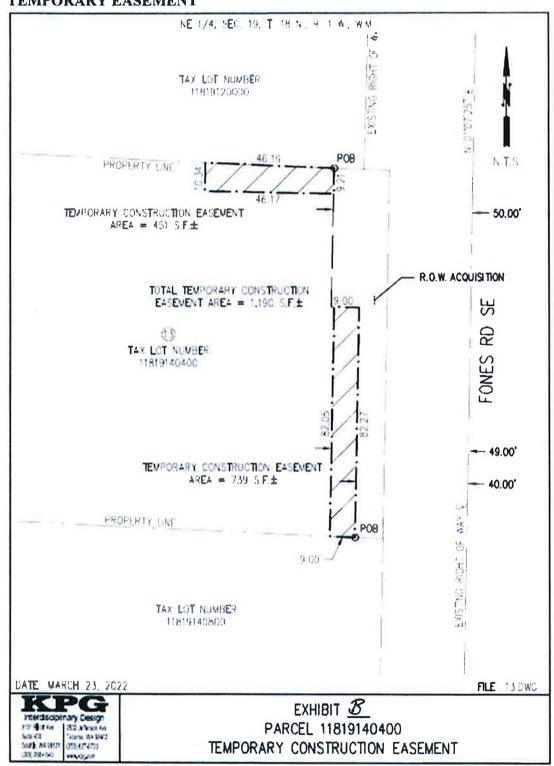
•2/4/2022

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KPG



LPA-325 Rev. 5/2021 Page 3 of (4) Pages



LPA-325 Rev. 5/2021

Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

Statutory Warranty Deed

Grantor:

Lam, Nga and Son Hai

Grantee:

City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819140800

The Grantor, Nga Lam and Hai Son, wife and husband, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

STATUTORY WARRANTY DEED

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of,	, 2022.
Nga Lam	
Son Hai	
STATE OF WASHINGTON ) ) ss.	
COUNTY OF THURSTON )	
be the individuals described in and wh acknowledged that they signed the sa uses and purposes therein mentioned.	ed before me Nga Lam and Hai Son, to me known to so executed the within and foregoing instrument, and me as their free and voluntary act and deed, for the ficial seal this day of,
	Print Name:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
bioven s. Burney, Only Manager	City Attorney
Date:	
STATUTORY WARRANTY DEED Page 2 of 4	

## EXHIBIT A PARCEL NO. 11819140800 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING EASTERLY OF A LINE THAT IS 40 00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST

CONTAINING 660 SQUARE FEET, MORE OR LESS

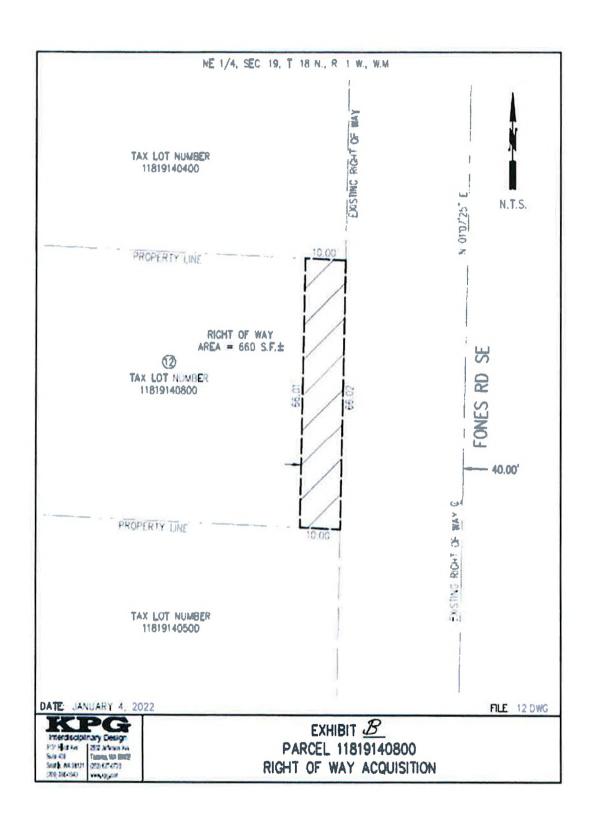
<u>PARCEL "A"</u> (PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30682. DATED FEBRUARY 9TH, 2021)

THE SOUTH 66 FEET OF THE NORTH 198 FEET OF THE EAST 231 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19. TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPT THE EAST 30 FEET FOR FONES ROAD.

02/14/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Lam, Nga and Son Hai Grantee(s): City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819140800

### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), **Nga Lam and Hai Son, wife and husband**, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the **City of Olympia**, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

	The term of this Temporary Easement shall commence on the date of acceptance of thi
Tem	porary Easement by Grantee and shall terminate on,
here	inafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its authorized agent.

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Dated:, 2022	
Nga Lam	
Son Hai	Accepted and Approved
•	CITY OF OLYMPIA
1	By:
I	Date:, 2022
Acknowledgment	
STATE OF WASHINGTON ) ) ss. COUNTY OF THURSTON )	
On this day personally appeared before me described in and who executed the within and foregoi as their free and voluntary act and deed, for the uses a	
GIVEN under my hand and official seal this	day of, 2022.
	Print Name: NOTARY PUBLIC in and for the State of Washington, residing at Commission expires:

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Page 2 of (4) Pages

### EXHIBIT A PARCEL NO. 11819140800 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING WESTERLY OF A LINE THAT IS 40.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST AND EASTERLY OF A LINE THAT IS 49.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST

CONTAINING 594 SQUARE FEET, MORE OR LESS

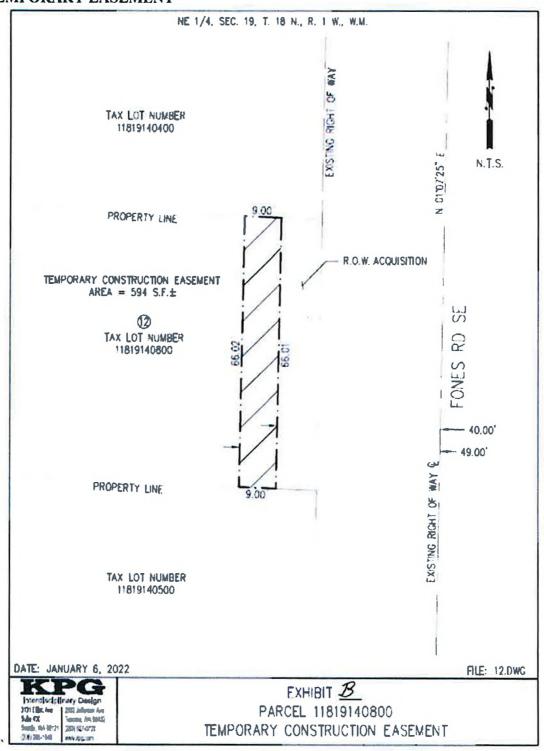
<u>PARCEL "A".</u> (PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30682, DATED FEBRUARY 9TH, 2021)

THE SOUTH 66 FEET OF THE NORTH 198 FEET OF THE EAST 231 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19. TOWNSHIP 18 NORTH, RANGE 1 WEST. W.M., EXCEPT THE EAST 30 FEET FOR FONES ROAD.

02/14/2022



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LPA-325 Rev. 5/2021

Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

Grantor:

Nelson Olympia LLC

Grantee:

City of Olympia

Legal Description: PTN Lots 1, 2, 3, 22, 23 & 24 Blk 3 J.C. Boyd's Add to Oly

Assessor's Tax Parcel Number: 36200302200

### STATUTORY WARRANTY DEED

The Grantor, Nelson Olympia, LLC, a Washington Limited Liability Company, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF **OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 5

GRANTOR:	
Granted this, 20	022.
Nelson Olympia LLC, By:	
STATE OF WASHINGTON ) ss.	
COUNTY OF) ss.	, 2022, before me personally appeared
Nelson Olympia, LLC, the company that and acknowledged said instrument to be company, for the uses and purposes there authorized to execute said instrument.  IN WITNESS WHEREOF I have hereur	to me known to be the managing member of t executed the within and foregoing instrument, the free and voluntary act and deed of said ein mentioned, and on oath stated that he/she is nto set my hand and affixed my official seal the
day and year first above written.	
	Print Name:
GD ANTEE.	
GRANTEE: Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Date:	
STATUTORY WARRANTY DEED Page 2 of 5	

# EXHIBIT A PARCEL NO. 36200302200 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS.

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL "A", SAID CORNER ALSO BEING ON THE EASTERLY MARGIN OF FONES ROAD SOUTHEAST.

THENCE NORTHERLY ALONG SAID EASTERLY MARGIN. ON A CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 88° 49' 41" WEST. 2874.54 FEET, AN ARC DISTANCE OF 30.01 FEET TO A POINT HEREINAFTER DESCRIBED AS POINT 'A"

THENCE NORTH 86° 58' 46" EAST, 10.00 FEET.

THENCE SOUTH 28\* 25" 99" EAST, 22,14 FEET TO A LINE THAT IS 50.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF SAID FONES ROAD SOUTHEAST:

THENCE SOUTHERLY ALONG SAID PARALLEL LINE, ON A CURVE TO THE RIGHT WHOSE CENTER BEARS SOUTH 88" 37' 02" WEST, 2894.54 FEET, AN ARC DISTANCE OF 10 00 FEET TO THE SOUTH LINE OF SAID PARCEL "A".

THENCE SOUTH 86" 58" 46" WEST ALONG SAID SOUTH LINE, 20,01 FEET TO THE POINT OF BEGINNING.

CONTAINING 500 SQUARE FEET, MORE OR LESS.

TOGETHER WITH

BEGINNING AT SAID POINT 'A':

THENCE NORTHERLY ALONG THE EASTERLY MARGIN OF FONES ROAD SOUTHEAST ON A CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 88° 13' 47" WEST, 2874,54 FEET, AN ARC DISTANCE OF 78.84 FEET.

THENCE CONTINUING ALONG SAID EASTERLY MARGIN NORTH 63° 20' 30" WEST, 51.07 FEET TO THE TRUE POINT OF BEGINNING.

THENCE CONTINUING ALONG SAID EASTERLY MARGIN NORTH 03\* 20' 30" WEST, 18:00 FEET;

THENCE NORTH 86" 39" 30" EAST. 15:00 FEET TO A LINE THAT IS 45:00 EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF SAID FONES ROAD SOUTHEAST:

THENCE SOUTH 03" 20" 30" EAST ALONG SAID PARALLEL LINE, 18 00 FEET,

THENCE SOUTH 66" 39" 30" WEST, 15:00 FEET TO THE TRUE POINT OF BEGINNING

CONTAINING 270 SQUARE FEET, MORE OR LESS.

TOTAL RIGHT OF WAY ACQUISITION CONTAINING 770 SQUARE FEET, MORE OR LESS.

### PARCEL A

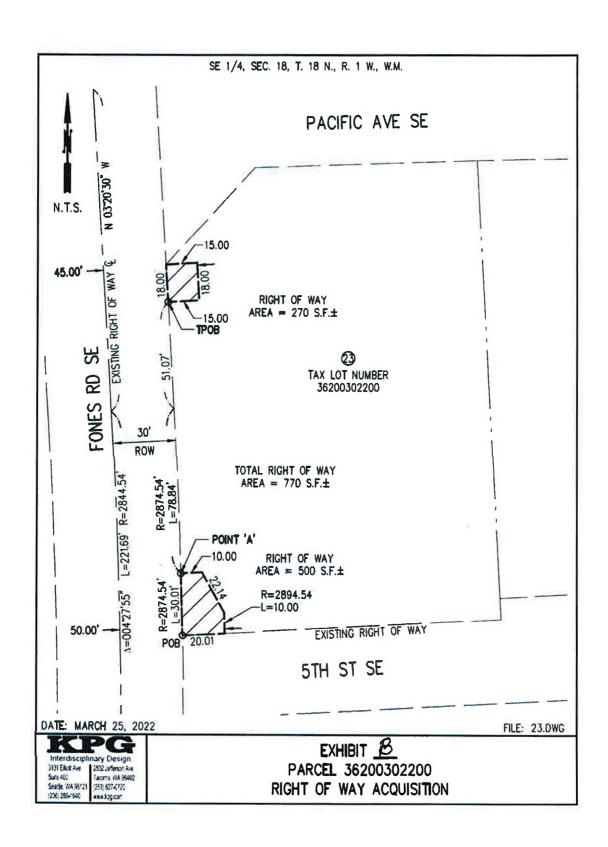
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30699.
DATED FEBRUARY 9TH 2021)

STATUTORY WARRANTY DEED Page 3 of 5

LOTS 1, 2, 3, 22, 23 AND 24 IN BLOCK 3 OF J.C. BOYD'S ADDITION TO OLYMPIA. AS RECORDED IN VOLUME 3 OF PLATS, PAGE 52 TOGETHER WITH VACATED ALLEY ADJOINING SAID LOTS EXCEPTING THEREFROM THAT PORTION CONDEMNED FOR STREET PURPOSES IN THURSTON COUNTY SUPERIOR COURT CAUSE NO. 86-2-00466-9



STATUTORY WARRANTY DEED Page 4 of 5



STATUTORY WARRANTY DEED Page 5 of 5

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Nelson Olympia LLC Grantee(s): City of Olympia

Legal Description: PTN Lots 1, 2, 3, 22, 23 & 24 Blk 3 J.C. Boyd's Add to Oly

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 36200302200

### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), Nelson Olympia, LLC, a Washington Limited Liability Company, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on \_\_\_\_\_\_, hereinafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its

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Page 1 of (4) Pages

### **TEMPORARY EASEMENT** authorized agent.

Dated:		, 2022			
	ympia LLC,				
<i>D</i> y	p.tr	_			
			Accepted and Ap	oproved	
			CITY OF OLY	MPIA	
			Ву:		<del></del>
			Date:		, 2022
Acknowled	dgment				
STATE OF V	WASHINGTON	) 55			
COUNTY O	F	)			
company that	t executed the withir y act and deed of sai	to me known and foregoing instant d company, for the	to be the managing rument, and acknow	g member of No rledged said in	elson Olympia, LLC, the strument to be the free ed, and on oath stated that
	norized to execute sa		and affixed my	official seal the	e day and year first above
				C in and for th	e State of Washington,
			Commission wapti		

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Page 2 of (5) Pages

## EXHIBIT A PARCEL NO. 36200302200 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL "A", SAID CORNER ALSO BEING ON THE EASTERLY MARGIN OF FONES ROAD SOUTHEAST.

THENCE NORTHERLY ALONG SAID EASTERLY MARGIN ON A CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 88° 49' 41" WEST, 2874,54 FEET, AN ARC DISTANCE OF 52,20 FEET TO THE TRUE POINT OF BEGINNING 'A'

THENCE CONTINUING ALONG SAID EASTERLY MARGIN AND SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 15,00 FEET:

THENCE NORTH 87° 23' 09" EAST, 10:00 FEET TO A LINE THAT IS 40:00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF SAID FONES ROAD SOUTHEAST:

THENCE SOUTHERLY ALONG SAID FARALLEL LINE ON A CURVE TO THE RIGHT WHOSE CENTER BEARS. SOUTH 87° 29' 17" WEST, 2884,54 FEET, AN ARC DISTANCE OF 15 00 FEET.

THENCE SOUTH 87° 23' 12" WEST ALONG SAID PARALLEL LINE. 10:00 FEET TO THE TRUE POINT OF BEGINNING 'A'

CONTAINING 150 SQUARE FEET, MORE OR LESS.

TOGETHER WITH

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL "A", SAID CORNER ALSO BEING ON THE EASTERLY MARGIN OF FONES ROAD SOUTHEAST:

THENCE NORTH 86\* 58" 46" EAST ALONG THE SOUTH LINE OF SAID PARCEL "A", 20.01 FEET TO A LINE THAT IS 50.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST AND THE TRUE POINT OF BEGINNING 'B';

THENCE NORTHERLY ALONG SAID PARALLEL LINE ON A CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 86° 48' 55" WEST, 2894,54 FEET, AN ARC DISTANCE OF 10 00 FEET.

THENCE SOUTH 58" 46" 08" EAST, 17 78 FEET TO SAID SOUTH LINE OF PARCEL "A".

THENCE SOUTH 86° 58' 46" WEST ALONG SAID SOUTH LINE, 15:01 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 75 SQUARE FEET, MORE OR LESS

TOTAL TEMPORARY CONSTRUCTION EASEMENT CONTAINING 225 SQUARE FEET, MORE OR LESS,

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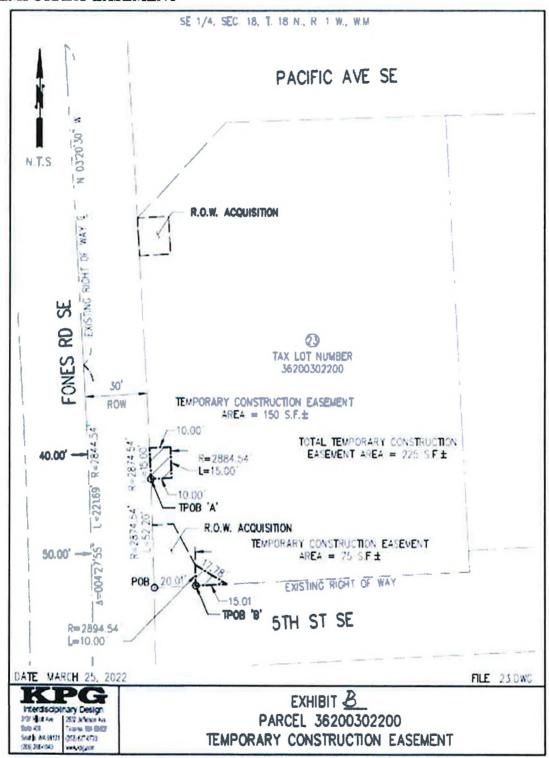
PARCEL 'A'

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30699, DATED FEBRUARY 9TH, 2021)

LOTS 1, 2, 3, 22, 23 AND 24 IN BLOCK 3 OF J.C. BOYD'S ADDITION TO OLYMPIA. AS RECORDED IN VOLUME 3 OF PLATS, PAGE 52. TOGETHER WITH VACATED ALLEY ADJOINING SAID LOTS. EXCEPTING THEREFROM THAT PORTION CONDEMNED FOR STREET PURPOSES IN THURSTON COUNTY SUPERIOR COURT CAUSE NO. 86-2-00466-9



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Page 5 of (5) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** Statutory Warranty Deed

Grantor: Matthew R. Nardi, Trustee of the Crown Beverage Packing, Inc.

Master Trust July 2, 1982

Grantee: City of Olympia

Legal Description: PTN NE 1/4 NE 1/4 19-18-1W & PTN NW 1/4 NW 1/4 20-18-1W

Assessor's Tax Parcel Number: 11819110100

### STATUTORY WARRANTY DEED

The Grantor, Matthew R. Nardi, Trustee of the Crown Beverage Packing, Inc. Master Trust July 2, 1982, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 5

GRANTOR:		
Granted this day of	, 2022.	
Matthew R. Nardi, Trustee Master Trust July 2, 1982 By:		age Packing, Inc.
STATE OF	) ) ss.	
COUNTY OF		
foregoing instrument, and and deed of said trust, for t he/she is authorized to exec	acknowledged said i he uses and purposes cute said instrument. EREOF I have hereur	known to be the Trustee of the Crown 982, the trust that executed the within and instrument to be the free and voluntary act therein mentioned, and on oath stated that into set my hand and affixed my official seal
	W	int Name:
GRANTEE:		
Accepted and Approved: CITY OF OLYMPIA		Approved as to form:
By:Steven J. Burney, City	Manager	City Attorney
Date:		
STATUTORY WARRANTY D Page 2 of 5	EED	

#### **EXHIBIT A**

### PARCEL NO. 11819110100 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 57.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 150.00 FEET;

THENCE SOUTH 88° 52' 35" EAST, 5.00 FEET TO A LINE THAT IS 62.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 200.00 FEET;

THENCE SOUTH 88° 52' 35" EAST, 5.00 FEET TO A LINE THAT IS 67.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 200.00 FEET;

THENCE SOUTH 88° 52' 35" EAST, 5.00 FEET TO A LINE THAT IS 72.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 156,38 FEET TO THE NORTH LINE OF SAID PARCEL "A" AND THE TERMINUS OF SAID DESCRIBED LINE.

CONTAINING 6,773 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30694, DATED FEBRUARY 9TH, 2021)

ALL THAT PROPERTY DESCRIBED UNDER WARRANTY DEED AS CONVEYED TO CONTINENTAL CAN COMPANY, INC., FROM NORTHERN PACIFIC RAILWAY DATED MARCH 31, 1961, AND RECORDED IN VOLUME 350 OF DEEDS AT PAGE 614, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., WITH THE SOUTHERLY RIGHT-OF-WAY OF NORTHERN PACIFIC RAILWAY; THENCE NORTH 78° 40′ 47″ WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY 609.81 FEET TO THE EASTERLY MARGIN OF THE FONES ROAD; THENCE SOUTH 1° 49′ 18″ WEST. ALONG SAID EASTERLY MARGIN, 708.11 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 87° 26′ 30″ EAST, ALONG SAID SOUTH LINE 609.56 FEET TO THE EAST LINE OF SAID SECTION 19; THENCE NORTH 1° 04′ 15″ EAST, ALONG SAID EAST LINE 71.73 FEET TO A POINT 543.64 FEET SOUTH 1° 04′ 15″ WEST, FROM THE SOUTHERLY RIGHT-OF-WAY OF SAID RAILWAY; THENCE SOUTH 88° 55′ 45″ EAST, 985.24 FEET TO THE WEST LINE OF THE EAST 330.00 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER O

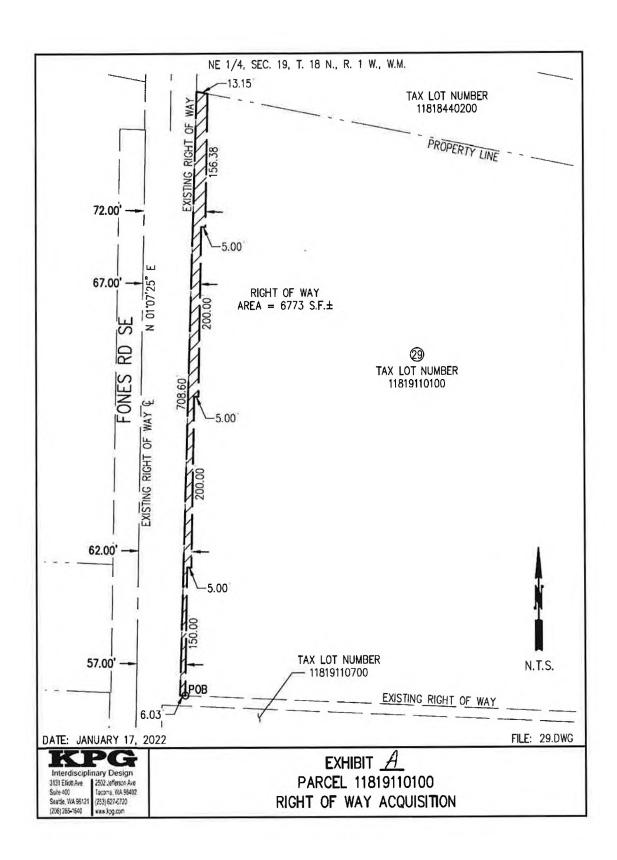
STATUTORY WARRANTY DEED Page 3 of 5

EXCEPT THAT PORTION CONVEYED TO THE CITY OF OLYMPIA, A MUNICIPAL CORPORATION BY CORRECTION DEED DATED JUNE 21, 1993 AND RECORDED JUNE 28, 1993 UNDER AUDITOR'S FILE NO. 9306280057.

02/24/2022



STATUTORY WARRANTY DEED Page 4 of 5



STATUTORY WARRANTY DEED Page 5 of 5

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

**Grantor(s):** Matthew R. Nardi, Trustee of the Crown Beverage Packing, Inc.

Master Trust July 2, 1982

Grantee(s): City of Olympia

Legal Description: PTN NE 1/4 NE 1/4 19-18-1W & PTN NW 1/4 NW 1/4 20-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819110100

### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), Matthew R. Nardi, Trustee of the Crown Beverage Packing, Inc. Master Trust July 2, 1982, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance	e of this
Temporary Easement by Grantee and shall terminate on	_,
hereinafter the "Term".	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the **City of Olympia** 

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unless and until accepted and approved hereon in writing for the City of Olympia, by its authorized agent.

Dated:	, 2022
Matthew R. Nardi, Tru Master Trust July 2, 19 By:	
	Accepted and Approved
	CITY OF OLYMPIA
	By:
	Date:, 2022
Acknowledgment STATE OF	
Inc. Master Trust July acknowledged said instru	day of, 2022, before me personally appeared, to me known to be the Trustee of the Crown Beverage Packing, 2, 1982, the trust that executed the within and foregoing instrument, and ament to be the free and voluntary act and deed of said trust, for the uses and red, and on oath stated that he/she is authorized to execute said instrument.
IN WITNESS W year first above written.	HEREOF I have hereunto set my hand and affixed my official seal the day and
	Print Name:
LPA-325	Page 2 of (4) Pages

EXHIBIT A - FONES ROAD EMINENT DOMAIN ORDINANCE - Page A-63

Rev. 5/2021

### Exhibit A

### PARCEL NO. 11819110100 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 57.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 150,00 FEET:

THENCE SOUTH 88° 52' 35" EAST, 5.00 FEET TO A LINE THAT IS 62.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 200.00 FEET;

THENCE SOUTH 88° 52' 35" EAST, 5.00 FEET TO A LINE THAT IS 67.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 200.00 FEET;

THENCE SOUTH 88° 52' 35" EAST, 5.00 FEET TO A POINT ON A LINE THAT IS 72.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST, SAID POINT HEREINAFTER DESCRIBED AS POINT 'A':

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 85.00 FEET;

THENCE SOUTH 88° 52' 35" EAST, 15.00 FEET TO A LINE THAT IS 87.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25"WEST ALONG SAID PARALLEL LINE, 65.00 FEET:

THENCE NORTH 88° 52' 35" WEST, 15.00 FEET TO SAID LINE THAT IS 67.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25"WEST, ALONG SAID PARALLEL LINE, 250,00 FEET;

THENCE NORTH 88° 52' 35" WEST, 4.00 FEET TO A LINE THAT IS 68.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 150.28 FEET TO SAID SOUTH LINE OF PARCEL "A";

THENCE NORTH 87° 26' 22" WEST ALONG SAID SOUTH LINE, 11.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 5,627 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

BEGINNING AT SAID POINT 'A':

THENCE CONTINUING NORTH 01° 07' 25" EAST ALONG SAID LINE THAT IS 72.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST, 25.00 FEET TO THE TRUE POINT OF BEGINNING;

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THENCE CONTINUING ALONG SAID PARALLEL LINE NORTH 01° 07' 25" EAST, 131.38 FEET TO THE NORTH LINE OF SAID PARCEL "A":

THENCE SOUTH 78° 40' 10" EAST ALONG SAID NORTH LINE, 10.16 FEET TO A LINE THAT IS 82.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 54.58 FEET;

THENCE SOUTH 88° 52' 35" EAST, 85.00 FEET TO A LINE THAT IS 167.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 75.00 FEET;

THENCE NORTH 88° 52' 35" WEST. 95.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 7,680 SQUARE FEET, MORE OR LESS.

