

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 10/8/18

AGENDA ITEM:	
Condemnation Ordinance for 1 st Street Bypass Project	
PREPARED BY:	DIRECTOR APPROVAL:
Jon Walker	
DEPARTMENT:	
Legal	
ATTACHMENTS:	
BUDGET CODE:	AMOUNT:
SUMMARY:	

The state legislature budgeted \$50 million for the I-5/SR 529 interchange with construction to commence in 2019. It is anticipated that much of the traffic exiting I-5 will utilize the new interchange rather than the existing SR 528 (4th Street) interchange. This is projected to generate traffic (approximately 12,000 trips per day) desiring to travel east from the interchange. A bypass along 1st Street from downtown to the east is necessary to divert a significant portion of this new traffic and to avoid overburdening residential streets in the downtown area.

This project is underway and the City has been contacting property owners regarding right-of-way acquisitions that are necessary to complete the project. The City intends to acquire necessary right-of-way through negotiations if at all possible.

The city has two reasons for considering authorizing the use of eminent domain at this time. First, the procedural requirements to authorize eminent domain through an ordinance take considerable time and coordination. If the city were to wait to take this step, it might interfere with construction timelines and delay the project. The ordinance only authorizes the city to use eminent domain, but does not require it to do so. Second, if the sale of property takes place under “threat” of eminent domain (the “threat” would be established by the ordinance), the seller does not need to pay the real estate excise tax that he or she would otherwise be required to pay. WAC 458-61A-206 (copy attached). The tax is currently 1.78% in the city.

<p>RECOMMENDED ACTION: Staff recommends that the Council consider approving the condemnation ordinance for the 1st Street Bypass project.</p> <p>RECOMMENDED MOTION: I move to approve Ordinance No. ___ authorizing the city to use eminent domain to acquire property for the 1st Street Bypass project.</p>
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CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON DECLARING PUBLIC USE AND NECESSITY FOR LAND AND PROPERTY TO BE CONDEMNED FOR THE PURPOSE OF WIDENING 1ST STREET AND CREATING THE 1ST STREET BYPASS; AND AUTHORIZING THE CONDEMNATION, APPROPRIATION, TAKING, DAMAGING AND ACQUISITION OF LAND AND OTHER PROPERTY AND PAYMENT FROM THE GENERAL FUND.

WHEREAS, the City Council of the City of Marysville (hereinafter the "City") finds as follows:

1. An interchange will be constructed for Interstate 5 at SR 529, altering the traffic flow patterns in the city; and
2. The City has conducted engineering and traffic studies and determined that significant traffic will utilize State Avenue from this interchange; and
3. A significant portion of this traffic will be drivers whose destination is east of State Avenue; and
4. The studies show that diverting this eastbound traffic before it reaches the intersection with SR 528 (4th Street) will improve traffic flow and safety; and
5. The project is necessary to meet the city's adopted transportation system concurrency levels of service, provide connectivity and emergency vehicle access (the access to I-5 via the SR 529 interchange will not require a crossing of the railroad tracks); and
6. Based on the engineering studies the most desirable route for the eastbound traffic would be along 1st Street with 1st Street being widened, extended, and realigned in some places; and
7. It will be necessary to acquire the properties for the street widening as depicted in **EXHIBIT A** and described in **EXHIBIT B**, attached hereto and incorporated herein by this reference, as it is necessary for the construction of a 1st Street bypass; and
8. Efforts are now on-going to acquire the properties necessary for this public use by negotiation; and
9. In the event that negotiated acquisition is not fully successful in advance of the anticipated commencement and construction, it is essential that the City be prepared to initiate condemnation proceedings so that the project can be timely constructed; and
10. Public safety, convenience, use and necessity demand the acquisition of several parcels of property, easement, and/or temporary construction easements to wit: 102 State Avenue; 104 Alder Avenue; Unknown (TPN 30053300101900); Unknown (TPN 30053300102400); 91 Quinn Avenue; 92 Quinn Avenue; Unknown (TPN 30053300102200);

Unknown (TPN 30053300102000); 1830 First Street; 5921 47th Ave NE; 5625 47th Avenue NE; 5603 47th Avenue NE; 5601 47th Avenue NE; 70 State Avenue, Marysville, Washington; and

11. The entire cost of the acquisition provided by this ordinance shall be paid by the following funds of the City:

GENERAL FUND

or such other general funds of the City as may be provided by law.

12. The City may be unable to agree with the property owners upon the compensation to be paid for the properties identified in EXHIBIT “B,” or it may not be feasible to clear title without condemnation proceedings.

13. The City has authority pursuant to chapter 8.12 RCW to acquire, if necessary, title to real property for public purposes. Improvement of the City’s road system is a public purpose.

14. The proposed improvement is to provide additional vehicular capacity on 1st Street for the 1st Street bypass.

15. Notice of the planned final action authorizing the condemnation of the property described in Exhibits A and B has been given to the owner(s) of said property and published in the Everett Herald and Marysville Globe in accordance with the provisions of RCW 8.25.290.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. 1st Street Bypass is a Public Use. The 1st Street Bypass project is a public use. The improvement will be owned by the City of Marysville and open for vehicle, pedestrian, and bicycle travel by members of the public.

Section 2. Determination of Necessity. Acquisition of the properties depicted in Exhibit A and legally described in Exhibit B, both of which are attached and incorporated by this reference (the “Properties”), is necessary to construct the 1st Street Bypass project. If the Properties are not acquired and the Bypass is not constructed, traffic movement and safety along the State Avenue (SR 529) and SR 528 corridors will be severely negatively impacted.

