

**Instrument Number: 20181212000418 Document: D Rec: \$107.00 Page-1 of
Record Date: 12/12/2018 11:57 AM
King County, WA**

9
CHICAGO TITLE NCS
REF# 137456-06



20181212000418

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

DEED Rec: \$107.00
12/12/2018 11:57 AM
KING COUNTY, WA

City of Bothell
18415 101st Ave. NE
Bothell, WA 98011
Attn: City Attorney

E2965811

EXCISE TAX AFFIDAVITS
12/12/2018 11:57 AM KING COUNTY, WA
Selling Price: \$37,221.00
Tax Amount: \$667.53

SPACE ABOVE THIS LINE FOR
RECORDER'S USE

Unofficial Copy

STATUTORY WARRANTY DEED

THE GRANTOR Forterra NW, a Washington nonprofit corporation ("Grantor"), for and in consideration of Ten And No/100 Dollars (\$10.00), and other valuable consideration in hand paid, conveys and warrants to The City of Bothell, a Washington municipal corporation ("Grantee"), the real estate, situated in the County of King, State of Washington (the "Property"), legally described as follows:

Parcel C of City of Bothell Boundary Line Revision No. BLA 2017-11375,
recorded December 21, 2017 under King County Recording No.
20171221900001, records of King County, Washington,

SUBJECT to the exceptions as disclosed on Exhibit "A" attached hereto and by this reference made a part hereof, and

FURTHER SUBJECT to the following: The Grantee is prohibited, in perpetuity, from voluntarily conveying the fee interest in the Property or any part thereof, and also from placing any encumbrance on any portion of the Property for the purpose of securing indebtedness. Any use(s) within the Property shall: (i) ensure the Property remains available to the general public, (ii) be intended to complement and activate the real property legally described in Exhibit "B" attached hereto, and (iii) not compromise the natural, scenic, open space, water resources, or recreation values of the real property described in Exhibit "B" attached hereto (collectively the "Active Use Area Principles"). The following activities are expressly prohibited, in perpetuity, as not satisfying the Active Use Area Principles: Residential uses; Manufacturing or other industrial uses; Office uses and storage uses other than incidental office spaces and incidental storage

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areas that are ancillary to a permitted use of the Property; and uses that restrict public access by imposing membership or similar requirements that serve to prevent public access.

Executed as of the 12th day of December, 2018

FORTERRA NW

BY  _____
ITS President

AGREED to as of the _____ day of December, 2018.

THE CITY OF BOTHELL

BY _____
ITS City Manager

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areas that are ancillary to a permitted use of the Property; and uses that restrict public access by imposing membership or similar requirements that serve to prevent public access.

Executed as of the 12^m day of December, 2018

FORTERRA NW

BY _____
ITS President

AGREED to as of the 11 day of December, 2018.

THE CITY OF BOTHELL

BY _____
ITS City Manager

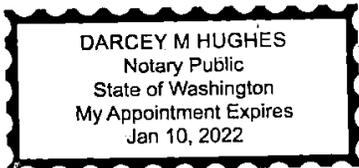
Unofficial Copy

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STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 6th day of December, 2018, before me, a Notary Public in and for the State of Washington, personally appeared MICHELLE CONNOR, to me known to be the PRESIDENT of FORTERRA NW, the Washington nonprofit 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 mentioned in the instrument and on oath stated that s/he was authorized to execute said instrument.

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



Darcey M Hughes
NOTARY PUBLIC in and for the State of Washington, residing at Shoreline
My appointment expires 1/10/22

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this _____ day of December, 2018, before me, a Notary Public in and for the State of Washington, personally appeared JENNIFER PHILLIPS, to me known to be the CITY MANAGER of THE CITY OF BOTHELL, the Washington municipal 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 mentioned in the instrument and on oath stated that s/he was authorized to execute said instrument.

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

NOTARY PUBLIC in and for the State of Washington, residing at _____
My appointment expires _____

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STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this _____ day of December, 2018, before me, a Notary Public in and for the State of Washington, personally appeared MICHELLE CONNOR, to me known to be the PRESIDENT of FORTERRA NW, the Washington nonprofit 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 mentioned in the instrument and on oath stated that s/he was authorized to execute said instrument.

