

AFTER RECORDING RETURN TO:
Tammi Rubert, General Mgr.
Jefferson Transit Authority
1615 W. Sims Way
Port Townsend, WA 98368

NO REAL ESTATE
EXCISE TAX REQUIRED
JEFFERSON COUNTY TREASURER

BY: S. Hathaway

PUBLIC NON-MOTORIZED ACCESS EASEMENT

GRANTOR: Jefferson Transit Authority, a Washington municipal corporation
GRANTEE: Jefferson County, a subdivision of the State of Washington

The **GRANTOR**, Jefferson Transit Authority ("**JTA**"), a municipal corporation whose mailing address is 1615 W. Sims Way, Port Townsend, WA 98368, for good and valuable consideration, and in recognition of County permit No. MLA13-00100, does hereby grant and convey unto the **GRANTEE**, Jefferson County ("**County**"), a subdivision of the State of Washington, an easement as legally described in Exhibit A and drawn as described in Exhibit B which are attached hereto and incorporated herein by this reference for public non-motorized ingress, egress, and recreational purposes over, across, and through the following described property:

Parcel A, Volume 27 of Survey, Page 142, Records of Jefferson County, Washington.

EASEMENT PURPOSE AND TERMS:

The expressed purpose of the Easement is to allow the general public non-motorized access to and from the JTA's Park and Ride facility once constructed in accordance with the above referenced County permit. The Easement's purpose is also anticipated to possibly serve as one section of the larger Olympic Discovery Trail (ODT), which is planned to extend from the Pacific Ocean through adjacent Clallam County and into Jefferson County to the City of Port Townsend. The public's right to non-motorized access to this Easement is perpetual and shall run with the land. This easement shall be binding upon the Grantor's heirs, successors and assigns, subject to certain Conditions and limitations as more fully set forth below.

1. **Permit Conditions.** Per the above referenced County approval, JTA is responsible for a phased establishment and construction on the Easement as follows:
 - a. Phase 1 – Grantor (JTA) is required to grant the Easement (via this recorded document) but not to construct a physical pathway.
 - b. Phase 2 – When the Park and Ride portion of the JTA project is constructed, JTA shall construct a trail within the Easement. For this Phase 2, the Easement shall be

improved with a gravel surface, approximately 5 to 6 feet in width, to a standard mutually agreed to by JTA and the County.

c. Phase 3 – If the ODT connects to and will extend through the Easement, JTA shall be solely responsible for construction of the full trail width and standard at that time (currently 14 feet wide).

2. **General Terms.** In addition to Grantor's responsibilities for phased establishment and construction of the Easement, both Grantor and Grantee shall have the right at all times to enter the described Easement area for the purpose of making allowed non-motorized improvements, inspections and maintaining non-motorized improvements, including but not limited to, inspecting, maintaining, improving, repairing, constructing, reconstructing, and any allowed utility improvements.

3. Subsequent to the completion of construction of the Phase 2 trail, any costs associated with inspection, maintenance, improvement, repair, construction, reconstruction, and improvements upon the property shall be borne solely by the Grantor.

4. Subsequent to the completion of construction of the Phase 3 trail, any costs associated with inspection, maintenance, improvement, repair, construction, reconstruction, and improvements upon the property shall be borne solely by the Grantee

5. Grantor or Grantee may plant, landscape and make use of the Easement so long as the use does not interfere with the purpose of the Easement.

6. In connection with the exercise of any rights set forth in this Easement document, the Grantor and Grantee shall restore any disturbed areas that are not subjected to improvements to an "as good or better" condition as existed prior to any work done by the respective party.

7. **Non-Motorized Access.** Except as provided herein, access within the Easement shall be limited to non-motorized traffic only. Use of the Easement area by motorized vehicles (other than motorized wheelchairs, maintenance and repair vehicles or emergency vehicles authorized by the Grantee) is specifically prohibited by this easement.

8. **Closure for Maintenance or Repairs and Public Safety Concerns.** With the County's prior approval, the Grantor may close the Easement area for a reasonable period from time to time on a temporary, short-term basis when weather conditions may present a safety hazard. The Easement area may also be closed when either Grantor or Grantee reasonably deem closure to be necessary for public safety reasons.

9. **Hours when Easement Area is Open.** Except where otherwise provided, the Easement shall be open to the public at all times, 24 hours per day.

10. **Recording.** This document shall be recorded in the Auditor's Office of Jefferson County. Fees for recording are the responsibility of the Grantor and a copy shall be provided to the Grantee.

IN WITNESS WHEREOF, this Public Non-Motorized Easement is executed this 14th day of July, 2014.