Section 3. Condemnation. Under the authority of chapter 8.12 RCW, the Properties shall be condemned and acquired by the City of Marysville, after just compensation having been first made or paid into court for the owner(s) in the manner prescribed by law.

Section 4. Authorization. The City Attorney and/or his designees are hereby authorized to commence and prosecute condemnation proceedings for the Properties in the manner provided by law, to determine and make or pay just compensation, and to take such other

steps as they deem necessary to complete the acquisition of the Properties including to enter into settlements to mitigate damages.

Section 5. Compensation. Compensation shall be paid to the owners of the property identified in Exhibits A and B, and the cost of acquisition and the costs of litigation shall be paid from the City's General Fund.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 7. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 20_____.

CITY OF MARYSVILLE

By _____
JON NEHRING, Mayor

ATTEST:

By _____
Deputy City Clerk

Approved as to form:

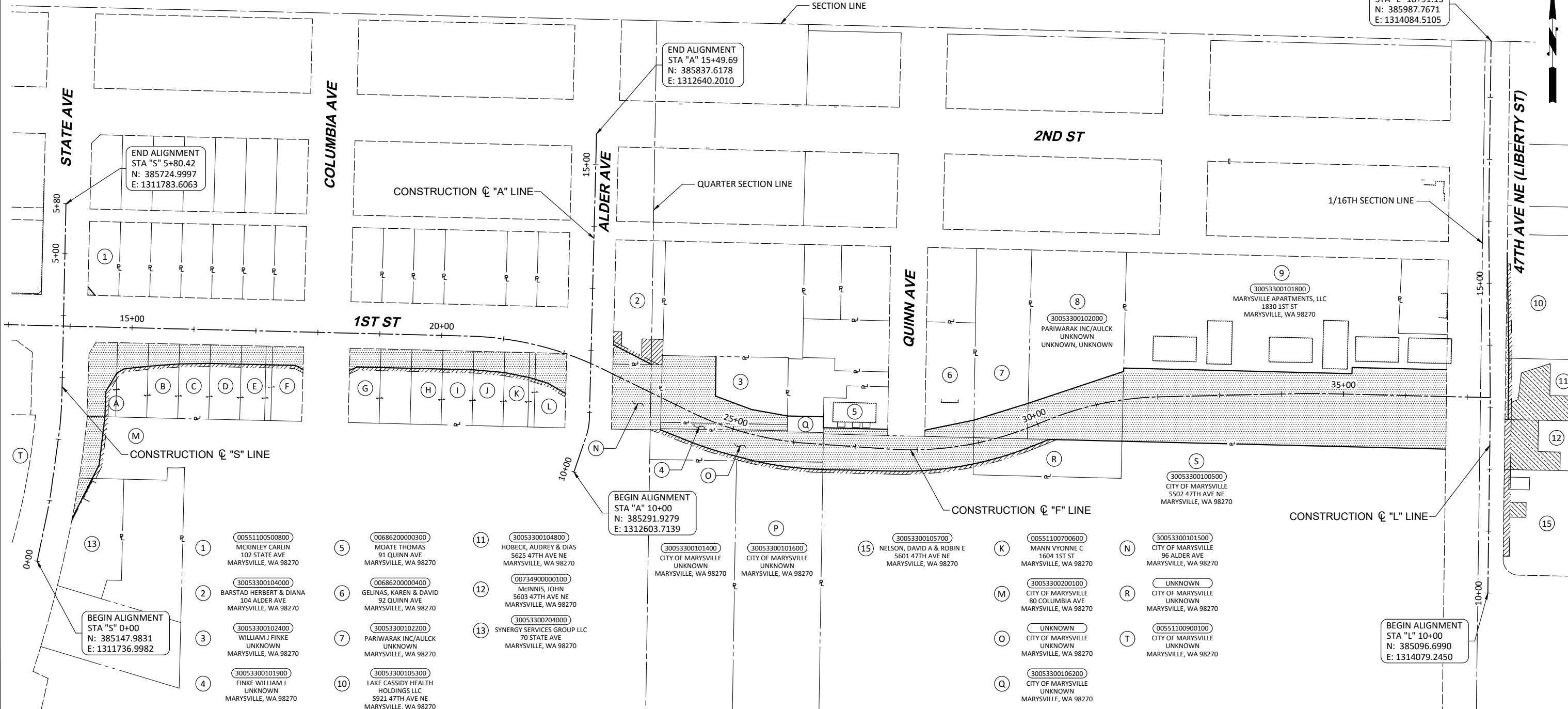
By _____
JON WALKER, City Attorney

Date of Publication: _____

Effective Date (5 days after publication): _____

EXHIBIT A

SECTION 28, TOWNSHIP 30 N, RANGE 5 E, W.M.



SECTION 33, TOWNSHIP 30 N, RANGE 5 E, W.M.

