

KIRKLAND 405 CORPORATE CENTER

A BINDING SITE PLAN
SEC 29, TWP 26 N, RGE 5 E, W.M.
CITY OF KIRKLAND, KING COUNTY, WASHINGTON

154/50

50-12-04
RECORD F
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CITY OF KIRKLAND

LEGAL DESCRIPTION

Those portions of the Southeast quarter of Section 29, Township 26 North, Range 5 East, W.M., City of Kirkland, King County, Washington, described as follows:

Lot 2, Short Plat No. 1079104, as filed under Recording No. 8002190564, records of said King County; EXCEPT the West 60 feet of the North 300 feet thereof;

TOGETHER WITH the East half, of the Southwest quarter, of the Northeast quarter, of said Southeast quarter; EXCEPT the West 30 feet and the South 30 feet of the West 180 feet thereof for 113th Avenue NE and NE 120th Street, respectively;

AND TOGETHER WITH the Southeast quarter, of the Northeast quarter, of said Southeast quarter;

AND TOGETHER WITH the Northeast quarter, of the Southeast quarter, of said Southeast quarter;

AND TOGETHER WITH the East half, of the Southeast quarter, of the Southeast quarter, of said Southeast quarter; EXCEPT the South 201.00 feet, of the West 230.00 feet thereof; AND EXCEPT the south 30 feet thereof for NE 116th Street;

AND TOGETHER WITH the East half, of the Northwest quarter, of the Northeast quarter, of said Southeast quarter; EXCEPT the West 30 feet thereof for 113th Avenue NE.; AND EXCEPT the North 54 feet thereof for NE 124th Street;

AND TOGETHER WITH the East half, of the Northwest quarter, of the Southeast quarter, of said Southeast quarter; EXCEPT the North 30 feet of the West 180 feet thereof for NE 120th Street;

EXCEPT that portion conveyed to the City of Kirkland for roads by deeds filed under Recording No. 8612040741. TOGETHER WITH that portion of the aforementioned deed, conveyed to TOTEM SKYLINE ASSOCIATES III by deed filed under Recording No. 9008170861;

SUBJECT TO all easements, rights, covenants, conditions, and agreements of record as now exist on the above property;

RESTRICTIONS/COVENANTS

No lot or portion of a lot shown on this plat shall be divided and sold or resold, or ownership changed or transferred whereby the ownership of any portion shown on this plat shall be less than the area required for the use district in which located.

No lines or wires for the transmission of electric current or for telephone use, CATV, fire or police signals or for other purposes, shall be placed or permitted to be placed upon any lot outside the building thereon unless the same shall be underground or in conduit attached to the building.

All lot improvements are required to be constructed and comply with additional restrictions and conditions as provided for under the Master Plan for this site.

Ownership and use of any lot is subject to the Declaration of Covenants, Conditions, Easements, Restrictions and Reservations for Kirkland 405 Corporate Center recorded concurrently herewith as Instrument No. _____ in the records of King County, Washington, as now or hereafter amended.

WARNING: Any use, development, sale or transfer of all or any portion of the above-described real property in violation of this binding site plan, shall be restrained by injunctive action and be illegal, all as provided in Chapter 58.17 RCW.

No direct vehicular access from the Master Plan site to NE 116th Street.

No direct vehicular access from Lots 18, 1-A-1 and 1-A-2 to NE 124th Street except from the lowest level of a terraced parking lot which may be developed on Lot 18 to provide parking for Lot 17.