GRANTOR: Jefferson Transit Authority

GRANTEE: Jefferson County

By Tammi Rubert
Tammi Rubert, General Manager

By [Signature]

Monte Reinders, Public Works Director
Name, Title

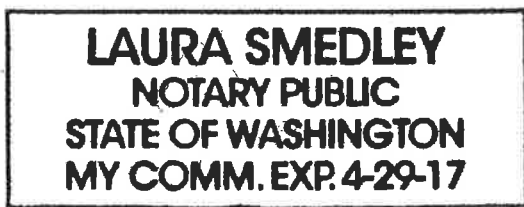
Dated: July 14, 2014

Dated: July 3, 2014

STATE OF WASHINGTON)
) ss.
COUNTY OF Jefferson)

On this 14th day of July, 2014, before me the undersigned, a Notary Public duly commissioned and sworn, personally appeared Tammi Rubert, General Manager, known to be the individual that executed the foregoing Non-Motorized Easement, and acknowledged said instrument to be her free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that she is authorized to execute said instrument.

WITNESS my hand and official seal hereto affixed the year and date in this certificate above written.



Laura Smedley

[print name] Laura Smedley
NOTARY PUBLIC in and for the State of
Washington, County of Jefferson residing in
Port Townsend
My appointment expires: 04-29-2017

STATE OF WASHINGTON)
) ss.
COUNTY OF JEFFERSON)

On this 3rd day of July, 2014, before me the undersigned, a Notary Public duly commissioned and sworn, personally appeared Monte Reinders, PW Director / Co-Engineer, known to be the individual that executed the foregoing Non-Motorized Easement, and acknowledge said instrument to be his/her free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute said instrument.

WITNESS my hand and official seal hereto affixed the year and date in this certificate above written.



Mara Dotson

[print name] MARA DOTSON
NOTARY PUBLIC in and for the State of
Washington, County of Jefferson, residing in
Port Townsend
My appointment expires: 01-05-2017

EXHIBIT A

PATHWAY EASEMENT LEGAL DESCRIPTION:

A pathway easement for the benefit of the public twenty feet in width lying ten feet on each side of a center line as it runs over, under and across a portion of Parcel A of Boundary Line Adjustment recorded in Volume 27 of Surveys, Pages 142, records of Jefferson County, Washington, situate in the West half of Section 33, Township 30 North, Range 1 West, Willamette Meridian, County of Jefferson, State of Washington, said center line more particularly described as follows:

Beginning at the SW corner of said Parcel,

Thence N 41° 27' 08" E, a distance of 36.68 feet to the beginning of a tangent curve to the right, having a radius of 50.00 feet, the center of which bears S 48° 32' 52" E;

Thence along the arc of said curve through a central angle of 55° 06' 48", a distance of 48.10 feet;

Thence S 83° 26' 04" E, a distance of 92.17 feet to the beginning of a tangent curve to the right, having a radius of 293.00 feet, the center of which bears S 06° 33' 56" W;

Thence along the arc of said curve through a central angle of 05° 03' 04", a distance of 25.83 feet;

Thence S 78° 23' 00" E, a distance of 35.66 feet to the beginning of a tangent curve to the right, having a radius of 50.00 feet, the center of which bears S 11° 37' 00" W;

Thence along the arc of said curve through a central angle of 63° 53' 46", a distance of 55.76 feet to the beginning of a reverse curve to the left, having a radius of 50.00 feet, the center of which bears N 75° 30' 46" E;

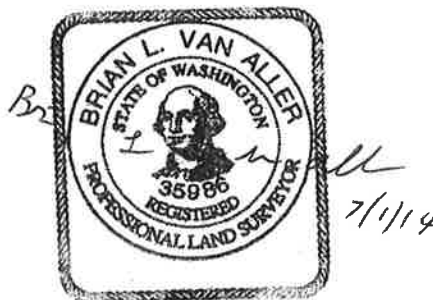
Thence along the arc of said curve through a central angle of 63° 53' 46", a distance of 55.76 feet;

Thence parallel to the south line of said Parcel A, S 78° 23' 00" E, a distance of 106.69 feet to a point on the east line of said Parcel A, said point lying N 01° 25' 18" E, a distance of 10.16 feet from the SE corner of said Parcel A and the end of this center line description.

Easement containing 9,040 square feet more or less.

The above described Easement is depicted on the accompanying map labeled Exhibit B, which is attached herewithin and made part of this legal description.

END OF DESCRIPTION



HORIZONTAL DATUM:
AS SHOWN ON VOLUME 27 OF
SURVEYS, PAGE 142, RECORDS OF
JEFFERSON COUNTY, WASHINGTON.