TOTAL TEMPORARY CONSTRUCTION EASEMENT CONTAINING 13,307 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30694, DATED FEBRUARY 9TH, 2021)

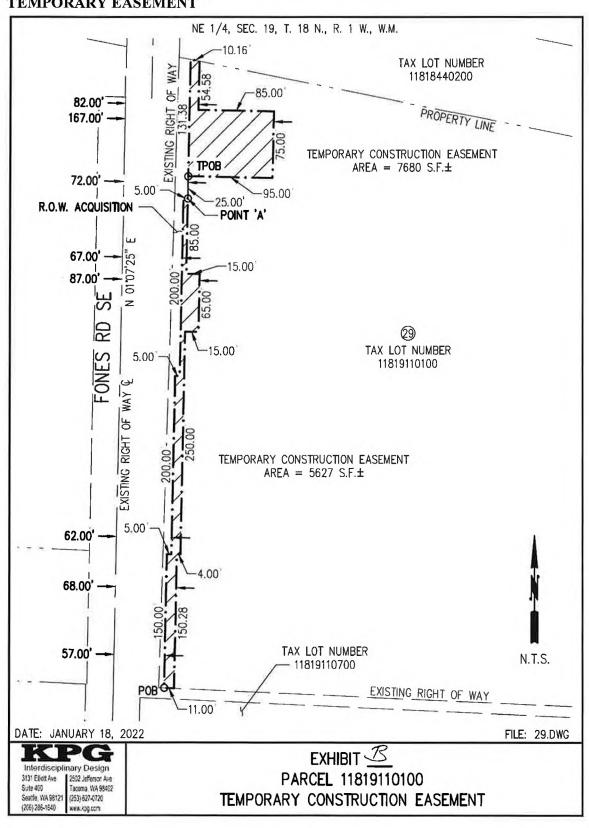
ALL THAT PROPERTY DESCRIBED UNDER WARRANTY DEED AS CONVEYED TO CONTINENTAL CAN COMPANY, INC., FROM NORTHERN PACIFIC RAILWAY DATED MARCH 31, 1961, AND RECORDED IN VOLUME 350 OF DEEDS AT PAGE 614, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., WITH THE SOUTHERLY RIGHT-OF-WAY OF NORTHERN PACIFIC RAILWAY; THENCE NORTH 78° 40' 47" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY 609.81 FEET TO THE EASTERLY MARGIN OF THE FONES ROAD; THENCE SOUTH 1º 49' 18" WEST, ALONG SAID EASTERLY MARGIN, 708.11 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19: THENCE SOUTH 87° 26' 30" EAST, ALONG SAID SOUTH LINE 609.56 FEET TO THE EAST LINE OF SAID SECTION 19; THENCE NORTH 1° 04' 15" EAST, ALONG SAID EAST LINE 71.73 FEET TO A POINT 543.64 FEET SOUTH 1º 04' 15" WEST, FROM THE SOUTHERLY RIGHT-OF-WAY OF SAID RAILWAY; THENCE SOUTH 88° 55' 45" EAST, 985.24 FEET TO THE WEST LINE OF THE EAST 330.00 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, SAID TOWNSHIP AND RANGE; THENCE NORTH 1º 19' 38" EAST, PARALLEL WITH THE EAST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER, 365.19 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF SAID RAILWAY; THENCE NORTH 78° 40' 47" WEST, ALONG SAID RIGHT-OF-WAY, 1,002.88 FEET TO THE POINT OF BEGINNING. EXCEPT THAT PORTION CONVEYED TO THE CITY OF OLYMPIA, A MUNICIPAL CORPORATION BY CORRECTION DEED DATED JUNE 21, 1993 AND RECORDED JUNE 28, 1993 UNDER AUDITOR'S FILE NO. 9306280057.

02/24/2022

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LPA-325 Rev. 5/2021 Page 4 of (4) Pages



After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

Document Title: Statutory Warranty Deed
Grantor: MBA Fones Road LLC

Grantee: City of Olympia

Legal Description: PTN PCL A BLA-05-1331OL Assessor's Tax Parcel Number: 11819110600

### STATUTORY WARRANTY DEED

The Grantor, MBA Fones Road, LLC, a Washington Limited Liability Company, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of, 20	22.
MBA Fones Road LLC, By:	
STATE OF WASHINGTON ) ) ss.	
COUNTY OF) ss.	
MBA Fones Road, LLC, the company the and acknowledged said instrument to be company, for the uses and purposes there authorized to execute said instrument.	, 2022, before me personally appeared o me known to be the managing member of at executed the within and foregoing instrument, the free and voluntary act and deed of said in mentioned, and on oath stated that he/she is to set my hand and affixed my official seal the
	Print Name:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Date:	
STATUTORY WARRANTY DEED Page 2 of 4	

### EXHIBIT / PARCEL NO. 1181910600 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A", SAID CORNER BEING ON THE WESTERLY MARGIN OF FONES ROAD SOUTHEAST:

THENCE NORTH 01" 49" 42" EAST ALONG SAID WESTERLY MARGIN, 24.56 FEET,

THENCE NORTH 88° 10' 18" WEST, 35.81 FEET,

THENCE SOUTH 01" 07' 25" WEST, 24 13 FEET TO THE SOUTH LINE OF SAID PARCEL "A"

THENCE SOUTH 87° 28' 20" EAST ALONG SAID SOUTH LINE, 35.51 FEET TO THE POINT OF BEGINNING

CONTAINING 868 SQUARE FEET, MORE OR LESS

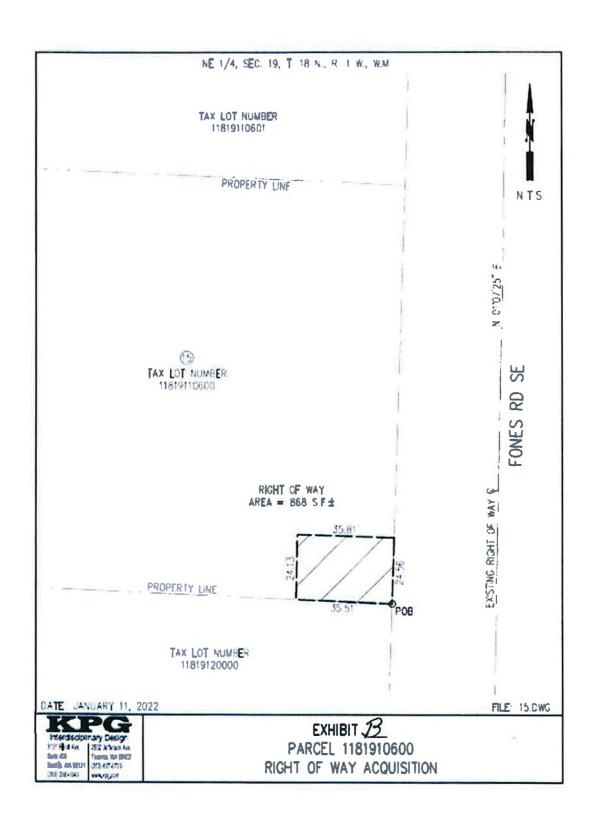
IPER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30688, DATED FEBRUARY 9TH, 2021)

PARCEL A OF BOUNDARY LINE ADJUSTMENT NO. BLA-05-1331OL, AS RECORDED NOVEMBER 18, 2005 UNDER AUDITOR'S FILE NOS. 3786260 AND 3786261

02/15/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): MBA Fones Road LLC

Grantee(s): City of Olympia

Legal Description: PTN PCL A BLA-05-1331OL

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819110600

### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), MBA Fones Road, LLC, a Washington Limited Liability Company, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on \_\_\_\_\_\_\_\_, hereinafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its

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Page 1 of (4) Pages

authorized agent.

Dated:	, 2022	
MBA Fones Road, LLC		
By:	-	
		Accepted and Approved
		CITY OF OLYMPIA
		By:
		Date:, 2022
Acknowledgment		
STATE OF WASHINGTON COUNTY OF	) ) ss.	
company that executed the within a	and foregoing inst company, for the	before me personally appeared in to be the managing member of MBA Fones Road, LLC, the trument, and acknowledged said instrument to be the free uses and purposes therein mentioned, and on oath stated that
IN WITNESS WHEREOF I have I written.	nereunto set my ha	and and affixed my official seal the day and year first above
		Print Name:  NOTARY PUBLIC in and for the State of Washington, residing at  Commission expires:
		Commission expires:

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Page 2 of (4) Pages

# EXHIBIT A PARCEL NO. 1181910600 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A", SAID CORNER BEING ON THE WESTERLY MARGIN OF FONES ROAD SOUTHEAST,

THENCE NORTH 01° 49' 42" EAST ALONG SAID WESTERLY MARGIN, 24.56 FEET TO THE TRUE POINT OF BEGINNING.

THENCE CONTINUING ALONG SAID WESTERLY MARGIN, NORTH 01° 49' 42" EAST. 130 45 FEET TO THE NORTH LINE OF SAID PARCEL "A".

THENCE NORTH 87° 28' 20" WEST ALONG SAID NORTH LINE, 4.41 FEET

THENCE SOUTH 01° 07' 25" WEST. 130.51 FEET.

THENCE SOUTH 88° 10' 18" EAST, 2.80 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 470 SQUARE FEET, MORE OR LESS

### PARCEL "A"

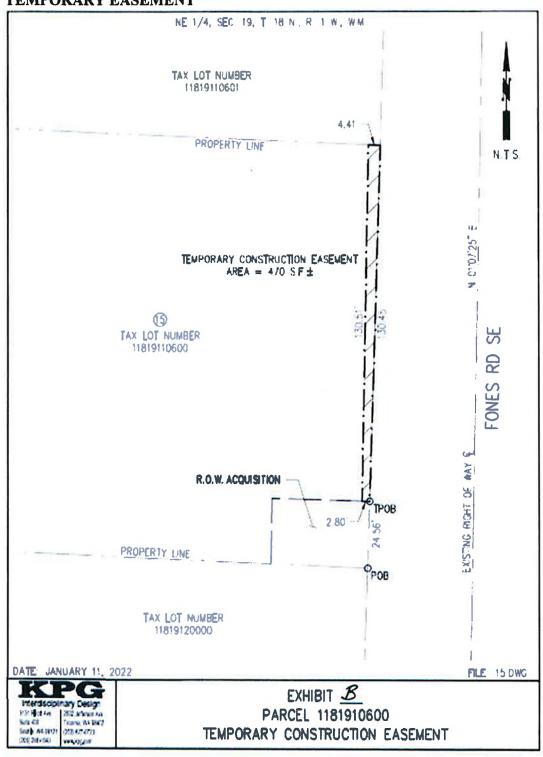
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30688, DATED FEBRUARY 9TH, 2021)

PARCEL A OF BOUNDARY LINE ADJUSTMENT NO. BLA-05-1331OL. AS RECORDED NOVEMBER 18, 2005 UNDER AUDITOR'S FILE NOS. 3786260 AND 3786261

02/15/2022



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Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

Grantor:

M & J Investment Company

Grantee:

City of Olympia

Legal Description: PTN NE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819110500

### STATUTORY WARRANTY DEED

The Grantor, **M & J Investment Company, an Oregon general partnership**, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, **CITY OF OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR	<b>:</b> :		
Granted this	s day of	, 2022.	
	stment Company		
	WASHINGTON		
COUNTY	)F	_)	
			2022, before me personally appeared own to be a general partner of M & J
and acknow partnership,	Company, the part ledged said instru	tnership that exement to be the frourposes therein in	own to be a general partner of M & J cuted the within and foregoing instrument, ee and voluntary act and deed of said mentioned, and on oath stated that he/she is
	SS WHEREOF I h		my hand and affixed my official seal the
		$\overline{P}$	rint Name:
			OTARY PUBLIC in and for the State of Washington, residing at
		C	Commission expires:
GRANTEE	i -		
Accepted an CITY OF O	nd Approved: LYMPIA		Approved as to form:
By:Steven J	. Burney, City Ma	nager	City Attorney
Date:			

EXHIBIT A - FONES ROAD EMINENT DOMAIN ORDINANCE - Page A-76

STATUTORY WARRANTY DEED

Page 2 of 4

# EXHIBIT A PARCEL NO. 11819110500 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 'A', SAID CORNER ALSO BEING ON THE WESTERLY MARGIN OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 28" WEST ALONG SAID WESTERLY MARGIN, 19.79 FEET TO A POINT HEREINAFTER DESCRIBED AS POINT 'A':

THENCE NORTH 88° 53' 11" WEST, 10.01 FEET TO A LINE THAT IS 40.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF SAID FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 20.05 FEET TO THE NORTH LINE OF SAID PARCEL "A":

THENCE SOUTH 87° 26' 21" EAST ALONG SAID NORTH LINE, 10.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 199 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

BEGINNING AT SAID POINT 'A':

THENCE SOUTH 01° 07' 28" WEST ALONG SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST, 65.00 FEET TO THE TRUE POINT OF BEGINNING:

THENCE CONTINUING SOUTH 01° 07' 28" WEST ALONG SAID WESTERLY MARGIN, 55.00 FEET:

THENCE NORTH 88° 52' 35" WEST, 10,01 FEET TO SAID LINE THAT IS 40,00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF SAID FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 55.00 FEET:

THENCE SOUTH 88° 52' 35" EAST, 10.01 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 551 SQUARE FEET, MORE OR LESS.

TOTAL UTILITY EASEMENT CONTAINING 750 SQUARE FEET, MORE OR LET T

04/05/2022

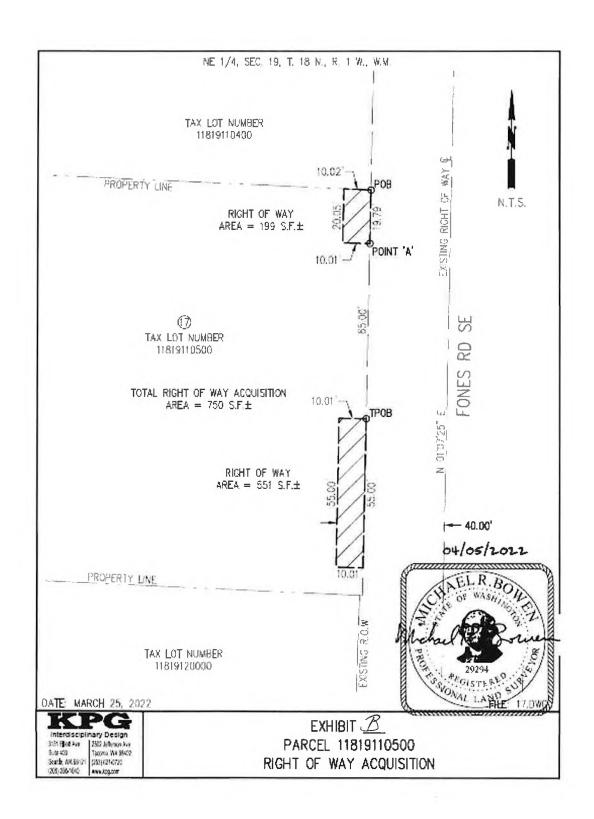
### PARCEL "A":

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30693, DATED FEBRUARY 9TH, 2021)

THE SOUTH 155 FEET OF THE EAST 260 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPTING THEREFROM THE EAST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD S.E.



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): M & J Investment Company

Grantee(s): City of Olympia

Legal Description: PTN NE ¼ NE ¼ 19-18-1 W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819110500

### **TEMPORARY EASEMENT**

Fones Road Improvements

The Grantor(s), **M & J Investment Company, an Oregon general partnership**, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the **City of Olympia**, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall comm	ence on the date of acceptance of this
Temporary Easement by Grantee and shall terminate on	,
hereinafter the "Term".	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its

LPA-325 Rev. 5/2021 Page 1 of (4) Pages

### Dated: \_\_\_\_\_\_\_, 2022 M & J Investment Company, By:\_\_\_\_\_ Accepted and Approved CITY OF OLYMPIA Date: \_\_\_\_\_\_, 2022 Acknowledgment STATE OF WASHINGTON ) ss. On this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2022, before me personally appeared \_\_\_\_\_\_, to me known to be a general partner of M & J Investment Company, the partnership that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said partnership, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute said instrument. IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written. Print Name: NOTARY PUBLIC in and for the State of Washington, residing at \_\_\_\_\_ Commission expires:

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TEMPORARY EASEMENT

authorized agent.

Page 2 of (4) Pages

## EXHIBIT <u>A</u> PARCEL NO. 11819110500 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 'A', SAID CORNER ALSO BEING ON THE WESTERLY MARGIN OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 28" WEST ALONG SAID WESTERLY MARGIN, 19.79 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 88° 53' 11" WEST, 10.01 FEET TO A LINE THAT IS 40.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF SAID FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 30.00 FEET;

THENCE SOUTH 88° 52' 35" EAST, 10.01 FEET TO SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN, 30.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 300 SQUARE FEET, MORE OR LESS.

PARCEL "A"

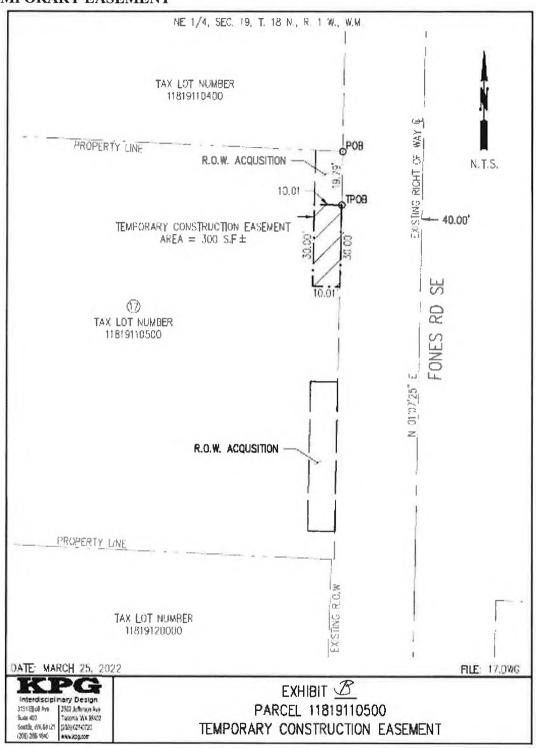
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30693, DATED FEBRUARY 9TH, 2021)

THE SOUTH 155 FEET OF THE EAST 260 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPTING THEREFROM THE EAST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD S.E.

02/17/2022



LPA-325 Rev. 5/2021 Page 3 of (4) Pages



LPA-325 Rev. 5/2021

Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

Grantor:

**RVB Lewis Investments LLC and Eric Lewis** 

Grantee:

City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819141201

#### STATUTORY WARRANTY DEED

The Grantor, RVB Lewis Investments, LLC a Washington Limited Liability Company and Eric Lewis, as his separate estate, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 5

GRANTOR:	
Granted this day of, 20	022.
DUD!	
RVB Lewis Investments, LLC By:	
Eric Lewis	<del>-</del> -
STATE OF WASHINGTON ) ss.	
) ss.	
Lewis Investments, LLC, the company the	, 2022, before me personally appeared to me known to be the managing member of RVB hat executed the within and foregoing instrument, be the free and voluntary act and deed of said
	rein mentioned, and on oath stated that he/she is
IN WITNESS WHEREOF I have seal the day and year first above written.	e hereunto set my hand and affixed my official
	Print Name:
	NOTARY PUBLIC in and for the State of
	Washington, residing at
	Commission expires:

STATUTORY WARRANTY DEED Page 2 of 5

STATE OF WASHINGTON	)
COUNTY OF	) ss. _)
On this day personally be the individual described in acknowledged that he/she sign the uses and purposes therein	appeared before me, to me known to and who executed the within and foregoing instrument, and led the same as his/her free and voluntary act and deed, for mentioned.
GIVEN under my hand 2022.	and official seal this day of,
	Print Name:
	Print Name:
	Washington, residing at Commission expires:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Man	
Steven J. Burney, City Mai	nager City Attorney
Date:	

STATUTORY WARRANTY DEED Page 3 of 5

### EXHIBIT PARCEL NO. 11819141201 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING EASTERLY OF A LINE THAT IS 33.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

CONTAINING 200 SQUARE FEET, MORE OR LESS.

PARCEL "A":

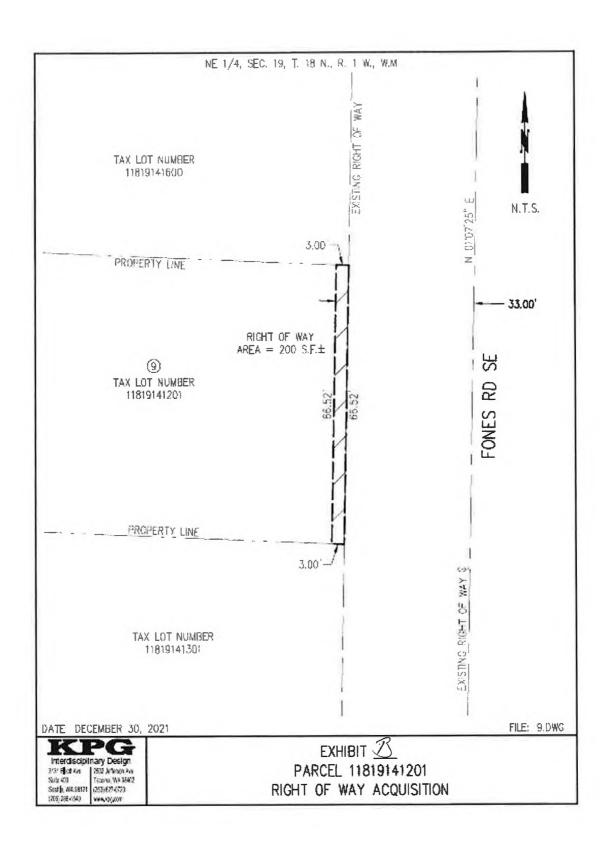
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30679, DATED FEBRUARY 9TH, 2021)

THAT PART OF THE EAST 185 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., LYING NORTH OF LINE DRAWN FROM A POINT ON THE EAST LINE THEREOF, 264 FEET NORTH OF ITS SOUTHEAST CORNER; EXCEPT THE EAST 30 FEET FOR FONES ROAD.

02/14/2022



STATUTORY WARRANTY DEED Page 4 of 5



STATUTORY WARRANTY DEED Page 5 of 5

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): RVB Lewis Investments LLC and Eric Lewis

Grantee(s): City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819141201

### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), RVB Lewis Investments, LLC a Washington Limited Liability Company and Eric Lewis, as his separate estate, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this	Temporary Easement shall comm	ence on the date of acceptance of this
Temporary Easement	by Grantee and shall terminate on	,
hereinafter the "Term"	,,	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its

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Page 1 of (4) Pages

# 

**TEMPORARY EASEMENT** 

authorized agent.

LPA-325 Rev. 5/2021 Page 2 of (5) Pages

TEMPORARY EASEMENT Acknowledgment	
STATE OF WASHINGTON )	
COUNTY OF) ss.	
On this day of, to me	known to be the managing member of RVB Lewis
Investments, LLC, the company that executed said instrument to be the free and voluntary ac therein mentioned, and on oath stated that he/s	the within and foregoing instrument, and acknowledged t and deed of said company, for the uses and purposes he is authorized to execute said instrument.
IN WITNESS WHEREOF I have hereunto set first above written.	my hand and affixed my official seal the day and year
	Print Name:
	Print Name:
STATE OF WASHINGTON )	
) ss.	
On this day personally appeared before medescribed in and who executed the within and signed the same as his/her free and voluntary a mentioned.	, to me known to be the individual foregoing instrument, and acknowledged that he/she act and deed, for the uses and purposes therein
GIVEN under my hand and official seal this	day of, 2022.
	Print Name:
	NOTARY PUBLIC in and for the State of
	Washington, residing at
	Commission expires:

LPA-325 Rev. 5/2021

Page 3 of (5) Pages

### EXHIBIT <u>H</u> PARCEL NO. 11819141201 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING WESTERLY OF A LINE THAT IS 33.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST AND EASTERLY OF A LINE THAT IS 53.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST.

CONTAINING 1,330 SQUARE FEET, MORE OR LESS.

PARCEL "A":

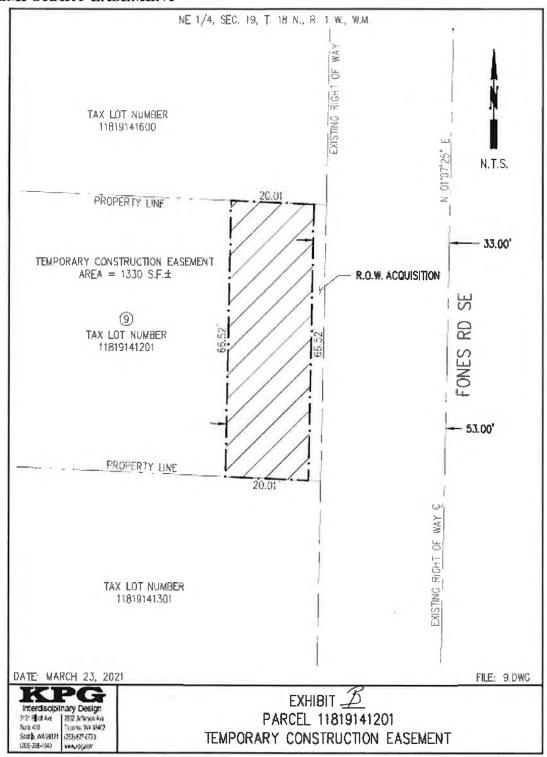
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30679, DATED FEBRUARY 9TH, 2021)

THAT PART OF THE EAST 185 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., LYING NORTH OF LINE DRAWN FROM A POINT ON THE EAST LINE THEREOF, 264 FEET NORTH OF ITS SOUTHEAST CORNER; EXCEPT THE EAST 30 FEET FOR FONES ROAD.

04/05/2022



LPA-325 Rev. 5/2021 Page 4 of (5) Pages



LPA-325 Rev. 5/2021

Page 5 of (5) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

Grantor:

Laforge & Reynolds, LLC and Jeffray, LLC

Grantee:

City of Olympia

Legal Description: PTN PCL B BLA-05-1331OL Assessor's Tax Parcel Number: 11819110601

### STATUTORY WARRANTY DEED

The Grantor, LAFORGE & REYNOLDS, LLC, a Washington Limited Liability Company, FORMERLY KNOWN AS ALLERDINGS & REYNOLDS LLC, a Washington limited liability company, AS TO AN UNDIVIDED 52% INTEREST and JEFFRAY, LLC, a Washington Limited Liability Company, FORMERLY KNOWN AS L & J'S COMPOUND LLC, a Washington limited liability company, AS TO AN UNDIVIDED 48% INTEREST, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the

STATUTORY WARRANTY DEED Page 1 of 5

City Manager.	
GRANTOR:	
Granted this day of, 20	022.
	1
LAFORGE & REYNOLDS, LLC By:	
JEFFRAY, LLC By:	
STATE OF WASHINGTON ) ss. COUNTY OF)	
LAFORGE & REYNOLDS, LLC, the coinstrument, and acknowledged said instru	, 2022, before me personally appeared o me known to be the managing member of ompany that executed the within and foregoing ument to be the free and voluntary act and deed ses therein mentioned, and on oath stated that ument.
IN WITNESS WHEREOF I have hereun day and year first above written.	to set my hand and affixed my official seal the
	Print Name:
	NOTARY PUBLIC in and for the State of Washington, residing at
	Commission expires:

STATUTORY WARRANTY DEED Page 2 of 5

STATE OF WASHINGTON	
COUNTY OF	) ss. )
JEFFRAY, LLC, the company acknowledged said instrumen	, 2022, before me personally appeared, to me known to be the managing member of y that executed the within and foregoing instrument, and t to be the free and voluntary act and deed of said company, ein mentioned, and on oath stated that he/she is authorized
IN WITNESS WHEREOF I h day and year first above writte	have hereunto set my hand and affixed my official seal the en.
	Print Name
	Print Name:
	Washington, residing at
	Commission expires:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By: Steven J. Burney, City Ma	enager City Attorney
Steven J. Durney, City Ivia	diagor City Attorney
Date:	

STATUTORY WARRANTY DEED Page 3 of 5

### EXHIBIT A PARCEL NO. 11819110601 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A". SAID CORNER ALSO BEING ON THE WESTERLY MARGIN OF FONES ROAD SOUTHEAST:

THENCE NORTH 87° 28' 20" WEST ALONG THE SOUTH LINE OF SAID PARCEL "A". 2 00 FEET.

THENCE NORTH 01° 49' 42" EAST, 379.99 FEET TO THE NORTH LINE OF SAID PARCEL "A.

THENCE SOUTH 87° 28' 20" EAST ALONG SAID NORTH LINE, 2.00 FEET TO SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 49' 42" WEST ALONG SAID WESTERLY MARGIN, 379 99 FEET TO THE POINT OF **BEGINNING** 

CONTAINING 760 SQUARE FEET, MORE OR LESS.

PARCEL "A"

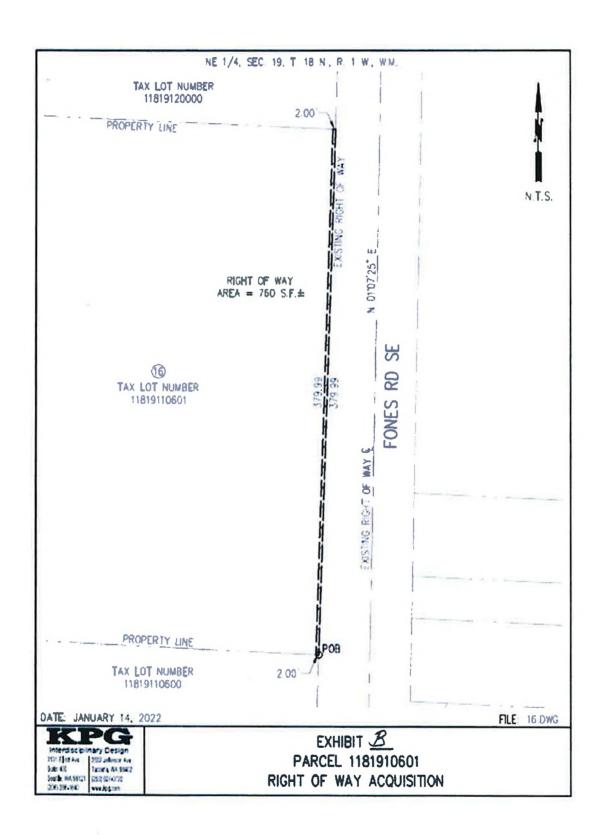
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30689 DATED FEBRUARY 9TH, 2021)

PARCEL B OF BOUNDARY LINE ADJUSTMENT NO. BLA-05-1331OL, AS RECORDED NOVEMBER 18, 2005 UNDER AUDITOR'S FILE NOS. 3786260 AND 3786261

02/15/2022



STATUTORY WARRANTY DEED Page 4 of 5



STATUTORY WARRANTY DEED Page 5 of 5

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Laforge & Reynolds, LLC and Jeffray, LLC

Grantee(s): City of Olympia

Legal Description: PTN PCL B BLA-05-1331OL

Additional Legal Description is on Page 4 of Document.