All Greenbelt easements shown on the map pages shall be subject to the following restrictions:

Landscaping within the area of this easement shall be installed and maintained in accordance with plans approved by the City of Kirkland. Except for ordinary landscape maintenance, no tree trimming, tree topping, tree cutting or tree removal, nor shrub or brush-cutting, or removal, nor construction, clearing or alteration activities shall occur within the easement area without prior written approval from the City of Kirkland. Application for such written approval to be made to the Kirkland Department of Planning and Community Development who may require inspection of the premises before issuance of the written approval and following completion of the activities. Any person conducting or authorizing such activity in violation of this paragraph or the terms of any written approval issued pursuant hereto, shall be subject to the enforcement provisions of Chapter 170, Ordinance 2740, the Kirkland Zoning Code. In such event, the Kirkland Department of Planning and Community Development may also require within the immediate vicinity of any damaged or fallen vegetation, restoration of the affected area by planting shrubs of comparable size and/or trees of three inches or more in diameter measured one foot above grade. The Department also may require that the damaged or fallen vegetation be removed. Each undersigned grantor further agrees to maintain all vegetation within the landscaped Greenbelt easement.

Each of the undersigned owners agree to defend, pay, and save harmless the City of Kirkland, its officers, agents, and employees from any and all claims of every nature whatsoever, real or imaginary, which may be made against the City, its officers, agents, or employees for any damage to property or injury to any person arising out of the maintenance of said landscaped Greenbelt easement over said owner's property or the actions of the undersigned owners in carrying out the responsibilities under this agreement, excepting therefrom only such claims as may arise solely out of the gross negligence of the City of Kirkland, its officers, agents, or employees.

EASEMENT PROVISIONS

An easement is hereby reserved for and granted to Puget Sound Power and Light Company, General Telephone Company of the Northwest, Inc., Northeast Lake Washington Sewer and Water District, Washington Natural Gas Company, Cable Television Company, and their respective successors and assigns, under and upon the front seven feet, parallel with and adjoining the street frontage of all lots in which to install, lay, construct, renew, operate and maintain underground conduits, cables, pipe and wires with necessary facilities and other equipment for the purpose of serving this subdivision and other property with electric, telephone, gas, and utility service together with the right to enter upon the lots at all times for the purposes herein stated.

These easements entered upon for these purposes shall be restored as near as possible to the original condition.

A reciprocal ingress, egress, parking and utilities easement is hereby established among adjacent lots for purposes of access, parking and utilities. Pedestrian easements shown hereon are nonexclusive for ingress and egress.

LAND SURVEYOR'S DECLARATION

I, James O. Borden, registered land surveyor, hereby declare that this plat is based upon an actual survey and subdivision in Section 29, Township 26 North, Range 5 East, W.M., that the courses and distances are shown hereon; that the monuments will be set and lot and block corners staked correctly on the ground; and that I have complied with the provisions of the statutes and platting regulations.

James O. Borden
James O. Borden, P.L.S.
Certificate No. 9760
ARAMAKI, BORDEN & ASSOCIATES
6141 NE Bothell Way
Seattle, Washington

Date 11-15-90



APPROVALS

Approved by the Kirkland City Council this 20th day of November, 1990.

Attest: *Stanley Anderson* *Randy Boston*

Examined and approved this 20th day of November, 1990.

John C. W.
City Engineer (Director)

CITY TREASURER CERTIFICATE

I hereby certify that there are no delinquent Local Improvement Assessments and that all special assessments on any of the property herein contained, dedicated as streets or for other public use are paid in full this 29th day of November, 1990.

Deanna Buck
Treasurer, City of Kirkland

CITY OF KIRKLAND DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

Examined, reviewed and approved by the City of Kirkland pursuant to the Subdivision Provisions of Title 22 (Land Subdivision) Kirkland Municipal Code this 28th day of November, 1990.

John W. Moran
Director, Department of Planning and Community Development

DEPARTMENT OF ASSESSMENT

Examined and approved this 3rd day of December, 1990.

Burke Rosen
King County Assessor

RECORDING CERTIFICATE 9012040924

Filed for record at the request of the Kirkland City Council this 04th day of Dec., 1990, at 55 minutes past 3 P.M., and recorded in Volume 734 of Plats, pages 58, 59, 60, 61, 62, 63, and 66, records of King County, Washington.

