

RESOLUTION NO. 24-1615

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
AUTHORIZING THE MAYOR TO ACCEPT CONVEYANCES
OF REAL PROPERTY INTERESTS NECESSARY FOR
CONSTRUCTION OF THE SR 169 CORRIDOR
INTERSECTION IMPROVEMENTS.**

WHEREAS, the City of Black Diamond's ("City") SR 169 Corridor Intersection Improvements project includes the construction of two roundabouts, which require acquisition of real property interest; and

WHEREAS, James W. Thompson ("Grantor") has agreed to convey a portion of certain real property known as King County Tax Parcel ID No. 112106- 9045 to the City ("Grantee") for municipal purposes, specifically for the SR 169 Corridor Intersection Improvements project; and

WHEREAS, Latimer Properties, LLC ("Grantor") has agreed to convey a portion of certain real property known as King County Tax Parcel ID No. 112106-9023, to the City of Black Diamond ("Grantee") for municipal purposes, specifically for the SR 169 Corridor Intersection Improvements project; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Authorization. The Mayor is authorized to accept deeds and easements and to execute associated documents for real property conveyances necessary for the construction of the SR 169 Corridor Intersection Improvements project, including the deed from James W. Thompson and deed from Latimer Properties, LLC in a form substantially similar to the ones attached hereto as Attachment A

Section 2. Corrections. The City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers, and any references thereto.

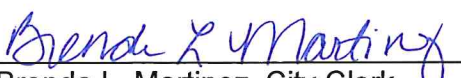
**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON,
AT A REGULAR MEETING THERE OF, THIS 18TH DAY OF APRIL 2024.**

CITY OF BLACK DIAMOND:



Carol Benson, Mayor

Attest:



Brenda L. Martinez, City Clerk

WHEN RECORDED RETURN TO:

City Clerk
City of Black Diamond
P.O. Box 599
Black Diamond, Washington 98010

Grantor: James W. Thompson

Grantee: City of Black Diamond, Washington

Abbreviated Legal Description: LOT 2, BLACK DIAMOND LLA NO. BD92-08 REC
NO. 9205139001

Additional Legal Description on: Exhibit "A"

Assessor's Tax Parcel ID No.: 112106-9045

Project Name: SR 169 Corridor Intersection Improvements

WARRANTY DEED

GRANTOR, JAMES W. THOMPSON, for and in consideration of Ten Dollars and No/100 (\$10.00) and/or other valuable consideration in hand paid, under threat of condemnation, conveys and warrants to the **City of Black Diamond, a Washington municipal corporation** ("Grantee"), all its interest, including any after acquired title, in the real property described in the attached and incorporated **Exhibit A**, situated in King County, Washington, and subject to the conditions listed on Fidelity National Title Commitment Number 24000193-SC; Schedule B, Part II, as set forth in **Exhibit B**, attached and incorporated herein.

(Signatures on following page)

GRANTOR: **JAMES W. THOMPSON**

Name: _____

Title: _____

Date: _____

NOTARY ACKNOWLEDGMENT

STATE OF _____)
) ss.

COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____, an authorized representative of Grantor _____ signed this instrument and, on oath, stated that she/he was authorized to execute the instrument and acknowledged it as the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this _____ day of _____, 20__.

(SEAL)

Printed Name: _____

Notary Public in and for the State of _____.

My commission expires _____

ACCEPTED:

CITY OF BLACK DIAMOND

Carol Benson

By: Carol Benson

Title: Mayor

Date: 4/19/24

EXHIBIT A to Warranty Deed

That portion of Lot 2 of City of Black Diamond Lot Line Adjustment No. BD 92-08, filed in Volume 87 of Surveys, at Page 30 and recorded under Recording No. 9205139001, records of King County, Washington, described as follows:

Beginning at the northeast corner of said Lot 2, said point lying on the westerly margin of SR 169;

Thence southerly along said westerly margin, along a curve to the right having a radius of 138.51 feet, whose center bears North 87°29'11" West, through a central angle of 09°02'02", an arc distance of 21.84 feet;

Thence continuing southerly along said margin, South 11°32'50" West, 35.07 feet;

Thence southerly and leaving said westerly margin, along a non-tangent curve to the left having a radius of 642.27 feet, whose center bears North 88°56'55" West, through a central angle of 04°44'41", an arc distance of 53.19 feet to the northerly line of said Lot 2;

Thence northeasterly along said northerly line, North 75°19'55" East, 11.28 feet to the Point of Beginning.

Containing an area of 309 SF or 0.01 AC

EXHIBIT "B"
Exceptions

1. Reservations and exceptions contained in the deed:

Grantor: Northern Pacific Railroad Company
Recording No.: 299084

Reserving and excepting from said Lands so much or such portions thereof as are or may be mineral lands or contain coal or iron, and also the use and the right and title to the use of such surface ground as may be necessary for ground operations and the right of access to such reserved and excepted mineral lands, including lands containing coal or iron, for the purpose of exploring, developing and working the land.

The Company makes no representations about the present ownership of these reserved and excepted interests.

