

TOWN OF EATONVILLE

Agenda Staff Report

Agenda Item No.:	_____	Meeting Date:	<u>November 10, 2014</u>
Subject:	<u>Resolution No.2014-EE Accepting a</u>	Prepared by:	<u>Gregory Jacoby</u>
	<u>Pedestrian Access Easement from</u>		<u>Town Attorney</u>
	<u>Robert and Cyndy Collins to be used for</u>	Atty Routing No:	<u>023-14</u>
	<u>the Bud Blancher Trail</u>	Atty Review Date:	<u>November 5, 2014</u>

Summary: Town staff is currently working on completing Phase 1 of the Bud Blancher Trail. A section of the trail is located on real property owned by Robert and Cyndy Collins. The Town owns property adjacent to the Collins' property, a 100-foot wide and approximately 2000-foot long section of which has been declared surplus to the Town's needs pursuant to Resolution No. BB. Robert and Cyndy Collins have agreed to convey a public pedestrian access easement to the Town for that portion of the Bud Blancher Trail which runs across their property in exchange for fair market value consideration. The Town intends to sell to Robert and Cyndy Collins the adjacent land in exchange for fair market value consideration. The Town property is worth \$28,023.66 and the Collins' easement is worth \$16,908.48. Therefore, the Town will receive from Robert and Cyndy Collins the pedestrian access easement for the Bud Blancher Trail, along with a cash payment of \$11,115.18, and in exchange Robert and Cyndy Collins will receive from the Town the title to the adjacent section of land which has been declared surplus by the Town. This exchange will give the Town the highest rate of return for the surplus property while also defraying the overall costs of constructing the trail.

Recommendation: Staff recommends the adoption of Resolution No. 2014-EE, approving and accepting the public pedestrian access easement conveyed to the Town by Robert and Cyndy Collins and authorizing the Mayor to execute the same.

Motion for consideration: I move to adopt Resolution No. 2014-EE, approving and accepting the public pedestrian access easement conveyed to the Town by Robert and Cyndy Collins and authorizing the Mayor to execute the easement, along with any other documents necessary to complete the conveyance.

Fiscal Impact: In exchange for the public pedestrian access easement being conveyed to the Town by Robert and Cyndy Collins, the Town will sell to Robert and Cyndy Collins real property deemed surplus by the Town and will receive a cash payment of \$11,115.18.

Attachments: Real Property Value Summary
Proposed Resolution No. 2014-EE, with stated attachments.



October 17, 2014

TO WHOM IT MAY CONCERN:

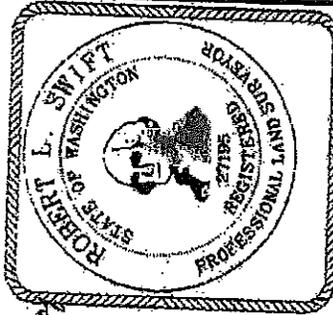
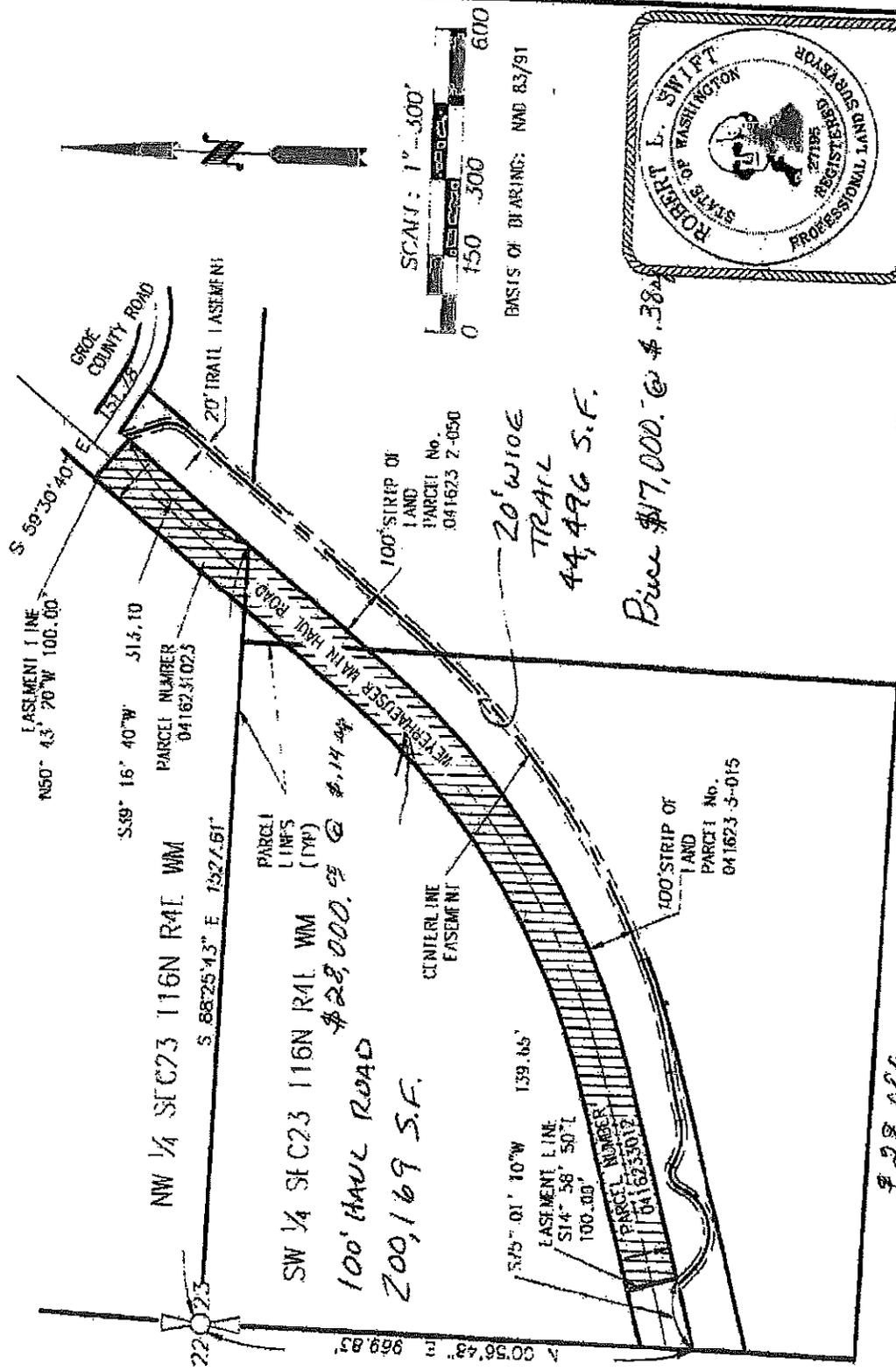
I have reviewed a number of comparables and based on my professional judgement the Town parcel #0416233012 is worth \$.014 cents per square foot and Rob & Cindy Collins parcel #0416233015 is worth \$0.38 per square foot. The total value for the Town's property is \$28,023.66 and the Collins property is \$16,908.48.

A handwritten signature in black ink, appearing to read "Melly Rodriguez", written over a horizontal line.