DIVISION OF RECORDS AND ELECTIONS

JANE HAGUE *CAROLYN ABLEMAN*
Manager Superintendent of Records

154/50

KIRKLAND 405 CORPORATE CENTER

DECLARATION

This binding site plan supplants in its entirety the Binding Site Plan for TOTEM SKYLINE BUSINESS PARK recorded as Instrument No. 8804120200 in Volume 141 of Plate, pages 01-06 inclusive, records of King County, Washington, which is of no further force or effect.

Know all men by these presents, that we the undersigned, owners in fee simple of the land hereby platted, hereby declare this plat and dedicate to the public forever, all streets, alleys, rights-of-way, greenbelts, open space, parks and easements shown hereon for the use or uses as indicated on the plat, including public highway uses and all public purposes not inconsistent with the indicated uses, also the right to make all necessary slopes, cuts and fills upon the lots and blocks shown upon this plat in the original, reasonable grading of the streets and alleys shown thereon.

The undersigned being all of the persons holding an interest in and owners of the real property herein described do hereby declare that said real property shall be developed, improved and used only in conformance with this binding site plan, including location of all streets, roads, improvements, utilities, open spaces and other special use areas or reservations appearing hereon, together with the limitations and the conditions for use of said property as inscribed or incorporated by the following references:

This binding site plan and the declaration hereinabove set forth shall be binding upon our successors and assigns and shall run with the land including all or any portion or subdivision of said land as may be hereinafter conveyed by all or any one of the undersigned.
IN WITNESS WHEREOF we have set our hands and seals.

TOTEM SKYLINE ASSOCIATES III, a Washington Limited Partnership
By: Totem #1 Limited Partnership, a Texas Limited Partnership,
Its General Partner
By: Crow-Seattle #1, Inc., its General Partner

Curtis Feeny
Curtis Feeny, President

KIRKLAND #4 LIMITED PARTNERSHIP, a Washington Limited Partnership
By: Totem #1 Limited Partnership, a Texas Limited Partnership,
its General Partner
By: Crow-Seattle #1, Inc., its General Partner

Curtis Feeny
Curtis Feeny, President

KIRKLAND #5 LIMITED PARTNERSHIP, a Washington Limited Partnership
By: Totem #1 Limited Partnership, a Texas Limited Partnership,
its General Partner
By: Crow-Seattle #1, Inc., its General Partner

Curtis Feeny
Curtis Feeny, President

TOTEM SKYLINE ASSOCIATES II, a Washington Limited Partnership
By: Henning Partners No. 6

Peter Henning
Peter Henning, General Partner

SEATTLE-FIRST NATIONAL BANK

Peggy Michelman
Peggy Michelman, VP

PUGET SOUND MULTIPLE LISTING ASSOCIATION

Jack Johnson
Jack Johnson, Executive Vice President

Andrew Warner
ANDREW WARNER

Grace Warner
GRACE WARNER

ACKNOWLEDGEMENTS

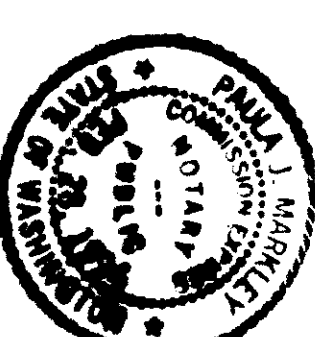
STATE OF WASHINGTON)
COUNTY OF KING)

This is to certify that on this 3rd day of October, 1990, before me the undersigned, a Notary Public, personally appeared CURTIS FEENEY, to me known to be the PRESIDENT of CROW-SEATTLE #1, INC., a Washington corporation, being a general partner of TOTEM #1 LIMITED PARTNERSHIP, a Texas limited partnership, being a general partner of TOTEM SKYLINE ASSOCIATES III, a Washington limited partnership, who subscribed said corporation name to the foregoing dedication and acknowledged to me that he signed and sealed the same as the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute said dedication on behalf of said corporation.
WITNESS my hand and official seal the day and year last above written.