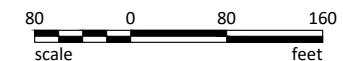
OVERALL RIGHT-OF-WAY LAYOUT

LEGEND:

- EXISTING RIGHT-OF-WAY LINE
- EXISTING PROPERTY LINE
- TOWNSHIP SECTION LINE
- PROPOSED RIGHT-OF-WAY LINE
- PROPOSED EASEMENT LINE
- RIGHT-OF-WAY ACQUISITION
- TEMPORARY CONSTRUCTION EASEMENT
- DRIVEWAY TEMPORARY CONSTRUCTION EASEMENT

SURVEY NOTES

1. SEE SHEET RG-2 FOR SURVEY CONTROL AND ALIGNMENT INFORMATION.



PRELIMINARY

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MARK	REVISION DESCRIPTION	BY	APP.	DATE

33301 9th Avenue South, Suite 300
Federal Way, Washington 98003-2600
(206) 431-2300 Fax: (206) 431-2250

Item 11 6

STEVEN P. TRAJE
STATE OF WASHINGTON
REGISTERED PROFESSIONAL ENGINEER
31271

DRAWN BY JCR
DESIGN BY JCR
CHECK BY
PROJ MGR RAF

CITY OF MARYSVILLE
1ST STREET BYPASS
RIGHT-OF-WAY PLAN
OVERALL LAYOUT

DRAWING NO. **RG-3**
PROJECT NO. A17.0194
DATE: 9/28/18
SHEET NO. 3 OF 11

EXHIBIT B

**LEGAL DESCRIPTION
RIGHT-OF-WAY ACQUISITION
PARCEL NO. 00551100500800
MCKINLEY, CARLIN**

COMMENCING AT AN EXISTING MONUMENT FOUND WITHIN THE INTERSECTION OF 1ST STREET AND STATE AVENUE, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE NORTH 46°25'31" EAST A DISTANCE OF 28.29 FEET, TO THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL, SAID CORNER BEING THE **POINT OF BEGINNING**;

THENCE SOUTH 88°35'11" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 11.82 FEET;

THENCE NORTH 39°49'36" WEST A DISTANCE OF 17.92 FEET TO A POINT ALONG THE EAST MARGIN OF STATE AVENUE;

THENCE SOUTH 01°26'13" WEST ALONG THE EAST MARGIN OF STATE AVENUE, A DISTANCE OF 13.48 FEET TO THE **POINT OF BEGINNING**.

SAID RIGHT-OF-WAY ACQUISITION CONTAINING 80 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
RIGHT-OF-WAY ACQUISITION
PARCEL NO. 30053300104000
BARSTAD, HERBERT & DIANA**

COMMENCING AT AN EXISTING MONUMENT FOUND IN THE VICINITY OF 1ST STREET AND ALDER AVENUE INTERSECTION, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 45°32'57" EAST A DISTANCE OF 101.98 FEET, TO A POINT ALONG THE EAST MARGIN OF ALDER AVENUE, SAID POINT BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL AND THE **POINT OF BEGINNING**;
THENCE SOUTH 88°36'26" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 63.40 FEET;
THENCE NORTH 62°49'26" WEST A DISTANCE OF 70.38 FEET TO A POINT ALONG THE EAST MARGIN OF ALDER AVENUE;
THENCE SOUTH 01°26'13" WEST ALONG THE EAST MARGIN OF ALDER AVENUE, A DISTANCE OF 30.61 FEET TO THE **POINT OF BEGINNING**.

SAID RIGHT-OF-WAY ACQUISITION CONTAINING 970 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
SLOPE EASEMENT
PARCEL NO. 30053300104000
BARSTAD, HERBERT & DIANA**

COMMENCING AT AN EXISTING MONUMENT FOUND IN THE VICINITY OF 1ST STREET AND ALDER AVENUE INTERSECTION, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 45°32'57" EAST A DISTANCE OF 101.98 FEET, TO A POINT ALONG THE EAST MARGIN OF ALDER AVENUE, SAID POINT BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 88°36'26" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 63.40 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 88°36'26" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 11.50 FEET;

THENCE NORTH 62°49'26" WEST A DISTANCE OF 83.14 FEET, TO A POINT ALONG THE EAST MARGIN OF ALDER AVENUE;

THENCE SOUTH 01°26'13" WEST ALONG THE EAST MARGIN OF ALDER AVENUE, A DISTANCE OF 5.55 FEET;

THENCE SOUTH 62°49'26" EAST A DISTANCE OF 70.38 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINING 384 SQUARE FEET, MORE OR LESS.

EXHIBIT B

LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT PARCEL NO. 30053300104000 BARSTAD, HERBERT & DIANA

EASEMENT "A"

COMMENCING AT AN EXISTING MONUMENT FOUND IN THE VICINITY OF 1ST STREET AND ALDER AVENUE INTERSECTION, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 45°32'57" EAST A DISTANCE OF 101.98 FEET, TO A POINT ALONG THE EAST MARGIN OF ALDER AVENUE, SAID POINT BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;
THENCE NORTH 01°26'13" EAST ALONG THE EAST MARGIN OF ALDER AVENUE, A DISTANCE OF 36.17 FEET TO THE **POINT OF BEGINNING**;
THENCE SOUTH 62°49'26" EAST A DISTANCE OF 14.43 FEET;
THENCE NORTH 01°26'13" EAST A DISTANCE OF 21.90 FEET;
THENCE NORTH 88°33'47" WEST A DISTANCE OF 13.00 FEET, TO A POINT ALONG THE EAST MARGIN OF ALDER AVENUE;
THENCE SOUTH 01°26'13" WEST ALONG THE EAST MARGIN OF ALDER AVENUE, A DISTANCE OF 15.64 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT "A" CONTAINING 244 SQUARE FEET, MORE OR LESS.