Assessor's Tax Parcel Number: 11819110601

### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), LAFORGE & REYNOLDS, LLC, a Washington Limited Liability Company, FORMERLY KNOWN AS ALLERDINGS & REYNOLDS LLC, a Washington limited liability company, AS TO AN UNDIVIDED 52% INTEREST and JEFFRAY, LLC, a Washington Limited Liability Company, FORMERLY KNOWN AS L & J'S COMPOUND LLC, a Washington limited liability company, AS TO AN UNDIVIDED 48% INTEREST, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

	The term of this Temporary Easement shall commence on the date of acceptance of this	S
Tem	porary Easement by Grantee and shall terminate on,	
herei	nafter the "Term".	

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Page 1 of (4) Pages

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its authorized agent.

Dated:	_, 2022		
LAFORGE & REYNOLDS, LLC			
By:	-		
JEFFRAY, LLC By:	<del></del>		
	Accepted	and Approved	
	CITY O	F OLYMPIA	
	Ву:		
	Date:		, 2022

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7 ICKIIO WIC	RARY EASEMEN Edgment	
STATE OF	WASHINGTON	) ) ss.
COUNTY	OF	
On this	day of	, 2022, before me personally appeared, to me known to be the managing member of Laforge & Reynolds, LLC,
and volunta	y that executed the wit	nin and foregoing instrument, and acknowledged said instrument to be the free company, for the uses and purposes therein mentioned, and on oath stated that
IN WITNES written.	SS WHEREOF I have	nereunto set my hand and affixed my official seal the day and year first above
		Print Name:
		NOTARY PUBLIC in and for the State of Washington,
		residing at Commission expires:
STATE OF	WASHINGTON	) ) ss.
COUNTY	)F	
	day of	, 2022, before me personally appeared
On this	day of	, 2022, before me personally appeared, to me known to be the managing member of JEFFRAY, LLC, the and foregoing instrument, and acknowledged said instrument to be the free company, for the uses and purposes therein mentioned, and on oath stated that
On this company the and volunta he/she is aud	day of at executed the within ry act and deed of said thorized to execute sai	, 2022, before me personally appeared, to me known to be the managing member of JEFFRAY, LLC, the and foregoing instrument, and acknowledged said instrument to be the free company, for the uses and purposes therein mentioned, and on oath stated that
company the and volunta he/she is au	day of at executed the within ry act and deed of said thorized to execute sai	
On this company the and volunta he/she is aud	day of at executed the within ry act and deed of said thorized to execute sai	

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Page 3 of (5) Pages

### **EXHIBIT** PARCEL NO. 11819110601 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS.

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A", SAID CORNER ALSO BEING ON THE WESTERLY MARGIN OF FONES ROAD SOUTHEAST:

THENCE NORTH 87° 28' 20" WEST ALONG THE SOUTH LINE OF SAID PARCEL "A" 2:00 FEET TO THE TRUE POINT OF BEGINNING.

THENCE NORTH 01° 49' 42" EAST, 379.99 FEET TO THE NORTH LINE OF SAID PARCEL "A"

THENCE NORTH 87" 28' 20" WEST ALONG SAID NORTH LINE, 2:00 FEET.

THENCE SOUTH 01° 49' 42" WEST, 379 99 FEET TO SAID SOUTH LINE OF PARCEL A.

THENCE SOUTH 87° 28' 20" EAST ALONG SAID SOUTH LINE, 2,00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 760 SQUARE FEET, MORE OR LESS.

### PARCEL "A"

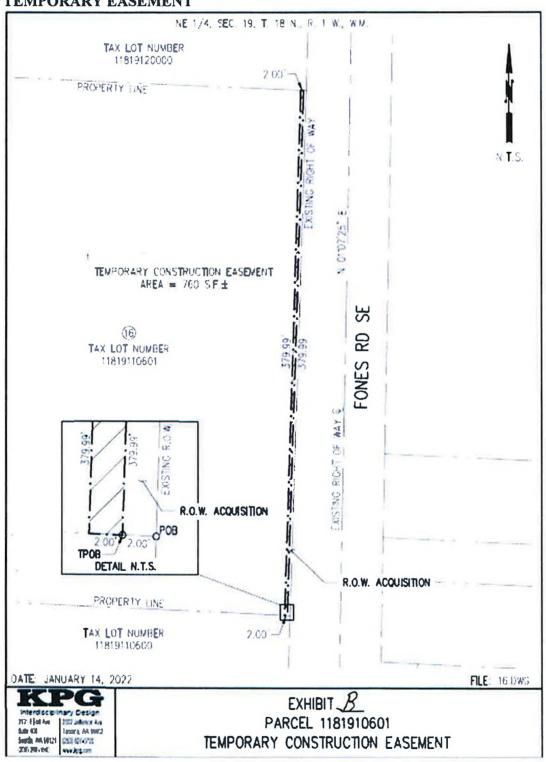
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30689. DATED FEBRUARY 9TH, 2021)

PARCEL B OF BOUNDARY LINE ADJUSTMENT NO. BLA-05-1331OL. AS RECORDED NOVEMBER 18, 2005. UNDER AUDITOR'S FILE NOS. 3786260 AND 3786261.

02/15/2022



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LPA-325 Rev. 5/2021

Page 5 of (5) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

Grantor:

Kaur, Malkeet City of Olympia

Grantee:

Legal Description: PTN SE ¼ NE ¼ 19-18-1W

Assessor's Tax Parcel Number: 11819140600

### STATUTORY WARRANTY DEED

The Grantor, Malkeet Kaur, as her separate estate, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:		
Granted this day of	, 2022.	
Malkeet Kaur		
STATE OF WASHINGTON	) ) ss.	
COUNTY OF THURSTON	)	
be the individual described in acknowledged that he/she sign the uses and purposes therein in	and who executed the same as his/mentioned.	e, to me known to he within and foregoing instrument, and her free and voluntary act and deed, for day of,
	NOT Wasi	Name: 'ARY PUBLIC in and for the State of hington, residing at mission expires:
GRANTEE:		
Accepted and Approved: CITY OF OLYMPIA		Approved as to form:
By:Steven J. Burney, City Ma	nager	City Attorney
Date:		

STATUTORY WARRANTY DEED Page 2 of 4

# EXHIBIT A PARCEL NO. 11819140600 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 48 00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 20,12 FEET,

THENCE SOUTH 88° 52' 35" EAST, 10:00 FEET TO A LINE THAT IS 38:00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 46,23 FEET TO THE NORTH LINE OF SAID PARCEL "A" AND THE TERMINUS OF SAID DESCRIBED LINE.

CONTAINING 735 SQUARE FEET, MORE OR LESS.

PARCEL "A":

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30680, DATED FEBRUARY 9TH, 2021)

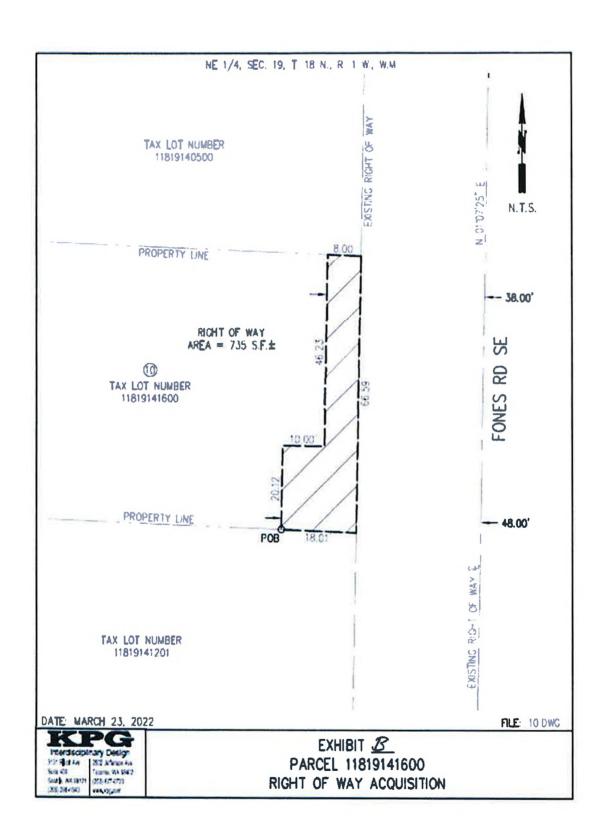
THAT PORTION OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M. DESCRIBED AS FOLLOWS

BEGINNING AT A POINT 264 00 FEET SOUTH OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19, THENCE SOUTH 66 00 FEET. MORE OR LESS, TO THE NORTHEAST CORNER OF PROPERTY CONVEYED IN INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 875251 TO RAY MORHOUS AND IMOGENE MORHOUS, THENCE WEST 231,00 FEET, THENCE NORTH 66.00 FEET, MORE OR LESS, TO THE NORTHEAST CORNER AT PROPERTY CONVEYED IN INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 875251 TO RAY MORHOUS AND IMOGENE MORHOUS, HUSBAND AND WIFE, THENCE EAST 231 00 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE EAST 30 00 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD

04/05/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Kaur, Malkeet Grantee(s): City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819140600

### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), Malkeet Kaur, as her separate estate, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on \_\_\_\_\_\_\_, hereinafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its authorized agent.

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Dated:	, 2022	
Malkeet Kaur		
	Accepted and Approved	
	CITY OF OLYMPIA	
	Ву:	
	Date:, 2022	
Acknowledgment		
STATE OF WASHINGTON )		
COUNTY OF THURSTON	•	
described in and who executed the within	d before me, to me known to be the and foregoing instrument, and acknowledged that he/she sign, for the uses and purposes therein mentioned.	he individual gned the same
GIVEN under my hand and off	cial seal this day of, 2022.	
	Print Name:	

LPA-325 Rev. 5/2021

Page 2 of (4) Pages

# EXHIBIT A PARCEL NO. 11819140600 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS.

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 48.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 20.12 FEET.

THENCE SOUTH 88" 52" 35" EAST, 10.00 FEET TO A LINE THAT IS 38.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE NORTH 01" 07" 25" EAST ALONG SAID PARALLEL LINE, 46,23 FEET TO THE NORTH LINE OF SAID PARCEL 'A"

THENCE NORTH 87" 28" 20" WEST ALONG SAID NORTH LINE, 15,00 FEET, TO A LINE THAT IS 53:00 FEET. WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST

THENCE SOUTH 01" 07" 25" WEST ALONG SAID PARALLEL LINE, 66.60 FEET TO SAID SOUTH LINE OF PARCEL "A"

THENCE SOUTH 87° 29' 29" EAST ALONG SAID SOUTH LINE, 5:00 FEET TO THE POINT OF BEGINNING.

CONTAINING 797 SQUARE FEET, MORE OR LESS.

# PARCEL "A"

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30680. DATED FEBRUARY 9TH, 2021)

THAT PORTION OF SECTION 19. TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS

BEGINNING AT A POINT 264.00 FEET SOUTH OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19, THENCE SOUTH 66.00 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF PROPERTY CONVEYED IN INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 875251 TO RAY MORHOUS AND IMOGENE MORHOUS, THENCE WEST 231.00 FEET, THENCE NORTH 66.00 FEET, MORE OR LESS, TO THE NORTHEAST CORNER AT PROPERTY CONVEYED IN INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 875251 TO RAY MORHOUS AND IMOGENE MORHOUS, HUSBAND AND WIFE, THENCE EAST 231.00 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE EAST 30,00 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD 04/05/2022

SSIONAL LAND

&mmmin William B

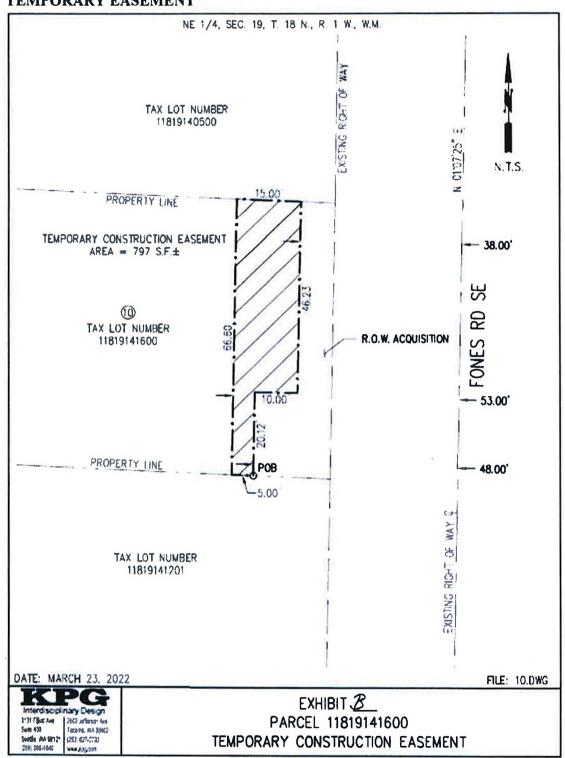
Page 1 of 1 KPG THE RATES ME

Page 3 of (4) Pages

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Rev. 5/2021

LPA-325



LPA-325 Rev. 5/2021

Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

Statutory Warranty Deed

Grantor: Grantee:

Kaur, Malkeet City of Olympia

Legal Description: PTN SE 1/4 NE 1/4 19-18-1W Assessor's Tax Parcel Number: 11819140500

# STATUTORY WARRANTY DEED

The Grantor, Malkeet Kaur, as her separate estate, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of,	2022.
¥	
Malkeet Kaur	
STATE OF WASHINGTON ) ss. COUNTY OF THURSTON )	
COUNTY OF THURSTON )	
be the individual described in and who acknowledged that he/she signed the the uses and purposes therein mention	ed before me, to me known to be executed the within and foregoing instrument, and same as his/her free and voluntary act and deed, for ed.  ficial seal this day of,
	Print Name:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Date:	

STATUTORY WARRANTY DEED Page 2 of 4

# **EXHIBIT** PARCEL NO. 11819140500 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING EASTERLY OF A LINE THAT IS 40.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST.

CONTAINING 659 SQUARE FEET. MORE OR LESS.

PARCEL "A"

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30681. DATED FEBRUARY 9TH. 2021)

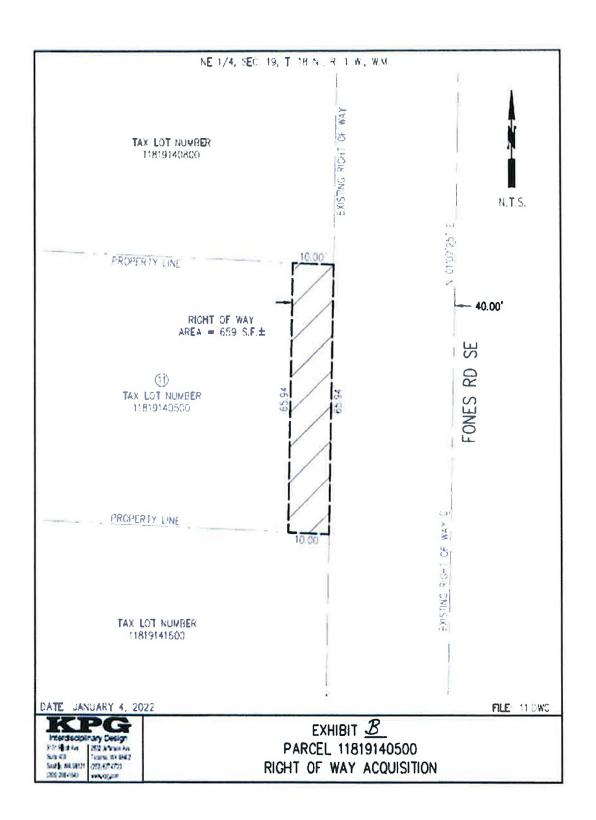
THAT PORTION OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS

BEGINNING AT A POINT 198.00 FEET SOUTH OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19. THENCE SOUTH 66:00 FEET, THENCE WEST 231:00 FEET, THENCE NORTH 66:00 FEET, THENCE EAST 231:00 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE EAST 30 00 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD

02/14/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

**Grantor:** 

Jones, Erick

Grantee:

City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819141000

# STATUTORY WARRANTY DEED

The Grantor, **Erick Jones, as his separate estate**, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, **CITY OF OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of	, 2022.
Erick Jones	
STATE OF WASHINGTON ) ss	
COUNTY OF THURSTON )	
be the individual described in and vacknowledged that he/she signed the uses and purposes therein mention	eared before me, to me known to who executed the within and foregoing instrument, and ne same as his/her free and voluntary act and deed, for ioned.  official seal this day of,
	Print Name:NOTARY PUBLIC in and for the State of
	Washington, residing at Commission expires:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	r City Attorney
Date:	

STATUTORY WARRANTY DEED Page 2 of 4

# EXHIBIT A PARCEL NO. 11819141000 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 45.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 8,00 FEET:

THENCE SOUTH 88\* 52" 35" EAST, 8.00 FEET TO A LINE THAT IS 37.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 58.92 FEET TO THE SOUTH LINE OF SAID PARCEL "A" AND THE TERMINUS OF SAID DESCRIBED LINE.

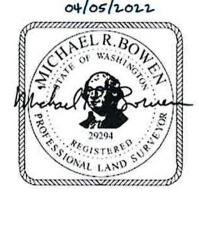
CONTAINING 530 SQUARE FEET, MORE OR LESS.

PARCEL "A":

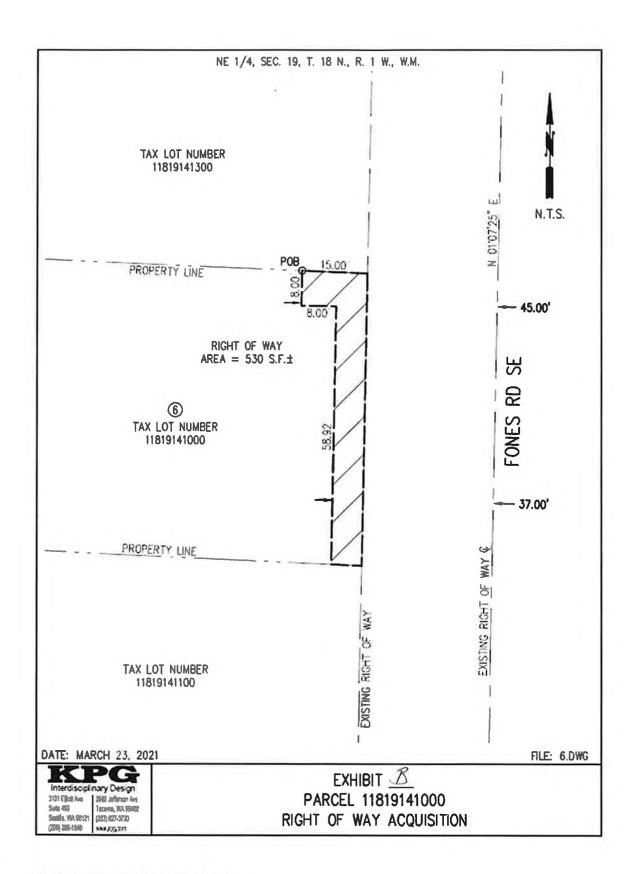
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30676, DATED FEBRUARY 9TH, 2021)

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.; THENCE WEST 330 FEET; THENCE NORTH 132 FEET; THENCE EAST 330 FEET; THENCE SOUTH 132 FEET TO POINT OF BEGINNING; EXCEPT THE EAST 30 FEET FOR FONES ROAD. EXCEPTING ALSO THAT PORTION CONVEYED TO ARTHUR AND HAZEL WOOLLETT, HUSBAND AND WIFE, BY DEED DATED MARCH 29, 1960 AND RECORDED UNDER FILE NO. 625130 AND MORE PARTICULARLY DESCRIBED AS THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER OF NORTHEAST QUARTER OF SECTION 19; RUNNING THENCE NORTH ALONG THE EAST LINE OF SAID SUBDIVISION 66 FEET; THENCE WEST 330 FEET AND SOUTH 66 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID SUBDIVISION, THENCE EASTERLY ALONG SAID SOUTH LINE 330 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THE EAST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD.



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Jones, Erick Grantee(s): City of Olympia

Legal Description: PTN SE 1/4 NE 1/4 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819141000

# TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), **Erick Jones**, as his separate estate, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the **City of Olympia**, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on \_\_\_\_\_\_\_, hereinafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the **City of Olympia** unless and until accepted and approved hereon in writing for the **City of Olympia**, by its authorized agent.

LPA-325 Rev. 5/2021

Page 1 of (4) Pages

Dated:	, 2022			
Erick Jones				
		Accepted and Ap		
		Ву:		
		Date:		, 2022
Acknowledgment				
STATE OF WASHINGTON COUNTY OF THURSTON	) ) ss. )			
On this day personally ap described in and who executed the w as his/her free and voluntary act and	ithin and foregoi	ing instrument, and a	cknowledged t	hat he/she signed the same
GIVEN under my hand and	l official seal thi	s day of		, 2022.
				e State of Washington,

LPA-325 Rev. 5/2021

Page 2 of (4) Pages

# EXHIBIT A PARCEL NO. 11819141000 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 45.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 8,00 FEET:

THENCE SOUTH 88° 52' 35" EAST, 8.00 FEET TO A LINE THAT IS 37.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 58.92 FEET TO THE SOUTH LINE OF SAID PARCEL "A":

THENCE NORTH 87° 22' 14" WEST ALONG SAID SOUTH LINE, 4.00 FEET TO A LINE THAT IS 41.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 41.63 FEET:

THENCE NORTH 88\* 52' 35" WEST, 10.00 FEET TO A LINE THAT IS 51.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 25.33 FEET TO SAID NORTH LINE OF PARCEL "A":

THENCE SOUTH 87° 30' 38" EAST ALONG SAID NORTH LINE, 6.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 456 SQUARE FEET, MORE OR LESS.

#### PARCEL "A"

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30676, DATED FEBRUARY 9TH, 2021)

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.; THENCE WEST 330 FEET; THENCE NORTH 132 FEET; THENCE EAST 330 FEET; THENCE SOUTH 132 FEET TO POINT OF BEGINNING; EXCEPT THE EAST 30 FEET FOR FONES ROAD. EXCEPTING ALSO THAT PORTION CONVEYED TO ARTHUR AND HAZEL WOOLLETT, HUSBAND AND WIFE, BY DEED DATED MARCH 29, 1960 AND RECORDED UNDER FILE NO. 625130 AND

02/09/2022

ELR.B

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MORE PARTICULARLY DESCRIBED AS THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER OF NORTHEAST QUARTER OF SECTION 19; RUNNING THENCE NORTH ALONG THE EAST LINE OF SAID SUBDIVISION 66 FEET; THENCE WEST 330 FEET AND SOUTH 66 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID SUBDIVISION; THENCE EASTERLY ALONG SAID SOUTH LINE 330 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THE EAST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD.

6-TCE.DOCX

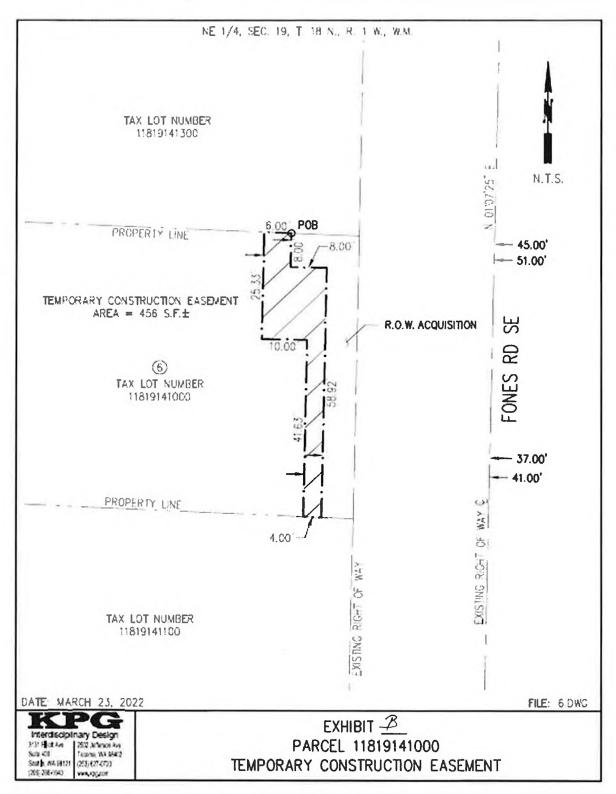
Page 1 of 1

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Page 3 of (4) Pages

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Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

**Grantor:** 

Jones, Erick

Grantee:

City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819141301

# STATUTORY WARRANTY DEED

The Grantor, Erick Jones, as his separate estate, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of	, 2022.
Erick Jones	
STATE OF WASHINGTON ) ) ss. COUNTY OF THURSTON )	
be the individual described in and whacknowledged that he/she signed the the uses and purposes therein mention	red before me, to me known to no executed the within and foregoing instrument, and same as his/her free and voluntary act and deed, for ned.  fficial seal this day of,
	Print Name:NOTARY PUBLIC in and for the State of
	Washington, residing at Commission expires:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Date:	

STATUTORY WARRANTY DEED Page 2 of 4

# EXHIBIT <u>A</u> PARCEL NO. 11819141301 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING EASTERLY OF A LINE THAT IS 33.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

CONTAINING 186 SQUARE FEET, MORE OR LESS.

PARCEL "A".

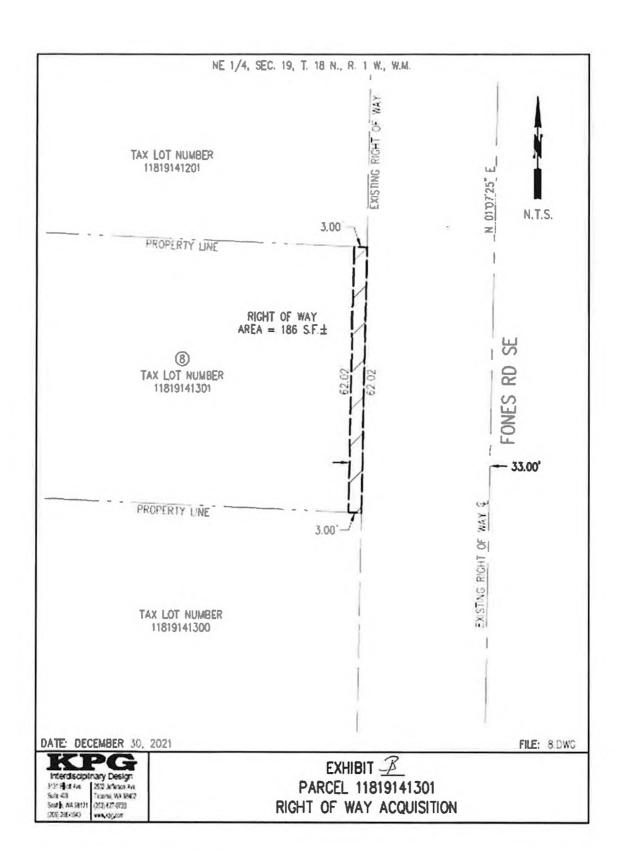
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30678, DATED FEBRUARY 9TH, 2021)

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER OF NORTHEAST QUARTER OF SECTION 18, A DISTANCE OF 132 FEET NORTH OF ITS SOUTHEAST CORNER; RUNNING THENCE NORTH ALONG SAID EAST LINE 132 FEET; THENCE WEST 330 FEET, SOUTH 132 FEET AND EAST 330 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THE SOUTH 70 FEET OF THE EAST 210 FEET, AND EXCEPTING ALSO THE EAST 30 FEET FOR FONES ROAD.

02/14/2022





After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Jones, Erick Grantee(s): City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819141301

### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), **Erick Jones, as his separate estate**, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the **City of Olympia**, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on \_\_\_\_\_\_\_, hereinafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the **City of Olympia** unless and until accepted and approved hereon in writing for the **City of Olympia**, by its authorized agent.

LPA-325 Rev. 5/2021

Page 1 of (4) Pages

Dated:	, 2022
Erick Jones	
	Accepted and Approved
	CITY OF OLYMPIA
	By:
	Date:, 2022
Acknowledgment	
STATE OF WASHINGTON COUNTY OF THURSTON	) ) ss. )
described in and who executed the with	ared before me, to me known to be the individual nin and foregoing instrument, and acknowledged that he/she signed the same eed, for the uses and purposes therein mentioned.
GIVEN under my hand and o	fficial seal this day of, 2022.
	Print Name:
	Commission expires:

LPA-325 Rev. 5/2021 Page 2 of (4) Pages

# EXHIBIT A PARCEL NO. 11819141301 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS.

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 33,00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 62,02 FEET TO THE NORTH LINE OF SAID PARCEL "A"

THENCE NORTH 87° 30' 38" WEST ALONG SAID NORTH LINE, 20,01 FEET TO A LINE THAT IS 53,00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE SOUTH 01\* 07' 25" WEST ALONG SAID PARALLEL LINE, 8.48 FEET.

THENCE SOUTH 88\* 52' 35" EAST, 18.00 FEET TO A LINE THAT IS 35.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 53.97 FEET TO SAID SOUTH LINE OF PARCEL "A"

THENCE SOUTH 87\* 30' 38" EAST ALONG SAID SOUTH LINE, 2.00 FEET TO THE POINT OF BEGINNING.

