

When recorded mail to:

City of North Bend  
P. O. Box 896  
North Bend, WA 98045  
Attn: City Clerk

**PARTIAL TERMINATION OF PUBLIC UTILITY EASEMENT**

Grantor: City of North Bend, a Washington Municipal corporation

Grantee: Toll Bros., Inc., a Pennsylvania corporation

Abbreviated Legal Description: Ptn. of Tract FD2 of Tanner Road Subdivision Ph. 3 recorded in Vol. 285 of Plats, pgs. 14-19, King County recording number 20180919000348

Assessor Tax Parcel Nos.: 856483-0230

Document Reference No. : 20091230000701 (Partially terminated)

Toll Bros., Inc. is the owner of that real property legally described in “**Exhibit A**” attached hereto and incorporated herein (“Toll Property”). The Toll Property is subject to a Public Utility Easement for sewer facilities (“Easement”) recorded under King County Recording No. 20091230000701. Toll is developing the Toll Property (“Toll Development”) and has constructed new public sewer facilities to serve the Toll Development in a location on the Toll Property that, for the most part, are located outside of the Easement (“New Sewer Facilities”).

The City of North Bend (“City”), a Washington municipal corporation, has determined that the New Sewer Facilities will adequately serve the Toll Development and that the portion of the Toll Property no longer required by the City should be released from the Easement.

Now, therefore, in consideration of the mutual benefits derived from the construction of the New Sewer Facilities, and other good and valuable consideration, the City does hereby terminate, release and forever relinquish all of its interest in and to that portion of the Easement located on that part of the Toll Property legally described in “**Exhibit B**” and depicted in “**Exhibit C**”, both of which are attached hereto and incorporated herein (“Relinquished Property”). The part of the Toll Property legally



**EXHIBIT A**  
**LEGAL DESCRIPTION OF TOLL PROPERTY**

TRACT FD2 OF TANNER ROAD SUBDIVISION, PHASE 3, A PLAT COMMUNITY, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 285 OF PLATS, PAGES 14 TO 19 UNDER KING COUNTY RECORDING NO. 20180919000348, RECORDS OF KING COUNTY, WASHINGTON.

**EXHIBIT B  
LEGAL DESCRIPTION OF RELINQUISHED PROPERTY**

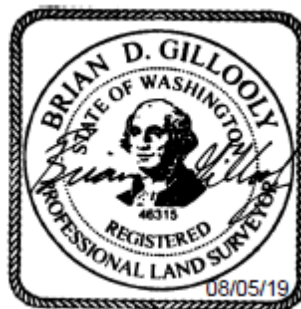
THAT PORTION OF THAT PARTICULAR PUBLIC UTILITY EASEMENT GRANTED TO THE CITY OF NORTH BEND, RECORDED UNDER RECORDING NO. 20091230000701, RECORDS OF KING COUNTY, WASHINGTON. BEING A 15.00 FOOT WIDE STRIP OF LAND OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

TRACT FD2 OF TANNER ROAD SUBDIVISION, PHASE 3, A PLAT COMMUNITY, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 285 OF PLATS, PAGES 14 TO 19 UNDER KING COUNTY RECORDING NO. 20180919000348, RECORDS OF KING COUNTY, WASHINGTON.