Melly Rodriguez, Broker/Owner

111 Center St. E./ P.O. Box 1340 Eatonville, WA. 98328
Office: (360)832-6600 Cell Phone: (253)307-6060 Fax: (360)832-6606
Email: formally_6166@yahoo.com E-Fax: 877-840-6956

EXHIBIT B

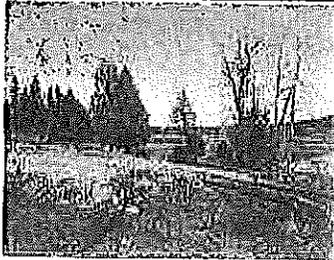


JGB No. 8181.1

LARSON AND ASSOCIATES
 Land Surveyors & Engineers, Inc.
 4801 So. 66th St. Tacoma, WA 98409 (253) 474-5404

\$ 28,000.
 17,000.
 \$ 11,000.

			
Listing #	673674 <i># 11 sq</i>	441984 <i># 13 sq</i>	698511 <i># 138 sq</i>
Status	Active	Active	Pending Feasibility
Lot #			
Street Address	XXX Midway Creek Rd E	XXX 486th St E	3019 347th St S
City	Eatonville	Eatonville	Roy
Zip Code	98328	98328	98680
Area	124	124	119
Grid & Map	G6, 995	A1, 1	D6, 933
Community	Eatonville	Alder	Roy
Project			
Owner Name	Trunk	Sherk	Clarence E & Rozalee V Humphreys
Lot Size	246114	217800	53143
Acreage	5.650	5.000	1.220
Lot Dimensions			
General Zoning	Residential		Residential
Style	41 - Res-Over 1 Acre	41 - Res-Over 1 Acre	41 - Res-Over 1 Acre
Restrictions			
Lot Details		Dead End Street, Secluded	Dead End Street, Open Space
Topography	Level, Rolling, Sloped	Level, Rolling, See Remarks	Level
Improvements		See Remarks	Gravel
Rd Information	County Maintained	Unknown	Well Needed
Water Available	Not Available	Not Available	Not Available
Gas	Not Available	Available	Available
Electricity	In Street	Not Available	Not Available
Sewer	Not Available		
Septic			
Soil Available			
Septic Design			
View		Mountain	Territorial
Waterfront Ftg.			
School Dist.	Eatonville	Eatonville	Bethel
Assess Fees			
Taxes/Year/Snr	\$561 / 2014 / /	\$300 / 2012 / /	\$524 / 2014 / No
Owner Finance			
List Price	\$27,500	\$27,990	\$19,975
Original Price	\$27,500	\$27,990	\$19,975
Sold Price			
CDOM	353	607	16
Listing Date	07/28/2014	01/28/2013	09/22/2014
Off-Market Date			
Sold Date			
Financing			



Listing #	819521
Status	Sold
Lot #	441A
Street Address	39117 62nd Av Ct E
City	Eatonville
Zip Code	98328
Area	124
Grid & Map	
Community	Eatonville
Project	
Owner Name	First Equity Homes LLC
Lot Size	217800
Acresage	5.000
Lot Dimensions	
General Zoning	
Style	40 - Res-Less thn 1 Ac
Restrictions	Manufacturd Homes OK, No Restrict
Lot Details	
Topography	Sloped
Improvements	
Rd Information	Gravel, Paved
Water Available	Drilled Well, On Property, Private We
Gas	In Street
Electricity	On Property
Sewer	Not Available
Septic	
Soil Available	
Septic Design	
View	Lake, Mountain, Partial
Waterfront Ptg.	
School Dist.	Eatonville
Assess Fees	
Taxes/Year/Snr	//
Owner Finance	
List Price	\$106,999
Original Price	\$106,999
Sold Price	\$95,000
GDOM	164
Listing Date	04/14/2014
Off-Market Date	
Sold Date	09/29/2014
Financing	Conventional

Listing # 873874 XXX Midway Creek Rd E, Eatonville 88328 STAT: Active LP: \$27,500
 County: Pierce LT: BLK: CMTY: Eatonville



PRJ: Type: Vacant Land CDOM: 353
 AR: 124 TAX: 0415121026 OLP: \$27,500
 MAP: 995 GRD: G-5 Internet: Yes
 DD: South on Hwy 7, Left on Alder cut off road, Right on Alder Mashell FIN:
 Connection Rd E, R on Midway, property on right. LD: 07/28/2014
 XD:
 OMD:

LAG: Kelly Kempinski (97177) PH: (360) 259-2053
 FAX: PH Type: Cellular
 LO: Riley Jackson Real Estate Inc. (133) PH: (360) 753-8000
 SOG: 5.0% Cmmts:

ZJD: County SKS: No
 ZNR: Residential QTR/SEC:
 GZC: Residential

CLA: PH:
 CLO: PTO: No F17: Provided
 OTVP: OWN: Trunk
 OPH: (360) 458-1502 OAD: Gig Harbor, WA.
 POS: Closing
 TX\$: \$551 TXY: 2014 SNR: ATF:
 TRM: Cash Out, Conventional
 WRJ: STY: 41 - Res-Over 1 Acre
 Right of First Refusal:

ACR: 5,650 LSF: 246,114 LSZ:
 DOC:
 WFT:
 VEW:
 HOA:
 RD: East RDI: County Maintained
 IMP:
 FTR: Brush, Evergreens, Lightly Treed, Recreational
 TPO: Level, Rolling, Sloped
 Community Features:

WFG:
 LDE:
 SLP:
 LVL:

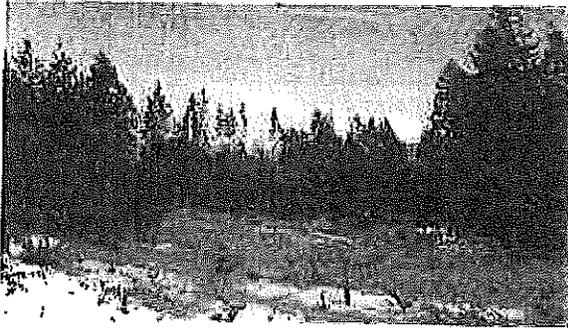
WTR: Not Available SFA:
 GAS: Not Available STD:
 ELE: In Street SDA: ESM:
 SWR: Not Available SDI: SDD: SUR:
 SST:
 SDX:

SD: Eatonville EL: JH: SH:
 3rd Party Aprvl Req: None Bank/REO Owned Y/N: No

Agent Only Remarks:

Marketing Remarks: Some sloping to the property, but it does add character. Private & secluded-a great get away for camping or build your dream home! Owner forms available.