EASEMENT "B"

COMMENCING AT AN EXISTING MONUMENT FOUND IN THE VICINITY OF 1ST STREET AND ALDER AVENUE INTERSECTION, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 45°32'57" EAST A DISTANCE OF 101.98 FEET, TO A POINT ALONG THE EAST MARGIN OF ALDER AVENUE, SAID POINT BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;
THENCE SOUTH 88°36'26" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 74.89 FEET TO THE **POINT OF BEGINNING**;
THENCE SOUTH 88°36'26" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 4.51 FEET, TO THE SOUTHEAST CORNER OF SAID PARCEL;
THENCE NORTH 03°43'39" EAST ALONG THE EAST MARGIN OF SAID PARCEL, A DISTANCE OF 15.01 FEET, TO AN ANGLE POINT ALONG THE EAST MARGIN OF SAID PARCEL;
THENCE NORTH 01°26'13" EAST ALONG THE EAST MARGIN OF SAID PARCEL, A DISTANCE OF 26.00 FEET;

THENCE NORTH 88°36'26" WEST A DISTANCE OF 34.00 FEET;
THENCE SOUTH 01°26'13" WEST A DISTANCE OF 27.05 FEET;
THENCE SOUTH 62°49'26" EAST A DISTANCE OF 32.08 FEET TO THE **POINT OF
BEGINNING.**

SAID EASEMENT "B" CONTAINING 1,188 SQUARE FEET, MORE OR LESS.

TOTAL AREA OF EASEMENTS CONTAINING 1,432 SQUARE FEET, MORE OR LESS.

EXHIBIT B

LEGAL DESCRIPTION RIGHT-OF-WAY ACQUISITION PARCEL NO. 30053300101900 FINKE, WILLIAM J.

A TRACT OF LAND IN SECTION 33, TOWNSHIP 30 NORTH RANGE 5 EAST, W.M., DESCRIBED AS FOLLOWS:

THE NORTH 10 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

THE SOUTH 660 FEET OF THE NORTH 168 FEET OF THE FOLLOWING DESCRIBED PARCEL:

BEGINNING 540 FEET SOUTH OF THE NORTH QUARTER CORNER; THENCE EAST 81.5 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 120 FEET; THENCE EAST 58.5 FEET; THENCE SOUTH 660 FEET; THENCE EAST 139.7 FEET; THENCE NORTH 660 FEET; THENCE WEST 58.5 FEET; THENCE NORTH 120 FEET; THENCE WEST 139.7 FEET; TO THE TRUE POINT OF BEGINNING.

ALSO, BEGINNING AT A POINT 540 FEET SOUTH OF THE QUARTER CORNER ON THE NORTH LINE OF SECTION 33, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., THENCE WEST 58.2 FEET; THENCE SOUTH 120 FEET; THENCE EAST 58.2 FEET; THENCE SOUTH 660 FEET; THENCE EAST 139.7 FEET; THENCE NORTH 660 FEET; THENCE WEST 58.2 FEET; THENCE NORTH 120 FEET; THENCE WEST 81.5 FEET TO THE POINT OF BEGINNING.

LESS THAT PORTION CONVEYED TO THE CITY OF MARYSVILLE, A MUNICIPAL CORPORATION UNDER RECORDING NO. 7611160150, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 60 FEET OF THE NORTH 168 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

A TRACT OF LAND IN SECTION 33, TOWNSHIP 30 NORTH, RANGE 5 EAST, WM, DESCRIBED AS FOLLOWS:

BEGINNING 540 FEET SOUTH OF THE NORTH QUARTER CORNER; THENCE EAST 81.5 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 120 FEET; THENCE EAST 58.2 FEET; THENCE SOUTH 660 FEET; THENCE EAST 139.7 FEET; THENCE NORTH 660 FEET; THENCE WEST 58.2 FEET; THENCE NORTH 120 FEET; THENCE WEST 139.7 FEET TO THE POINT OF BEGINNING. ALSO, BEGINNING AT A POINT 540 FEET SOUTH OF QUARTER CORNER ON THE NORTH LINE OF SECTION 33, TOWNSHIP 30 NORTH, RANGE 5 EAST, WM; THENCE WEST 58.2 FEET; THENCE SOUTH 120 FEET; THENCE EAST 58.2 FEET; THENCE SOUTH 660 FEET; THENCE EAST 139.7 FEET; THENCE NORTH 660 FEET; THENCE WEST 58.2 FEET; THENCE NORTH 120 FEET; THENCE WEST 81.5 FEET; TO THE POINT OF BEGINNING; LESS THAT PORTION OF THE NORTHEAST QUARTER OF THE

NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF NORTHEAST QUARTER OF SECTION 33 DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 540 FEET SOUTH OF THE QUARTER CORNER ON THE NORTH LINE OF SAID SECTION; THENCE WEST 58.2 FEET, MORE OR LESS, TO THE EAST BOUNDARY OF ALDER STREET; THENCE SOUTH 120 FEET; THENCE EAST 79.4 FEET; THENCE NORTH 120 FEET; THENCE WEST 21.2 FEET TO THE POINT OF BEGINNING, EXCEPT THE NORTH 15 FEET FOR ROAD.

