FILED FOR RECORD AT THE REQUEST OF

AFTER RECORDING, MAIL TO
City of Mercer Island, Attn LINDA PINEAU
9611 SE 36th Street
Mercer Island, WA 98040



RELEASE/COVENANT NOT TO SUE AND INDEMNIFICATION/HOLD HARMLESS FOR GEOLOGICALLY HAZARDOUS AREAS

	PETE HORDSTROY
A	Owner/Developer(s) has/have made application to the City for the purpose of CONSTRUCTION SE AN ADDITION TO A SINGLE
	PARILY RESIDENCE.
В	The applicant(s) is/are the Owner/Developer(s) of the real property situated in the
Mer	cer Island located at See S.E. 20 th MERCER IS WA 980
Mere C	The Legal Description of the real property is as follows SEE ATTACHED
	The Legal Description of the real property is as follows
C	The Legal Description of the real property is as follows

NOW, THEREFORE, the Parties agree as follows

- Release/Covenant Not to Sue Pursuant to Mercer Island City Code Section 19 09 020, Owner/Developer(s) hereby releases the City, its elected officials, officers, employees, agents and volunteers from any and all liability or damages arising out of any defect of the construction activity on the Property due to critical slopes, steep slopes, slide prone soils, or otherwise or in any way connected with the City's issuance of any building permits or City approvals Further, Owner/Developer(s) agrees not to sue the City of Mercer Island for or as a result of issuance of permits or approvals
- 2 <u>Indemnification</u> Pursuant to Mercer Island City Code Sections 19 01 060 and 19 09 020, the Owner/ Developer(s) agrees to defend and hold the City of Mercer Island, its elected officials, officers,

employees, agents and volunteers harmless from all losses, actions, liabilities, including costs and attorney fees, for and against any liability for damages to persons or property as the result of construction or any work performed by Owner/Developer(s) on or related to the Property, or resulting from the City's issuance of building permits or approvals

- Compliance with Laws Owner/Developer(s) shall comply with and perform all work in accordance with all applicable federal, state, and City laws including, without limitation, the Comprehensive Environmental Response, Compensation & Liability Act ("CERCLA"), the Model Toxics Control Act ("MTCA"), the Superfund Amendment Reauthorization Act ("SARA"), The Endangered Species Act ("ESA"), and the State Environmental Policy Act ("SEPA")
- 4 <u>Covenant Running with Land</u> This Agreement shall be recorded with the King County Records Office, shall constitute a covenant running with the land, and shall be binding upon Owner/Developer(s) successors in interest, heirs and assigns

DATED this day of
145 MH
OWNER/DEVELOPER(S)
OWNER/DEVELOPER(S)
OWNER/DEVELOPER(S)
OWNER/DEVELOPER(S)
STATE OF WASHINGTON)
County of KING)
On this day personally appearing before me
Peter E. Nordstrom
to me known to be the individual(s) described herein and who executed the within and foregoing instrument, and acknowledge that he/she signed the same as a free and voluntary act and deed, for the use and purpose therein mentioned
Given under my hand the first day of Queyust 20 03
Notary Public in and for the State of Washington
MOTARY # 21 Printed Name Tugran

My Appointment Expires 5-25

EGAL DESCRIPTION:

FXKIBIT - A

THE E 70 FT OF W.160 FT OF THAT PORTION OF GOVERNMENT LOT 1, SECT 1, TWNSHP 24 N, R 4 E W.M., LYING N OF N MARGIN OF S.E 20 TH ST, AS SAID ST. IS PLATTED IN PLAT OF MERCER BEACH PARK, ACCORDING TO PLAT THEREOF RECORDED OF SAID COUNTY, (BEING PART AF VACATED PLAT OF MERCER PARK ACCORDING TO PLAT THEREOF RECORDED IN VOL. 7 OF PLATS, PG 27, RECORDS OF SAID COUNTY), TOGETHER WITH 2ND CLASS SHORE LANDS ADJOINING & ABUTTING THEREOF LYING BETWEEN THE E. & W. BOUNDRY LINES OF THE ABOVE—DESCRIBEDTRACT PRODUCED & EXTENDED.

THE E 35 FT OF THE W 195 FT OF THAT PORTION OF GOVERNMENT LOT 1 OF SECT 1, TWNSHP 24 N, R 4 E, W.M. IN KING COUNTY, WASH., LYING BETWEEN THE NORTHERLY PRODUCTION OF THE EASTERLY & WESTERLY LINES OF THE ABOVE—DESCRIBED PROPERTY; (BEING A PORTION OF VACATED MERCER PARK ACCORDING TO PLAT RECORDED IN VOL 8 OF PLATS, PG 27, TOGETHER WITH SECOND CLASS SHORE LANDS ADJOINING.

TAX I.D. NO. 545230-2218