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

NOTARY PUBLIC in and for the State of
Washington, residing at _____
My appointment expires _____

Unofficial Copy

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 11th day of December, 2018, before me, a Notary Public in and for the State of Washington, personally appeared JENNIFER PHILLIPS, to me known to be the CITY MANAGER of THE CITY OF BOTHELL, the Washington municipal 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 mentioned in the instrument and on oath stated that s/he was authorized to execute said instrument.

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

Catherine E. Jansen
NOTARY PUBLIC in and for the State of
Washington, residing at Bothell, WA
My appointment expires 2-8-21



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EXHIBIT "A" – EXCEPTIONS

1. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Puget Sound Power & Light Company
Purpose: Electric transmission and/or distribution line with necessary rights and appurtenances related thereto
Recording Date: July 29, 1913
Recording No.: 879410
Affects: Portion of the Property and other property

2. Right granted to King County to change the channel of a creek, construct concrete culverts and bulkhead, or rip rap the banks of said creek in connection with the construction of a road, by instrument dated July 6, 1916, and recorded August 1, 1916, under recording number 1074834.

Affects: Portion of the Property and other property

3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: King County
Purpose: River bank protection and other flood control works
Recording Date: March 6, 1963
Recording No.: 5552285
Affects: Portion of the Property and other property

4. Release of Damage Agreement and the terms and conditions thereof:

Executed by: Joseph Blyth and Matilda Blyth; King County
Recording Date: March 6, 1963
Recording No.: 5552286
Affects: Portion of the Property and other property

Releasing King County from all future claims for damages resulting from disposal of excess material from improvement work on the Sammamish River

5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Bothell
Purpose: Roadway
Recording Date: October 21, 1988
Recording No.: 8810210087
Affects: Portion of the Property and other property

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6. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Bothell
Purpose: Roadway, storm sewer, sanitary sewer, water and other such systems and facilities
Recording Date: December 12, 1989
Recording No.: 8912121431
Affects: Portion of the Property and other property

7. Matters contained in that certain document

Entitled: Conservation Easement (with First Right to Purchase to City of Bothell and other Agreements contained therein)
Dated: January 1, 1996
Recording Date: January 3, 1996
Recording No.: 9601031097

Reference is hereby made to said document for full particulars.

8. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Bothell
Purpose: Conservation
Recording Date: January 3, 1996
Recording No.: 9601031097
Affects: Portion of Property and other property

9. Agreement and the terms and conditions thereof:

Executed by: Wayne Golf Course, Inc.
And: City of Bothell
Recording Date: January 3, 1996
Recording No.: 9601031097

10. Notice of Acknowledgment, including the terms and provisions thereof:

Grantor: City of Bothell
Grantee: Wayne Golf Course Inc.
Recorded: February 10, 2016
Recording No.: 20160210001136
Affects: Portion of the Property and other property

11. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey,

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Job No.: 640ALTA
Dated: February 2, 2016
Prepared by: A.S.E. & T., Inc. Land Surveying

Matters shown: a. Location of fences in relation to the south and west of Parcel D.
b. Question of a gap in legal descriptions between the south line of Parcel D and the southerly adjoinder

- 12. Any question that may arise due to shifting and changing in the course or boundaries of Sammamish River.
- 13. Rights of the State of Washington in and to that portion, if any, of the Land which lies below the line of ordinary high water of Sammamish River.
- 14. Any prohibition or limitation of use, occupancy or improvement of the Land resulting from the rights of the public or riparian owners to use any portion which is now or was formerly covered by water.
- 15. Paramount rights and easements in favor of the United States for commerce, navigation, fisheries and the production of power.
- 16. Terms and conditions of notices of charges by water, sewer, and/or storm and surface water utilities, recorded under recording numbers 8801210540, 8801210544 and 9207300895.
- 17. Terms and conditions of Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: King County, a political subdivision of the State of Washington
Purpose: Conservation
Recording Date: December 12, 2018
Recording No.: 20181212000417

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EXHIBIT "B" – RELATED PROPERTY

Parcels A, B and D of City of Bothell Boundary Line Revision No. BLA 2017-11375,
recorded December 21, 2017 under King County Recording No. 20171221900001,
records of King County, Washington

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