EXHIBIT B

**LEGAL DESCRIPTION
RIGHT-OF-WAY ACQUISITION
PARCEL NO. 30053300102400
FINKE, WILLIAM J.**

COMMENCING AT AN EXISTING MONUMENT FOUND IN THE VICINITY OF 1ST STREET AND ALDER AVENUE INTERSECTION, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 52°21'57" EAST A DISTANCE OF 92.41 FEET, TO A POINT ALONG THE EAST MARGIN OF ALDER AVENUE; THENCE SOUTH 88°36'26" EAST A DISTANCE OF 80.00 FEET, TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL, SAID CORNER BEING THE **POINT OF BEGINNING**; THENCE SOUTH 03°43'39" WEST ALONG THE WEST MARGIN OF SAID PARCEL, A DISTANCE OF 15.01 FEET, TO AN ANGLE POINT ALONG THE WEST MARGIN OF SAID PARCEL; THENCE SOUTH 01°26'13" WEST ALONG THE WEST MARGIN OF SAID PARCEL, A DISTANCE OF 92.86 FEET, TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE SOUTH 89°04'38" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 204.89 FEET, TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE NORTH 01°46'58" EAST ALONG THE EAST MARGIN OF SAID PARCEL, A DISTANCE OF 13.86 FEET; THENCE NORTH 79°56'32" WEST A DISTANCE OF 59.42 FEET; THENCE NORTH 69°29'20" WEST A DISTANCE OF 61.92 FEET; THENCE NORTH 00°55'22" EAST A DISTANCE OF 63.10 FEET, TO A POINT ALONG THE NORTH MARGIN OF SAID PARCEL; THENCE NORTH 88°36'26" WEST ALONG THE NORTH MARGIN OF SAID PARCEL, A DISTANCE OF 86.53 FEET TO THE **POINT OF BEGINNING**.

SAID RIGHT-OF-WAY ACQUISITION CONTAINING 12,466 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
RIGHT-OF-WAY ACQUISITION
PARCEL NO. 00686200000300
MOATE, THOMAS F.**

THE SOUTH 10 FEET OF LOT 3, CORRECTED PLAT OF SOLBERG ADDITION NO. 3,
ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 39 OF PLATS,
PAGES 258 AND 259, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

SAID RIGHT-OF-WAY ACQUISITION CONTAINING 1,040 SQUARE FEET, MORE OR
LESS.

EXHIBIT B

**LEGAL DESCRIPTION
RIGHT-OF-WAY ACQUISITION
PARCEL NO. 00686200000400
EGENBUS INVESTMENTS LLC**

COMMENCING AT AN EXISTING MONUMENT FOUND ALONG 47TH AVENUE NE IN THE VICINITY OF 1ST STREET INTERSECTION, IN THE CITY OF MARYSVILLE, WASHINGTON; THENCE SOUTH 11°24'22" WEST A DISTANCE OF 51.66 FEET, TO THE INTERSECTION OF THE CENTERLINES OF 47TH AVENUE NE AND 1ST STREET; THENCE NORTH 88°36'26" WEST ALONG THE SAID CENTERLINE OF 1ST STREET, A DISTANCE OF 925.44 FEET, TO THE INTERSECTION OF THE CENTERLINES OF 1ST STREET AND QUINN AVENUE; THENCE SOUTH 00°55'22" WEST ALONG THE SAID CENTERLINE OF QUINN AVENUE, A DISTANCE OF 319.99 FEET; THENCE SOUTH 88°36'26" EAST A DISTANCE OF 30.00 FEET TO A POINT ALONG THE EAST MARGIN OF QUINN AVENUE, SAID POINT BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL AND THE **POINT OF BEGINNING**; THENCE SOUTH 88°36'26" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL A DISTANCE OF 79.00 FEET, TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE NORTH 00°55'22" EAST ALONG THE EAST MARGIN OF SAID PARCEL, A DISTANCE OF 28.20 FEET; THENCE SOUTH 78°23'46" WEST A DISTANCE OF 80.92 FEET TO A POINT ALONG THE WEST MARGIN OF SAID PARCEL; THENCE SOUTH 00°55'22" WEST ALONG THE WEST MARGIN OF SAID PARCEL, A DISTANCE OF 10.00 FEET, TO THE **POINT OF BEGINNING**.

SAID RIGHT-OF-WAY ACQUISITION CONTAINING 1,509 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
RIGHT-OF-WAY ACQUISITION
PARCEL NO. 30053300102200
PARIWARAK INC/AULCK**

COMMENCING AT AN EXISTING MONUMENT FOUND ALONG 47TH AVENUE NE IN THE VICINITY OF 1ST STREET INTERSECTION, IN THE CITY OF MARYSVILLE, WASHINGTON; THENCE SOUTH 11°24'22" WEST A DISTANCE OF 51.66 FEET, TO THE INTERSECTION OF THE CENTERLINES OF 47TH AVENUE NE AND 1ST STREET; THENCE NORTH 88°36'26" WEST ALONG THE SAID CENTERLINE OF 1ST STREET, A DISTANCE OF 816.32 FEET; THENCE SOUTH 01°23'34" WEST A DISTANCE OF 14.99 FEET, TO A POINT ALONG THE SOUTH MARGIN OF 1ST STREET, SAID POINT BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 00°55'22" WEST ALONG THE WEST MARGIN OF SAID PARCEL, A DISTANCE OF 276.80 FEET TO THE **POINT OF BEGINNING**; THENCE SOUTH 00°55'22" WEST ALONG THE WEST MARGIN OF SAID PARCEL, A DISTANCE OF 28.20 FEET, TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE SOUTH 88°36'00" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 86.48 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE NORTH 01°23'34" EAST ALONG THE EAST MARGIN OF SAID PARCEL, A DISTANCE OF 57.40 FEET; THENCE SOUTH 72°47'18" WEST A DISTANCE OF 91.50 FEET, TO THE **POINT OF BEGINNING**.