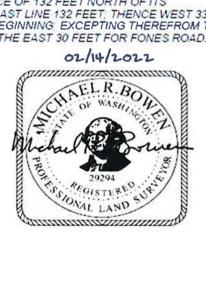
CONTAINING 273 SQUARE FEET, MORE OR LESS.

PARCEL "A"

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30678, DATED FEBRUARY 9TH, 2021)

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19. TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS:

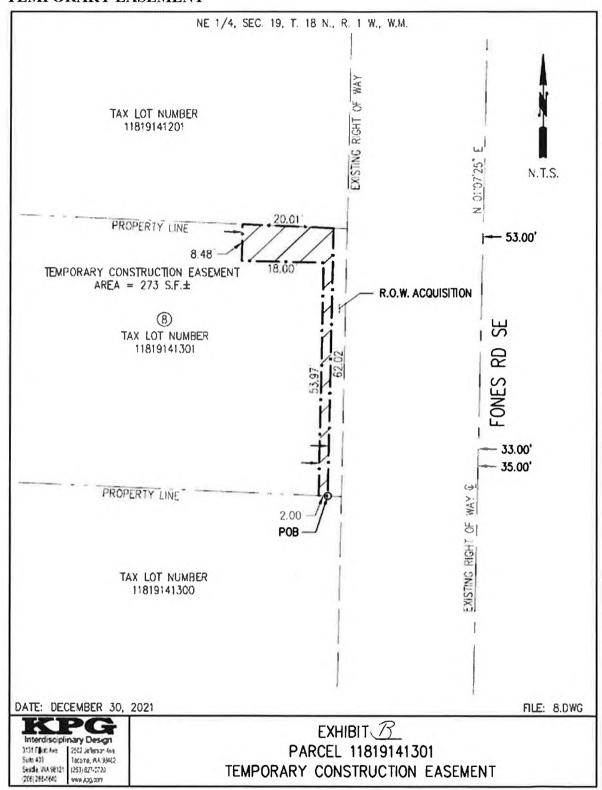
BEGINNING AT A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER OF NORTHEAST QUARTER OF SECTION 18, A DISTANCE OF 132 FEET NORTH OF ITS SOUTHEAST CORNER; RUNNING THENCE NORTH ALONG SAID EAST LINE 132 FEET, THENCE WEST 330 FEET, SOUTH 132 FEET AND EAST 330 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE SOUTH 70 FEET OF THE EAST 210 FEET, AND EXCEPTING ALSO THE EAST 30 FEET FOR FONES ROAD.



8-TCE.DOCX



LPA-325 Rev. 5/2021 Page 3 of (4) Pages



LPA-325 Rev. 5/2021 Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** Statutory Warranty Deed

Grantor: Home Depot U.S.A., a Delaware Corporation

Grantee: City of Olympia

Legal Description: PTN PCL 3 SS-5803 PCL Survey # 4119727

Assessor's Tax Parcel Number: 11819120000

#### STATUTORY WARRANTY DEED

The Grantor, **HOME DEPOT U.S.A.**, **Inc.**, a Delaware Corporation, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, **CITY OF OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of, 20	022.
Home Depot U.S.A, Inc.	
By:	
STATE OF) ss.	
COUNTY OF) ss.	
On this day of	, 2022, before me personally appeared to me known to be the of
and acknowledged said instrument to lead to corporation, for the uses and purposes the authorized to execute said instrument.	at executed the within and foregoing instrument, be the free and voluntary act and deed of said erein mentioned, and on oath stated that he/she is the hereunto set my hand and affixed my official
seal the day and year first above written.	4
	Print Name:
	Commission expires:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Steven J. Burney, City Manager	City Attorney
Date:	

STATUTORY WARRANTY DEED Page 2 of 4

### **EXHIBIT A**

# PARCEL NO. 11819120000 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A", SAID CORNER ALSO BEING ON THE WESTERLY MARGIN OF FONES ROAD SOUTHEAST;

THENCE NORTH 87° 28' 20" WEST ALONG THE SOUTH LINE OF SAID PARCEL "A", 57.00 FEET;

THENCE NORTH 01° 49' 40" EAST, 56.00 FEET TO THE BOUNDARY OF SAID PARCEL "A";

THENCE SOUTH 87° 28' 20" EAST ALONG SAID BOUNDARY, 57.00 FEET TO SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 49' 42" WEST ALONG SAID WESTERLY MARGIN, 56.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,192 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

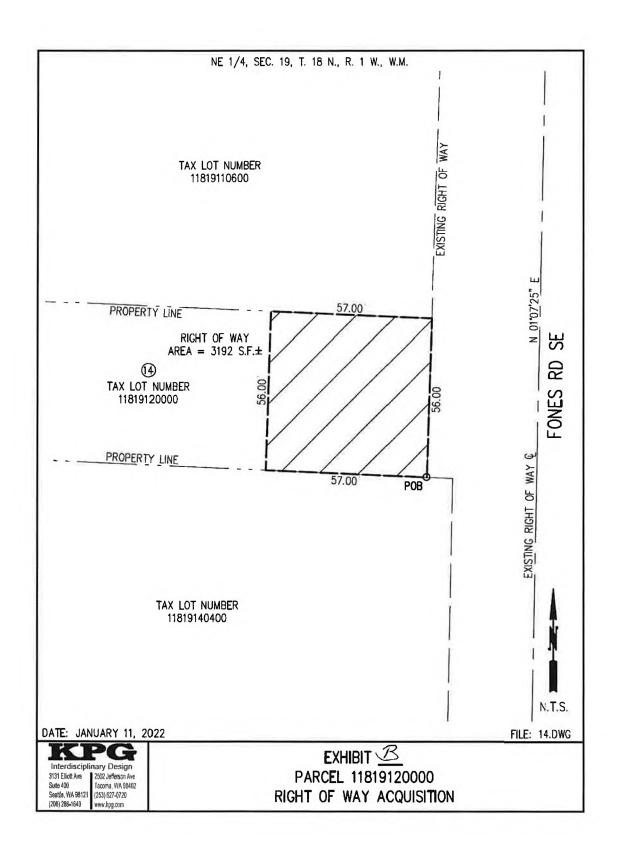
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30687, DATED FEBRUARY 9TH, 2021)

ALL THAT PORTION OF PARCEL 3 OF CITY OF OLYMPIA SHORT SUBDIVISION NO. SS-5803, AS RECORDED JULY 22, 1996 UNDER AUDITOR'S FILE NO. 3042139, THURSTON COUNTY, WASHINGTON; EXCEPT THAT PORTION OF SAID PARCEL 3 LYING NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., OF SAID COUNTY; TOGETHER WITH ALL THAT PORTION OF THE WEST 85.00 FEET OF THE EAST 120.00 FEET OF THE SOUTH 212.00 FEET OF THE HEREINABOVE DESCRIBED PORTION BEING EXCEPTED FROM SAID PARCEL 3. (ALSO SHOWN AS PARCEL B OF SURVEY RECORDED NOVEMBER 4, 2009 UNDER AUDITROR'S FILE NO. 4119727.

02/15/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Home Depot U.S.A., a Delaware Corporation

Grantee(s): City of Olympia

Legal Description: PTN PCL 3 SS-5803 PCL Survey # 4119727

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819120000

# TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), **HOME DEPOT U.S.A., Inc.**, a Delaware Corporation, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the **City of Olympia**, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The	term of this	Temporary I	Easement s	hall comme	ence on the	date of ac	ceptance o	f this
Temporary	Easement by	Grantee ar	nd shall ter	minate on _			,	
hereinafter	the "Term".							

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its

LPA-325 Rev. 5/2021 Page 1 of (4) Pages

# authorized agent. Dated: , 2022 Home Depot U.S.A, Inc., By: Accepted and Approved CITY OF OLYMPIA Date: \_\_\_\_\_\_, 2022 Acknowledgment STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_ On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me personally appeared \_\_\_\_\_, to me known to be the \_\_\_\_\_ of Home Depot U.S.A., the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

mentioned, and on oath stated that he/she is authorized to execute said instrument.

Print Name:

NOTARY PUBLIC in and for the State of Washington, residing at

Commission expires:

LPA-325 Rev. 5/2021

TEMPORARY EASEMENT

Page 2 of (4) Pages

# Exhibit A PARCEL NO. 11819120000 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL "A", SAID CORNER ALSO BEING ON THE WESTERLY MARGIN OF FONES ROAD SOUTHEAST;

THENCE NORTH 87° 26' 21" WEST ALONG THE NORTH LINE OF SAID PARCEL "A", 23.95 FEET;

THENCE SOUTH 01° 07' 25" WEST, 70.03 FEET TO THE BOUNDARY OF SAID PARCEL "A":

THENCE SOUTH 87° 28' 20" EAST ALONG SAID BOUNDARY, 23.09 FEET TO SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST;

THENCE NORTH 01° 49' 42" EAST ALONG SAID WESTERLY MARGIN, 70.00 FEET TO THE POINT OF BEGINNING.

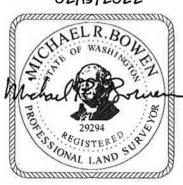
CONTAINING 1,646 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

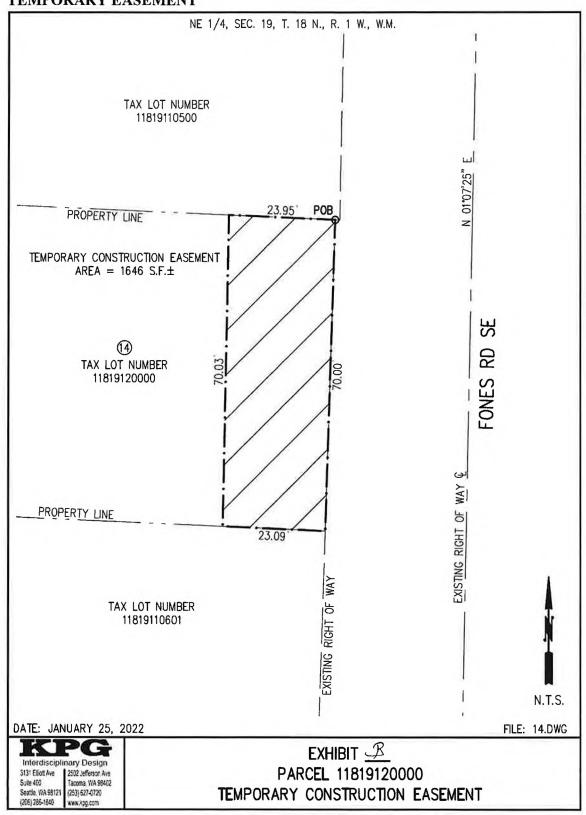
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30687, DATED FEBRUARY 9TH, 2021)

ALL THAT PORTION OF PARCEL 3 OF CITY OF OLYMPIA SHORT SUBDIVISION NO. SS-5803, AS RECORDED JULY 22, 1996 UNDER AUDITOR'S FILE NO. 3042139, THURSTON COUNTY, WASHINGTON; EXCEPT THAT PORTION OF SAID PARCEL 3 LYING NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., OF SAID COUNTY; TOGETHER WITH ALL THAT PORTION OF THE WEST 85.00 FEET OF THE EAST 120.00 FEET OF THE SOUTH 212.00 FEET OF THE HEREINABOVE DESCRIBED PORTION BEING EXCEPTED FROM SAID PARCEL 3. (ALSO SHOWN AS PARCEL B OF SURVEY RECORDED NOVEMBER 4, 2009 UNDER AUDITROR'S FILE NO. 4119727.

02/15/2022



LPA-325 Rev. 5/2021 Page 3 of (4) Pages



OAfter recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

Grantor:

Harvard Apartments LLC

Grantee: Legal Description: PTN PCL 1 SS-5359

City of Olympia

Assessor's Tax Parcel Number: 11819140300

### STATUTORY WARRANTY DEED

The Grantor, Harvard Apartments, LLC, a Washington Limited Liability Company, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF **OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of, 20	022.
Harvard Apartments LLC,	
By:	
STATE OF WASHINGTON ) ss.	
COUNTY OF)	
On this day of	, 2022, before me personally appeared to me known to be the managing member of
Harvard Apartments, LLC, the company instrument, and acknowledged said instr	that executed the within and foregoing rument to be the free and voluntary act and deed ses therein mentioned, and on oath stated that
IN WITNESS WHEREOF I have hereur day and year first above written.	nto set my hand and affixed my official seal the
	Print Name:
	NOTARY PUBLIC in and for the State of Washington, residing at
	Commission expires:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:	
Steven J. Burney, City Manager	City Attorney
Date:	
STATUTORY WARRANTY DEED Page 2 of 4	

# EXHIBIT A PARCEL NO. 11819140300 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING WESTERLY OF A LINE THAT IS 34.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

CONTAINING 438 SQUARE FEET, MORE OR LESS.

PARCEL "A":

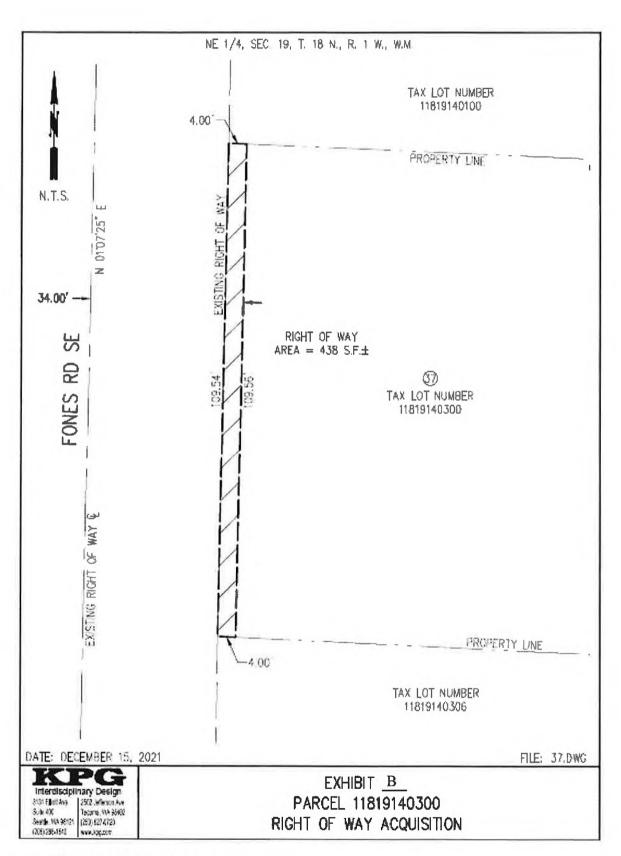
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30685 DATED FEBRUARY, 3, 2021)

PARCEL 1 OF SHORT SUBDIVISION NO. SS-5359, AS RECORDED JUNE 23, 1986 UNDER AUDITOR'S FILE NO. 8606230060.

03/01/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Harvard Apartments, LLC

Grantee(s): City of Olympia

Legal Description: PTN PCL 1 SS-5359

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819140300

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), Harvard Apartments, LLC, a Washington Limited Liability Company, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on \_\_\_\_\_\_\_, hereinafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its

LPA-325 Rev. 5/2021 Page 1 of (4) Pages

authorized agent.

Dated:	, 2022
Harvard Apartments LLC,	
Ву:	
	Accepted and Approved
	CITY OF OLYMPIA
	By:
	Date:, 2022
Acknowledgment	
STATE OF WASHINGTON )	
COUNTY OF) ss	
the company that executed the within and	, 2022, before me personally appeared on me known to be the managing member of Harvard Apartments, LLC, foregoing instrument, and acknowledged said instrument to be the free my, for the uses and purposes therein mentioned, and on oath stated that ment.
IN WITNESS WHEREOF I have hereunt written.	to set my hand and affixed my official seal the day and year first above
	Print Name:
	NOTARY PUBLIC in and for the State of Washington, residing at
	Сониновион слрисов

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## EXHIBIT A PARCEL NO. 11819140300 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 34.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 48.50 FEET;

THENCE SOUTH 88° 52' 35" EAST, 15.50 FEET TO A LINE THAT IS 49.50 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 48.95 FEET TO SAID SOUTH LINE OF PARCEL "A":

THENCE NORTH 87° 11' 51" WEST ALONG SAID SOUTH LINE, 15.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 755 SQUARE FEET, MORE OR LESS.

PARCEL "A":

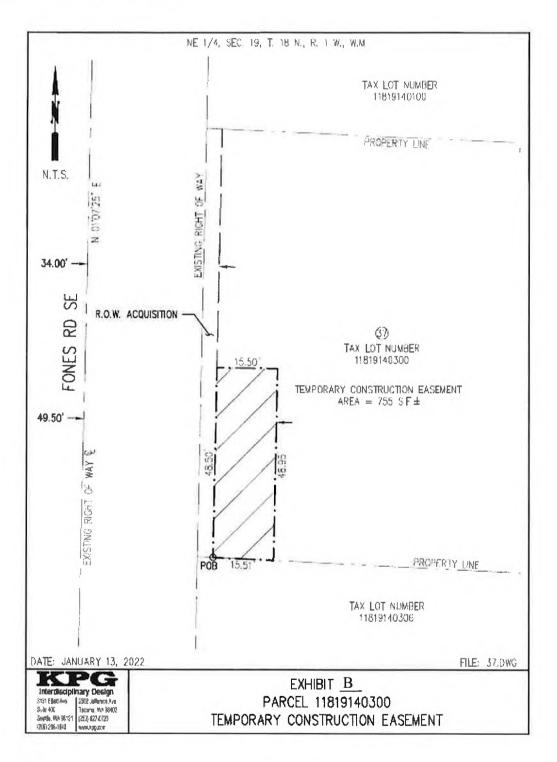
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30685 DATED FEBRUARY, 3, 2021)

PARCEL 1 OF SHORT SUBDIVISION NO. SS-5359, AS RECORDED JUNE 23, 1986 UNDER AUDITOR'S FILE NO. 8606230060.

03/01/2022



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Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

Document Title: Statutory Warranty Deed Grantor: Harvard Apartments, LLC

Grantee: City of Olympia
Legal Description: PTN PCL 6 SS-5359
Assessor's Tax Parcel Number: 11819140306

#### STATUTORY WARRANTY DEED

The Grantor, Harvard Apartments, LLC, a Washington Limited Liability Company, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of, 2	022.
Harvard Apartments LLC, By:	
STATE OF WASHINGTON ) ) ss. COUNTY OF)	
Harvard Apartments, LLC, the company instrument, and acknowledged said instruction of said company, for the uses and purpose	rument to be the free and voluntary act and deed ses therein mentioned, and on oath stated that
he/she is authorized to execute said instr IN WITNESS WHEREOF I have hereunday and year first above written.	nto set my hand and affixed my official seal the
	Print Name:NOTARY PUBLIC in and for the State of Washington, residing at
	Commission expires:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Date:	
STATUTORY WARRANTY DEED Page 2 of 4	

#### EXHIBIT A PARCEL NO. 11819140306 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 34.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 73.50 FEET:

THENCE SOUTH 88° 52' 35" EAST, 12.00 FEET TO A LINE THAT IS 46.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 15.29 FEET TO THE SOUTH LINE OF SAID PARCEL "A" AND THE TERMINUS OF SAID DESCRIBED LINE.

CONTAINING 536 SQUARE FEET, MORE OR LESS.

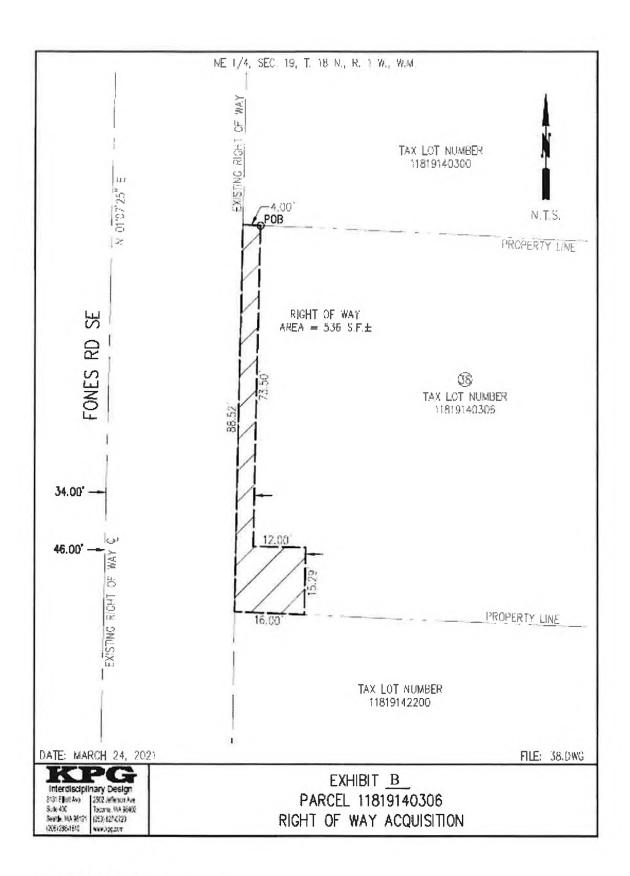
#### PARCEL "A".

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30671, DATED FEBRUARY 3, 2021)

PARCEL 6 OF SHORT SUBDIVISION NO. SS-5359, AS RECORDED JUNE 23, 1986 UNDER AUDITOR'S FILE NO. 8606230060.



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Harvard Apartments, LLC

Grantee(s): City of Olympia

Legal Description: PTN PCL 6 SS-5359

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819140306

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), Harvard Apartments, LLC, a Washington Limited Liability Company, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on \_\_\_\_\_\_\_, hereinafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its

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## authorized agent. Dated: \_\_\_\_\_, 2022 Harvard Apartments LLC, Accepted and Approved CITY OF OLYMPIA Date: \_\_\_\_\_\_\_, 2022 Acknowledgment STATE OF WASHINGTON COUNTY OF \_\_\_\_\_ On this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2022, before me personally appeared \_\_\_\_\_\_, to me known to be the managing member of Harvard Apartments, LLC, the company that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute said instrument.

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written.

**TEMPORARY EASEMENT** 

Page 2 of (4) Pages

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above

residing at \_\_\_\_\_

NOTARY PUBLIC in and for the State of Washington.

Commission expires:

## EXHIBIT <u>A</u> PARCEL NO. 11819140306 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 34.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 73.50 FEET;

THENCE SOUTH 88° 52' 35" EAST, 3.00 FEET TO A LINE THAT IS 37.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 52.00 FEET,

THENCE SOUTH 88° 52' 35" EAST, 13.00 FEET;

THENCE NORTH 00° 14' 14" WEST, 21.05 FEET TO SAID NORTH LINE OF PARCEL "A";

THENCE SOUTH 87° 13' 14" WEST ALONG SAID NORTH LINE, 15.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 491 SQUARE FEET, MORE OR LESS.

PARCEL "A":

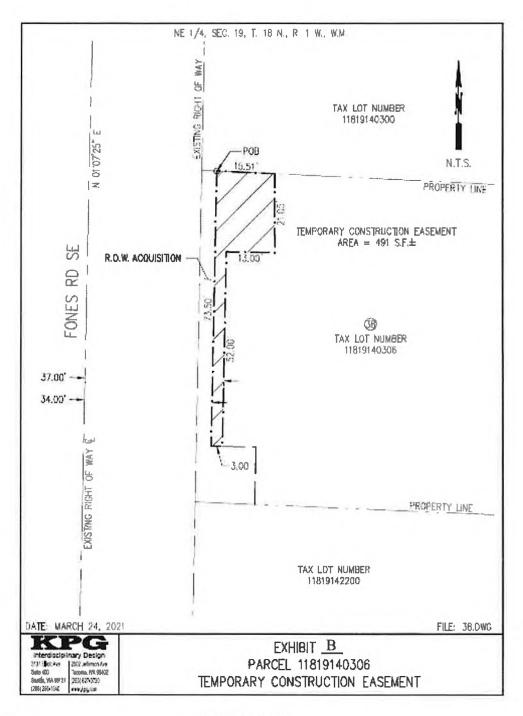
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30671, DATED FEBRUARY 3, 2021)

PARCEL 6 OF SHORT SUBDIVISION NO. SS-5359, AS RECORDED JUNE 23, 1986 UNDER AUDITOR'S FILE NO. 8606230060.

04/05/2022



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Page 4 of (4) Pages

After recording return document to:

City of Olympia

Attention: Legal Department

P.O. Box 1967

Olympia, WA 98507-1967

Document Title: Statutory Warranty Deed

Grantor: Georgia-Pacific Corrugated, LLC

Grantee: City of Olympia

Legal Description: PTN NE ¼ NE ¼ & NW ¼ NE ¼ 19-18-1W and PTN SE ¼ SE

1/4 & SW 1/4 SE 1/4 18-18-1W

Assessor's Tax Parcel Number: 11819110400

#### STATUTORY WARRANTY DEED

The Grantor, **GEORGIA-PACIFIC CORRUGATED**, **LLC**, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, **CITY OF OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 6

GRANTOR:	
Granted this day of, 2	022.
Georgia-Pacific Corrugated, LLC By:	
STATE OF)	
COUNTY OF) ss.	
On this day of,	, 2022, before me personally appeared to me known to be the managing member of
Georgia-Pacific Corrugated, LLC, the instrument, and acknowledged said instru	company that executed the within and foregoing rument to be the free and voluntary act and deed of s therein mentioned, and on oath stated that he/she
IN WITNESS WHEREOF I hav seal the day and year first above written.	e hereunto set my hand and affixed my official .
	Print Name:
	NOTARY PUBLIC in and for the State of
	Washington, residing at Commission expires:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Seven 3. Burney, City Manager	Ony Anomey
Date:	
STATUTORY WARRANTY DEED Page 2 of 6	

#### **EXHIBIT A**

#### PARCEL NO. 11819110400 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A", SAID CORNER ALSO BEING ON THE WESTERLY MARGIN OF FONES ROAD SOUTHEAST AND HEREINAFTER DESCRIBED AS POINT 'A':

THENCE NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN, 112.20 FEET TO A POINT HEREINAFTER DESCRIBED AS POINT 'B';

THENCE CONTINUING NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN, 108.00 FEET TO A POINT HEREINAFTER DESCRIBED AS POINT 'C';

THENCE CONTINUING NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN, 290.82 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.:

THENCE NORTH 87° 33' 32" WEST ALONG SAID NORTH LINE OF THE NORTHEAST QUARTER, 0.96 FEET;

THENCE NORTH 01° 07' 25" EAST, 61.70 FEET TO THE NORTH LINE OF SAID PARCEL "A";

THENCE SOUTH 78° 40' 10" EAST ALONG SAID NORTH LINE, 30.48 FEET TO THE WESTERLY MARGIN OF SAID FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID WESTERLY MARGIN, 56.99 FEET TO SAID NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 19;

THENCE NORTH 87° 33' 32" WEST ALONG SAID NORTH LINE, 30.01 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1,780 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

BEGINNING AT SAID POINT 'A':

THENCE CONTINUING NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST, 30.21 FEET;

THENCE NORTH 88° 53' 11" WEST, 10.01 FEET;

THENCE SOUTH 01° 07' 25" WEST, 29.95 FEET TO THE SOUTH LINE OF SAID PARCEL "A";

THENCE SOUTH 87° 26' 21" EAST ALONG SAID SOUTH LINE, 10.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 301 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

BEGINNING AT SAID POINT 'B';

THENCE CONTINUING NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST, 30.00 FEET;

STATUTORY WARRANTY DEED Page 3 of 6

THENCE NORTH 88° 52' 35" WEST, 12.01 FEET;

THENCE SOUTH 01° 07' 25" WEST, 30.00 FEET;

THENCE SOUTH 88° 52' 35" EAST, 12.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 360 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

BEGINNING AT SAID POINT 'C':

THENCE CONTINUING NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST, 52.00 FEET;

THENCE NORTH 88° 52' 35" WEST, 10.01 FEET;

THENCE SOUTH 01° 07' 25" WEST, 52.00 FEET;

THENCE SOUTH 88° 52' 53" EAST, 10.01 TO THE POINT OF BEGINNING.

CONTAINING 521 SQUARE FEET, MORE OR LESS.

TOTAL UTILITY EASEMENT CONTAINING 2,962 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30700, DATED FEBRUARY 9TH, 2021)

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPTING THEREFROM THE SOUTH 155 FEET OF THE EAST 260 FEET AND EXCEPTING ALSO THE EAST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD:

ALSO, THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, SAID TOWNSHIP AND RANGE AND OF BLOCK 7, J. C. BOYD'S ADDITION TO OLYMPIA, AS RECORDED IN VOLUME 3 OF PLATS, PAGE 52 IN THE RECORDS OF SAID COUNTY, LYING WEST OF A NORTHERLY PRODUCTION OF THE WEST LINE OF SAID FONES ROAD AND SOUTH OF A LINE PARALLEL WITH AND DISTANT 81 FEET NORTH, MEASURED AT RIGHT ANGLES, FROM THE SOUTH LINE OF SAID SECTION 18, EXCEPT ANY PORTION THEREOF LYING WITHIN 50 FEET, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF THE MAIN TRACK OF THE NORTHERN PACIFIC RAILWAY COMPANY'S OLYMPIA BRANCH AS NOW CONSTRUCTED.