Listing # 441984 XXX 498th St E, Eatonville 98328 STAT: Active LP: \$27,990
 County: Pierce LT: BLK: CMTY: Alder



PRJ: Type: Vacant Land CDOM: 804
 AR: 124 TAX: 0415032012 OLP: \$27,990
 MAP: 1 GRD: A-1 Internet: Yes
 DD: Call for Directions FIN:
 LD: 01/28/2013
 XD:
 OMD:

LAG: Curt Christopherson (4877) PH: (253) 840-2121
 FAX: (360) 884-2803 PH Type: Office
 LO: Sea-Port Realty (344) PH: (253) 840-2121
 SOC: 3 Cmnte:
 OLA: PH:
 GLO: PTO: Yes F17: Provided
 OTVP: OWN: Sherk
 OPH: (253) 752-8689 OAD: Puyallup WA
 POS: Closing
 TX\$: \$300 TXY: 2012 SNR: ATF:
 TRM: Cash Out, Owner Financing STY: 41 - Res-Over 1 Acre
 TER: WRJ:
 Right of First Refusal:

ZJD: County SKS: No
 ZNR: QTR/SEC:
 GZC:

ACR: 5.000 LSF: 217,800 LSZ: 13
 DGC:
 WFT:
 VEW: Mountain
 HOA:
 RD: RDI: See Remarks
 IMP:
 FTR: Evergreens, Lightly Treed, Partially Cleared, Recreational, Riding Trails
 TPO: Level, Rolling, See Remarks SLP: LVL:

WFG:
 LDE: Dead End Street, Secluded

WTR: Unknown SFA: ESM:
 GAS: Not Available STD: SUR:
 ELE: Available SDA: SST:
 SWR: Not Available SDI: SDD: SDX:

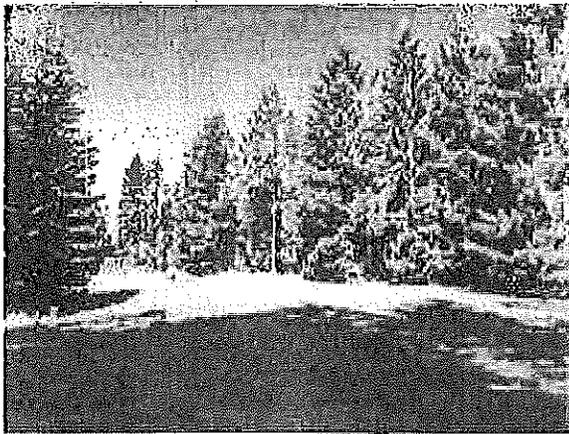
SD: Eatonville EL: Buyer To Verify JH: Eatonville Mld SH: Eatonville High
 3rd Party Appr/ Req: None Bank/REO Owned Y/N: No

Agent Only Remarks: No physical road to the property only paper easement. Must take maps and walk to the property. Property does touch Mountain Highway could walk the property from this location. Call LA for information. Pierce County Tax Parcels 0415032012 & 0415041012.

Marketing Remarks: For those of you looking for a close in "off the grid" property this is it. Two separate tax parcels combining to make approximately 5 acres total with a pretty nice view of Mount Rainier. This secluded property is frequented by elk and deer and possibly a black bear now and then. Walking and or riding distance to Alder Lake and the Pack Forest with miles of hiking and horse riding trails. A short 30 miles to Tacoma WA, & 60 Miles to Seattle WA

Status is 'Active' Area is one of '119 - Roy/McKenna, '121 - Harts Lake', '125 - Estonyille', '126 - Alder' Lot Sq Foots 43560 to 65340 (Converted from ac to sqft) Status is not 'Incomplete'

Listing # 698511 3019 347th St S, Roy 98580 County: Pierce LT: STAT: Active LP: \$19,975 BLK: CMTY: Roy



PRJ: Type: Vacant Land CDOM: 18 AR: 119 TAX: 0317198003 OLP: \$19,975 MAP: 933 GRD: D-6 Intemet: Yes DD: From Hwy 702, North onto 30th Ave FIN: 8, first Left onto 347th, through the gate, LD: 09/22/2014 first parcel/clearing on the right. XD: OMD:

LAG: Sheryl K. Williams (87192) PH: (253) 905-0928 FAX: (360) 458-1808 PH Type: Cellular LO: Windermere Real Estate Yelm (478) PH: (360) 458-3655 SOC: 5% Cmnte: GLA: PH:

ZJD: County ZNR: R10 GZC: Residential

SKS: No QTR/SEC:

OTO: Yes F17: Provided OVN: Clarence E & Rozalee V I OAD: Palmdale, CA

OPH: (861) 202-8746 POS: Closing TX\$: \$524 TXY: 2014 SNR: No ATF: TRM: Cash Out, Conventional TER: WRJ: STY: 41 - Res-Over 1 Acre

Right of First Refusal: No

ACR: 1.220 LSF: 53,143 LSZ: .384

WFG: LDE: Dead End Street, Open Space

WFT: VEW: Territorial HOA: RD: RDI: Gravel IMP:

FTR: Brush, Evergreens, Lightly Treed, Partially Cleared, Pasture Land TPO: Level SLP: LVL:

Community Features:

WTR: Well Needed SFA: ESM: GAS: Not Available STD: SUR: ELE: Available SDA: SST: SWR: Not Available SDI: SDD: SDX:

SD: Bethel EL: JH: SH: 3rd Party Aprvl Req: None Bank/REO Owned Y/N: No

Agent Only Remarks: Verbally accepted offer, just waiting on documents to be signed via snail mail, seller is out of State.

Marketing Remarks: Nice & level lot, mainly cleared & ready for you! Plenty of open space to build your home or just use for pasture or recreational. There are some mature trees (commercial grade timber-buyer to verify) along the back & side of the property. The lots around this are already improved, so power isn't far. You'll also need a well & septic system. Nearly 1.25 acres of level, dry & grassy land is a blank canvas for your visions. Quiet & fairly secluded, just a short drive to JBLM, shopping & dining.

RESOLUTION NO. 2014-EE

**A RESOLUTION OF THE TOWN OF EATONVILLE,
WASHINGTON, APPROVING AND ACCEPTING A
PEDESTRIAN ACCESS EASEMENT FROM ROBERT AND
CYNDY COLLINS TO BE USED FOR THE BUD BLANCHER
TRAIL**

WHEREAS, for several years the Town has been working on a non-motorized trail system throughout the Town with regional connections to nearby attractions and points of interest; and

WHEREAS, staff are currently working on completing Phase 1 of the Bud Blancher Trail, a 2.3 mile section of trail that begins at the Eatonville School District playfields near the town center and ends at UW Pack Forest, as depicted in Exhibit C attached hereto; and

WHEREAS, a portion of the trail is located on private property owned by Robert and Cyndy Collins, Pierce County Parcel Nos. 0416232050, and 0416233015; and

WHEREAS, Robert and Cyndy Collins have agreed to convey to the Town a public pedestrian access easement over that portion of their property which the trail will run (the Collins Property), legally described in Exhibit A and mapped in Exhibit B, for fair market value; and

WHEREAS, the pedestrian access easement across the Collins Property has a fair market value of \$16,908.48; and

WHEREAS, the Town has agreed, pursuant to Resolution No. BB, to sell certain real property, valued at \$28,023.66, and deemed surplus by the Town, to Robert and Cyndy Collins in exchange for the public pedestrian access easement and a cash payment of \$11,115.18; and

WHEREAS, acquiring the public pedestrian access easement on the Collins Property will allow the Town to complete that section of the Bud Blancher Trail which runs across the Collins Property and will help defray the overall the cost of constructing the trail; now, therefore,

**THE TOWN COUNCIL OF THE TOWN OF EATONVILLE,
WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

THAT: The Pedestrian Access Easement attached hereto as Exhibit D, conveyed to the Town of Eatonville by Robert and Cyndy Collins is approved and accepted; and

FURTHER THAT: The Mayor of the Town of Eatonville is hereby authorized to execute the Pedestrian Access Easement and all such documents as are necessary to complete the conveyance of the easement to the Town.