Paula J. Mackley
Notary Public in and for the State of Washington, residing in Bellevue

This is to certify that on this 3rd day of October, 1990, before me the undersigned, a Notary Public, personally appeared CURTIS FEENEY, to me known to be the PRESIDENT of CROW-SEATTLE #1, INC., a Washington corporation, being a general partner of TOTEM #1 LIMITED PARTNERSHIP, a Texas limited partnership, being a general partner of KIRKLAND #4 LIMITED PARTNERSHIP, a Washington limited partnership, who subscribed said corporation name to the foregoing dedication and acknowledged to me that he signed and sealed the same as the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute said dedication on behalf of said corporation.
WITNESS my hand and official seal the day and year last above written.



Paula J. Mackley
Notary Public in and for the State of Washington, residing in Bellevue

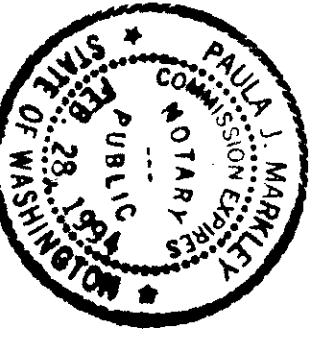
STATE OF WASHINGTON)
COUNTY OF KING)
This is to certify that on this 3rd day of October, 1990, before me the undersigned, a Notary Public, personally appeared CURTIS FEENEY, to me known to be the PRESIDENT of CROW-SEATTLE #1, INC., a Washington corporation, being a general partner of TOTEM #1 LIMITED PARTNERSHIP, a Texas limited partnership, being a general partner of KIRKLAND #5 LIMITED PARTNERSHIP, a Washington limited partnership, who subscribed said corporation name to the foregoing dedication and acknowledged to me that he signed and sealed the same as the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute said dedication on behalf of said corporation.
WITNESS my hand and official seal the day and year last above written.



Paula J. Mackley
Notary Public in and for the State of Washington, residing in Bellevue

STATE OF WASHINGTON)
COUNTY OF KING)

This is to certify that on this 24th day of October, 1990, before me the undersigned, a Notary Public, personally appeared PETER HENNING, to me known to be the GENERAL PARTNER of HENNING PARTNERS NUMBER SIX, a Washington limited partnership, who subscribed said partnership name to the foregoing dedication and acknowledged to me that he signed and sealed the same as the free and voluntary act and deed of said partnership, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute said dedication on behalf of said partnership.
WITNESS my hand and official seal the day and year last above written.



Paula J. Mackley
Notary Public in and for the State of Washington, residing in Bellevue



644 NE BOTHELL WAY
SEATTLE, WASH. 98155
PHONE: (206) 485-9711

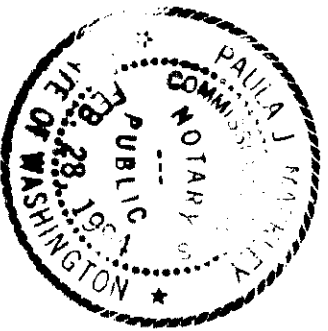


KIRKLAND 405 CORPORATE CENTER

STATE OF WASHINGTON)
COUNTY OF KING)

This is to certify that on this 14th day of November, 1990, before me the undersigned, a Notary Public, personally appeared JOYCE MICHAELOV of SEATTLE-FIRST NATIONAL BANK, 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 therein mentioned, and on oath stated that she was authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.
WITNESS my hand and official seal the day and year last above written.

Paula J. Marple
Notary Public in and for the State of Washington, residing in Bellevue



STATE OF WASHINGTON)
COUNTY OF KING)

This is to certify that on this _____ day of _____, _____, before me the undersigned, a Notary Public, personally appeared _____, to me known to be the individuals described in and who executed the within instrument and acknowledged that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes herein mentioned.
WITNESS my hand and official seal the day and year last above written.