**EXHIBIT B (A.T.P. #001332009)
SHOWING PATHWAY EASEMENT
THROUGH PARCEL "A"**

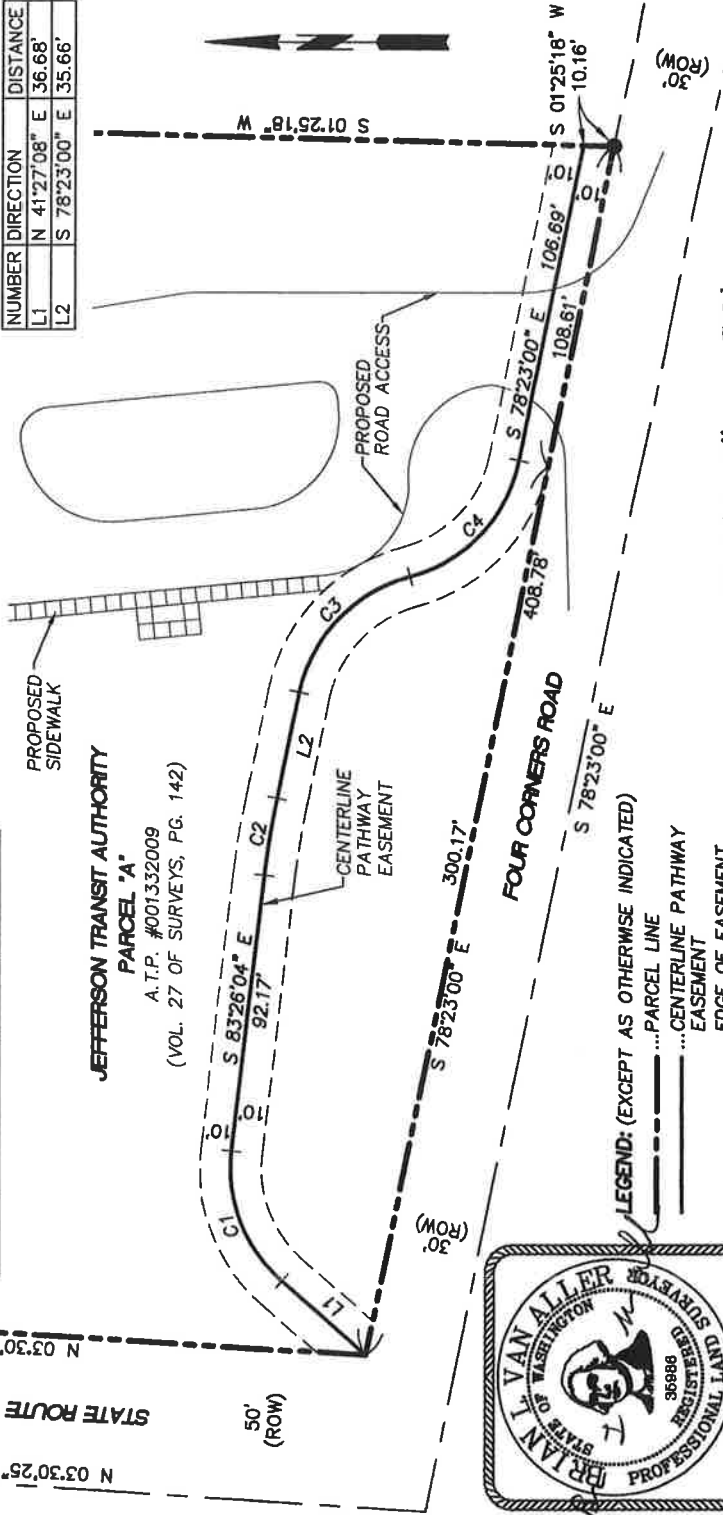
(VOL. 27 OF SURVEYS, PG. 142)
IN THE WEST 1/2, SECTION 33,
TOWNSHIP 30 NORTH, RANGE 1 WEST, W.M.
JEFFERSON COUNTY, WASHINGTON

CURVE TABLE

NUMBER	Δ	DELTA	ANGLE	RADIUS	ARC LENGTH
C1	55°06'48"	50.00'	48.10'		
C2	05°03'04"	293.00'	25.83'		
C3	63°53'46"	50.00'	55.76'		
C4	63°53'46"	50.00'	55.76'		

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N 41°27'08" E	36.68'
L2	S 78°23'00" E	35.66'



Scale 1" = 50'



- LEGEND: (EXCEPT AS OTHERWISE INDICATED)**
- PARCEL LINE
 - CENTERLINE PATHWAY EASEMENT
 - EDGE OF EASEMENT
 - CENTERLINE RIGHT OF WAY
 - EDGE OF RIGHT OF WAY
 - 5/8" DIAM. REBAR WITH PLASTIC SURVEY CAP MARKED "VAN ALLER LS 35986"



DATE: 7-1-14

TITLE: EXHIBIT B SHOWING PATHWAY EASEMENT THROUGH A.T.P. #001332009

CLIENT: JEFFERSON TRANSIT AUTHORITY
1615 W. SIMS WAY
PORT TOWNSEND, WA 98368

PHONE: (360) 683-3438 * FAX: (360) 683-3241

P.O. BOX 757 * CARLSBORG, WA * 98324

JOB # 00641

SHEET: 1 of 1