PASSED by the Town Council of Town of Eatonville and attested by the Town Clerk in authentication of such passage this 10th day of November 2014.

Mike Schaub, Mayor

ATTEST:

Kathy Linnemeyer, Town Clerk

Casement Land Surveyors

Professional Quality

August 29, 2014

EXHIBIT A

EASEMENT DESCRIPTION FOR TOWN OF EATONVILLE BUD BLANCHER TRAIL

THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTIES:

A 100 FOOT WIDE STRIP OF LAND IN THE SOUTHEAST QUARTER OF THE NORTHWEST AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 16 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, COUNTY OF PIERCE, STATE OF WASHINGTON; LYING SOUTHEASTERLY OF AND ADJACENT TO THE WEYERHAEUSER MAIN HAUL ROAD AND SOUTHWESTERLY OF GROE COUNTY ROAD AS LOCATED ON MAY 3, 1959.

PIERCE COUNTY TAX PARCEL No. 041623-2-050
AND

A 100 FOOT WIDE STRIP OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 16 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, THE COUNTY OF PIERCE, STATE OF WASHINGTON; LYING SOUTHEASTERLY OF AND ADJACENT TO THE WEYERHAEUSER MAIN HAUL ROAD. PIERCE COUNTY TAX PARCEL No. 041623-3-015

A 20 FOOT WIDE STRIP OF LAND, 10 FEET ON EACH SIDE OF A CENTERLINE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF SAID WEYERHAEUSER MAIN HAUL ROAD, SOUTH 39°16'40" WEST 11.70 FEET FROM SOUTHWESTERLY MARGIN OF SAID GROE COUNTY ROAD;
THENCE ALONG SAID CENTERLINE, SOUTH 19°28'24" EAST 77.13 FEET TO A POINT OF CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH 70°31'36" WEST 50 FEET;
THENCE ALONG SAID CURVE AN ARC DISTANCE OF 51.27 FEET TO A POINT 10 FEET NORTHWESTERLY OF AND PERPENDICULAR TO THE SOUTHEASTERLY LINE SAID 100 FOOT WIDE STRIP OF LAND;
THENCE PARRALLEL TO AND 10 FEET NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF SAID 100 FOOT WIDE STRIP OF LAND, SOUTH 39°16'40" WEST 610.12 FEET TO A POINT OF CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 50°43'20" WEST 1,590.00 FEET;
THENCE CONTINUING PARRALLEL TO AND 10 FEET NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF SAID 100 WIDE STRIP OF LAND, ALONG SAID CURVE, AN ARC DISTANCE OF 788.53 FEET TO A POINT OF CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 22°18'28" WEST 1,014.71 FEET;
THENCE ALONG SAID CURVE AN ARC DISTANCE OF 226.95 FEET TO A POINT OF CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS SOUTH 9°29'35" EAST 900 FEET;
THENCE ALONG SAID CURVE AN ARC DISTANCE OF 95.38 FEET, TO A POINT OF CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 15°33'55" WEST 110.23 FEET;
THENCE ALONG SAID CURVE AN ARC DISTANCE OF 91.21 FEET, TO A POINT OF CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS SOUTH 31°50'35" WEST 27.56 FEET;
THENCE ALONG SAID CURVE AN ARC DISTANCE 44.69 FEET;
THENCE SOUTH 28°57'25" WEST 19.87 FEET TO A POINT OF CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 61°02'35" WEST 95.00 FEET;
THENCE ALONG SAID CURVE AN ARC DISTANCE OF 173.53 FEET;
THENCE NORTH 46°23'12" WEST 46.17 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID WEYERHAEUSER MAIN HAUL ROAD, WHICH IS NORTH 75°01'10" EAST 127.94 FEET FROM THE WEST LINE OF SAID SOUTHWEST QUARTER SECTION 23 AND THE TERMINUS OF THE CENTERLINE OF SAID 20 FOOT WIDE STRIP, THE SIDELINES OF WHICH EXTEND AND TRIM AT THE SOUTHEASTERLY LINE OF SAID WEYERHAEUSER MAIN HAUL ROAD.