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

Granted to: Pacific Telephone and Telegraph Company
Purpose: Telephone poles
Recording Date: April 16, 1923
Recording No.: 1726627
Affects: As described therein

3. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: January 10, 1943
Recording No.: 3287698

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

Granted to: Pacific Coast Coal Company
Purpose: Water pipeline
Recording Date: December 28, 1946
Recording No.: 3643789
Affects: As described therein

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

Purpose: Limited access road
Recording Date: February 10, 1977
Recording No.: 7702100603
Affects: As described herein

6. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on City of Black Diamond Lot Line Adjustment No. BD92-08:

Recording No: 9205139001

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

Granted to: City of Black Diamond
Purpose: Sidewalk
Recording Date: August 9, 2018

EXHIBIT "B"

Exceptions
(continued)

Recording No.: 20180809001247
Affects: As described therein

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

Granted to: City of Black Diamond
Purpose: Utilities
Recording Date: August 20, 2018
Recording No.: 20180820000300
Affects: As described therein

9. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2024
Tax Account No.: 112106-9045-04
Levy Code: 0905
Assessed Value-Land: \$305,500.00
Assessed Value-Improvements: \$579,800.00

General and Special Taxes:
Billed: \$7,889.43
Paid: \$0.00
Unpaid: \$7,889.43

10. Any unrecorded leaseholds, right of vendors and holders of security interests on personal property installed upon the Land and rights of tenants to remove trade fixtures at the expiration of the terms.

WHEN RECORDED RETURN TO:

City Clerk
City of Black Diamond
P.O. Box 599
Black Diamond, Washington 98010

Grantor: LATIMER PROPERTIES, LLC

Grantee: City of Black Diamond, Washington

Abbreviated Legal Description: Lot 1 Black Diamond LLA no BD92-08 rec no
9205139001

Additional Legal Description on: Exhibit "A"

Assessor's Tax Parcel ID No.: 112106-9023

Project Name: SR 169 Corridor Intersection Improvements

WARRANTY DEED

GRANTOR, LATIMER PROPERTIES, LLC, a Washington limited liability company, for and in consideration of Ten Dollars and No/100 (\$10.00) and/or other valuable consideration in hand paid, under threat of condemnation, conveys and warrants to the **City of Black Diamond, a Washington municipal corporation** ("Grantee"), all its interest, including any after acquired title, in the real property described in the attached and incorporated **Exhibit A**, situated in King County, Washington, and subject to the conditions listed on Fidelity National Title Commitment Number 24000284-SC; Schedule B, Part II, as set forth in **Exhibit B**, attached and incorporated herein.

(Signatures on following page)

By: Carol Benson
Title: Mayor
Date: 4/19/24

EXHIBIT A to Warranty Deed

That portion of Lot 1 of City of Black Diamond Lot Line Adjustment No. BD 92-08, filed in Volume 87 of Surveys, at Page 30 and recorded under Recording No. 9205139001, records of King County, Washington, described as follows:

Beginning at the southeast corner of said Lot 1, said point lying on the westerly margin of SR 169;
Thence southwesterly along the southerly line of said Lot 1, South 75°19'55" West, 11.28 feet;
Thence northerly along a non-tangent curve to the left having a radius of 642.27 feet, whose center bears South 86°18'24" West, through a central angle of 06°42'41", an arc distance of 75.23 feet;
Thence North 42°48'26" West, 76.01 feet to the westerly margin of SR 169;
Thence southeasterly and southerly along said margin and along a non-tangent curve to the right having a radius of 138.51 feet, whose center bears South 28°43'46" West, through a central angle of 63°47'02", an arc distance of 154.19 feet to the Point of Beginning.

Containing an area of 1,146 SF or 0.03 AC

EXHIBIT "B"

Exceptions

1. Reservations and exceptions contained in the deed:

Grantor: Northern Pacific Railroad Company
Recording No.: 299084

Reserving and excepting from said Lands so much or such portions thereof as are or may be mineral lands or contain coal or iron, and also the use and the right and title to the use of such surface ground as may be necessary for ground operations and the right of access to such reserved and excepted mineral lands, including lands containing coal or iron, for the purpose of exploring, developing and working the land.

The Company makes no representations about the present ownership of these reserved and excepted interests.

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

Granted to: Pacific Telephone and Telegraph Company
Purpose: Telephone poles
Recording Date: April 16, 1923
Recording No.: 1726627
Affects: Portion of said premises

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

Granted to: Pacific Coast Coal Company
Purpose: Water pipeline
Recording Date: December 28, 1946
Recording No.: 3643789
Affects: Portion of said premises

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

Purpose: Limited access road
Recording Date: February 10, 1977
Recording No.: 7702100603
Affects: Portion of said premises

5. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on City of Black Diamond Lot Line Adjustment No. BD92-08:

Recording No: 9205139001

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

Granted to: City of Black Diamond
Purpose: Public water main
Recording Date: November 2, 1994
Recording No.: 9411021777
Affects: Portion of said premises

7. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2024
Tax Account No.: 112106-9023
Levy Code: 0905

EXHIBIT "B"

Exceptions
(continued)

Assessed Value-Land: \$305,600.00
Assessed Value-Improvements: \$250,100.00

General and Special Taxes:

Billed: \$4,959.23
Paid: \$0.00
Unpaid: \$4,959.23

8. Any unrecorded leaseholds, right of vendors and holders of security interests on personal property installed upon the Land and rights of tenants to remove trade fixtures at the expiration of the terms.