SAID RIGHT-OF-WAY ACQUISITION CONTAINING 3,708 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
RIGHT-OF-WAY ACQUISITION
PARCEL NO. 30053300102000
PARIWARAK INC/AULCK**

COMMENCING AT AN EXISTING MONUMENT FOUND ALONG 47TH AVENUE NE IN THE VICINITY OF 1ST STREET INTERSECTION, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 11°24'22" WEST A DISTANCE OF 51.66 FEET, TO THE INTERSECTION OF THE CENTERLINES OF 47TH AVENUE NE AND 1ST STREET; THENCE NORTH 88°36'26" WEST ALONG THE SAID CENTERLINE OF 1ST STREET, A DISTANCE OF 727.33 FEET; THENCE SOUTH 01°23'34" WEST A DISTANCE OF 14.99 FEET, TO A POINT ALONG THE SOUTH MARGIN OF 1ST STREET, SAID POINT BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 01°23'34" WEST ALONG THE WEST MARGIN OF SAID PARCEL, A DISTANCE OF 247.60 FEET TO THE **POINT OF BEGINNING**; THENCE SOUTH 01°23'34" WEST ALONG THE WEST MARGIN OF SAID PARCEL, A DISTANCE OF 57.40 FEET, TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE SOUTH 88°36'26" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 153.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE NORTH 01°23'34" EAST ALONG THE EAST MARGIN OF SAID PARCEL, A DISTANCE OF 112.60 FEET; THENCE SOUTH 71°33'15" WEST A DISTANCE OF 162.65 FEET, TO THE **POINT OF BEGINNING**.

SAID RIGHT-OF-WAY ACQUISITION CONTAINING 13,005 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
RIGHT-OF-WAY ACQUISITION
PARCEL NO. 30053300101800
MARYSVILLE APARTMENTS, LLC**

COMMENCING AT AN EXISTING MONUMENT FOUND ALONG 47TH AVENUE NE IN THE VICINITY OF 1ST STREET INTERSECTION, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 45°29'08" WEST A DISTANCE OF 91.72 FEET, TO THE INTERSECTION OF THE WEST MARGIN OF 47TH AVENUE NE AND THE SOUTH MARGIN OF 1ST STREET; THENCE SOUTH 00°45'52" WEST ALONG THE WEST MARGIN OF 47TH AVENUE NE, A DISTANCE OF 177.00 FEET, TO THE **POINT OF BEGINNING**; THENCE NORTH 88°36'26" WEST A DISTANCE OF 152.85 FEET; THENCE SOUTH 01°23'21" WEST A DISTANCE OF 10.00 FEET; THENCE NORTH 88°36'26" WEST A DISTANCE OF 368.58 FEET TO A POINT ALONG THE WEST MARGIN OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 01°23'34" WEST ALONG THE WEST MARGIN OF SAID PARCEL, A DISTANCE OF 118.00 FEET TO THE SOUTHWEST CORNER SAID PARCEL; THENCE SOUTH 88°36'26" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 522.84 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE NORTH 00°45'52" EAST ALONG THE EAST MARGIN OF SAID PARCEL, A DISTANCE OF 128.01 FEET, TO THE **POINT OF BEGINNING**.

SAID RIGHT-OF-WAY ACQUISITION CONTAINING 63,148 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
RIGHT-OF-WAY ACQUISITION
PARCEL NO. 30053300105300
LAKE CASSIDY HEALTH HOLDINGS LLC**

COMMENCING AT AN EXISTING MONUMENT FOUND ALONG 47TH AVENUE NE IN THE VICINITY OF 1ST STREET INTERSECTION, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 53°00'04" EAST, A DISTANCE OF 37.76 FEET, TO A POINT ALONG THE EAST MARGIN OF 47TH AVENUE NE, SAID POINT BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 00°45'52" WEST ALONG THE EAST MARGIN OF 47TH AVENUE NE, A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**; THENCE SOUTH 00°45'52" WEST ALONG THE EAST MARGIN OF 47TH AVENUE NE, A DISTANCE OF 170.00 FEET, TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE SOUTH 88°49'27" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 5.00 FEET; THENCE NORTH 00°55'12" WEST A DISTANCE OF 170.11 FEET TO THE **POINT OF BEGINNING**.

SAID RIGHT-OF-WAY ACQUISITION CONTAINING 425 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT
PARCEL NO. 30053300105300
LAKE CASSIDY HEALTH HOLDINGS LLC**

COMMENCING AT AN EXISTING MONUMENT FOUND ALONG 47TH AVENUE NE IN THE VICINITY OF 1ST STREET INTERSECTION, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 53°00'04" EAST A DISTANCE OF 37.76 FEET, TO A POINT ALONG THE EAST MARGIN OF 47TH AVENUE NE, SAID POINT BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 00°45'52" WEST ALONG THE EAST MARGIN OF 47TH AVENUE NE, A DISTANCE OF 30.00 FEET;

THENCE SOUTH 00°55'12" EAST A DISTANCE OF 17.73 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 00°55'12" EAST A DISTANCE OF 152.38 FEET, TO A POINT ALONG THE SOUTH MARGIN OF SAID PARCEL;

THENCE SOUTH 88°49'27" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 5.00 FEET;

THENCE NORTH 00°55'12" WEST A DISTANCE OF 152.56 FEET;

THENCE SOUTH 89°04'48" WEST A DISTANCE OF 5.00 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINING 762 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
DRIVEWAY TEMPORARY CONSTRUCTION EASEMENT
PARCEL NO. 30053300104800
HOBECK, AUDREY & DIAS**