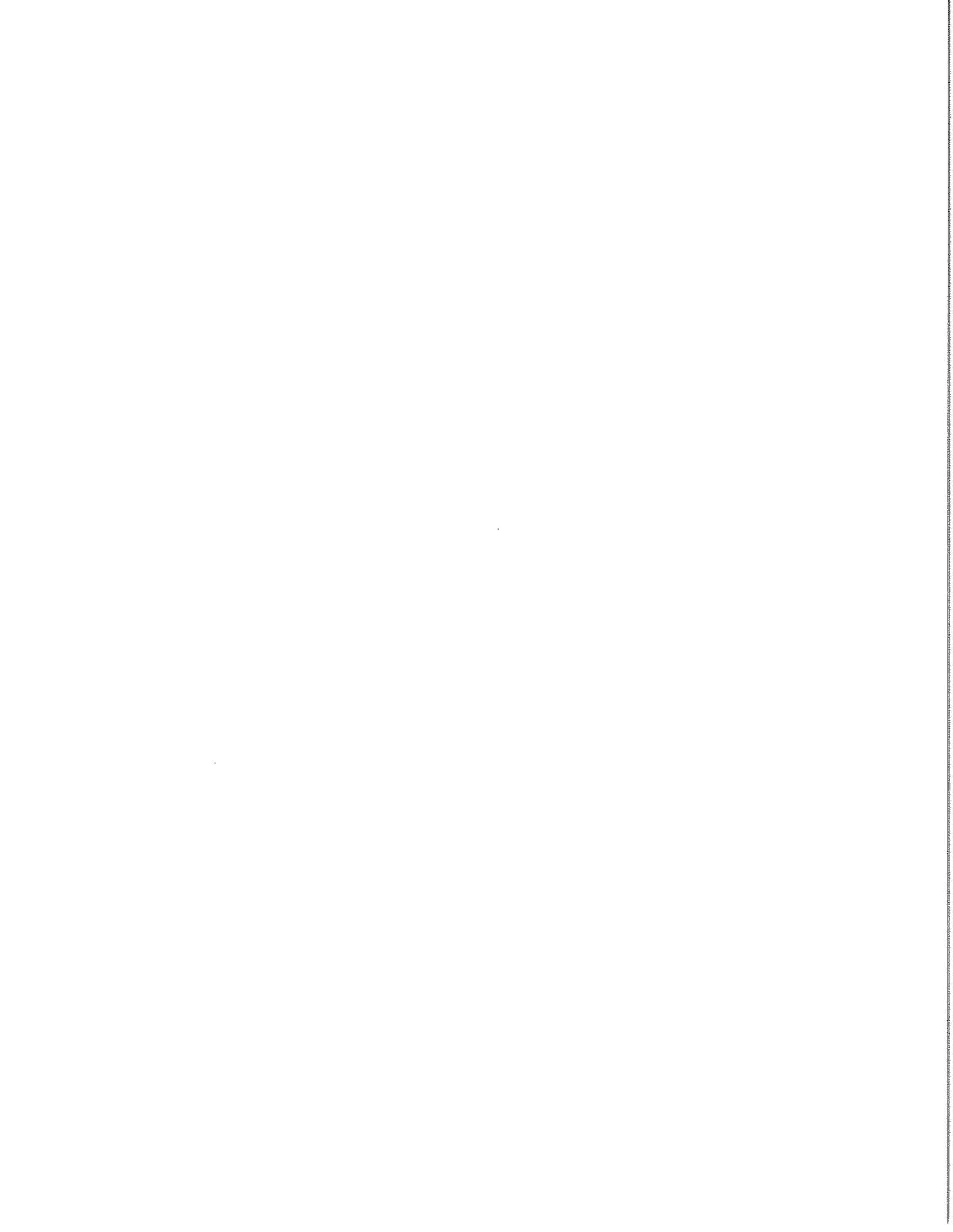


EXHIBIT B

BASIS OF BEARINGS: WASHINGTON STATE PLANE SOUTH ZONE AT LAT--46°51'19" N LONG--122°16'21" W

20 FOOT EASEMENT
BUD BLANCHER TRAIL

S 39° 15' 40" W 11.70 FT

POINT OF BEGINNING

N 39° 16' 40" E 324.99 FT

NW ¼ SEC23 T16N R4E WM

S 88°25'43" E 1527.61'

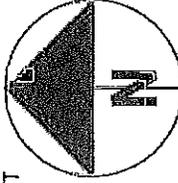
SW ¼ SEC23 T16N R4E WM

PARCEL LINES (TYP)

WYERHAEUSER MAIN HALL ROAD

20' TRAIL EASEMENT

R=50.00 FT
A=51.27 FT



100' STRIP OF LAND
PARCEL No.
041623-2-050

R=1,590.00 FT
A=788.53 FT

CENTERLINE
EASEMENT

R=800.00 FT
A=95.38 FT

R=1,014.71 FT
A=228.95 FT

R=800.00 FT
A=95.38 FT

R=900.00 FT
A=95.38 FT

R=900.00 FT
A=95.38 FT

R=95.00 FT
A=173.53 FT

R=95.00 FT
A=127.94 FT

SCALE: 1"=300'



LEGEND

R=RADIUS
A=ARC LENGTH
FT=FEET

NOTE: ALL CURVES ARE TANGENT

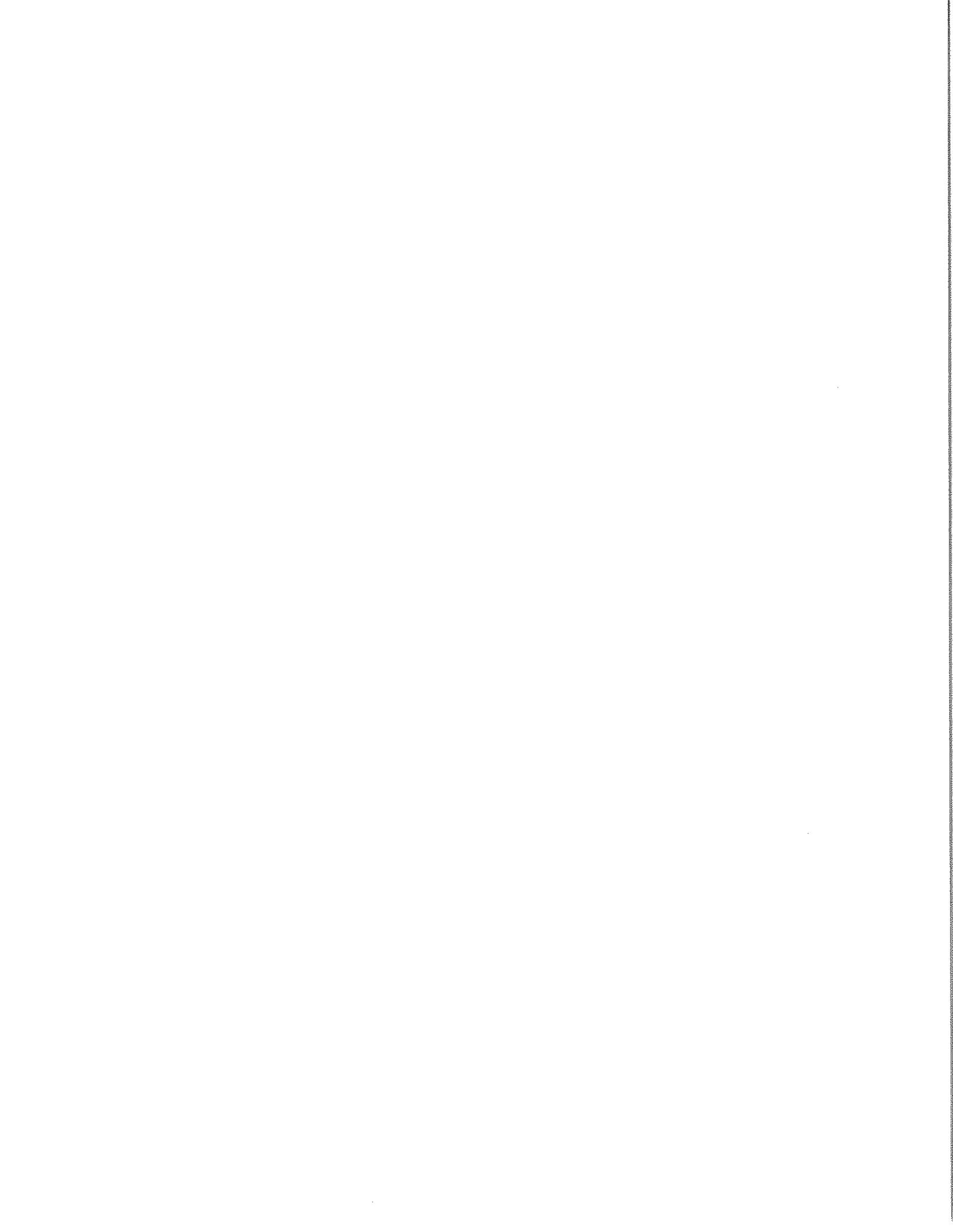
JOB NO.	14-1210-001
DWN. BY	DJC
CHKD. BY	DJC
DATE	8/20/2014
SHEET	-- OF --

EASEMENT LAND SURVEYORS
1411 33RD AVE CT SW
PUYALLUP, WA 98373
(253) 576-7328



22723

N 00°56'48" E 969.83'



Legend

-  Phase 1 Bud Blancher Trail
-  Phase 2 Bud Blancher Trail
-  Trail to be Constructed by Developer
-  Existing Trail/Sidewalk
-  Mashel River
-  Parcel Lines