Notary Public in and for the State of Washington, residing in _____

STATE OF WASHINGTON)
COUNTY OF KING)

This is to certify that on this _____ day of _____, _____, before me the undersigned, a Notary Public, personally appeared _____, to me known to be the individuals described in and who executed the within instrument and acknowledged that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes herein mentioned.
WITNESS my hand and official seal the day and year last above written.

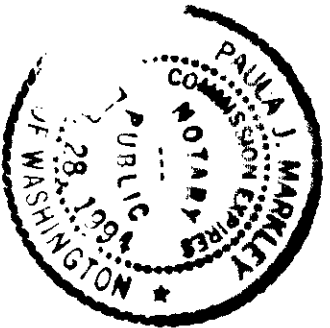
Notary Public in and for the State of Washington, residing in _____

Unofficial Copy

STATE OF WASHINGTON)
COUNTY OF KING)

This is to certify that on this 22nd day of October, 1990, before me the undersigned, a Notary Public, personally appeared JACK E. JOHNSON to me known to be the EXECUTIVE VICE-PRESIDENT of PUGET SOUND MULTIPLE LISTING ASSOCIATION, a Washington 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 therein mentioned, and on oath stated that he was authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.
WITNESS my hand and official seal the day and year last above written.

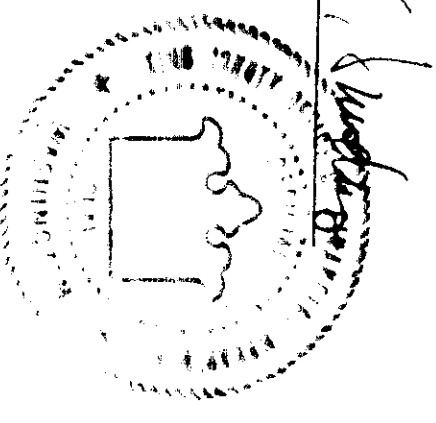
Paula J. Marple
Notary Public in and for the State of Washington, residing in Bellevue



FINANCE DIVISION CERTIFICATE
I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID AND THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED, DEDICATED AS STREETS, ALLEYS OR FOR ANY OTHER PUBLIC USE, ARE PAID IN FULL.
THIS 14th DAY OF December, 1990.
FINANCE DIVISION

D Lee DeLoach Sr
MANAGER, KING COUNTY FINANCE DIVISION

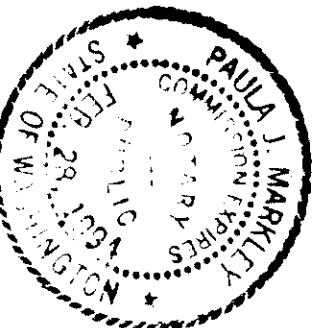
Shirley L. Hubert
DEPUTY



STATE OF WASHINGTON)
COUNTY OF KING)

This is to certify that on this 14th day of October, 1990, before me the undersigned, a Notary Public, personally appeared ANDREW AND GRACE WARNER, to me known to be the individuals described in and who executed the within instrument and acknowledged that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes herein mentioned.
WITNESS my hand and official seal the day and year last above written.

Paula J. Marple
Notary Public in and for the State of Washington, residing in Bellevue