ALSO THOSE PORTIONS OF GOVERNMENT LOT 3, SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., OF GOVERNMENT LOT 1 OF SECTION 18, SAID TOWNSHIP AND RANGE, OF BLOCK 6, J. C. BOYD'S ADDITION TO OLYMPIA, OF VACATED SIXTH STREET AND MILL STREET, THURSTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

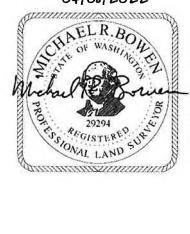
BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE WESTERLY ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER TO A POINT IN A LINE OF 100 FEET WESTERLY, MEASURED AT RIGHT ANGLES, FROM THE EAST LINE OF SAID GOVERNMENT LOT 3; THENCE NORTHERLY, PARALLEL WITH AND DISTANT 100 FEET WESTERLY FROM SAID EAST LINE AND THE EAST LINE OF SAID GOVERNMENT LOT 1 TO A POINT IN A LINE 15 FEET. PERPENDICULARLY AND RADIALLY DISTANT.

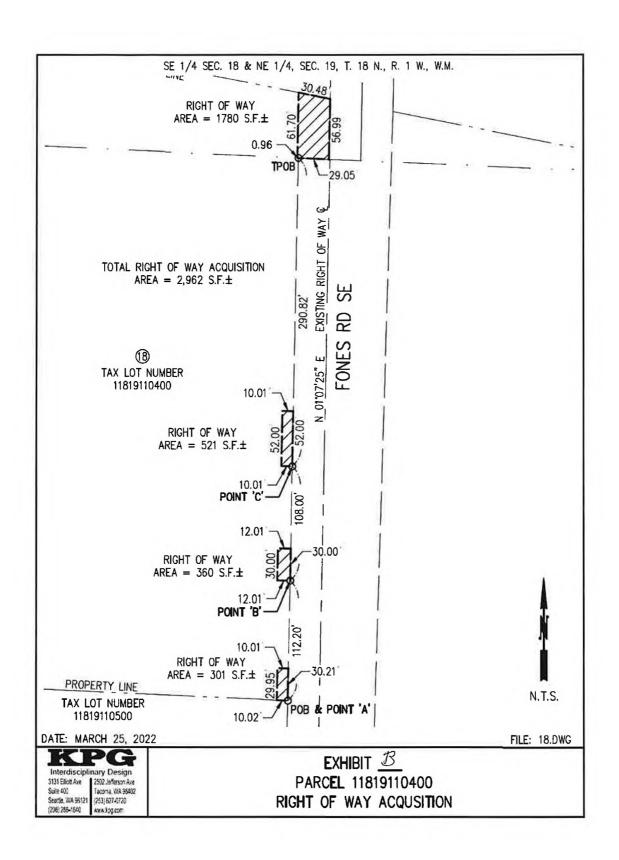
STATUTORY WARRANTY DEED Page 4 of 6

NORTHEASTERLY, PARALLEL AND CONCENTRIC WITH THE CENTERLINE OF THE BURLINGTON NORTHERN LEAD TRACK AS SAID TRACK IS NOW LOCATED AND CONSTRUCTED AND SERVING PROPERTY IN SAID GOVERNMENT LOT 3 AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE NORTHWESTERLY ON A CURVE TO THE LEFT ALONG SAID NORTHEASTERLY PARALLEL AND CONCENTRIC LINE TO A POINT IN A LINE 50 FEET, PERPENDICULARLY AND RADIALLY DISTANT, SOUTHERLY OF, PARALLEL AND CONCENTRIC WITH THE CENTERLINE OF THE BURLINGTON NORTHERN MAIN TRACK CENTERLINE FOR ITS ST. CLAIR TO GATE LINE (ALSO KNOWN AS THE FORMER NORTHERN PACIFIC RAILWAY COMPANY OLYMPIA BRANCH); THENCE EASTERLY ALONG SAID SOUTHERLY PARALLEL AND CONCENTRIC LINE TO THE EAST LINE OF SAID GOVERNMENT LOT 1; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID GOVERNMENT LOT 3 TO THE POINT OF BEGINNING.

ALSO THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., LYING NORTHERLY OF A LINE PARALLEL WITH AND DISTANT 81 FEET NORTH, MEASURED AT RIGHT ANGLES, FROM THE SOUTH LINE OF SAID SECTION AND SOUTHERLY OF A LINE PARALLEL WITH AND DISTANT 50 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE OF THE MAIN TRACK OF THE NORTHERN PACIFIC RAILWAY COMPANY'S OLYMPIA BRANCH, AS NOW CONSTRUCTED (BEING A PORTION OF THE VACATED PLAT J.C. BOYD'S ADDITION TO OLYMPIA, AS RECORDED IN VOLUME 3 OF PLATS, PAGE 52, IN THE RECORDS OF SAID COUNTY).

04/08/2022





STATUTORY WARRANTY DEED Page 6 of 6

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A Grantor(s): Georgia-Pacific Corrugated, LLC

Grantee(s): City of Olympia

Legal Description: PTN NE ¼ NE ¼ & NW ¼ NE ¼ 19-18-1W and PTN SE ¼ SE ¼ &

SW 1/4 SE 1/4 18-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819110400

#### **TEMPORARY EASEMENT**

Fones Road Improvements

The Grantor(s), Georgia-Pacific Corrugated, LLC, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on \_\_\_\_\_\_\_, hereinafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its

LPA-325 Rev. 5/2021 Page 1 of (4) Pages

# 

Accepted and Approved

CITY OF OLYMPIA

By:	
Date:	, 2022

Acknowledgment

STATE OF	)
	) ss.
COUNTY OF	)

TEMPORARY EASEMENT

Georgia-Pacific Corrugated, LLC

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me personally appeared \_\_\_\_\_, to me known to be the managing member of Georgia-Pacific Corrugated, LLC, the company that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute said instrument.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

Print Name:	
<b>NOTARY PUB</b>	LIC in and for the State of Washington,
residing at	
Commission ex	pires:

LPA-325 Rev. 5/2021 Page 2 of (6) Pages

#### Exhibit A

### PARCEL NO. 11819110400 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A", SAID CORNER ALSO BEING ON THE WESTERLY MARGIN OF FONES ROAD SOUTHEAST;

THENCE NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN, 30.21 FEET TO A POINT HEREINAFTER DESCRIBED AS POINT 'A';

THENCE CONTINUING NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN, 112.00 FEET TO A POINT HEREINAFTER DESCRIBED AS POINT 'B';

THENCE CONTINUING NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN, 130.00 FEET TO A POINT HEREINAFTER DESCRIBED AS POINT 'C':

THENCE CONTINUING NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN, 212.04 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN, 26.78 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.;

THENCE NORTH 87° 33' 32" WEST ALONG SAID NORTH LINE, 0.96 FEET;

THENCE NORTH 01° 07' 25" EAST, 61.70 FEET TO THE NORTH LINE OF SAID PARCEL "A";

THENCE NORTH 78° 40' 10" WEST ALONG SAID NORTH LINE, 9.14 FEET;

THENCE SOUTH 01° 07' 25" WEST, 90.13 FEET;

THENCE SOUTH 88° 52' 35" EAST, 9.96 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 829 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

BEGINNING AT SAID POINT 'A':

THENCE CONTINUING NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST, 82.00 FEET;

THENCE NORTH 88° 52' 35" WEST, 10.01 FEET;

THENCE SOUTH 01° 07' 25" WEST, 82.00 FEET;

THENCE SOUTH 88° 53' 11" EAST, 10.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 821 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

BEGINNING AT SAID POINT 'B':

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THENCE CONTINUING NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST, 35.00 FEET;

THENCE NORTH 88° 52' 33" WEST, 32.01 FEET;

THENCE SOUTH 01° 07' 27" WEST, 65.00 FEET:

THENCE SOUTH 88° 52' 35" EAST. 20.00 FEET:

THENCE NORTH 01° 07' 25" EAST, 30.00 FEET;

THENCE SOUTH 88° 52' 35" EAST, 12.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,720 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

BEGINNING AT SAID POINT 'C';

THENCE CONTINUING NORTH 01° 07' 28" EAST ALONG SAID WESTERLY MARGIN OF FONES ROAD SOUTHEAST, 61.00 FEET;

THENCE NORTH 88° 52' 35" WEST, 40.02 FEET;

THENCE SOUTH 01° 07' 25" WEST, 61.00 FEET;

THENCE SOUTH 88° 52' 35" EAST, 20.00 FEET;

THENCE SOUTH 01° 07' 25" WEST, 52.00 FEET;

THENCE SOUTH 88° 52' 53" EAST, 10.00 FEET;

THENCE NORTH 01° 07' 25" EAST, 52.00 FEET;

THENCE SOUTH 88° 52' 35" EAST, 10.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,961 SQUARE FEET, MORE OR LESS.

TOTAL UTILITY EASEMENT CONTAINING 6,331 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30700, DATED FEBRUARY 9TH, 2021)

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPTING THEREFROM THE SOUTH 155 FEET OF THE EAST 260 FEET AND EXCEPTING ALSO THE EAST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD:

ALSO, THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, SAID TOWNSHIP AND RANGE AND OF BLOCK 7, J. C. BOYD'S ADDITION TO OLYMPIA, AS RECORDED IN VOLUME 3 OF PLATS, PAGE 52 IN THE RECORDS OF SAID COUNTY, LYING WEST OF A NORTHERLY PRODUCTION OF THE WEST LINE OF SAID FONES ROAD AND SOUTH OF A LINE PARALLEL WITH AND DISTANT 81 FEET NORTH, MEASURED AT RIGHT ANGLES, FROM THE SOUTH LINE OF SAID SECTION 18, EXCEPT ANY PORTION THEREOF LYING WITHIN 50 FEET, MEASURED AT RIGHT ANGLES, FROM THE

LPA-325 Rev. 5/2021 Page 4 of (6) Pages

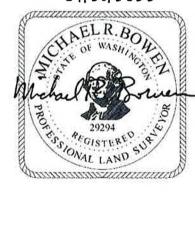
CENTERLINE OF THE MAIN TRACK OF THE NORTHERN PACIFIC RAILWAY COMPANY'S OLYMPIA BRANCH AS NOW CONSTRUCTED.

ALSO THOSE PORTIONS OF GOVERNMENT LOT 3, SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., OF GOVERNMENT LOT 1 OF SECTION 18, SAID TOWNSHIP AND RANGE, OF BLOCK 6, J. C. BOYD'S ADDITION TO OLYMPIA, OF VACATED SIXTH STREET AND MILL STREET, THURSTON COUNTY, WASHINGTON. DESCRIBED AS FOLLOWS:

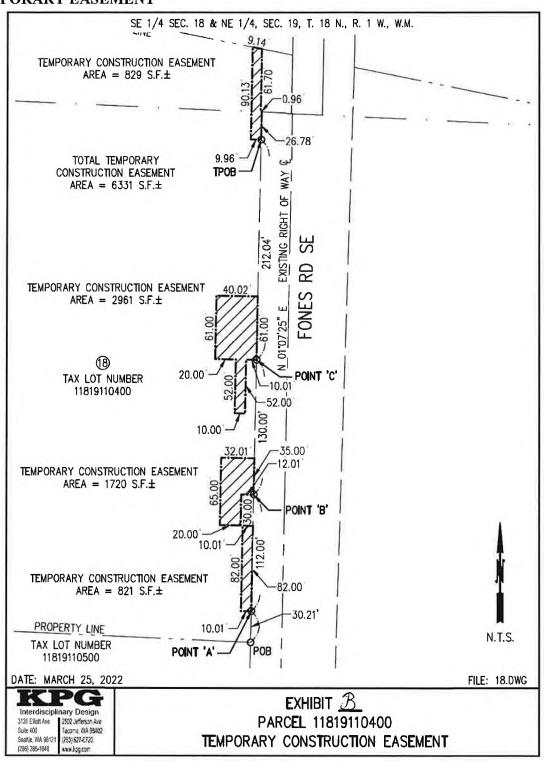
BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE WESTERLY ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER TO A POINT IN A LINE OF 100 FEET WESTERLY, MEASURED AT RIGHT ANGLES, FROM THE EAST LINE OF SAID GOVERNMENT LOT 3: THENCE NORTHERLY, PARALLEL WITH AND DISTANT 100 FEET WESTERLY FROM SAID EAST LINE AND THE EAST LINE OF SAID GOVERNMENT LOT 1 TO A POINT IN A LINE 15 FEET, PERPENDICULARLY AND RADIALLY DISTANT. NORTHEASTERLY, PARALLEL AND CONCENTRIC WITH THE CENTERLINE OF THE BURLINGTON NORTHERN LEAD TRACK AS SAID TRACK IS NOW LOCATED AND CONSTRUCTED AND SERVING PROPERTY IN SAID GOVERNMENT LOT 3 AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19: THENCE NORTHWESTERLY ON A CURVE TO THE LEFT ALONG SAID NORTHEASTERLY PARALLEL AND CONCENTRIC LINE TO A POINT IN A LINE 50 FEET. PERPENDICULARLY AND RADIALLY DISTANT, SOUTHERLY OF, PARALLEL AND CONCENTRIC WITH THE CENTERLINE OF THE BURLINGTON NORTHERN MAIN TRACK CENTERLINE FOR ITS ST. CLAIR TO GATE LINE (ALSO KNOWN AS THE FORMER NORTHERN PACIFIC RAILWAY COMPANY OLYMPIA BRANCH): THENCE EASTERLY ALONG SAID SOUTHERLY PARALLEL AND CONCENTRIC LINE TO THE EAST LINE OF SAID GOVERNMENT LOT 1; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID GOVERNMENT LOT 1 AND GOVERNMENT LOT 3 TO THE POINT OF BEGINNING.

ALSO THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., LYING NORTHERLY OF A LINE PARALLEL WITH AND DISTANT 81 FEET NORTH, MEASURED AT RIGHT ANGLES, FROM THE SOUTH LINE OF SAID SECTION AND SOUTHERLY OF A LINE PARALLEL WITH AND DISTANT 50 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE OF THE MAIN TRACK OF THE NORTHERN PACIFIC RAILWAY COMPANY'S OLYMPIA BRANCH, AS NOW CONSTRUCTED (BEING A PORTION OF THE VACATED PLAT J.C. BOYD'S ADDITION TO OLYMPIA, AS RECORDED IN VOLUME 3 OF PLATS, PAGE 52, IN THE RECORDS OF SAID COUNTY).

04/28/2022



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Page 6 of (6) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

**Grantor:** 

The Joe A. and Margaret L. Garbe Trust

Grantee:

City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819140100

#### STATUTORY WARRANTY DEED

The Grantor, Margaret L. Garbe, Trustee of the Joe A. and Margaret L. Garbe Trust Dated September 24, 1980, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of, 20	022.
Margaret L. Garbe, Trustee of The Joe A 24, 1980	A. and Margaret L. Garbe Trust dated September
STATE OF WASHINGTON ) ) ss. COUNTY OF)	
COUNTY OF)	
Margaret L. Garbe, to me known to be to Trust Dated September 24, 1980, the instrument, and acknowledged said instrument.	, 2022, before me personally appeared the Trustee of The Joe A. and Margaret L. Garbe trust that executed the within and foregoing ument to be the free and voluntary act and deed of ein mentioned, and on oath stated that he/she/they ent.
IN WITNESS WHEREOF I have the day and year first above written.	e hereunto set my hand and affixed my official seal
	Print Name
	Print Name:
	Washington, residing at Commission expires:
GRANTEE: Accepted and Approved:	Approved as to form:
CITY OF OLYMPIA	
By:Steven J. Burney, City Manager	<u> </u>
Steven J. Burney, City Manager	City Attorney
Date:	
STATUTORY WARRANTY DEED Page 2 of 4	

## EXHIBIT A PARCEL NO. 11819140100 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING WESTERLY OF A LINE THAT IS 32.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST:

CONTAINING 398 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30684, DATED FEBRUARY 9TH. 2021)

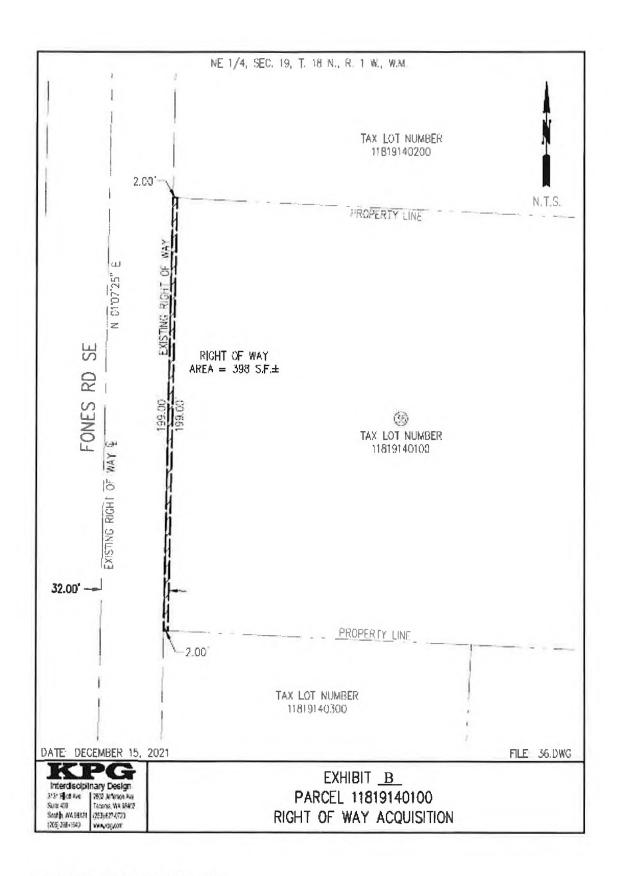
THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, 264 FEET SOUTH OF ITS NORTHWEST CORNER; RUNNING THENGE SOUTH ALONG SAID WEST LINE 198 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SOUTH 198 FEET OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE EASTERLY ALONG SAID NORTH LINE 330 FEET; THENCE NORTH 198 FEET, MORE OR LESS, AND WEST 330 FEET TO THE POINT OF BEGINNING; EXCEPT THE WEST 30 FEET FOR FONES ROAD.

03/01/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A Grantor(s): The Joe A. and Margaret L. Garbe Trust

Grantee(s): City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819140100

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), Margaret L. Garbe, Trustee of the Joe A. and Margaret L. Garbe Trust Dated September 24, 1980, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

	The term of this Temporary Easement shall commence on the date of acceptance	of this
Tempo	orary Easement by Grantee and shall terminate on,	
hereina	after the "Term".	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the **City of Olympia** unless and until accepted and approved hereon in writing for the **City of Olympia**, by its authorized agent.

LPA-325 Rev. 5/2021

Page 1 of (4) Pages

Dated:	, 202	2	
Margaret L. Garbe, Trusto September 24, 1980	ee of The Joe	A. and Margaret L. G	Sarbe Trust dated
		Accepted and Approv	red
		CITY OF OLYMPIA	A
		By;	-
		Date:	, 2022
Acknowledgment			
STATE OF WASHINGTON	)		
COUNTY OF	)		
On this day of known to be the Trustee of The Jo executed the within and foregoing and deed of said trust, for the uses authorized to execute said instrum	, 2022, e A. and Margard instrument, and and purposes the	et L. Garbe Trust Dated Sep acknowledged said instrum	stember 24, 1980, the trust that ent to be the free and voluntary act
		NOTARY PUBLIC in a	nd for the State of Washington,
		Commission expires:	

LPA-325 Rev. 5/2021

Page 2 of (4) Pages

## EXHIBIT A PARCEL NO. 11819140100 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 32.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 87° 19' 09" EAST ALONG SAID NORTH LINE OF PARCEL "A", 3.50 FEET TO A LINE THAT IS 35.50 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 150,98 FEET:

THENCE SOUTH 98° 52' 35" EAST, 15.00 FEET TO A LINE THAT IS 50.50 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE:

THENCE SOUTH 01° 07' 25" ALONG SAID PARALLEL LINE, 20,00 FEET:

THENCE NORTH 88° 52' 35" WEST, 15.00 FEET TO SAID LINE THAT IS 35.50 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE:

THENCE SOUTH 01° 07' 25" WEST, 28.00 FEET TO THE SOUTH LINE OF SAID PARCEL "A":

THENCE NORTH 87° 30' 38" WEST ALONG SAID SOUTH LINE, 3.50 FEET TO SAID LINE THAT IS 32.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE:

THENCE NORTH 01° 07' 25" ALONG SAID PARALLEL LINE, 199,00 FEET TO THE POINT OF BEGINNING.

CONTAINING 996 SQUARE FEET, MORE OR LESS.

#### PARCEL "A".

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30684, DATED FEBRUARY 9TH, 2021)

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, 264 FEET SOUTH OF ITS NORTHWEST CORNER; RUNNING THENCE SOUTH ALONG SAID WEST LINE 198 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SOUTH 198 FEET OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE EASTERLY ALONG SAID NORTH LINE 330 FEET; THENCE NORTH 198 FEET, MORE OR LESS, AND WEST 330 FEET TO THE POINT OF BEGINNING; EXCEPT THE WEST 30 FEET FOR FONES ROAD.

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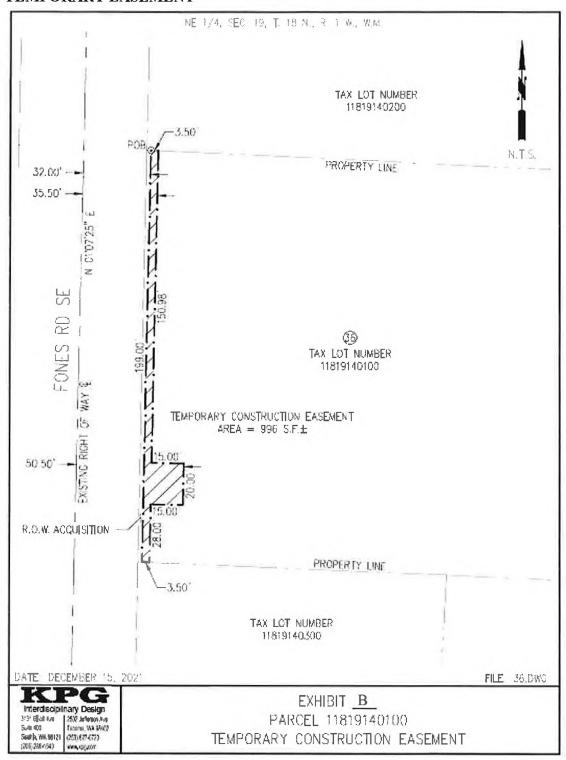
Page 1 of 1

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Page 3 of (4) Pages

LPA-325 Rev. 5/2021



LPA-325 Rev. 5/2021

Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

Grantor:

Detray, Phyllis J. and Edwin Paul Detray Family Trust and Phyllis

**Jean Detray Family Trust** 

Grantee:

City of Olympia

Legal Description: PTN NE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819111000

#### STATUTORY WARRANTY DEED

The Grantors, Phyllis J. Detray, as her separate estate, and Delbert P. Detray and Denise M. Shawe, as Co-Trustees of the Edwin Paul Detray Family Trust and Delbert P. Detray and Denise M. Shawe, as Co-Trustees of the Phyllis Jean Detray Family Trust, as their interest appear of record, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to setover to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

GRANTOR:	
Granted this day of, 202	2.
Phyllis J. Detray	
Delbert P. Detray, as Co-Trustee of the Ed	_ win Paul Detray Family Trust
Denise M. Shawe, as Co-Trustee of the Ed	_ win Paul Detray Family Trust
Delbert P. Detray, as Co-Trustee of the Phy	yllis Jean Detray Family Trust
Denise M. Shawe, as Co-Trustee of the Phy	_ yllis Jean Detray Family Trust
STATE OF WASHINGTON )	
) ss. COUNTY OF)	
individual described in and who executed the	before me Phyllis J. Detray, to me known to be the he within and foregoing instrument, and acknowledged and voluntary act and deed, for the uses and purposes
GIVEN under my hand and official	seal this, 2022.
	Print Name:  NOTARY PUBLIC in and for the State of Washington, residing at  Commission expires.
	Commission expires:

STATE OF WASHINGTON )	
COUNTY OF) ss.	
Trust, the trust that executed the within and instrument to be the free and voluntary act a	, 2022, before me personally appeared Co-Trustees of The Edwin Paul Detray Family foregoing instrument, and acknowledged said nd deed of said trust, for the uses and purposes he/she/they is/are authorized to execute said
IN WITNESS WHEREOF I have he the day and year first above written.	reunto set my hand and affixed my official seal
	Print Name:
	NOTARY PUBLIC in and for the State of Washington, residing at Commission expires:
STATE OF WASHINGTON ) ss. COUNTY OF)	
Trust, the trust that executed the within and instrument to be the free and voluntary act a	, 2022, before me personally appeared as Co-Trustees of Phyllis Jean Detray Family foregoing instrument, and acknowledged said and deed of said trust, for the uses and purposes he/she/they is/are authorized to execute said
IN WITNESS WHEREOF I have he the day and year first above written.	reunto set my hand and affixed my official seal
	Print Name:

STATUTORY WARRANTY DEED Page 3 of 6

GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Date:	

### EXHIBIT A PARCEL NO. 11819111000 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING WESTERLY OF A LINE THAT IS 46.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

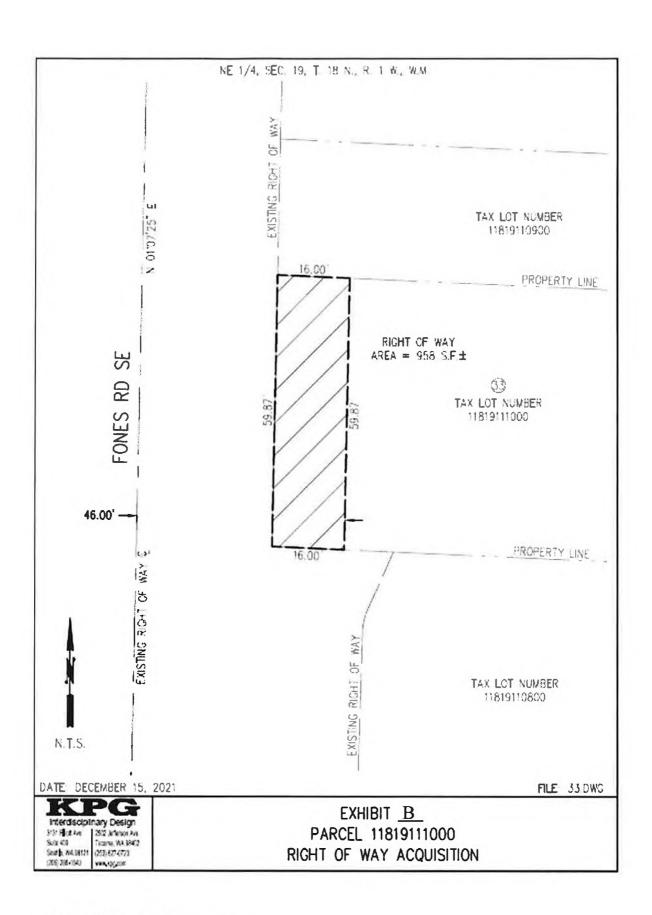
CONTAINING 958 SQUARE FEET, MORE OR LESS.

PARCEL "A":
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30691,
DATED FEBRUARY 9TH, 2021)

THE SOUTH 60 FEET OF THE NORTH 150 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPTING THEREFROM THE WEST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD.

02/24/2022





STATUTORY WARRANTY DEED Page 6 of 6

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Detray, Phyllis J. and Edwin Paul Detray Family Trust and Phyllis Jean Detray

Family Trust

Grantee(s): City of Olympia

Legal Description: PTN NE ¼ NE ¼ 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819111000

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), Phyllis J. Detray, as her separate estate, and Delbert P. Detray and Denise M. Shawe, as Co-Trustees of the Edwin Paul Detray Family Trust and Delbert P. Detray and Denise M. Shawe, as Co-Trustees of the Phyllis Jean Detray Family Trust, as their interest appear of record, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

	The term of this Temporary Easement shall commence on the date of ac	ceptance of this
Temp	porary Easement by Grantee and shall terminate on	,
herein	inafter the "Term".	

LPA-325 Rev. 5/2021 Page 1 of (4) Pages

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its authorized agent.