COMMENCING AT AN EXISTING MONUMENT FOUND ALONG 47TH AVENUE NE IN THE VICINITY OF THE HEREIN DESCRIBED PARCEL, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 47°52'16" EAST A DISTANCE OF 31.88 FEET, TO A POINT ALONG THE EAST MARGIN OF 47TH AVENUE NE, SAID POINT BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 88°47'23" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 10.00 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 88°47'23" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 96.00 FEET;

THENCE NORTH 00°45'52" EAST A DISTANCE OF 40.00 FEET;

THENCE NORTH 88°47'23" WEST A DISTANCE OF 34.00 FEET;

THENCE NORTH 00°45'52" EAST A DISTANCE OF 51.80 FEET;

THENCE SOUTH 72°07'51" WEST A DISTANCE OF 49.10 FEET;

THENCE SOUTH 06°50'44" WEST A DISTANCE OF 43.48 FEET;

THENCE SOUTH 68°44'39" WEST A DISTANCE OF 11.72 FEET;

THENCE SOUTH 00°45'52" WEST A DISTANCE OF 28.00 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINING 5,836 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
RIGHT-OF-WAY ACQUISITION
PARCEL NO. 30053300104800
HOBECK, AUDREY & DIAS**

THE WEST 5 FEET OF LOT 1 OF SHORT PLAT NO 86-007, RECORDED UNDER RECORDING NUMBER 8609050059, BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 30 NORTH, RANGE 05 EAST, W M IN SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

SAID RIGHT-OF-WAY ACQUISITION CONTAINING 494 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT
PARCEL NO. 30053300104800
HOBECK, AUDREY & DIAS**

COMMENCING AT AN EXISTING MONUMENT FOUND ALONG 47TH AVENUE NE IN THE VICINITY OF THE HEREIN DESCRIBED PARCEL, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 47°52'16" EAST, A DISTANCE OF 31.88 FEET, TO A POINT ALONG THE EAST MARGIN OF 47TH AVENUE NE, SAID POINT BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 88°47'23" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 5.00 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 88°47'23" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 5.00 FEET;

THENCE NORTH 00°45'52" EAST ALONG A LINE OFFSET 10.00 FEET AND PARALLEL TO THE EAST MARGIN OF 47TH AVENUE NE, A DISTANCE OF 98.87 FEET, TO A POINT ALONG THE NORTH MARGIN OF SAID PARCEL;

THENCE NORTH 88°49'27" WEST ALONG THE NORTH MARGIN OF SAID PARCEL, A DISTANCE OF 5.00 FEET;

THENCE SOUTH 00°45'52" WEST ALONG A LINE OFFSET 5.00 FEET AND PARALLEL TO THE EAST MARGIN OF 47TH AVENUE NE, A DISTANCE OF 98.87 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINING 494 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
DRIVEWAY TEMPORARY CONSTRUCTION EASEMENT
PARCEL NO. 00734900000100
McINNIS, JOHN**

COMMENCING AT AN EXISTING MONUMENT FOUND ALONG 47TH AVENUE NE, LOCATED NORTHWEST OF THE HEREIN DESCRIBED PARCEL, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 47°52'16" EAST A DISTANCE OF 31.88 FEET, TO A POINT ALONG THE EAST MARGIN OF 47TH AVENUE NE, SAID POINT BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;
THENCE SOUTH 88°47'23" EAST ALONG THE NORTH MARGIN OF SAID PARCEL, A DISTANCE OF 10.00 FEET TO THE **POINT OF BEGINNING**;
THENCE SOUTH 00°45'52" WEST ALONG A LINE OFFSET 10.00 FEET AND PARALLEL TO THE EAST MARGIN OF 47TH AVENUE NE, A DISTANCE OF 80.64 FEET, TO A POINT ALONG THE SOUTH MARGIN OF SAID PARCEL;
THENCE SOUTH 88°47'23" EAST ALONG THE SOUTH MARGIN OF SAID PARCEL, A DISTANCE OF 80.00 FEET;
THENCE NORTH 00°45'52" EAST A DISTANCE OF 30.00 FEET;
THENCE NORTH 88°47'23" WEST A DISTANCE OF 36.00 FEET;
THENCE NORTH 00°45'52" EAST A DISTANCE OF 50.64 FEET, TO A POINT ALONG THE NORTH MARGIN OF SAID PARCEL;
THENCE NORTH 88°47'23" WEST ALONG THE NORTH MARGIN OF SAID PARCEL, A DISTANCE OF 44.00 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINING 4,628 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT
PARCEL NO. 00734900000100
McINNIS, JOHN**

THE WEST 10.00 FEET OF LOT 1, CITY OF MARYSVILLE, BRASHLER INDUSTRIAL PARK (PHASE 1) RECORDED UNDER AUDITOR'S FILE NO. 8411195006, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING A PORTION OF NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 30 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

SAID EASEMENT CONTAINING 806 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
DRIVEWAY TEMPORARY CONSTRUCTION EASEMENT
PARCEL NO. 30053300105700
NELSON, DAVID A & ROBIN E**

COMMENCING AT AN EXISTING MONUMENT FOUND ALONG 47TH AVENUE NE, LOCATED NORTHWEST OF THE HEREIN DESCRIBED PARCEL, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 47°52'16" EAST A DISTANCE OF 31.88 FEET, TO A POINT ALONG THE EAST MARGIN OF 47TH AVENUE NE;