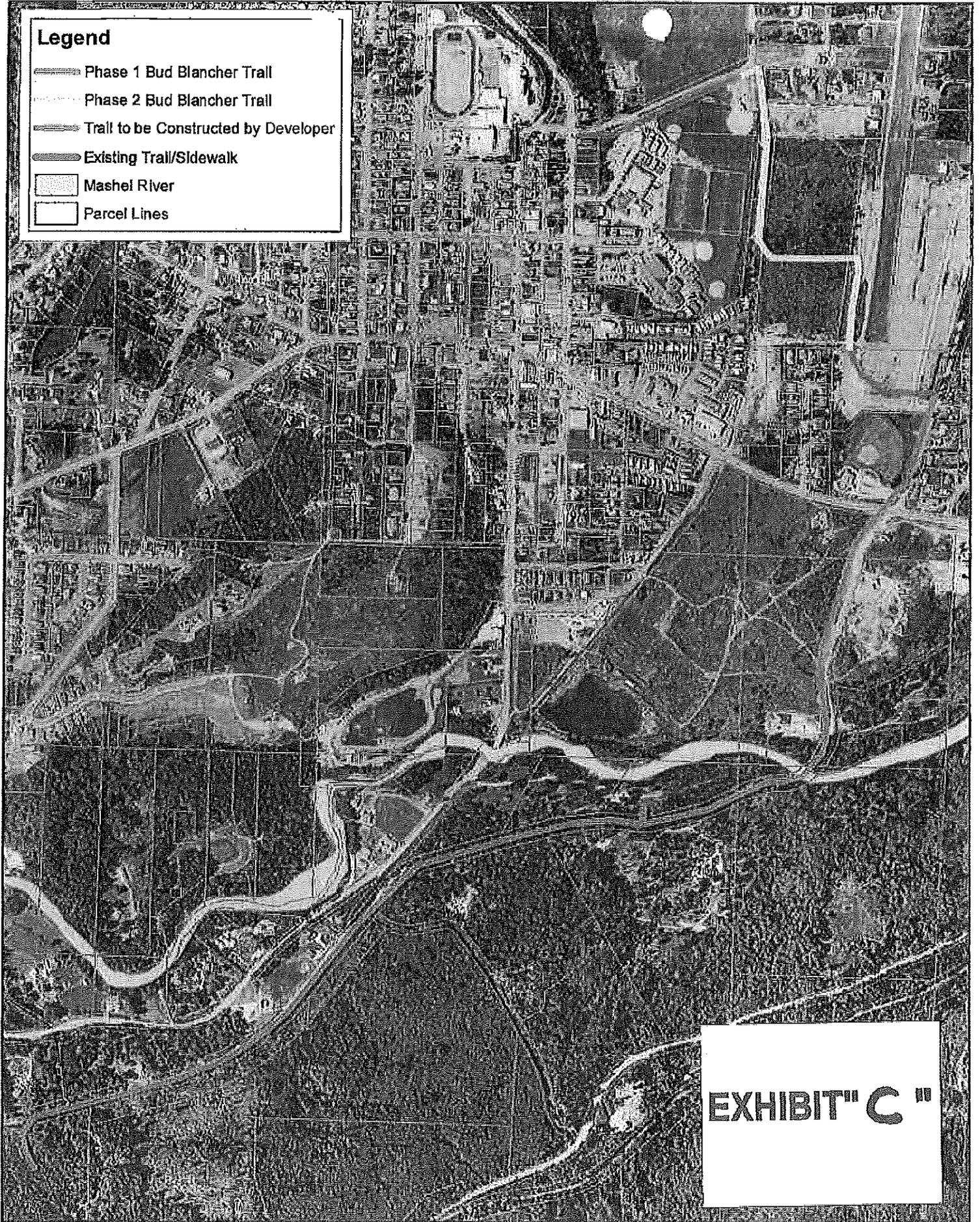


EXHIBIT "C"

0 0.125 0.25 0.5 0.75 1 Miles



WHEN RECORDED RETURN TO:

**Town of Eatonville
201 Center Street West
P.O. Box 309
Eatonville, Washington 98328**

PEDESTRIAN ACCESS EASEMENT

Grantors: Robert E. Collins and Cyndy L. Collins

Grantee: Town of Eatonville

Complete Legal Description: See Exhibit A

**Assessor's Parcel Nos.: *Portion 0416232050*
 *Portion 0416233015***

Robert E. Collins and Cyndy L. Collins ("Collins"), husband and wife, Grantors, for and in consideration of donation of an easement to a government entity for the purpose of pedestrian access, conveys and grants to the Town of Eatonville (the "Town"), a municipal corporation, its successors and assigns, Grantee, a perpetual right and privilege to construct and maintain a twenty foot (20') wide public access easement over, under, in, along, across and upon the following described real property, situated in the County of Pierce, State of Washington (the "Easement"):

A legal description of the Easement is attached as Exhibit A, and is depicted in Exhibits B (the "Easement Area"), both of which are incorporated herein by this reference.

Together with the right to enter upon said Easement Area at any time with all necessary personnel, materials, and equipment for the purpose of constructing, reconstructing, installing, repairing, replacing, operating and maintaining a portion of the Bud Blancher Trail ("pedestrian pathway") in the Easement Area, and associated improvements; and further providing that Grantors, their heirs, successor, or assigns shall erect no permanent structure within the Easement Area unless specifically approved in writing by Grantee's Town Council.

This Easement is granted subject to the following terms and conditions:

1. In the event the Town ceases to use said Easement Area as a pedestrian pathway, as evidenced by abandonment or in another manner, the Easement granted herein shall terminate.
2. Town shall be responsible for the design, construction, maintenance, and repair of the pedestrian pathway within the Easement Area, which shall be at no cost or expense to Collins.

3. Town shall be required to obtain all necessary approvals and permits from such governmental entities with jurisdiction for the construction and installation of the pathway and improvements within the Easement Area.
4. The improvements associated with the pedestrian pathway may include, but are not limited to: benches, kiosks, signs.
5. Town shall indemnify, defend and hold harmless Collins against any and all claims, liens, demands, losses, damages, expenses, and costs, including attorney's fees and costs, arising from or related to the acts or omissions of Town (and Town's officials, employees, agents, consultants, contractors, representatives, licensees, invitees, or visitors) in or upon the Easement Area; provided, however, nothing herein shall require Town to indemnify and hold harmless Collins to the extent of the negligence or other fault on the part of Collins, or their employees, agents, consultants, contractors, representatives, or licensees.
6. This Easement shall be construed and enforced in accordance with the laws of the State of Washington.
7. This Easement shall not be construed more favorably to one party over another, notwithstanding the fact that one party, or its attorney, may have been more responsible for the preparation of the document.
8. This Easement shall be a covenant running with the land and this Easement shall (i) burden the Easement Area, and (ii) be binding upon the successors and assigns of Grantor and Grantee.

IN WITNESS WHEREOF, this Pedestrian Access Easement is executed on the date and year set forth below.

GRANTEE:

TOWN OF EATONVILLE, a Washington municipal corporation

By: _____

Mike Schaub

Its: Mayor

Date: _____

GRANTORS:

ROBERT L. COLLINS, a married person

Robert L. Collins

Date: _____

CYNDY L. COLLINS, a married person

Cyndy L. Collins

Date: _____

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

On this day personally appeared before me Mike Schaub to me known to be the Mayor of the Town of Eatonville, the municipal corporation described herein and that executed the within and foregoing instrument, and acknowledged that he signed said instrument as a free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said municipal corporation.