Dated:,	, 2022	
Phyllis J. Detray	<del></del> -	
Delbert P. Detray, as Co-Trustee of th	e Edwin Paul Detray	Family Trust
Denise M. Shawe, as Co-Trustee of th	e Edwin Paul Detray	Family Trust
Delbert P. Detray, as Co-Trustee of th	e Phyllis Jean Detray	Family Trust
Denise M. Shawe, as Co-Trustee of th	e Phyllis Jean Detray	Family Trust
	Accepted and A	pproved
	CITY OF OLY	YMPIA
	Ву:	
	Date:	, 2022

LPA-325 Rev. 5/2021 Page 2 of (6) Pages

### TEMPORARY EASEMENT STATE OF WASHINGTON ) COUNTY OF\_\_\_\_\_\_) ss. On this day personally appeared before me Phyllis J. Detray, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned. GIVEN under my hand and official seal this day of 2022. Print Name: NOTARY PUBLIC in and for the State of Washington, residing at \_\_\_\_\_ Commission expires: STATE OF WASHINGTON ) COUNTY OF \_\_\_\_\_ On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me personally appeared Delbert P. Detray and Denise M. Shawe, as Co-Trustees of The Edwin Paul Detray Family Trust, the trust that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said trust, for the uses and purposes therein mentioned, and on oath stated that he/she/they is/are authorized to execute said instrument. IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written. Print Name:\_\_\_\_ NOTARY PUBLIC in and for the State of Washington, residing at \_\_\_\_\_ Commission expires:

LPA-325 Rev. 5/2021 Page 3 of (6) Pages

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LPA-325 Rev. 5/2021 Page 4 of (6) Pages

## EXHIBIT A PARCEL NO. 11819111000 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 46.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 87° 28' 10" EAST ALONG SAID NORTH LINE OF PARCEL "A". 10.00 FEET TO A LINE THAT IS 56.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 34.63 FEET;

THENCE SOUTH 88° 52' 35" EAST, 15.00 FEET TO A LINE THAT IS 71.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 25.62 FEET TO THE SOUTH LINE OF SAID PARCEL "A";

THENCE NORTH 87° 27' 21" WEST ALONG SAID SOUTH LINE, 25.01 FEET TO SAID LINE THAT IS 46.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 59.87 FEET TO THE POINT OF BEGINNING.

CONTAINING 980 SQUARE FEET, MORE OR LESS.

#### PARCEL "A"

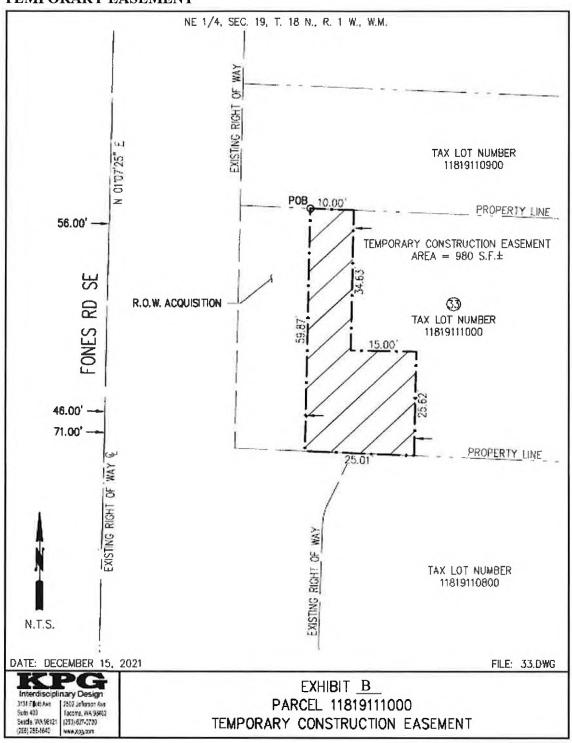
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30691, DATED FEBRUARY 9TH, 2021)

THE SOUTH 60 FEET OF THE NORTH 150 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPTING THEREFROM THE WEST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD.

02/24/2022



LPA-325 Rev. 5/2021 Page 5 of (6) Pages



LPA-325 Rev. 5/2021 Page 6 of (6) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

**Grantor:** 

Detray, Phyllis J. and Edwin Paul Detray Family Trust and Phyllis

Jean Detray Family Trust

**Grantee:** 

City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819141500

#### STATUTORY WARRANTY DEED

The Grantors, Phyllis J. Detray, as her separate estate, and Delbert P. Detray and Denise M. Shawe, as Co-Trustees of the Edwin Paul Detray Family Trust and Delbert P. Detray and Denise M. Shawe, as Co-Trustees of the Phyllis Jean Detray Family Trust, as their interest appear of record, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to setover to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

GRANTOR:	
Granted this day of, 20	22.
Phyllis J. Detray	_
Delbert P. Detray, as Co-Trustee of the E	dwin Paul Detray Family Trust
Denise M. Shawe, as Co-Trustee of the E	dwin Paul Detray Family Trust
Delbert P. Detray, as Co-Trustee of the P	hyllis Jean Detray Family Trust
Denise M. Shawe, as Co-Trustee of the P	hyllis Jean Detray Family Trust
STATE OF WASHINGTON )	
STATE OF WASHINGTON ) ss.  COUNTY OF)	
individual described in and who executed	before me Phyllis J. Detray, to me known to be the the within and foregoing instrument, and acknowledged the and voluntary act and deed, for the uses and purposes
GIVEN under my hand and offici	al seal this day of, 2022.
	Print Name:
	NOTARY PUBLIC in and for the State of
	Washington, residing at
	Commission expires:

STATE OF WASHINGTON ) ss.	
COUNTY OF)	
On this day of	, 2022, before me personally appeared Co-Trustees of The Edwin Paul Detray Family foregoing instrument, and acknowledged said and deed of said trust, for the uses and purposes he/she/they is/are authorized to execute said
IN WITNESS WHEREOF I have her the day and year first above written.	reunto set my hand and affixed my official seal
	Print Name:
STATE OF WASHINGTON ) ss. COUNTY OF)	
Trust, the trust that executed the within and instrument to be the free and voluntary act a	, 2022, before me personally appeared as Co-Trustees of Phyllis Jean Detray Family foregoing instrument, and acknowledged said and deed of said trust, for the uses and purposes he/she/they is/are authorized to execute said
IN WITNESS WHEREOF I have her the day and year first above written.	reunto set my hand and affixed my official seal
	Print Name:  NOTARY PUBLIC in and for the State of Washington, residing at  Commission expires:

GRANTEE:		
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:	
By:Steven J. Burney, City Manager	City Attorney	
Date:		

# EXHIBIT A PARCEL NO. 11819141500 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 46.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 75.02 FEET

THENCE SOUTH 88° 52' 35" EAST, 8.87 FEET TO THE WESTERLY MARGIN OF SAID FONES ROAD SOUTHEAST AND TERMINUS OF SAID DESCRIBED LINE.

CONTAINING 665 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

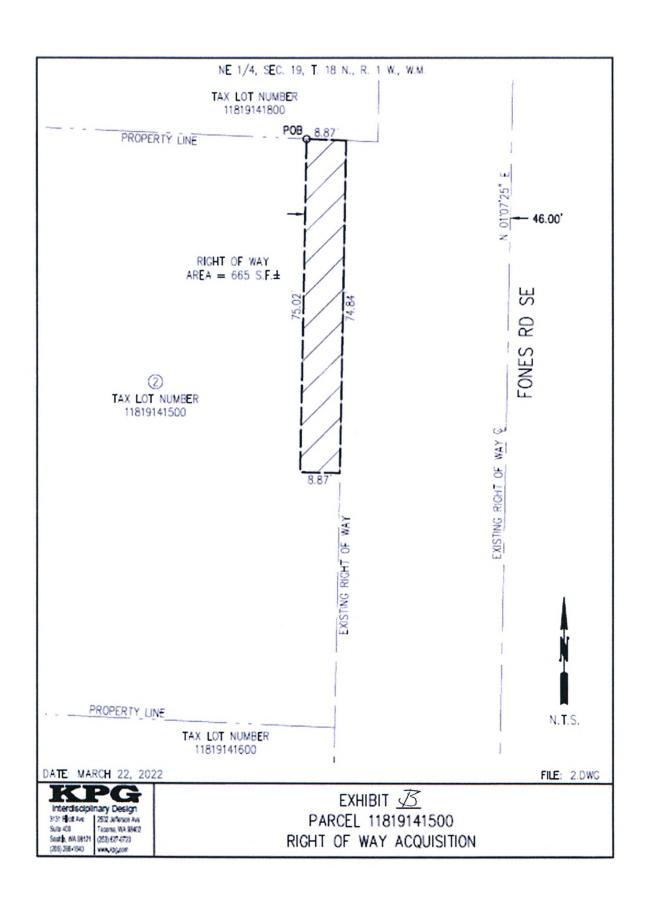
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30667, DATED FEBRUARY 9TH, 2021)

THE NORTH 132 FEET OF THE EAST 330 FEET OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.; EXCEPTING THEREFROM THE EAST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD. ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF OLYMPIA BY INSTRUMENT RECORDED JUNE 18, 2009 UNDER AUDITOR'S FILE NO. 4091260.

04/05/2022



STATUTORY WARRANTY DEED Page 5 of 6



After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

Document Title: Statutory Warranty Deed

Grantor: Dobbin Plays LLC
Grantee: City of Olympia

Legal Description: PTN NE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819110800

#### STATUTORY WARRANTY DEED

The Grantor, **Dobbin Plays, LLC, a Washington Limited Liability Company**, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, **CITY OF OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 5

GRANTOR	:	
Granted this	s day of,	2022.
Dobbin Play	vs LLC,	
STATE OF	) ) ss. )F)	•
COUNTY (	OF)	
On this	day of	, 2022, before me personally appeared , to me known to be the managing member of
acknowledg for the uses	ed said instrument to be the	executed the within and foregoing instrument, and e free and voluntary act and deed of said company, ioned, and on oath stated that he/she is authorized
	SS WHEREOF I have here r first above written.	unto set my hand and affixed my official seal the
		Print Name:NOTARY PUBLIC in and for the State of Washington, residing at
		Commission expires:
GRANTEE:		
Accepted an CITY OF O	d Approved: LYMPIA	Approved as to form:
By:	. Burney, City Manager	City Attorney
Sieven	. Burney, City Manager	City Attorney
Date:		

STATUTORY WARRANTY DEED Page 2 of 5

# EXHIBIT <u>A</u> PARCEL NO. 11819110800 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 111.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE NORTH 87° 28' 20" WEST ALONG SAID SOUTH LINE, 9.20 FEET TO THE EASTERLY MARGIN OF FONES ROAD SOUTHEAST AND THE TRUE POINT OF BEGINNING:

THENCE NORTH 02° 09' 12" EAST ALONG SAID EASTERLY MARGIN, 24.30 FEET TO A POINT HEREINAFTER DESCRIBED AS POINT 'A':

THENCE SOUTHWESTERLY ON A CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 02° 32' 46" EAST, 49.00 FEET, AN ARC DISTANCE OF 20.48 FEET;

THENCE SOUTHERLY ON A CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 59° 10' 33" EAST, 79:00 FEET, AN ARC DISTANCE OF 19:72 FEET TO SAID EASTERLY MARGIN OF FONES ROAD SOUTHEAST;

THENCE SOUTH 87° 28' 20" EAST ALONG SAID EASTERLY MARGIN, 26.69 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 504 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

BEGINNING AT SAID POINT 'A':

THENCE CONTINUING ALONG SAID EASTERLY MARGIN OF FONES ROAD SOUTHEAST, NORTH 01° 55' 20" EAST, 28.32 FEET;

THENCE CONTINUING ALONG SAID EASTERLY MARGIN OF FONES ROAD SOUTHEAST, WESTERLY ON A CURVE TO THE RIGHT WHOSE CENTER BEARS NORTH 06° 23' 25" EAST, 49.00 FEET, AN ARC DISTANCE OF 8.33 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EASTERLY MARGIN ON SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 12.15 FEET:

THENCE CONTINUING ALONG SAID EASTERLY MARGIN NORTHWESTERLY ON A CURVE TO THE LEFT WHOSE CENTER BEARS NORTH 72° 54′ 22" EAST, 79.00 FEET, AN ARC DISTANCE OF 6.08 FEET.

THENCE SOUTH 87° 28' 03" EAST, 13.16 FEET;

THENCE SOUTH 02° 32' 25" WEST, 10.09 FEET TO THE TRUE POINT OF BEGINNING.

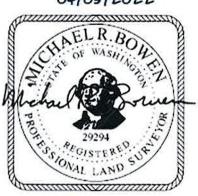
CONTAINING 98 SQUARE FEET, MORE OR LESS.

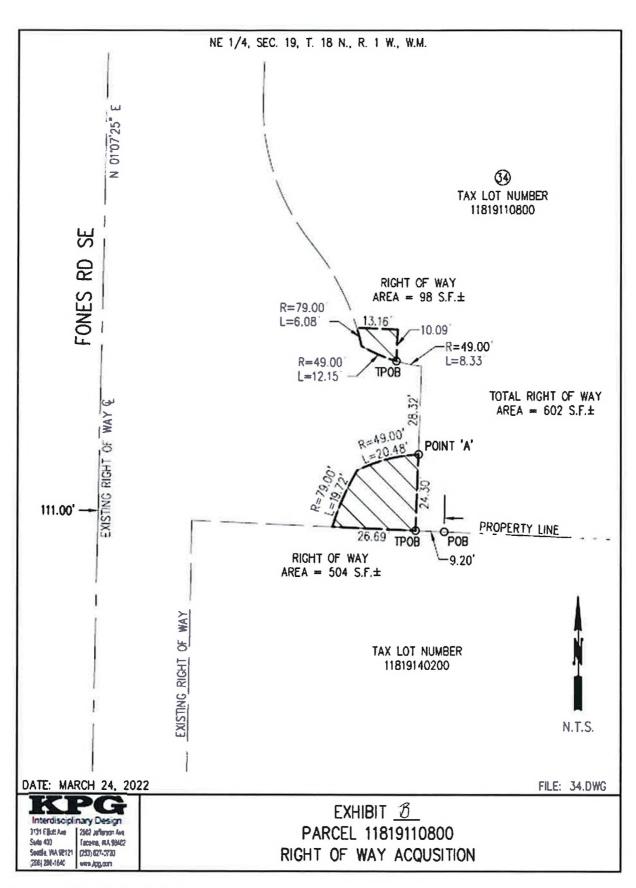
PARCEL "A":

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30692, DATED FEBRUARY 9TH, 2021)

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M. EXCEPTING THEREFROM THE NORTH 150 FEET AND EXCEPTING THEREFROM THE WEST 30 FEET FOR FONES ROAD, ALSO EXCEPT THAT PORTION GRANTED TO THE CITY OF OLYMPIA BY DEED RECORDED JULY 15, 2011 UNDER AUDITOR'S FILE NO. 4219736.

04/05/2022





STATUTORY WARRANTY DEED Page 5 of 5

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Dobbin Plays LLC Grantee(s): City of Olympia

Legal Description: PTN NE 1/4 NE 1/4 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819110800

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), **Dobbin Plays, LLC, a Washington Limited Liability Company**, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the **City of Olympia**, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

	The term of this Temporary Easement shall commence on the date of acceptance of this
Temp	porary Easement by Grantee and shall terminate on,
herei	nafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its

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Page 1 of (4) Pages

authorized agent.

Dated:		, 2022			
Dated		, 2022			
Dobbin Pla	ays LLC,				
By:		_			
			Accepted and A	pproved	
			CITY OF OLY	MPIA	
			By:		
			Date:		, 2022
Acknowled	dgment				
STATE OF V	WASHINGTON	) ) ss.			
COUNTY O	F				
On this	day of	, 2022, b	efore me personally	y appeared g member of I	Dobbin Plays, LLC, the
and voluntary	t executed the within	n and foregoing insti id company, for the	rument, and acknov	wledged said i	nstrument to be the free ned, and on oath stated that
IN WITNESS written.	S WHEREOF I have	e hereunto set my ha	and affixed my	official seal tl	ne day and year first above
			Print Name:		
			NOTARY PUBLI	IC in and for t	he State of Washington,
			Commission expir	res:	

LPA-325 Rev. 5/2021 Page 2 of (4) Pages

## EXHIBIT \_\_\_\_\_\_ PARCEL NO. 11819110800 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 111.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 57.07 FEET;

THENCE NORTH 88° 52' 35" WEST, 16.49 FEET;

THENCE SOUTH 02° 32' 25" WEST, 2.77 FEET TO THE EASTERLY MARGIN OF SAID FONES ROAD SOUTHEAST;

THENCE EASTERLY ALONG SAID EASTERLY MARGIN ON A CURVE TO THE LEFT WHOSE CENTER BEARS NORTH 16° 07' 49" EAST, 49.00 FEET, AN ARC DISTANCE OF 8.33 FEET;

THENCE CONTINUING ALONG SAID EASTERLY MARGIN, SOUTH 01° 55' 20" WEST, 28.38 FEET:

THENCE CONTINUING ALONG SAID EASTERLY MARGIN, SOUTH 02° 09' 14" WEST, 24:25 FEET TO SAID SOUTH LINE OF PARCEL "A".

THENCE SOUTH 87° 28' 20" EAST ALONG SAID SOUTH LINE, 9, 20 FEET TO THE POINT OF BEGINNING.

CONTAINING 527 SQUARE FEET, MORE OR LESS.

#### PARCEL "A"

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30692, DATED FEBRUARY 9TH, 2021)

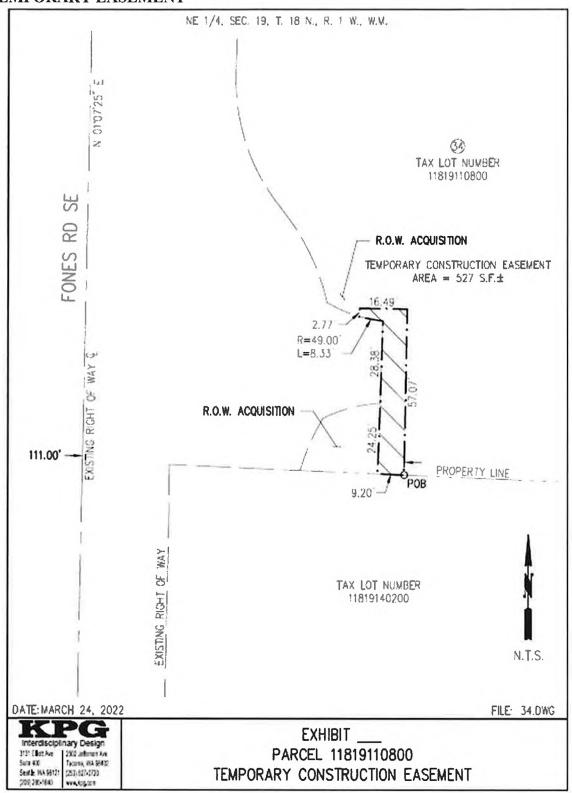
THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M. EXCEPTING THEREFROM THE NORTH 150 FEET AND EXCEPTING THEREFROM THE WEST 30 FEET FOR FONES ROAD. ALSO EXCEPT THAT PORTION GRANTED TO THE CITY OF OLYMPIA BY DEED RECORDED JULY 15, 2011 UNDER AUDITOR'S FILE NO. 4219736.

02/24/2022



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Page 3 of (4) Pages



LPA-325 Rev. 5/2021

Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

Document Title: Statutory Warranty Deed Grantor: DeTray's Park, LLC

Grantee: City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 118-19-141800

#### STATUTORY WARRANTY DEED

The Grantor, **DETRAY'S PARK, LLC**, a Washington Limited Liability Company, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, **CITY OF OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of, 2	022.
DeTray's Park, LLC By:	
DeTray's Park, LLC By:	
STATE OF) ss. COUNTY OF)	
DeTray's Park, LLC, the company that eacknowledged said instrument to be the for the uses and purposes therein ment authorized to execute said instrument.	, 2022, before me personally appeared to me known to be the managing member of executed the within and foregoing instrument, and free and voluntary act and deed of said company, cioned, and on oath stated that he/she/they is/are the hereunto set my hand and affixed my official
seal the day and year first above written.	
	Print Name:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Date:	
STATUTORY WARRANTY DEED	
Page 2 of 4	

#### **EXHIBIT A**

#### PARCEL NO. 11819141800 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 34.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 53.73 FEET;

THENCE NORTH 88° 52' 32" WEST, 11.00 FEET TO A LINE THAT IS 45.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 30.00 FEET;

THENCE SOUTH 88° 52' 35" EAST, 11.00 FEET TO SAID LINE THAT IS 34.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 176.83 FEET TO THE SOUTH LINE OF SAID PARCEL "A" AND THE TERMINUS OF SAID DESCRIBED LINE.

CONTAINING 1,370 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

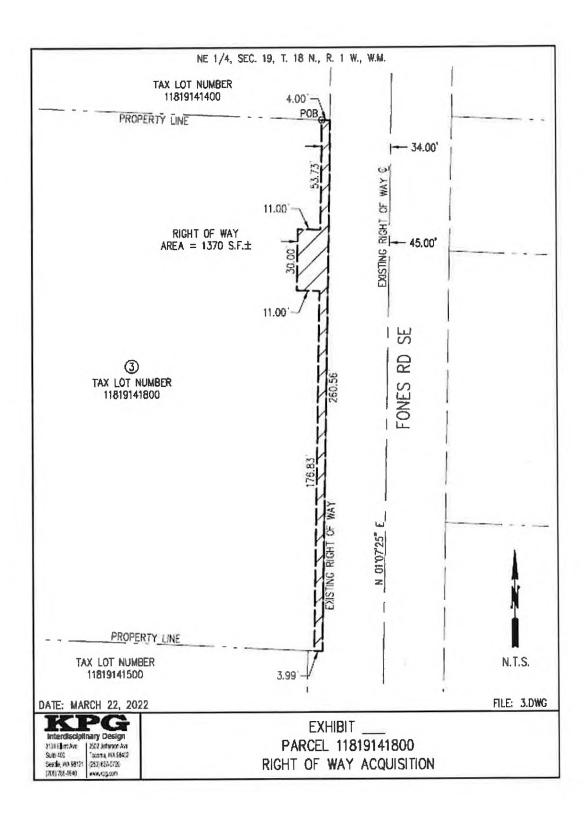
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30668, DATED FEBRUARY 9TH, 2021)

THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPT THE NORTH 70 FEET OF THE EAST 190 FEET. ALSO EXCEPTING THE EAST 30 FEET FOR FONES ROAD.

04/08/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): DeTray's Park, LLC Grantee(s): City of Olympia

**Legal Description:** PTN SE ¼ NE ¼ 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 118-19-141800

#### **TEMPORARY EASEMENT**

Fones Road Improvements

The Grantor(s), DETRAY'S PARK, LLC, a Washington Limited Liability Company, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on hereinafter the "Term".

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its LPA-325

Rev. 5/2021

## 

Date: \_\_\_\_\_\_, 2022

TEMPORARY EASEMENT

LPA-325 Rev. 5/2021 Page 2 of (6) Pages

Acknowledgment		
STATE OF		
COUNTY OF	) ss. )	
On this		, 2022, before me personally appeared to me known to be the managing member of DeTray's
said instrument to b	e the free and volu	he within and foregoing instrument, and acknowledged intary act and deed of said company, for the uses and a stated that he/she/they is/are authorized to execute said
IN WITNES the day and year firs		ve hereunto set my hand and affixed my official seal
		Print Name:
		NOTARY PUBLIC in and for the State of Washington, residing at
		Commission expires:

LPA-325 Rev. 5/2021

Page 3 of (6) Pages

#### Exhibit A

### PARCEL NO. 11819141800 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 34.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 53.73 FEET;

THENCE NORTH 88° 52' 35" WEST, 11.00 FEET TO A LINE THAT IS 45,00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 30,00 FEET:

THENCE SOUTH 88° 52' 35" EAST, 11.00 FEET TO SAID LINE THAT IS 34.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 176.83 FEET TO THE SOUTH LINE OF SAID PARCEL "A":

THENCE NORTH 87\* 31' 56" WEST ALONG SAID SOUTH LINE, 2.00 FEET TO A LINE THAT IS 36,00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 75.51 FEET:

THENCE NORTH 88° 52' 35" WEST, 28.00 FEET TO A LINE THAT IS 64.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 30.00 FEET;

THENCE SOUTH 88° 52' 35" EAST, 28.00 FEET TO SAID LINE THAT IS 36.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 65.00 FEET;

THENCE NORTH 88° 52' 35" WEST, 18.00 FEET TO A LINE THAT IS 54.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 90.48 FEET TO SAID NORTH LINE OF PARCEL "A":

THENCE SOUTH 87° 30' 38" EAST ALONG SAID NORTH LINE, 20.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,656 SQUARE FEET, MORE OR LESS.

LPA-325 Rev. 5/2021

Page 4 of (6) Pages

PARCEL "A":

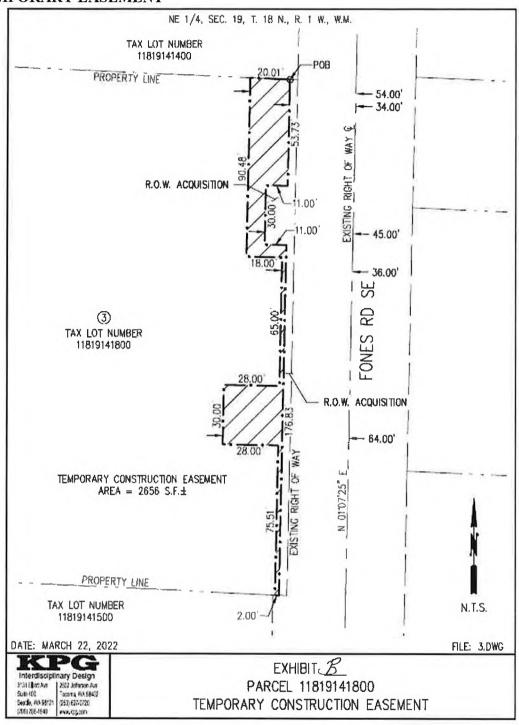
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30668, DATED FEBRUARY 9TH, 2021)

THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPT THE NORTH 70 FEET OF THE EAST 190 FEET. ALSO EXCEPTING THE EAST 30 FEET FOR FONES ROAD.

04/28/2022



LPA-325 Rev. 5/2021 Page 5 of (6) Pages



LPA-325 Rev. 5/2021 Page 6 of (6) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

**Grantor:** 

DeTray's Park, LLC

Grantee:

City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 118-19-141100

#### STATUTORY WARRANTY DEED

The Grantor, **DETRAY'S PARK**, **LLC**, a Washington Limited Liability Company, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, **CITY OF OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of, 2	022.
DeTray's Park, LLC By:	
DeTray's Park, LLC By:	
STATE OF)	
COUNTY OF) ss.	
On this day of	, 2022, before me personally appeared to me known to be the managing member of
DeTray's Park, LLC, the company that eacknowledged said instrument to be the	executed the within and foregoing instrument, and free and voluntary act and deed of said company, ioned, and on oath stated that he/she/they is/are
IN WITNESS WHEREOF I have seal the day and year first above written.	e hereunto set my hand and affixed my official
	Print Name:
	Print Name:
	Washington, residing at
	Commission expires:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:	
Steven J. Burney, City Manager	City Attorney
Date:	
STATUTORY WARRANTY DEED Page 2 of 4	

#### **EXHIBIT A**

#### PARCEL NO. 11819141100 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING EASTERLY OF A LINE THAT IS 37.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

CONTAINING 457 SQUARE FEET, MORE OR LESS.

<u>PARCEL "A":</u> (PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30670, DATED FEBRUARY 9TH, 2021)

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS:

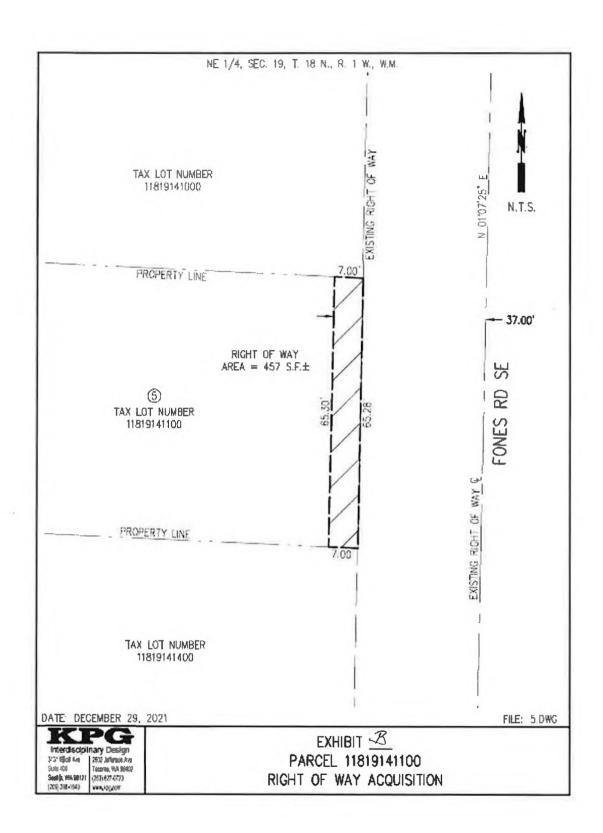
BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19; RUNNING THENCE NORTH ALONG THE EAST LINE OF SAID SUBDIVISION 66 FEET; THENCE WEST 330 FEET AND SOUTH 66 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID SUBDIVISION; THENCE EASTERLY ALONG SAID SOUTH LINE 330 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THE EAST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD.

IN THURSTON COUNTY, WASHINGTON.