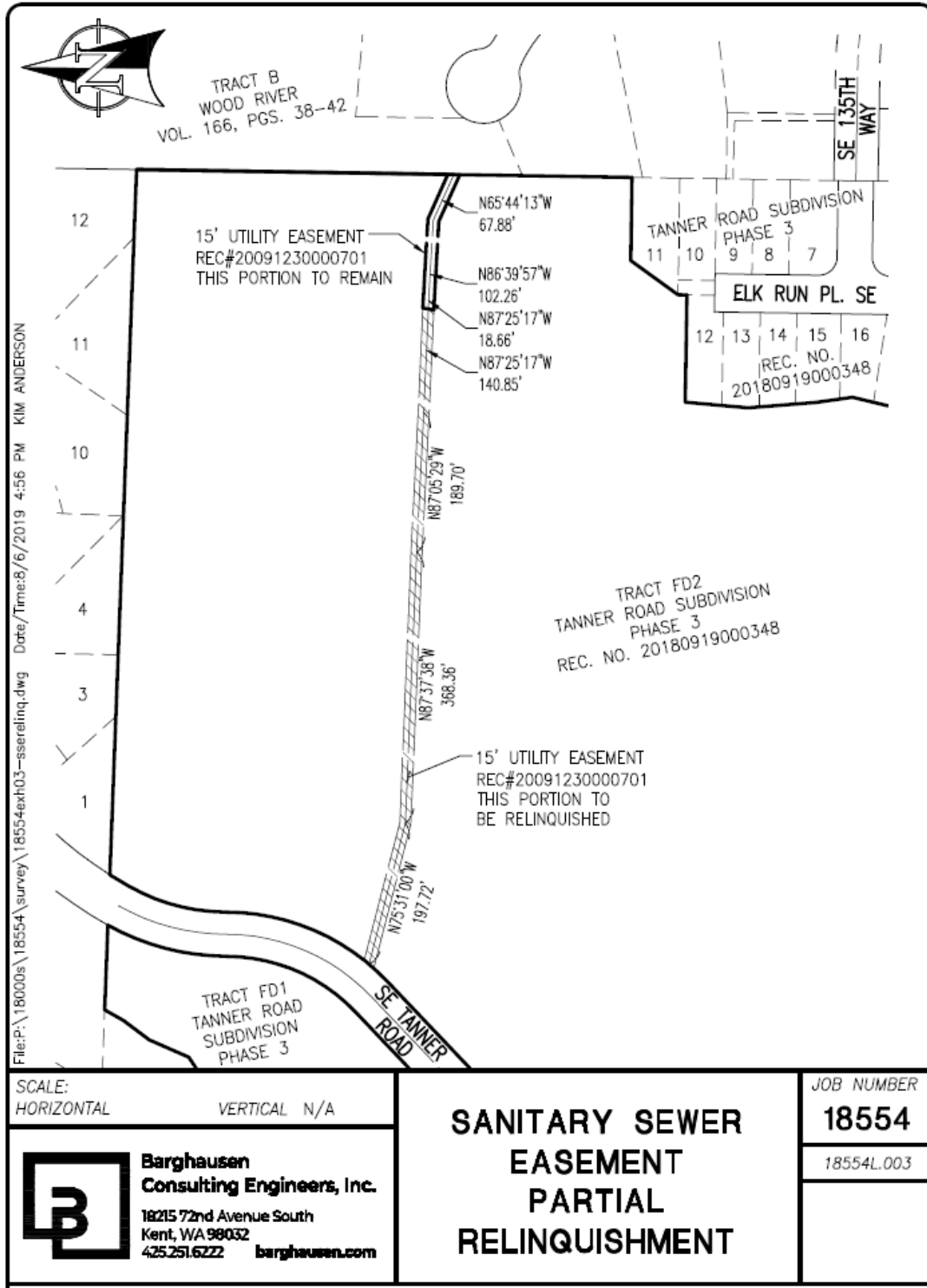
SAID STRIP HAVING 7.50 FEET OF SUCH WIDTH LYING ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT FD2;  
THENCE ALONG THE EAST LINE OF SAID TRACT FD2, SOUTH 00°53'50" WEST, 431.19 FEET TO THE CENTERLINE OF SAID PUBLIC UTILITY EASEMENT;  
THENCE ALONG SAID CENTERLINE NORTH 65°44'13" WEST, 67.88 FEET;  
THENCE ALONG SAID CENTERLINE NORTH 86°39'57" WEST, 102.26 FEET;  
THENCE ALONG SAID CENTERLINE NORTH 87°25'17" WEST, 18.66 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING ALONG SAID CENTERLINE, NORTH 87°25'17" WEST, 140.85 FEET;  
THENCE ALONG SAID CENTERLINE NORTH 87°05'29" WEST, 189.70 FEET;  
THENCE ALONG SAID CENTERLINE NORTH 87°37'38" WEST, 368.36 FEET;  
THENCE ALONG SAID CENTERLINE NORTH 75°31'00" WEST, 197.72 FEET TO THE WEST LINE OF SAID TRACT FD2 AND TERMINUS.

THE SIDELINES OF SAID STRIP SHALL BE SHORTENED OR LENGTHENED AS NECESSARY TO INTERSECT WITH THE WEST LINE OF SAID TRACT FD2 AND A LINE THAT PASSES THROUGH THE TRUE POINT OF BEGINNING AT A BEARING OF SOUTH 10°26'05" WEST.



**EXHIBIT C  
DEPICTION OF RELINQUISHED PROPERTY AND RETAINED PROPERTY**



**EXHIBIT D  
LEGAL DESCRIPTION OF REMAINING PROPERTY**

THAT PORTION OF THAT PARTICULAR PUBLIC UTILITY EASEMENT GRANTED TO THE CITY OF NORTH BEND, RECORDED UNDER RECORDING NO. 20091230000701, RECORDS OF KING COUNTY, WASHINGTON. BEING A 15.00 FOOT WIDE STRIP OF LAND OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

TRACT FD2 OF TANNER ROAD SUBDIVISION, PHASE 3, A PLAT COMMUNITY, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 285 OF PLATS, PAGES 14 TO 19 UNDER KING COUNTY RECORDING NO. 20180919000348, RECORDS OF KING COUNTY, WASHINGTON.

SAID STRIP HAVING 7.50 FEET OF SUCH WIDTH LYING ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT FD2;  
THENCE ALONG THE EAST LINE OF SAID TRACT FD2, SOUTH 00°53'50" WEST, 431.19 FEET TO THE CENTERLINE OF SAID PUBLIC UTILITY EASEMENT AND THE TRUE POINT OF BEGINNING;  
THENCE ALONG SAID CENTERLINE NORTH 65°44'13" WEST, 67.88 FEET;  
THENCE ALONG SAID CENTERLINE NORTH 86°39'57" WEST, 102.26 FEET;  
THENCE ALONG SAID CENTERLINE NORTH 87°25'17" WEST, 18.66 FEET TO THE TERMINUS.

THE SIDELINES OF SAID STRIP SHALL BE SHORTENED OR LENGTHENED AS NECESSARY TO INTERSECT WITH THE EAST LINE OF SAID TRACT FD2 AND A LINE THAT PASSES THROUGH THE TERMINUS AT A BEARING OF SOUTH 10°26'05" WEST.