GAI NE BOTWELL, WA
SEATTLE, WASH 98105
PHONE: (206) 485-9711

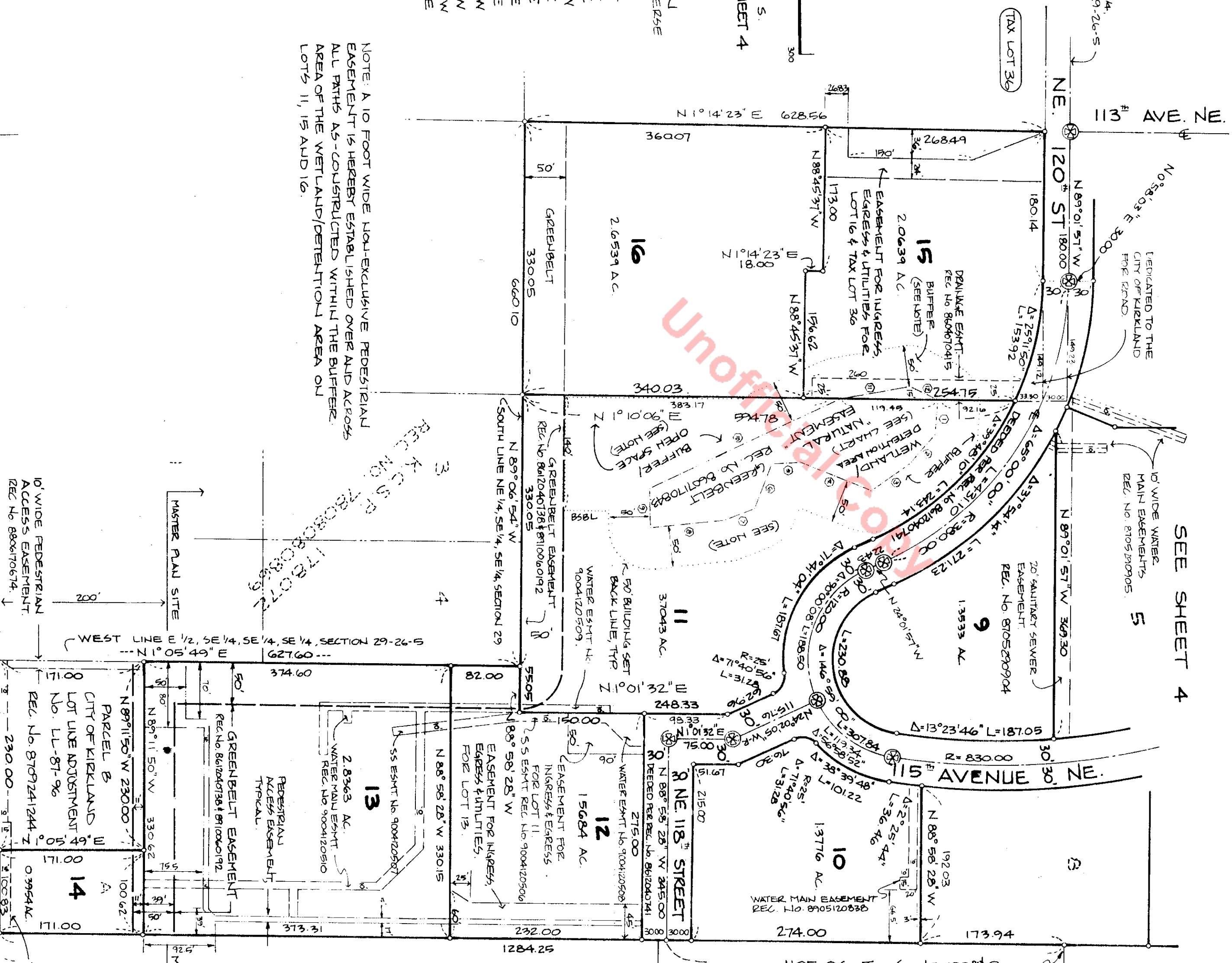
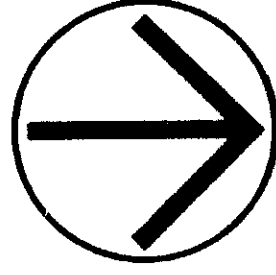
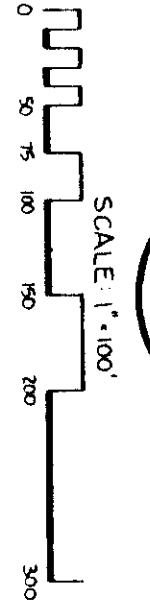
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KIRKLAND 405 CORPORATE CENTER