GIVEN under my hand and official seal this ___ day of _____, 2014.

NOTARY PUBLIC in and for the State of Washington
Print Name: _____
My appointment expires: _____

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

On this day personally appeared before me Robert E. Collins to me known to be the Grantor described herein and that executed the within and foregoing instrument, and acknowledged that he signed said instrument as a free and voluntary act for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

GIVEN under my hand and official seal this ___ day of _____, 2014.

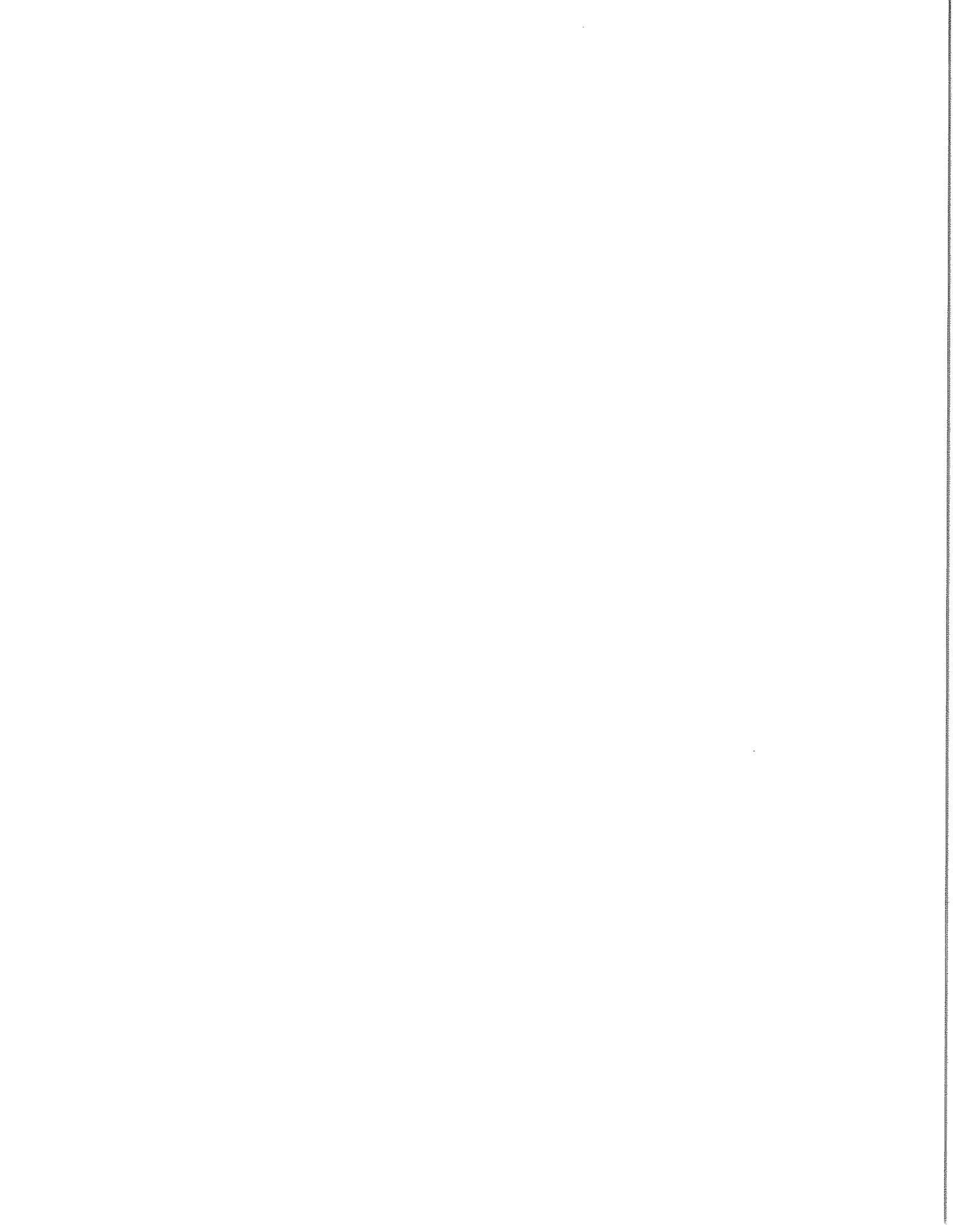
NOTARY PUBLIC in and for the State of Washington
Print Name: _____
My appointment expires: _____

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

On this day personally appeared before me Cyndy L. Collins to me known to be the Grantor described herein and that executed the within and foregoing instrument, and acknowledged that she signed said instrument as a free and voluntary act for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument.

GIVEN under my hand and official seal this ___ day of _____, 2014.

NOTARY PUBLIC in and for the State of Washington
Print Name: _____
My appointment expires: _____



Casement Land Surveyors

Professional Quality

August 29, 2014

EXHIBIT A

EASEMENT DESCRIPTION FOR TOWN OF EATONVILLE BUD BLANCHER TRAIL

THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTIES:

A 100 FOOT WIDE STRIP OF LAND IN THE SOUTHEAST QUARTER OF THE NORTHWEST AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 16 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, COUNTY OF PIERCE, STATE OF WASHINGTON; LYING SOUTHEASTERLY OF AND ADJACENT TO THE WEYERHAEUSER MAIN HAUL ROAD AND SOUTHWESTERLY OF GROE COUNTY ROAD AS LOCATED ON MAY 3, 1959.

PIERCE COUNTY TAX PARCEL No. 041623-2-050

AND

A 100 FOOT WIDE STRIP OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 16 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, THE COUNTY OF PIERCE, STATE OF WASHINGTON; LYING SOUTHEASTERLY OF AND ADJACENT TO THE WEYERHAEUSER MAIN HAUL ROAD. PIERCE COUNTY TAX PARCEL No. 041623-3-015