02/09/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): DeTray's Park, LLC Grantee(s): City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 118-19-141100

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), DETRAY'S PARK, LLC, a Washington Limited Liability Company, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commen	nce on the date of acceptance of this
Temporary Easement by Grantee and shall terminate on _	,
hereinafter the "Term".	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its LPA-325

Rev. 5/2021

Page 1 of (5) Pages

# 

Date: \_\_\_\_\_\_\_, 2022

TEMPORARY EASEMENT

LPA-325 Rev. 5/2021 Page 2 of (5) Pages

STATE OF		
COUNTY OF	) ss.	
On this		, 2022, before me personally appeared to me known to be the managing member of DeTray's
		the within and foregoing instrument, and acknowledged attary act and deed of said company, for the uses and
	ationed, and on oath	stated that he/she/they is/are authorized to execute said
purposes therein mer instrument.	S WHEREOF I have	stated that he/she/they is/are authorized to execute said e hereunto set my hand and affixed my official seal

LPA-325 Rev. 5/2021

Page 3 of (5) Pages

#### Exhibit A

#### PARCEL NO. 11819141100 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 37.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST, ALONG SAID PARALLEL LINE, 65.30 FEET TO THE SOUTH LINE OF SAID PARCEL "A".

THENCE NORTH '87\* 30' 38" WEST ALONG SAID SOUTH LINE, 9.00 FEET TO A LINE THAT IS 46.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 24.79 FEET:

THENCE SOUTH 88° 52' 35" EAST, 5.00 FEET TO A LINE THAT IS 41.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE NORTH 01° 07' 25" EAST, ALONG SAID PARALLEL LINE, 40.41 FEET TO SAID NORTH LINE OF PARCEL "A";

THENCE SOUTH 87° 22' 14" EAST ALONG SAID NORTH LINE, 4,00 FEET TO THE POINT OF BEGINNING.

CONTAINING 385 SQUARE FEET, MORE OR LESS.

#### PARCEL "A"

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30670, DATED FEBRUARY 9TH, 2021)

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19; RUNNING THENCE NORTH ALONG THE EAST LINE OF SAID SUBDIVISION 66 FEET; THENCE WEST 330 FEET AND SOUTH 66 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID SUBDIVISION; THENCE EASTERLY ALONG SAID SOUTH LINE 330 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THE EAST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD.

IN THURSTON COUNTY, WASHINGTON.

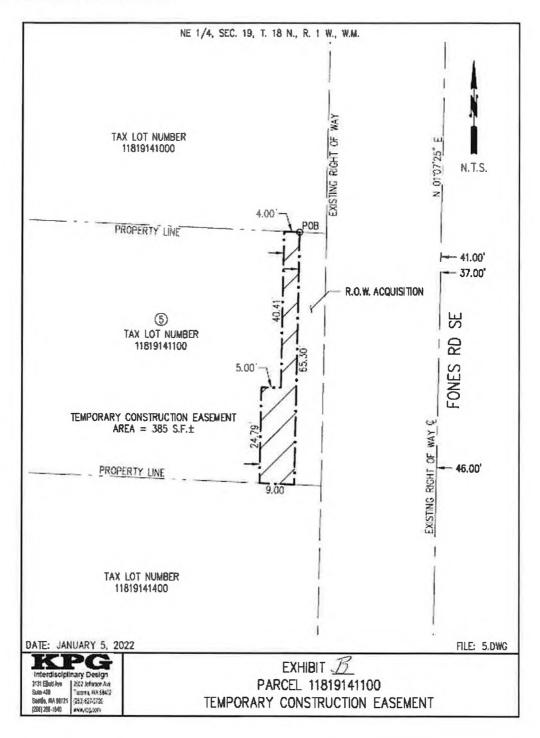
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LPA-325 Rev. 5/2021 Page 4 of (5) Pages



LPA-325 Rev. 5/2021 Page 5 of (5) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

**Grantor:** 

DeTray's Park, LLC

Grantee:

City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 118-19-141400

#### STATUTORY WARRANTY DEED

The Grantor, **DETRAY'S PARK, LLC**, a Washington Limited Liability Company, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, **CITY OF OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of, 2	022.
DeTray's Park, LLC By:	
DeTray's Park, LLC By:	
STATE OF) ss.	
COUNTY OF) ss.	
On this day of	, 2022, before me personally appeared to me known to be the managing member of
authorized to execute said instrument.	tioned, and on oath stated that he/she/they is/are e hereunto set my hand and affixed my official .
	Print Name:
	NOTARY PUBLIC in and for the State of
	Washington, residing at Commission expires:
GRANTEE: Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Date:	
STATUTORY WARRANTY DEED Page 2 of 4	

#### **EXHIBIT A**

#### PARCEL NO. 11819141400 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 36.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 34.12 FEET;

THENCE NORTH 88° 52' 35" WEST, 12:00 FEET TO A LINE THAT IS 48:00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 36.19 FEET TO THE NORTH LINE OF SAID PARCEL "A" AND TERMINUS OF SAID DESCRIBED LINE.

CONTAINING 853 SQUARE FEET, MORE OR LESS.

PARCEL "A":

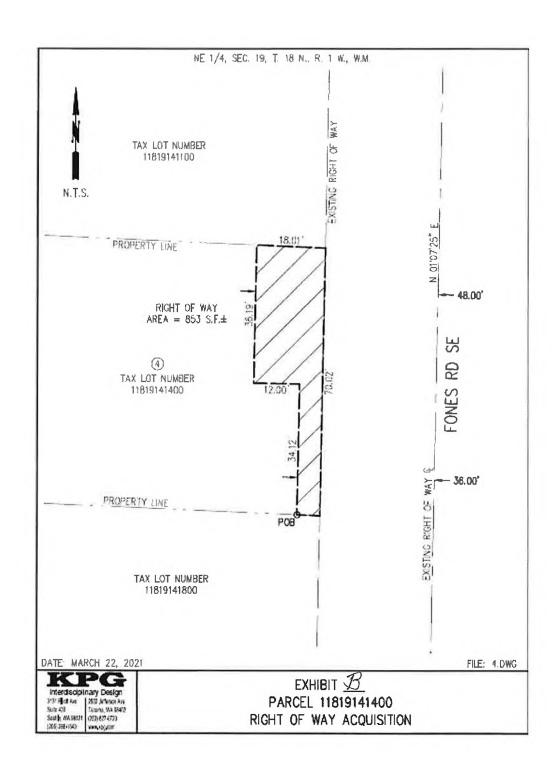
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30669, DATED FEBRUARY 9TH, 2021)

THE NORTH 70 FEET OF THE EAST 190 FEET OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.; EXCEPT THE EAST 30 FEET FOR FONES ROAD.

04/05/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): DeTray's Park, LLC Grantee(s): City of Olympia

**Legal Description:** PTN SE ¼ NE ¼ 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 118-19-141400

#### **TEMPORARY EASEMENT**

Fones Road Improvements

The Grantor(s), DETRAY'S PARK, LLC, a Washington Limited Liability Company, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall com	mence on the date of acceptance of this
Temporary Easement by Grantee and shall terminate or	1,
hereinafter the "Term".	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its LPA-325

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Page 1 of (5) Pages

### 

By:

Date: \_\_\_\_\_\_, 2022

LPA-325 Rev. 5/2021 Page 2 of (5) Pages

Acknowledgment		
STATE OF		
COUNTY OF	) ss. )	
On this		, 2022, before me personally appeared to me known to be the managing member of DeTray's
said instrument to b	e the free and volume	he within and foregoing instrument, and acknowledged ntary act and deed of said company, for the uses and stated that he/she/they is/are authorized to execute said
IN WITNES the day and year firs		e hereunto set my hand and affixed my official seal
		Print Name:
		NOTARY PUBLIC in and for the State of Washington, residing at
		Commission expires:

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#### Exhibit A

### PARCEL NO. 11819141400 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 36.00 FEET WESTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 34.12 FEET;

THENCE NORTH 88° 52' 35" WEST, 2.00 FEET TO A LINE THAT IS 38.00 FEET WESTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 34.07 FEET TO SAID SOUTH LINE OF PARCEL "A";

THENCE SOUTH 87° 30' 38" EAST ALONG SAID SOUTH LINE, 2.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 68 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

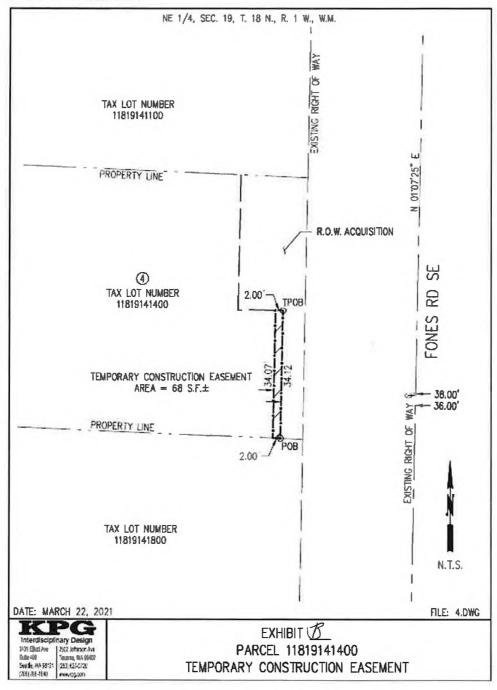
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30669, DATED FEBRUARY 9TH, 2021)

THE NORTH 70 FEET OF THE EAST 190 FEET OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.; EXCEPT THE EAST 30 FEET FOR FONES ROAD.

04/05/2022



LPA-325 Rev. 5/2021 Page 4 of (5) Pages



LPA-325 Rev. 5/2021 Page 5 of (5) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

**Grantor:** 

Detray, E.P. and Phyllis

Grantee:

City of Olympia

Legal Description: PTN NE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819110901

#### STATUTORY WARRANTY DEED

The Grantor, **E.P. Detray and Phyllis Detray, husband and wife**, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, **CITY OF OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of	, 2022.
E.P. Detray	
Phyllis Detray	
STATE OF WASHINGTON ) ss. COUNTY OF THURSTON )	
j	
known to be the individuals describ	red before me E.P. Detray and Phyllis Detray, to me ed in and who executed the within and foregoing ey signed the same as their free and voluntary act and mentioned.
GIVEN under my hand and of 2022.	ficial seal this day of,
	Print Name:
	NOTARY PUBLIC in and for the State of Washington, residing at
	Commission expires.
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attended
Date:	
STATUTORY WARRANTY DEED Page 2 of 4	

### EXHIBIT <u>A</u> PARCEL NO. 11819110901 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 51.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 10.00 FEET:

THENCE NORTH 87° 27' 21" WEST, 5.00 FEET TO A LINE THAT IS 46.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 50.02 FEET TO THE SOUTH LINE OF SAID PARCEL "A" AND THE TERMINUS OF SAID DESCRIBED LINE.

CONTAINING 1,010 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

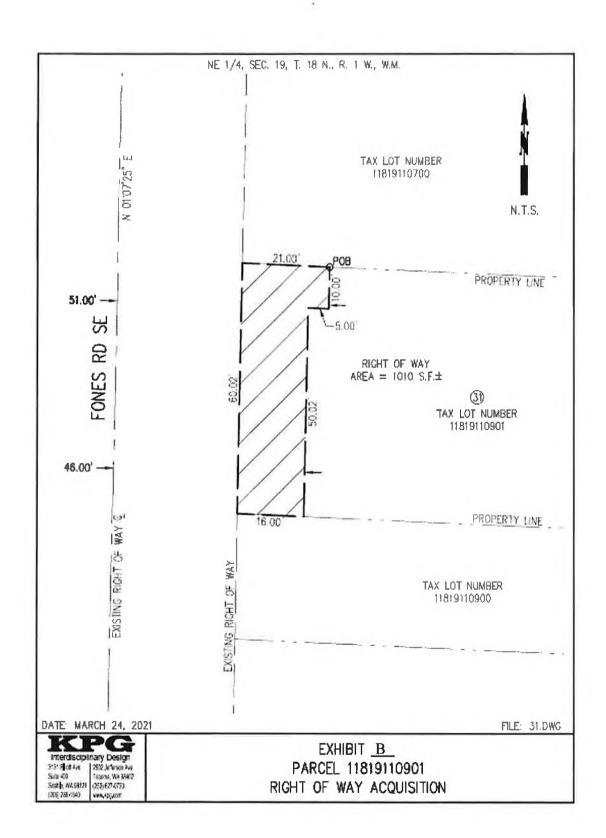
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30690, DATED FEBRUARY 9TH, 2021)

THE NORTH 60 FEET OF THE WEST 140 FEET OF THE FOLLOWING DESCRIBED TRACT: THE NORTH 150 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPT THE WEST 30 FEET FOR ROAD AND EXCEPT THE SOUTH 60 FEET.

04/05/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Detray, E.P. and Phyllis

Grantee(s): City of Olympia

Legal Description: PTN NE ¼ NE ¼ 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819110901

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), **E.P. Detray and Phyllis Detray, husband and wife**, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the **City of Olympia**, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commo	ence on the date of acceptance of this
Temporary Easement by Grantee and shall terminate on _	
hereinafter the "Term"	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its

LPA-325 Rev. 5/2021

Page 1 of (4) Pages

### Dated: \_\_\_\_\_\_, 2022 E.P. Detray Phyllis Detray Accepted and Approved CITY OF OLYMPIA By:\_\_\_\_\_ Date: \_\_\_\_\_\_, 2022 Acknowledgment STATE OF WASHINGTON ) ss. COUNTY OF THURSTON On this day personally appeared before me E.P. Detray and Phyllis Detray, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned. GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_\_, 2022. Print Name: NOTARY PUBLIC in and for the State of Washington, residing at Commission expires:\_\_\_\_

Page 2 of (4) Pages

LPA-325

Rev. 5/2021

**TEMPORARY EASEMENT** 

authorized agent.

### EXHIBIT A PARCEL NO. 11819110901 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 51.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 10,00 FEET;

THENCE NORTH 87\* 27' 21" WEST, 5.00 FEET TO A LINE THAT IS 46.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 50.02 FEET TO THE SOUTH LINE OF SAID PARCEL "A":

THENCE SOUTH 87° 27' 21" EAST ALONG SAID SOUTH LINE, 2.00 FEET TO A LINE THAT IS 48.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 40.07 FEET:

THENCE SOUTH 88° 52' 35" EAST, 18:00 FEET TO A LINE THAT IS 66:00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 19.50 FEET TO SAID NORTH LINE OF PARCEL "A";

THENCE NORTH 87° 27' 21" WEST ALONG SAID NORTH LINE, 15.01 FEET TO THE POINT OF BEGINNING.

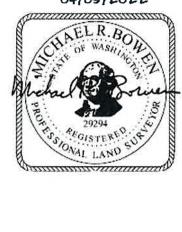
CONTAINING 425 SQUARE FEET. MORE OR LESS.

#### PARCEL "A":

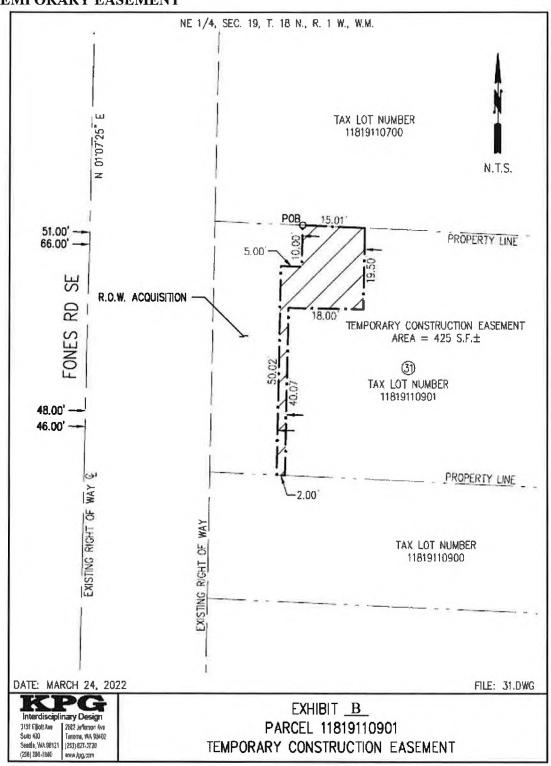
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30690, DATED FEBRUARY 9TH, 2021)

THE NORTH 60 FEET OF THE WEST 140 FEET OF THE FOLLOWING DESCRIBED TRACT:

THE NORTH 150 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPT THE WEST 30 FEET FOR ROAD AND EXCEPT THE SOUTH 60 FEET.



LPA-325 Rev. 5/2021 Page 3 of (4) Pages



LPA-325 Rev. 5/2021

Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

Document Title: Statutory Warranty Deed Grantor: Detray, E.P. and Phyllis

Grantee: City of Olympia

Legal Description: PTN NE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819110900

#### STATUTORY WARRANTY DEED

The Grantor, **E.P. Detray and Phyllis Detray, husband and wife**, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, **CITY OF OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of,	2022.
E.P. Detray	
Phyllis Detray	
STATE OF WASHINGTON )	
COUNTY OF THURSTON ) ss.	
known to be the individuals described instrument, and acknowledged that they deed, for the uses and purposes therein GIVEN under my hand and office.	d before me E.P. Detray and Phyllis Detray, to me d in and who executed the within and foregoing signed the same as their free and voluntary act and mentioned.
2022.	
	Print Name:
	•
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Date:	
STATUTORY WARRANTY DEED Page 2 of 4	

#### EXHIBIT A PARCEL NO. 11819110900 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "B" LYING WESTERLY OF A LINE THAT IS 46,00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

CONTAINING 483 SQUARE FEET, MORE OR LESS.

PARCEL "B":

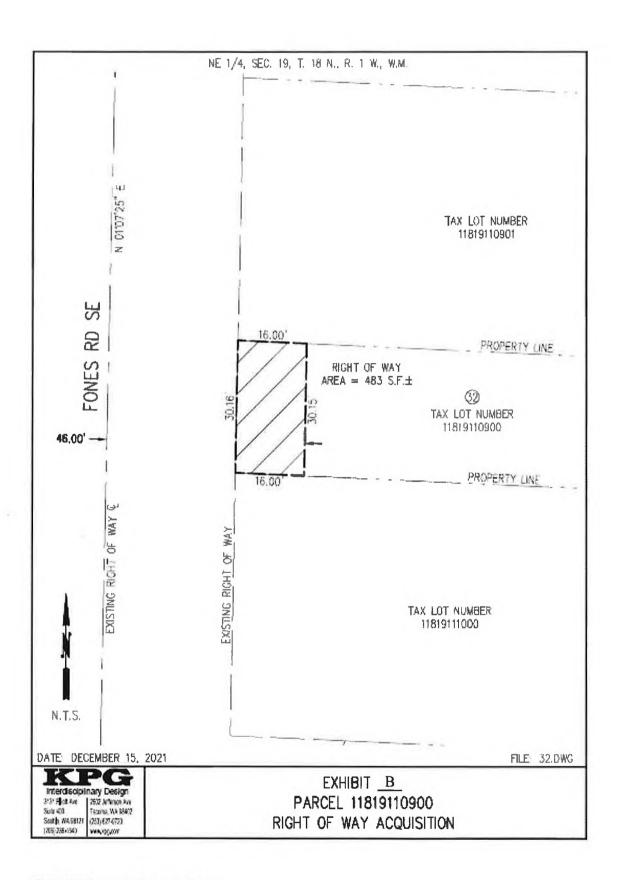
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30690, DATED FEBRUARY 9TH, 2021)

THE NORTH 150 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPTING THEREFROM THE WEST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD, LESS THE NORTH 60 FEET OF THE WEST 140 FEET OF THE ABOVE-DESCRIBED TRACT; AND EXCEPT THE SOUTH 60 FEET THEREOF.

02/24/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Detray, E.P. and Phyllis

Grantee(s): City of Olympia

Legal Description: PTN NE ¼ NE ¼ 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819110900

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), E.P. Detray and Phyllis Detray, husband and wife, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall comm	ence on the date of acceptance of this
Temporary Easement by Grantee and shall terminate on	,
hereinafter the "Term".	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its authorized agent.

LPA-325 Rev. 5/2021 Page 1 of (4) Pages

Dated:,	2022
E.P. Detray	
Phyllis Detray	
	Accepted and Approved
	CITY OF OLYMPIA
	By:
	Date:, 2022
Acknowledgment	
STATE OF WASHINGTON ) ss.	
COUNTY OF THURSTON )	
individuals described in and who executed the v	fore me E.P. Detray and Phyllis Detray, to me known to be the within and foregoing instrument, and acknowledged that they signed ed, for the uses and purposes therein mentioned.
GIVEN under my hand and official se	eal this day of, 2022.
	Print Name:
	NOTARY PUBLIC in and for the State of Washington,
	residing at Commission expires:
	Commission expires:

LPA-325 Rev. 5/2021 Page 2 of (4) Pages

## EXHIBIT A PARCEL NO. 11819110900 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "B" LYING EASTERLY OF A LINE THAT IS 46.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST AND WESTERLY OF A LINE THAT IS 48.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST.

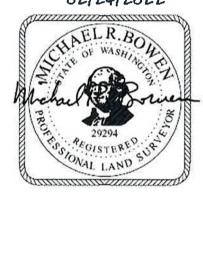
CONTAINING 60 SQUARE FEET, MORE OR LESS.

#### PARCEL "B".

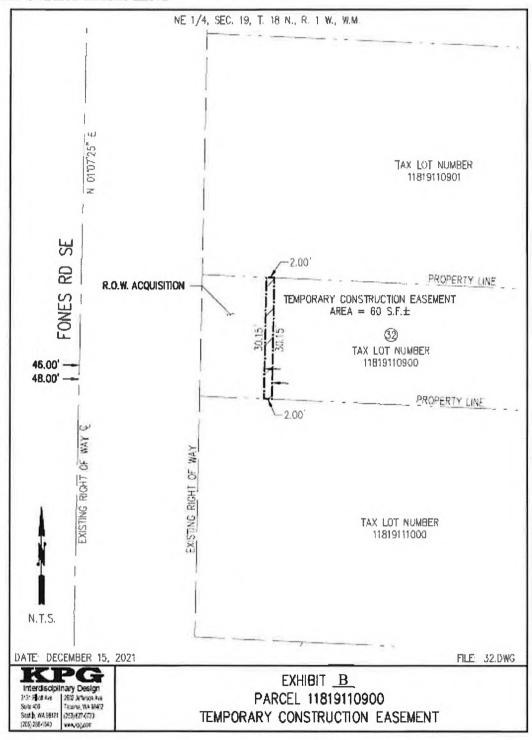
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30690, DATED FEBRUARY 9TH, 2021)

THE NORTH 150 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPTING THEREFROM THE WEST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD, LESS THE NORTH 60 FEET OF THE WEST 140 FEET OF THE ABOVE-DESCRIBED TRACT; AND EXCEPT THE SOUTH 60 FEET THEREOF.

02/24/2022



LPA-325 Rev. 5/2021 Page 3 of (4) Pages



LPA-325 Rev. 5/2021

Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

Document Title: Statutory Warranty Deed

Grantor: Detlefsen, Daniel W.
Grantee: City of Olympia
Legal Description: PCL 3 SS-5073

Assessor's Tax Parcel Number: 11819142503

#### STATUTORY WARRANTY DEED

The Grantor, **Daniel W. Detlefsen, as his separate estate**, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, **CITY OF OLYMPIA**, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of, 20	22.
Daniel W. Detlefsen	
STATE OF WASHINGTON ) ) ss. COUNTY OF THURSTON )	
be the individual described in and who ex	before me, to me known to kecuted the within and foregoing instrument, and he as his/her free and voluntary act and deed, for
GIVEN under my hand and offici 2022.	al seal this day of,
	Drivet Manager
	Print Name:  NOTARY PUBLIC in and for the State of Washington, residing at  Commission expires.
	Commission expires:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Sieven J. Burney, City Manager	City Attorney
Date:	

STATUTORY WARRANTY DEED Page 2 of 4

# EXHIBIT A PARCEL NO. 11819142503 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING WESTERLY OF A LINE THAT IS 35,00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

CONTAINING 511 SQUARE FEET, MORE OR LESS.

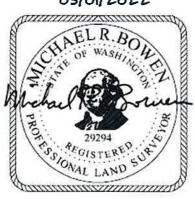
#### PARCEL "A":

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30675, DATED FEBRUARY 9TH, 2021)

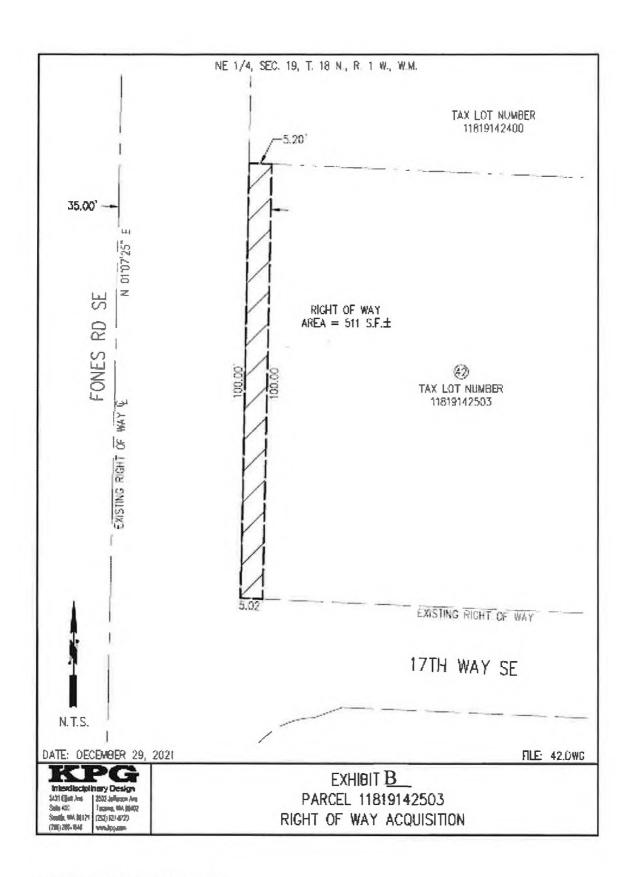
THE LAND REFERRED TO IN THIS COMMITMENT IS SITUATED IN THE COUNTY OF THURSTON, STATE OF WASHINGTON AND IS MORE FULLY DESCRIBED AS FOLLOWS:

PARCEL 3 OF SHORT SUBDIVISION NO. SS-5073, AS RECORDED MARCH 25, 1977 UNDER AUDITOR'S FILE NO. 992706.

03/01/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Detlefsen, Daniel W. Grantee(s): City of Olympia Legal Description: PCL 3 SS-5073

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819142503

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), **Daniel W. Detlefsen, as his separate estate**, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the **City of Olympia**, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporar	ry Easement shall commence on the date of acceptance of this
Temporary Easement by Grantee	e and shall terminate on,
hereinafter the "Term".	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its authorized agent.

LPA-325 Rev. 5/2021 Page 1 of (4) Pages

A No.

Parcel Number: 11819142503

Dated:	, 2022			
Daniel W. Detlefsen				
	e e	Accepted and App	proved	
		CITY OF OLYM	IPIA	
		Ву:		
	1	Date:		_, 2022
Acknowledgment				
STATE OF WASHINGTON	)			
COUNTY OF THURSTON	) ss. )			
On this day personally described in and who executed the as his/her free and voluntary act a	within and foregoing	ig instrument, and ack	knowieagea ti	own to be the individual nat he/she signed the same
GIVEN under my hand a	and official seal this	day of		, 2022.
		residing at		State of Washington,
		Commission expires	•	

LPA-325 Rev. 5/2021

Page 2 of (4) Pages

# EXHIBIT A PARCEL NO. 11819142503 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 35.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 100.00 FEET TO THE NORTHERLY MARGIN OF  $17^{\rm TH}$  WAY SOUTHEAST;

THENCE SOUTH 87° 32' 56° EAST ALONG SAID NORTHERLY MARGIN, 25.01 FEET:

THENCE NORTH 00" 20' 26" EAST, 54,24 FEET;

THENCE NORTH 88° 52' 35" WEST, 9.26 FEET TO A LINE THAT IS 50:00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST,

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 46.00 FEET TO SAID NORTH LINE OF PARCEL "A":

THENCE NORTH 87° 32' 56" WEST ALONG SAID NORTH LINE, 15.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,021 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30675, DATED FEBRUARY 9TH, 2021)

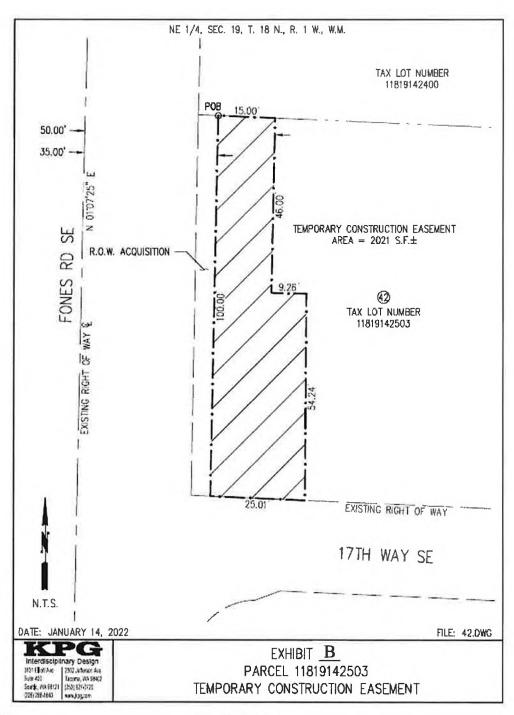
THE LAND REFERRED TO IN THIS COMMITMENT IS SITUATED IN THE COUNTY OF THURSTON, STATE OF WASHINGTON AND IS MORE FULLY DESCRIBED AS FOLLOWS:

PARCEL 3 OF SHORT SUBDIVISION NO. SS-5073, AS RECORDED MARCH 25, 1977 UNDER AUDITOR'S FILE NO. 992706.