WETLANDS/DETENTION AREA BOUNDARY TRAVERSE

1	42.95'	S 84° 11' 55" E
2	43.34'	S 49° 05' 47" E
3	60.18'	S 34° 48' 33" E
4	92.06'	S 22° 38' 01" W
5	33.08'	S 02° 31' 16" E
6	58.40'	S 67° 48' 14" E
7	38.32'	S 20° 11' 27" E
8	90.90'	S 05° 16' 20" E
9	47.44'	N 89° 02' 24" W
10	252.23'	N 24° 52' 49" W
11	90.70'	N 08° 21' 04" W
12	33.54'	N 27° 44' 00" E

MERIDIAN: K.C.C.S.
SEE LEGEND ON SHEET 4

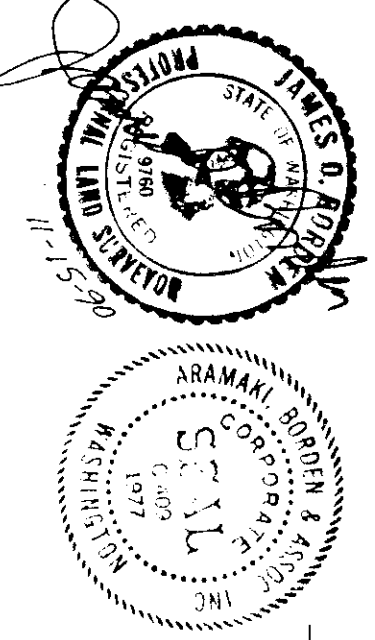


NOTE: A 10 FOOT WIDE NON-EXCLUSIVE PEDESTRIAN EASEMENT IS HEREBY ESTABLISHED OVER AND ACROSS ALL PATHS AS-CONSTRUCTED WITHIN THE BUFFER AREA OF THE WETLAND/DETENTION AREA ON LOTS 11, 15 AND 16.

NOTE: LOTS 13 & 14, REFER TO CITY OF KIRKLAND LOT LINE ALTERATION NO. LC-89-130 REC. NO. 8911211670.

TEMPORARY CONSTRUCTION EASEMENT, REC. NO. 890807917.

SE CORNER SECTION 29-26-5 ROUND CONC. MON./CASE 12-15-83.



6141 NE BOTHELL WAY
SEATTLE, WASH. 98155
PHONE (206) 485-9711

FINAL PLAT

NOTE: LOTS 1 THROUGH 14 INCLUSIVE ARE SUBJECT TO AN EASEMENT FOR UNDERGROUND ELECTRIC SYSTEM GRANTED TO PUGET SOUND POWER & LIGHT COMPANY FILED UNDER RECORDING NO. 8704030576.