A 20 FOOT WIDE STRIP OF LAND, 10 FEET ON EACH SIDE OF A CENTERLINE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF SAID WEYERHAEUSER MAIN HAUL ROAD, SOUTH 39°16'40" WEST 11.70 FEET FROM SOUTHWESTERLY MARGIN OF SAID GROE COUNTY ROAD;
THENCE ALONG SAID CENTERLINE, SOUTH 19°28'24" EAST 77.13 FEET TO A POINT OF CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS SOUTH 70°31'36" WEST 50 FEET;
THENCE ALONG SAID CURVE AN ARC DISTANCE OF 51.27 FEET TO A POINT 10 FEET NORTHWESTERLY OF AND PERPENDICULAR TO THE SOUTHEASTERLY LINE SAID 100 FOOT WIDE STRIP OF LAND;
THENCE PARRALLEL TO AND 10 FEET NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF SAID 100 FOOT WIDE STRIP OF LAND, SOUTH 39°16'40" WEST 610.12 FEET TO A POINT OF CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 50°43'20" WEST 1,590.00 FEET;
THENCE CONTINUING PARRALLEL TO AND 10 FEET NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF SAID 100 WIDE STRIP OF LAND, ALONG SAID CURVE, AN ARC DISTANCE OF 788.53 FEET TO A POINT OF CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 22°18'28" WEST 1,014.71 FEET;
THENCE ALONG SAID CURVE AN ARC DISTANCE OF 226.95 FEET TO A POINT OF CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS SOUTH 9°29'35" EAST 900 FEET;
THENCE ALONG SAID CURVE AN ARC DISTANCE OF 95.38 FEET, TO A POINT OF CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 15°33'55" WEST 110.23 FEET;
THENCE ALONG SAID CURVE AN ARC DISTANCE OF 91.21 FEET, TO A POINT OF CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS SOUTH 31°50'35" WEST 27.56 FEET;
THENCE ALONG SAID CURVE AN ARC DISTANCE 44.69 FEET;
THENCE SOUTH 28°57'25" WEST 19.87 FEET TO A POINT OF CURVE TO THE RIGHT, THE RADIUS POINT OF WHICH BEARS NORTH 61°02'35" WEST 95.00 FEET;
THENCE ALONG SAID CURVE AN ARC DISTANCE OF 173.53 FEET;
THENCE NORTH 46°23'12" WEST 46.17 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID WEYERHAEUSER MAIN HAUL ROAD, WHICH IS NORTH 75°01'10" EAST 127.94 FEET FROM THE WEST LINE OF SAID SOUTHWEST QUARTER SECTION 23 AND THE TERMINUS OF THE CENTERLINE OF SAID 20 FOOT WIDE STRIP, THE SIDELINES OF WHICH EXTEND AND TRIM AT THE SOUTHEASTERLY LINE OF SAID WEYERHAEUSER MAIN HAUL ROAD.

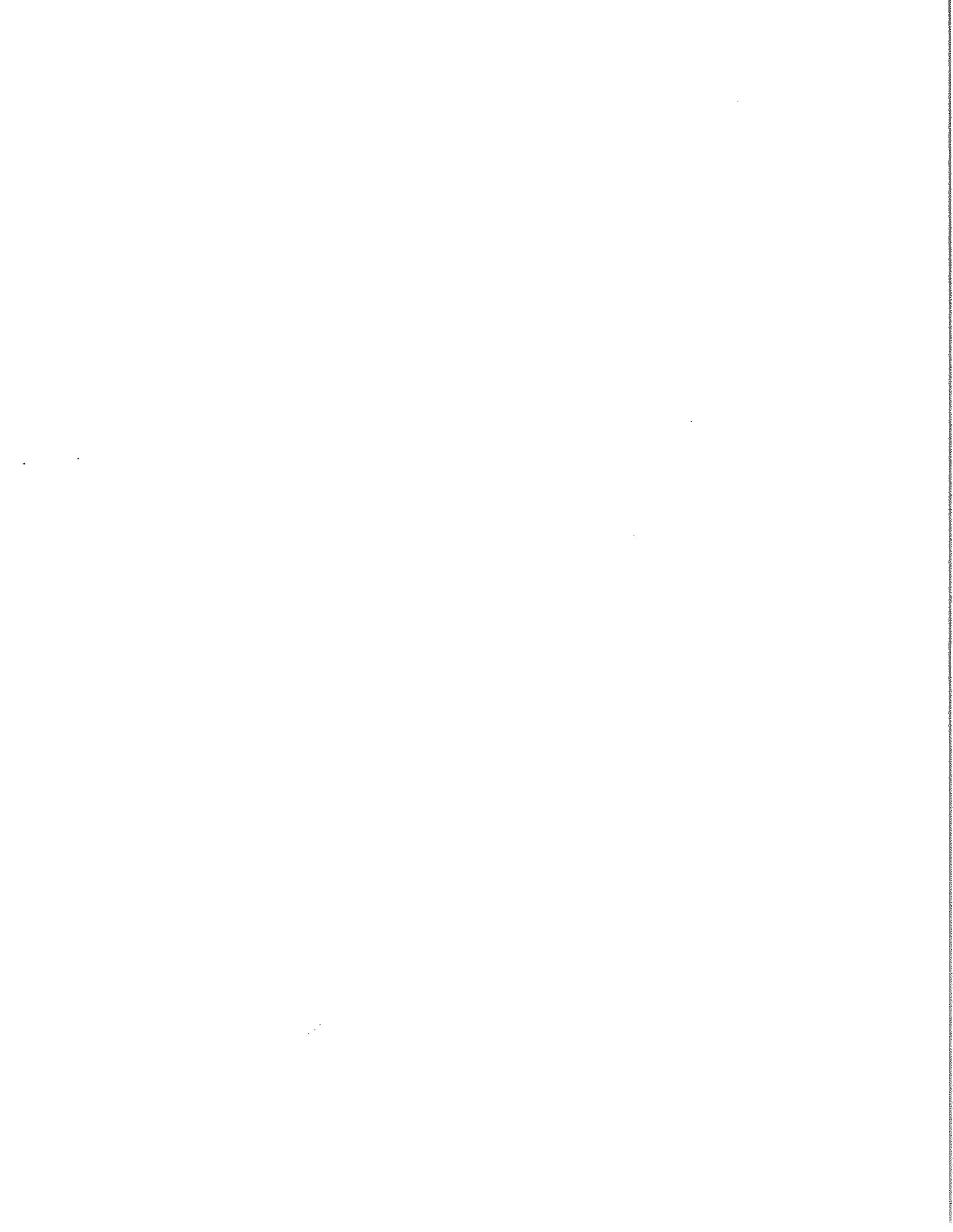


EXHIBIT B

20 FOOT EASEMENT
BUD BLANCHER TRAIL

BASIS OF BEARINGS: WASHINGTON STATE PLANE SOUTH
ZONE AT LAT -46°51'19" N LON -122°16'21" W



NW 1/4 SEC23 T16N R4E WM

SW 1/4 SEC23 T16N R4E WM

22 23

N 00°56'48" E 969.83'

S 39° 16' 40" W 11.70 FT

POINT OF BEGINNING

N 39° 16' 40" E 324.99 FT

S 88°25'43" E 1527.61'

PARCEL LINES (TYP)

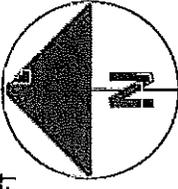
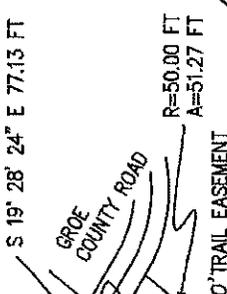
N 46° 23' 12" W 46.17 FT

S 28° 57' 25" W 19.87 FT

R=1,014.71 FT
A=226.95 FT

R=900.00 FT
A=95.38 FT

N 75° 01' 10" E
127.94 FT



JOB NO.	14-1210-001
DWN. BY	DJC
CHKD. BY	DJC
DATE	8/20/2014
SHEET	- OF -

SCALE: 1" = 300'



LEGEND

R=RADIUS
A=ARC LENGTH
FT=FEET

CASEMENT LAND SURVEYORS
1411 33RD AVE CT SW
PUYALLUP WA 98373
(253) 576-7328

NOTE: ALL CURVES ARE TANGENT