#### 03/01/2022



LPA-325 Rev. 5/2021 Page 3 of (4) Pages



Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** Statutory Warranty Deed

Grantor: The Bert D. Bowen and Denise A. Christensen Trust

Grantee: City of Olympia

Legal Description: PTN SE ¼ NE ¼ 19-18-1W Assessor's Tax Parcel Number: 11819142200

#### STATUTORY WARRANTY DEED

The Grantors, Bert D. Bowen and Denise A. Christensen, Trustees of The Bert D. Bowen and Denise A. Christensen Trust, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of, 202	22.
Bert D. Bowen, Trustee of The Bert D. Bo	 owen and Denise A. Christensen Trust
Denise A. Christensen, Trustee of The Ber	rt D. Bowen and Denise A. Christensen Trust
STATE OF WASHINGTON ) ) ss. COUNTY OF)	
COUNTY OF)	
Bert D. Bowen and Denise A. Christensen Bowen and Denise A. Christensen Trust executed the within and foregoing instrum free and voluntary act and deed of said tru and on oath stated that he/she/they is/are a	, 2022, before me personally appeared to me known to be the Trustees of The Bert D. to dated, the trust that ent, and acknowledged said instrument to be the last, for the uses and purposes therein mentioned, authorized to execute said instrument.
the day and year first above written.	
	Print Name:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:	
Steven J. Burney, City Manager	City Attorney
Date:	

STATUTORY WARRANTY DEED Page 2 of 4

# EXHIBIT A PARCEL NO. 11819142200 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 46.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 4.99 FEET:

THENCE NORTH 88° 52' 35" WEST, 12:00 FEET TO A LINE THAT IS 34:00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 60.74 FEET TO THE SOUTH LINE OF SAID PARCEL "A" AND THE TERMINUS OF SAID DESCRIBED LINE.

CONTAINING 326 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30672, DATED FEBRUARY 9TH, 2021)

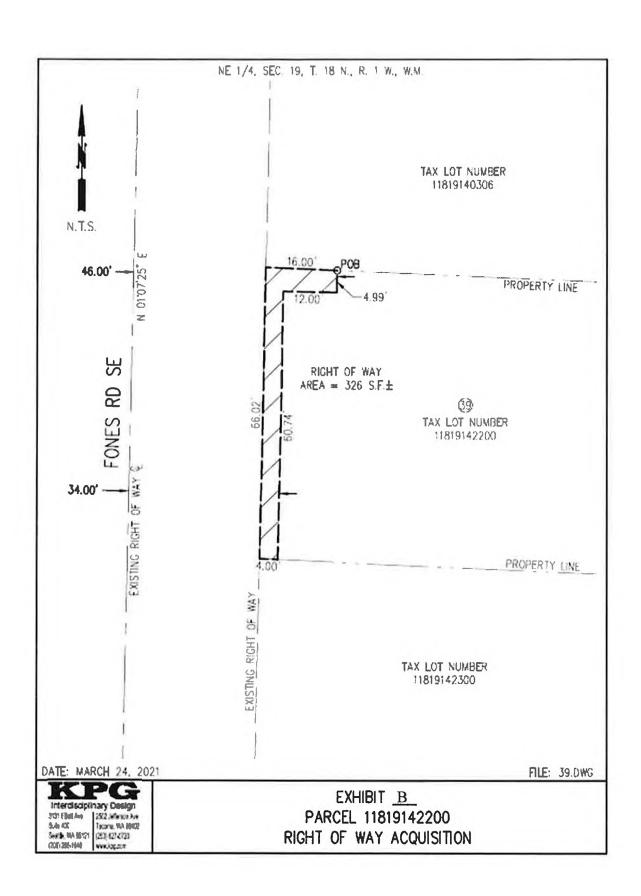
THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; RUNNING THENCE SOUTH AND ALONG THE WEST LINE OF SAID SUBDIVISION 66 FEET; THENCE EAST 330 FEET AND NORTH 66 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SUBDIVISION; THENCE WESTERLY ALONG SAID NORTH LINE 330 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THE WEST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD.

04/05/2022



STATUTORY WARRANTY DEED Page 3 of 4



After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): The Bert D. Bowen and Denise A. Christensen Trust

Grantee(s): City of Olympia

Legal Description: PTN SE 1/4 NE 1/4 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819142200

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), Bert D. Bowen and Denise A. Christensen, Trustees of The Bert D. Bowen and Denise A. Christensen Trust, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date	e of acceptance of this
Temporary Easement by Grantee and shall terminate on	,
hereinafter the "Term".	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the **City of Olympia** unless and until accepted and approved hereon in writing for the **City of Olympia**, by its authorized agent.

LPA-325 Rev. 5/2021 Page 1 of (4) Pages

FA No.

Parcel Number: 11819142200

Dated:	
Don't D. Donney Tweeter of The D.	
Bert D. Bowen, Trustee of The Be	ert D. Bowen and Denise A. Christensen Trust
Denise A. Christensen, Trustee of	The Bert D. Bowen and Denise A. Christensen Trust
	Accepted and Approved
	CITY OF OLYMPIA
	Ву:
	Date:, 2022
Acknowledgment	
STATE OF WASHINGTON ) ) s COUNTY OF	s.
On this day of	, 2022, before me personally appeared Bert D. Bowen and Denise A. tees of The Bert D. Bowen and Denise A. Christensen Trust dated xecuted the within and foregoing instrument, and acknowledged said ct and deed of said trust, for the uses and purposes therein mentioned,
and on oath stated that he/she/they is/are IN WITNESS WHEREOF I have hereun written.	authorized to execute said instrument.  Into set my hand and affixed my official seal the day and year first above
	Print Name:
	NOTARY PUBLIC in and for the State of Washington, residing at
	Commission expires:

LPA-325 Rev. 5/2021

Page 2 of (4) Pages

# EXHIBIT A PARCEL NO. 11819142200 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 46.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 4.99 FEET TO THE TRUE POINT OF BEGINNING:

THENCE NORTH 88° 52' 35" WEST, 12:00 FEET TO A LINE THAT IS 34:00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 15.00 FEET:

THENCE SOUTH 88° 52' 35" EAST. 12:00 FEET TO SAID LINE THAT IS 46:00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 15.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 180 SQUARE FEET, MORE OR LESS.

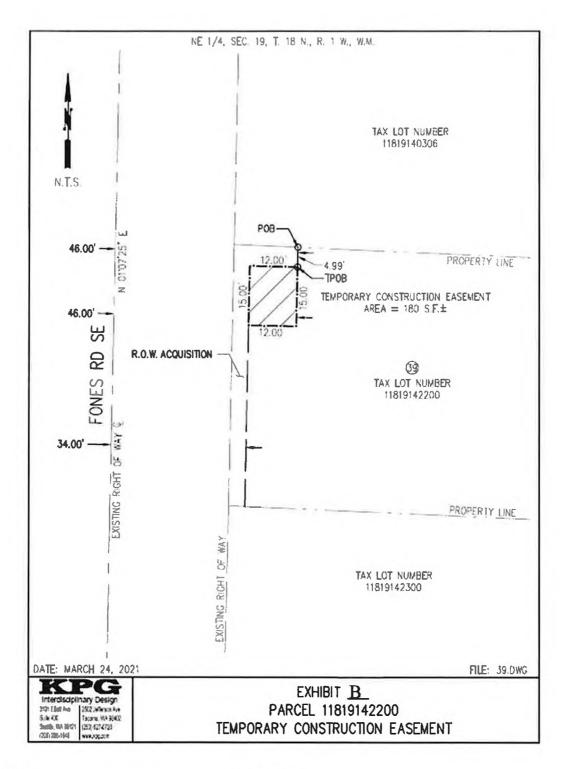
#### PARCEL "A"

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30672. DATED FEBRUARY 9TH, 2021)

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; RUNNING THENCE SOUTH AND ALONG THE WEST LINE OF SAID SUBDIVISION 66 FEET; THENCE EAST 330 FEET AND NORTH 66 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SUBDIVISION; THENCE WESTERLY ALONG SAID NORTH LINE 330 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THE WEST 30 FEET FOR COUNTY ROAD KNOWN AS FONES ROAD.





Page 4 of (4) Pages

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Carpenter, Jarod Grantee(s): City of Olympia

**Legal Description:** PTN SE ¼ NE ¼ 19-18-1W

Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819142400

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), **Jarod Carpenter**, as his separate estate, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the **City of Olympia**, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

	The term of this Temporary Easement shall comm	nence on the date of acceptance of this
Tem	porary Easement by Grantee and shall terminate on	,
herei	inafter the "Term".	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its authorized agent.

LPA-325 Rev. 5/2021 Page 1 of (4) Pages

FA No.

Parcel Number: 11819142400

Dated:	
Jarod Carpenter	
	Accepted and Approved
	CITY OF OLYMPIA
	By:
	Date:, 2022
Acknowledgment	
STATE OF WASHINGTON )	
COUNTY OF THURSTON )	S.
described in and who executed the within	ed before me, to me known to be the individual and foregoing instrument, and acknowledged that he/she signed the same d, for the uses and purposes therein mentioned.
GIVEN under my hand and offi	cial seal this day of, 2022.
	Print Name:
	NOTARY PUBLIC in and for the State of Washington, residing at
	Commission expires:

LPA-325 Rev. 5/2021

Page 2 of (4) Pages

# EXHIBIT A PARCEL NO. 11819142400 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING NORTHERLY, SOUTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL "A", SAID CORNER ALSO BEING ON THE EASTERLY MARGIN OF FONES ROAD SOUTHEAST;

THENCE SOUTH 87° 30' 38" EAST ALONG THE NORTH LINE OF SAID PARCEL "A", 23.25 FEET;

THENCE SOUTH 01° 06' 37" WEST. 7.00 FEET:

THENCE NORTH 88° 53' 50" WEST, 20.97 FEET;

THENCE SOUTH 01° 08' 16" WEST, 101.11 FEET;

THENCE SOUTH 88° 52' 54" EAST, 23.00 FEET;

THENCE SOUTH 00° 59' 30" WEST, 25.00 FEET TO THE SOUTH LINE OF SAID PARCEL "A";

THENCE NORTH 87° 32' 56" WEST ALONG SAID SOUTH LINE, 25.26 FEET TO SAID EASTERLY MARGIN OF FONES ROAD SOUTHEAST AND THE TERMINUS OF SAID DESCRIBED LINE.

CONTAINING 1,018 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30674, DATED FEBRUARY 9TH, 2021)

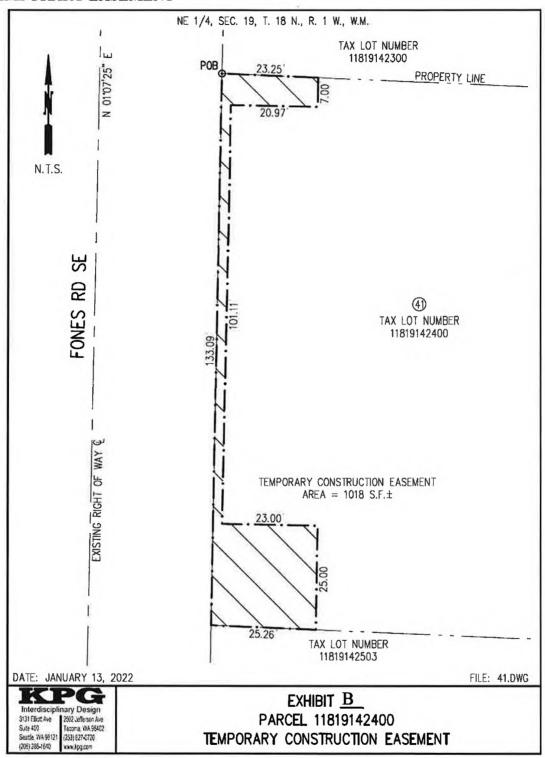
A PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 396 FEET NORTH AND 260 FEET EAST OF THE WEST LINE OF SAID SUBDIVISION, THENCE NORTH 132 FEET, MORE OR LESS, TO A POINT 132 FEET SOUTH OF THE NORTH LINE OF SAID SUBDIVISION; THENCE WEST 260 FEET TO THE WEST LINE OF SAID SUBDIVISION; THENCE SOUTH 132 FEET TO A POINT 260 FEET WEST OF THE POINT OF BEGINNING; THENCE EAST 260 FEET TO THE POINT OF BEGINNING; EXCEPTING THE WEST 30 FEET FOR FONES ROAD.

03/01/2022



LPA-325 Rev. 5/2021 Page 3 of (4) Pages



Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

Grantor:

Bellwether #215 LLC

Grantee:

City of Olympia

Legal Description: PTN PCLS A & B BLA-SS-5563

Assessor's Tax Parcel Number: 11819140200

#### STATUTORY WARRANTY DEED

The Grantor, Bellwether #215, LLC, a Washington Limited Liability Company, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of	, 2022.
Bellwether #215 LLC,	
Ву:	
STATE OF) ss	e.!
COUNTY OF)	
Bellwether #215, LLC, the compan	, 2022, before me personally appeared, to me known to be the managing member of ay that executed the within and foregoing instrument, to be the free and voluntary act and deed of said
	s therein mentioned, and on oath stated that he/she is
IN WITNESS WHEREOF I have have have and year first above written.	nereunto set my hand and affixed my official seal the
	Print Name:
	NOTARY PUBLIC in and for the State of Washington, residing at
	Commission expires:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manage	r City Attorney
Steven 3. Burney, City Manage	City Attorney
Date:	_
STATUTORY WARRANTY DEED Page 2 of 4	

# EXHIBIT <u>A</u> PARCEL NO. 11819140200 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING WESTERLY AND NORTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 34.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 244.08 FEET

THENCE NORTH 46° 52' 52" EAST, 27.98 FEET TO THE NORTH LINE OF SAID PARCEL "A" AND TERMINUS OF SAID DESCRIBED LINE.

CONTAINING 1,256 SQUARE FEET, MORE OR LESS.

PARCEL "A"

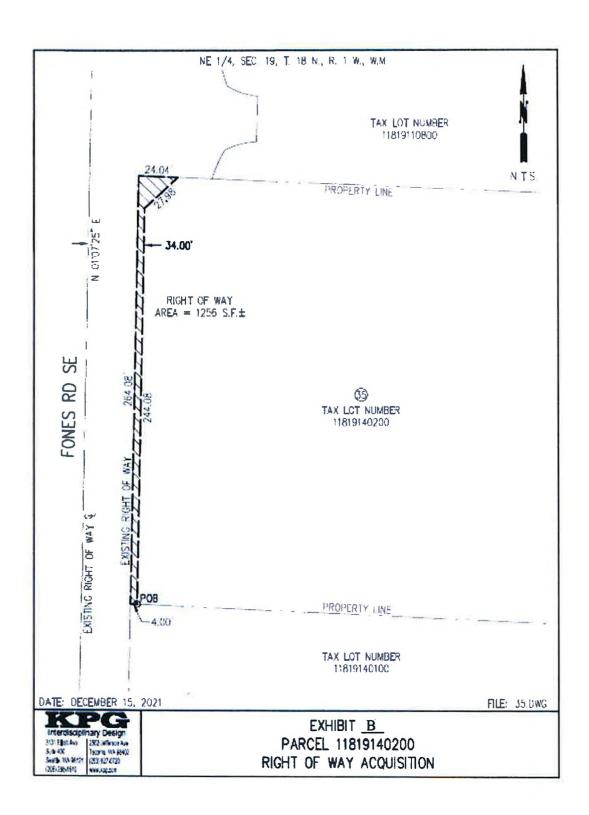
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30683, DATED FEBRUARY 5<sup>TH</sup>, 2021)

PARCELS A AND B OF BOUNDARY LINE ADJUSTMENT NO. BLA-SS-5563, AS RECORDED AUGUST 14, 1989 UNDER AUDITOR'S FILE NO. 8908140117. EXCEPT THAT PORTION CONVEYED TO THE CITY OF OLYMPIA BY DEED RECORDED SEPTEMBER 7, 2004 UNDER AUDITOR'S FILE NO. 3671480.

03/01/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): Bellwether #215 LLC Grantee(s): City of Olympia

Legal Description: PTN PCLS A & B BLA-SS-5563 Additional Legal Description is on Page 3 of Document.

Assessor's Tax Parcel Number: 11819140200

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), Bellwether #215, LLC, a Washington Limited Liability Company, for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

T	he term of this Ter	nporary Easement sha	all commence on	the date of accep	tance of this
Tempor	ary Easement by C	rantee and shall term	inate on		•
hereinaf	ter the "Term".				

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its

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## Dated: \_\_\_\_\_\_\_\_, 2022 Bellwether #215 LLC, By:\_\_\_\_ Accepted and Approved CITY OF OLYMPIA Date: \_\_\_\_\_\_, 2022 Acknowledgment STATE OF WASHINGTON COUNTY OF On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me personally appeared \_\_\_\_\_, to me known to be the managing member of Bellwether #215, LLC, the company that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute said instrument. IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written. Print Name: NOTARY PUBLIC in and for the State of Washington, residing at \_\_\_\_\_ Commission expires:

Page 2 of (4) Pages

TEMPORARY EASEMENT

authorized agent.

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EXHIBIT A - FONES ROAD EMINENT DOMAIN ORDINANCE - Page A-271

# EXHIBIT A PARCEL NO. 11819140200 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 34.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST.

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 244.08 FEET

THENCE NORTH 46" 52" 52" EAST, 27.98 FEET TO THE NORTH LINE OF SAID PARCEL "A":

THENCE SOUTH 87° 28' 20" EAST ALONG SAID NORTH LINE, 6.99 FEET:

THENCE SOUTH 46° 52' 52" WEST, 30.76 FEET TO A LINE THAT IS 39.00 FEET EASTERLY OF AND PARALL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST:

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 96.24 FEET.

THENCE SOUTH 88° 52' 35" EAST, 7.00 TO A LINE THAT IS 46.00 FEET EASTERLY OF AND PARALLEL WITL SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 40.26 FEET;

THENCE NORTH 88° 52' 35" WEST, 7.00 FEET TO SAID LINE THAT IS 39.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 105.61 FEET TO SAID SOUTH LINE OF PARCEL "A":

THENCE NORTH 87° 19' 09" WEST ALONG SAID SOUTH LINE, 5,00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,644 SQUARE FEET, MORE OR LESS.

PARCEL "A"

(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30683, DATED FEBRUARY 5<sup>TH</sup>, 2021)

PARCELS A AND B OF BOUNDARY LINE ADJUSTMENT NO. BLA-SS-5563, AS RECORDED AUGUST 14, 198 UNDER AUDITOR'S FILE NO. 8908140117. EXCEPT THAT FORTION CONVEYED TO THE CITY OF OLYMPIA BY DEED RECORDED SEPTEMBER 7, 2004 UNDER AUDITOR'S FILE NO. 3671480.

03/01/2022

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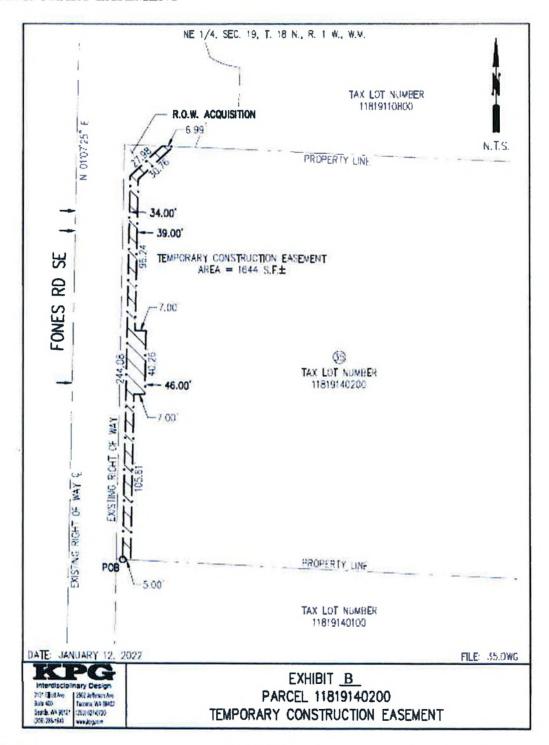
Page 1 of 1

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INCOMPOSABLE

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Page 4 of (4) Pages

After recording return document to: City of Olympia Attention: Legal Department P.O. Box 1967 Olympia, WA 98507-1967

**Document Title:** 

**Statutory Warranty Deed** 

Grantor:

1312 Fones Road, LLC

Grantee:

City of Olympia

Legal Description: PTN NE ¼ N/E ¼ 19-18-1W Assessor's Tax Parcel Number: 11819110700

#### STATUTORY WARRANTY DEED

The Grantor, 1312 Fones Road, LLC, a Washington Limited Liability Company, for and in consideration of the sum of TEN and No/100 (\$10.00) Dollars, and other valuable considerations, hereby conveys and warrants to the Grantee, CITY OF OLYMPIA, a municipal corporation, under the imminent threat of the Grantee's exercise of its rights of eminent domain, the following described real estate situated in the City of Olympia, County of Thurston, State of Washington, legally described as follows:

For legal description, see Exhibits "A" and "B" attached hereto and made a part hereof.

SUBJECT TO all easements, reservations and restrictions of record.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by the City Manager.

STATUTORY WARRANTY DEED Page 1 of 4

GRANTOR:	
Granted this day of, 2	2022.
1312 Fones Road, LLC By:	
STATE OF) ss.	
COUNTY OF) ss.	
On this day of	, 2022, before me personally appeared me known to be the managing member of 1312 Fones
Road, LLC, the company that executed the said instrument to be the free and voluntary	e within and foregoing instrument, and acknowledged act and deed of said company, for the uses and purposes ne/she is authorized to execute said instrument.
IN WITNESS WHEREOF I have he day and year first above written.	nereunto set my hand and affixed my official seal the
	Print Name:  NOTARY PUBLIC in and for the State of Washington, residing at
	Commission expires:
GRANTEE:	
Accepted and Approved: CITY OF OLYMPIA	Approved as to form:
By:Steven J. Burney, City Manager	City Attorney
Date:	

STATUTORY WARRANTY DEED Page 2 of 4

#### **EXHIBIT A**

#### PARCEL NO. 11819110700 RIGHT OF WAY ACQUISITION

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" LYING WESTERLY OF A LINE THAT IS 54.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

CONTAINING 7,641 SQUARE FEET, MORE OR LESS.

PARCEL "A":

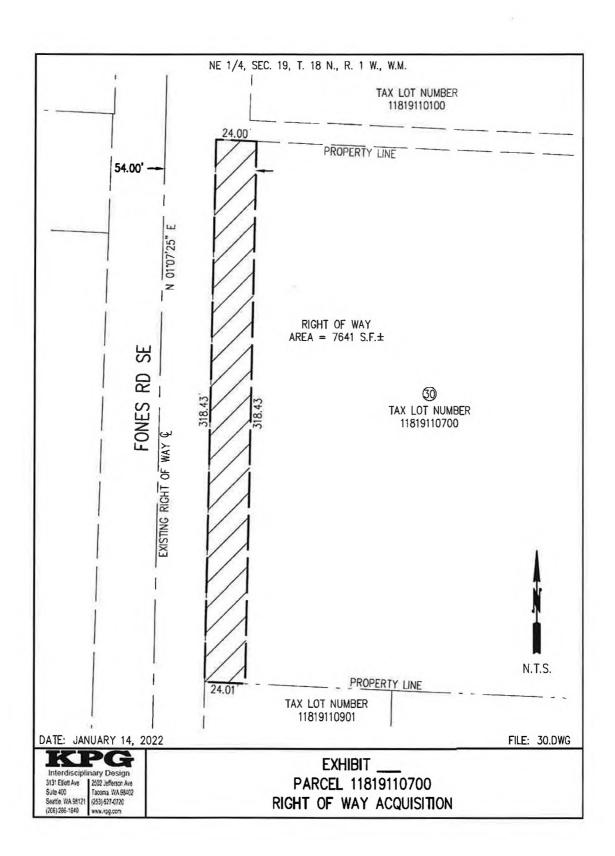
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30695, DATED FEBRUARY 9TH, 2021)

THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPT THE NORTH 12 FEET THEREOF. EXCEPTING ALSO COUNTY ROAD KNOWN AS FONES ROAD.

02/24/2022



STATUTORY WARRANTY DEED Page 3 of 4



STATUTORY WARRANTY DEED Page 4 of 4

After recording return document to:

City of Olympia PO Box 1967 Olympia, WA 98507

**Document Title: Temporary Easement** 

Reference Number of Related Document: N/A

Grantor(s): 1312 Fones Road, LLC

Grantee(s): City of Olympia

**Legal Description:** PTN NE ¼ N/E ¼ 19-18-1W

Additional Legal Description is on Page 3 and 4 of Document.

Assessor's Tax Parcel Number: 11819110700

#### TEMPORARY EASEMENT

Fones Road Improvements

The Grantor(s), 1312 Fones Road, LLC, a Washington Limited Liability Company for and in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, conveys and grants unto the City of Olympia, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of constructing the Fones Road Improvements Project and blending the new improvements to the adjacent remaining property.

Said lands being situated in Thurston County, State of Washington, and described in Exhibit A, attached hereto and made a part hereof.

	The term of this Temporary Easement shall commence on the date of acceptance of thi	S
Temp	orary Easement by Grantee and shall terminate on,	
hereir	after the "Term".	

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Olympia unless and until accepted and approved hereon in writing for the City of Olympia, by its authorized agent.

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Dated:, 2022	2
1312 Fones Road, LLC By:	
	Accepted and Approved
	CITY OF OLYMPIA
	By:
	Date:, 2022
Acknowledgment	
STATE OF) ss.  COUNTY OF)	
On this day of, to me k	, 2022, before me personally appeared mown to be the managing member of 1312 Fones Road, and foregoing instrument, and acknowledged said deed of said company, for the uses and purposes therein horized to execute said instrument.
	unto set my hand and affixed my official seal the day
	Print Name:

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#### Exhibit A

## PARCEL NO. 11819110700 TEMPORARY CONSTRUCTION EASEMENT

THAT PORTION OF THE HEREINAFTER DESCRIBED PARCEL "A" DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID PARCEL "A" AND A LINE THAT IS 54.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE NORTH 01° 07' 25" EAST ALONG SAID PARALLEL LINE, 318.43 FEET TO THE NORTH LINE OF SAID PARCEL "A";

THENCE SOUTH 87° 27' 02" EAST ALONG SAID NORTH LINE, 10.00 FEET TO A LINE THAT IS 64.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 79.75 FEET;

THENCE NORTH 88° 52' 35" WEST, 5.00 FEET TO A LINE THAT IS 59.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST ALONG SAID PARALLEL LINE, 153.43 FEET;

THENCE SOUTH 88° 52' 35" EAST, 5.00 TO SAID LINE THAT IS 64.00 FEET EASTERLY OF AND PARALLEL WITH SAID CENTERLINE OF FONES ROAD SOUTHEAST;

THENCE SOUTH 01° 07' 25" WEST, 85.25 FEET TO SAID SOUTH LINE OF PARCEL "A";

THENCE NORTH 87° 27' 21" WEST ALONG SAID SOUTH LINE, 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,417 SQUARE FEET, MORE OR LESS.

#### PARCEL "A":

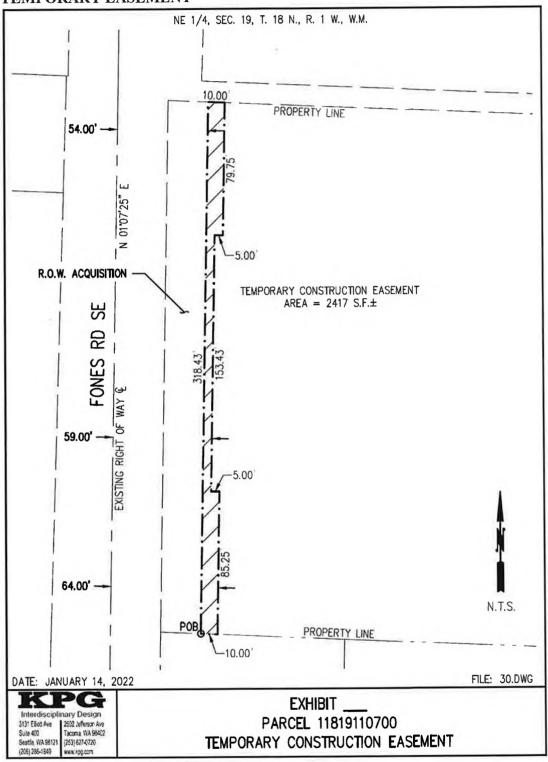
(PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ALTA COMMITMENT ORDER NO. TH30695, DATED FEBRUARY 9TH, 2021)

THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M., EXCEPT THE NORTH 12 FEET THEREOF. EXCEPTING ALSO COUNTY ROAD KNOWN AS FONES ROAD.

04/28/2022



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