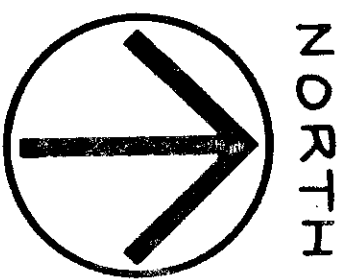
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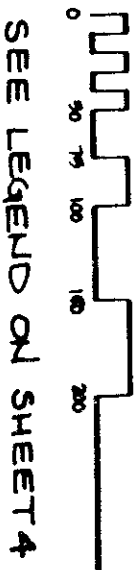
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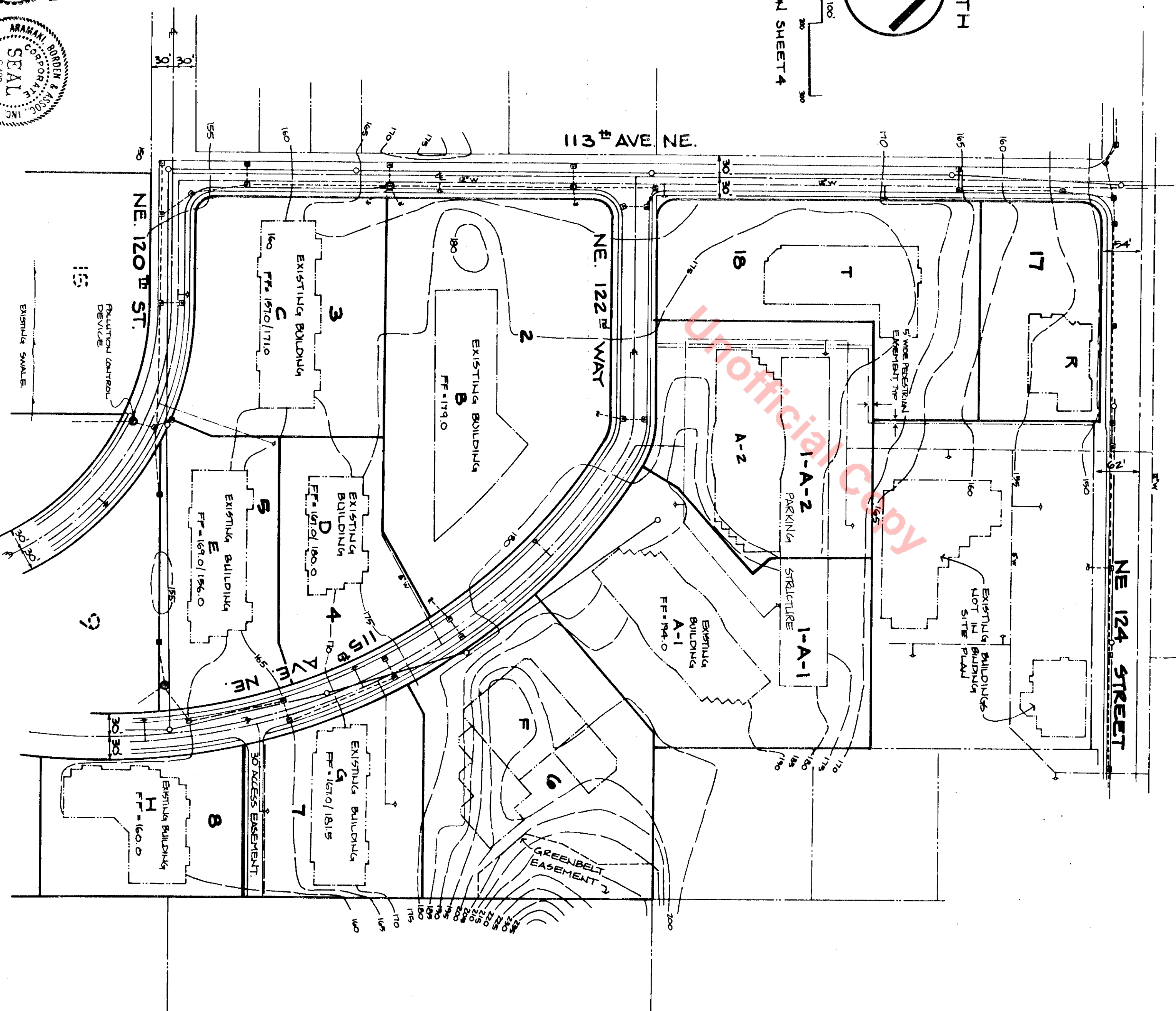
KIRKLAND 405 CORPORATE CENTER



SCALE: 1"=100'



SEE LEGEND ON SHEET 4



SEE SHEET 7

BINDING SITE PLAN

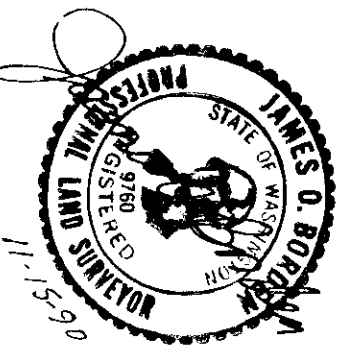
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SHEET 6 OF 7



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