THENCE SOUTH 00°45'52" WEST ALONG THE EAST MARGIN OF 47TH AVENUE NE, A DISTANCE OF 80.64 FEET, TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 88°47'23" EAST ALONG THE NORTH MARGIN OF SAID PARCEL, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 00°45'52" WEST ALONG A LINE OFFSET 10.00 FEET AND PARALLEL TO THE EAST MARGIN OF 47TH AVENUE NE, A DISTANCE OF 52.73 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 00°45'52" WEST A DISTANCE OF 24.00 FEET;

THENCE SOUTH 89°14'08" EAST A DISTANCE OF 26.00 FEET;

THENCE NORTH 00°45'52" EAST A DISTANCE OF 24.00 FEET;

THENCE NORTH 89°14'08" WEST A DISTANCE OF 26.00 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINING 624 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT
PARCEL NO. 30053300105700
NELSON, DAVID A & ROBIN E**

COMMENCING AT AN EXISTING MONUMENT FOUND ALONG 47TH AVENUE NE, LOCATED NORTHWEST OF THE HEREIN DESCRIBED PARCEL, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 47°52'16" EAST A DISTANCE OF 31.88 FEET, TO A POINT ALONG THE EAST MARGIN OF 47TH AVENUE NE;
THENCE SOUTH 00°45'52" WEST ALONG THE EAST MARGIN OF 47TH AVENUE NE, A DISTANCE OF 80.64 FEET, TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL, SAID CORNER BEING THE **POINT OF BEGINNING**;
THENCE SOUTH 00°45'52" WEST ALONG THE EAST MARGIN OF 47TH AVENUE NE, A DISTANCE OF 140.00 FEET;
THENCE SOUTH 89°14'08" EAST A DISTANCE OF 10.00 FEET;
THENCE NORTH 00°45'52" EAST ALONG A LINE OFFSET 10.00 FEET AND PARALLEL TO THE EAST MARGIN OF 47TH AVENUE NE, A DISTANCE OF 139.92 FEET, TO A POINT ALONG THE NORTH MARGIN OF SAID PARCEL;
THENCE NORTH 88°47'23" WEST ALONG THE NORTH MARGIN OF SAID PARCEL, A DISTANCE OF 10.00 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINING 1,400 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
RIGHT-OF-WAY ACQUISITION
PARCEL NO. 30053300204000
SYNERGY SERVICES GROUP LLC**

COMMENCING AT AN EXISTING MONUMENT FOUND WITHIN THE INTERSECTION OF 1ST STREET AND STATE AVENUE, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 16°40'29" EAST, A DISTANCE OF 78.20 FEET, TO AN ANGLE POINT ALONG THE EAST MARGIN OF STATE AVENUE;

THENCE SOUTH 01°50'40" WEST ALONG THE EAST MARGIN OF STATE AVENUE, A DISTANCE OF 100.99 FEET, TO AN ANGLE POINT ALONG THE EAST MARGIN OF STATE AVENUE;

THENCE SOUTH 88°38'52" EAST A DISTANCE OF 0.69 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2,050 FEET, SAID CURVE BEING THE EASTERLY MARGIN OF STATE AVENUE;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°48'42", A DISTANCE OF 100.60 FEET TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL, SAID CORNER BEING THE **POINT OF**

BEGINNING;

THENCE CONTINUING SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°51'20", A DISTANCE OF 66.39 FEET;

THENCE NORTH 26°41'27" EAST A DISTANCE OF 72.63 FEET, TO A POINT ALONG THE NORTH MARGIN OF SAID PARCEL;

THENCE NORTH 88°38'52" WEST ALONG THE NORTH MARGIN OF SAID PARCEL, A DISTANCE OF 21.22 FEET TO THE **POINT OF BEGINNING**.

SAID RIGHT-OF-WAY ACQUISITION CONTAINING 685 SQUARE FEET, MORE OR LESS.

EXHIBIT B

**LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT
PARCEL NO. 30053300204000
SYNERGY SERVICES GROUP LLC**

COMMENCING AT AN EXISTING MONUMENT FOUND WITHIN THE INTERSECTION OF 1ST STREET AND STATE AVENUE, IN THE CITY OF MARYSVILLE, WASHINGTON;

THENCE SOUTH 16°40'29" EAST A DISTANCE OF 78.20 FEET, TO AN ANGLE POINT ALONG THE EAST MARGIN OF STATE AVENUE;

THENCE SOUTH 01°50'40" WEST ALONG THE EAST MARGIN OF STATE AVENUE, A DISTANCE OF 100.99 FEET, TO AN ANGLE POINT ALONG THE EAST MARGIN OF STATE AVENUE;

THENCE SOUTH 88°38'52" EAST A DISTANCE OF 0.69 FEET, TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 2,050 FEET, SAID CURVE BEING THE EAST MARGIN OF STATE AVENUE;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°48'42", A DISTANCE OF 100.60 FEET TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE CONTINUING SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°51'20", A DISTANCE OF 66.39 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°08'00", A DISTANCE OF 4.77 FEET;

THENCE NORTH 26°41'27" EAST A DISTANCE OF 77.84 FEET, TO A POINT ALONG THE NORTH MARGIN OF SAID PARCEL;

THENCE NORTH 88°38'52" WEST ALONG THE NORTH MARGIN OF SAID PARCEL, A DISTANCE OF 1.44 FEET;

THENCE SOUTH 26°41'27" WEST A DISTANCE OF 72.63 FEET TO THE **POINT OF BEGINNING**.

SAID EASEMENT CONTAINING 98 SQUARE FEET, MORE OR LESS.