

Return to:
Jerry A. Creim, Esq.
Williams, Kastner & Gibbs PLLC
P.O. Box 21926
Seattle, WA 98111-3926

RELEASE OF RESTRICTIVE COVENANT

Grantor: The State of Washington and the City of Seattle

Grantee: United Indians of All Tribes Foundation

Legal Description: Commonly known as 1945 Yale Place East, Seattle, Washington.

Assessor's Property Tax Parcel Account Numbers: 202504-9033-05 and 202504-9066-05.

Reference number of related document: 8212010414

RELEASE OF RESTRICTIVE COVENANT

This Release Of Restrictive Covenant ("Release") is made as of the date last written below by the State of Washington (the "State") and the City of Seattle (the "City") (collectively, "Grantors").

RECITALS

WHEREAS, the real property commonly known as 1945 Yale Place East in Seattle, Washington, described on Exhibit A (the "Property") is burdened and benefited by that certain Restrictive Covenant (the "Covenant") dated November 23, 1982 and recorded under King County Recording No. 8212010414;

WHEREAS, the State has a vested property interest in the Property to enforce the terms, conditions, restrictions and limitations contained in the Covenant, which property interest is limited in duration to a period of twenty (20) years from its recording and was terminated on December 1, 2002;

WHEREAS, under the terms of the Covenant, the expiration of the State's property right does not terminate the right of the City or State to otherwise enforce the Covenant against the Property;

WHEREAS, the Grantors desire to clear title and release and extinguish all rights and obligations of the Covenant;

WHEREAS, the individuals executing this Release are each authorized and empowered on behalf of each of the Grantors to make, execute, and deliver, or cause to be made, executed and delivered, this Release and any related documents in the name and on behalf of each of the Grantors.

NOW, THEREFORE, in consideration of the foregoing, and for the purposes of clearing title, the Grantors agree that all benefits, burdens, rights and obligations arising from the Covenant are hereby forever released and extinguished.

IN WITNESS WHEREOF, the Grantors have caused this instrument to be executed the day and year first written below.

Approved as to form:

CITY OF SEATTLE

Name: _____
Deputy City Attorney

By: _____
Its: _____
Dated: _____

THE STATE OF WASHINGTON

DEPARTMENT OF COMMUNITY, TRADE
AND ECONOMIC DEVELOPMENT

Approved as to form:

Name: _____
Assistant Attorney General

By: _____
JULI WILKERSON, Director

and

Approved as to form:

WASHINGTON STATE ARTS COMMISSION

Name: _____
Assistant Attorney General

By: _____
KRIS TUCKER, Executive Director

STATE OF WASHINGTON)
)
COUNTY OF KING) ss.

On this day personally appeared before me **Juli Wilkerson**, to me known to be the Director of the State of Washington Department of Community, Trade and Economic Development, the entity that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said entity, for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute the same instrument.

GIVEN under my hand and official seal this _____ day of _____, 2006.

(print notary's name)
Notary Public in and for the State of Washington,
residing at _____.
My commission expires: _____.

STATE OF WASHINGTON)
)
COUNTY OF KING) ss.

On this day personally appeared before me **Kris Tucker**, to me known to be the Executive Director of the Washington State Arts Commission, the entity that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said entity, for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute the same instrument.

GIVEN under my hand and official seal this _____ day of _____, 2006.

(print notary's name)
Notary Public in and for the State of Washington,
residing at _____.
My commission expires: _____.

STATE OF WASHINGTON)
)
COUNTY OF KING) ss.

On this day personally appeared before me _____,
to me known to be the _____ of the City of Seattle,
the entity that executed the foregoing instrument, and acknowledged the said instrument to be the
free and voluntary act and deed of said entity, for the uses and purposes therein mentioned, and
on oath stated that he/she was authorized to execute the same instrument.

GIVEN under my hand and official seal this ____ day of _____, 2006.

(print notary's name)
Notary Public in and for the State of Washington,
residing at _____.
My commission expires: _____.

EXHIBIT A

(Legal Description of Property)

1945 Yale Place East and Adjoining Lot

Parcel A

Beginning at a point on the North line of a tract of land conveyed to W. Parry Smith, by D. T. Denny, by deed dated May 4, 1886, recorded in book 39 of Deeds, pages 1 and 2, records of said county, which said point is 30 feet South of the Southeast corner of Block 4, Greene's Addition to the City of Seattle, as per plat recorded in Volume 2 of Plats, page 73, records of King County, which point is also the Southwest corner of East Newton Street and Howard Avenue North (now Yale Avenue East); thence Westerly along said North line of said tract conveyed to W. Parry Smith, 60 feet; thence Southerly along a line parallel to projection of the West line of said Howard Avenue North (now Yale Avenue East) 173 feet to the South line of the W. Parry Smith Tract; thence Easterly along said South line, 125.5 feet to the Southwesterly line of Howard Place (now Yale Place East) as established by Ordinance No. 5566 of the City of Seattle; thence Northwesterly and Northerly along the line of said Howard Place, and Howard Avenue North (now known as Yale Place East), 199 feet, more or less, to the point of beginning.

TOGETHER with portion of Yale Place East adjoining said premises vacated by Ordinance 52992, which would revert to said premises;

Parcel B

That portion of the South 326 feet of Government Lot 5, Section 20, Township 25 North, Range 4, East, W.M., in King County, Washington, described as follows:

Beginning 30 feet South and 60 feet West of the Southeast corner of Block 4, Greene's Addition, as per plat recorded in Volume 2 of Plats, page 73, records of King County; thence South 173 feet; thence West 40 feet; thence North 173 feet; thence East 40 feet to the beginning.