

**After Recording Return Document To:**

Seattle City Attorney's Office  
600 Fourth Avenue, 4<sup>th</sup> Floor  
P.O. Box 94769  
Seattle, WA 98124-4759  
Attn: Helaine Honig

Document Title: Deed for Street Purposes

Grantor: IRIS HOLDINGS, LLC, a Washington limited liability company

Grantee: The CITY OF SEATTLE, a Washington municipal corporation

Abbreviated Land Description: A portion of Parcel B, City of Seattle Boundary Adjustment  
Rec. No. 20080702900011

Complete legal description is on Exhibit B of document

Tax Parcel No.: A portion of Tax Parcel No. 1988201155

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**Deed for Street Purposes**

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, IRIS Holdings, LLC, a Washington limited liability company ("Grantor"), conveys, quitclaims and dedicates to the City of Seattle, a Washington municipal corporation ("Grantee") the real estate depicted on Exhibit A and described on Exhibit B attached hereto, and situated in the County of King, State of Washington, including any after acquired title or interest therein (the "Dedicated Land"). Prior to this conveyance, the Dedicated Land was part of a larger parcel of land owned by Grantor, as described on Exhibit C attached hereto ("Parent Parcel").

Grantee acknowledges that there are soils and groundwater containing contaminants above state cleanup levels resulting from the presence of Hazardous Materials on the Dedicated Land when Grantor acquired the Dedicated Land from Grantee on November 28, 2006. Controls on future use of the Dedicated Land will therefore be required to protect human health and the environment from these residual contaminants ("Institutional Controls"). The types of Institutional Controls likely to be employed are described in the Washington Department of Ecology approved Cleanup Action Plan, 500 Fifth Avenue North Property, Seattle, Washington, prepared by GeoEngineers and dated February 20, 2012, as

may be amended or supplemented from time to time. They include deed restrictions and plans to protect the completed cleanup, and plans for handling potentially contaminated soils or groundwater at the Dedicated Land. Grantee will place an environmental deed restriction and Institutional Controls on the Dedicated Land consistent with those placed by Grantor on its adjoining property, and will comply with any limitations on use of the Dedicated Land contained in the deed restriction or other Institutional Controls imposed under the Cleanup Action Plan.

To the extent permitted by law, Grantee hereby agrees to release, defend, indemnify and hold harmless Grantor and the Bill & Melinda Gates Foundation ("Gates Foundation"), and their respective trustees, directors, officers, employees, agents, members, and successors and assigns, from and against any and all claims, orders or liability including, without limitation, all foreseeable and all unforeseeable consequential damages, directly or indirectly arising out of the presence on the Dedicated Land prior to November 28, 2006 of any Hazardous Materials, including without limitation the cost of any required repair, cleanup, or remediation and the preparation, submission and review of any closure or other required plans.

"Hazardous Materials" means any substance, chemical, waste or other material which is listed, defined or otherwise identified as "hazardous" or "toxic" under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C §§ 9601 *et seq.*; the Resource Conservation and Recovery Act, 42 U.S.C. §§ 6901 *et seq.*; and the Washington Model Toxics Control Act, ch. 70.105D RCW ("MTCA"); or any regulation, order, rule or requirement adopted thereunder, as well as any formaldehyde, urea, polychlorinated biphenyls, petroleum, petroleum product or byproduct, crude oil, natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel or mixture thereof, radon, asbestos, and "source," "special nuclear" and "by-product" material as defined in the Atomic Energy Act of 1985, 42 U.S.C. §§ 3011 *et seq.*

As provided by RCW 84.60.070, the Grantor herein requests the lien of taxes owing shall be set over to the property retained by the Grantor.

Dated this 6<sup>th</sup> day of September, 2012.

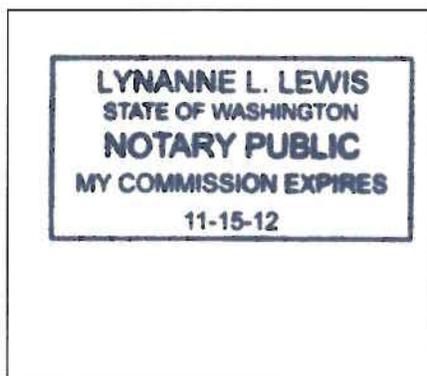
**IRIS HOLDINGS, LLC**, a Washington  
limited liability corporation

By: Martha Choe  
Martha Choe  
Its Chief Administrative Officer

STATE OF WASHINGTON        )  
  ) ss.  
COUNTY OF KING            )

I certify that I know or have satisfactory evidence that MARTHA CHOE is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the Chief Administrative Officer of IRIS Holdings, LLC, a Washington limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: September 6, 2012



Lynanne L. Lewis  
Notary Public  
Print Name Lynanne L. Lewis  
My commission expires 11-15-12

The City of Seattle, the Grantee herein, agrees to and accepts all terms and conditions contained in the Deed and approves the form of the Deed.

GRANTEE:

CITY OF SEATTLE

By: 

Name: Peter E. Hahn

Title: Director, SDOT

Dated: September 10<sup>th</sup>, 2012

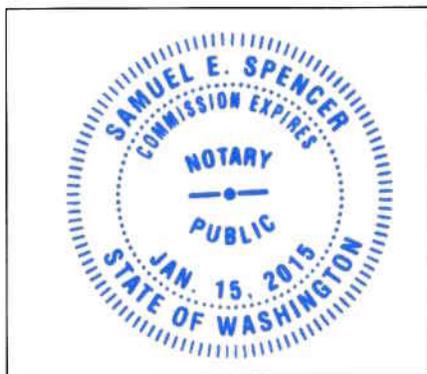
STATE OF WASHINGTON )

) ss.

COUNTY OF KING )

I certify that I know or have satisfactory evidence that Peter E. Hahn is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the Director of the Seattle Department of Transportation of The City of Seattle, a Washington municipal corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

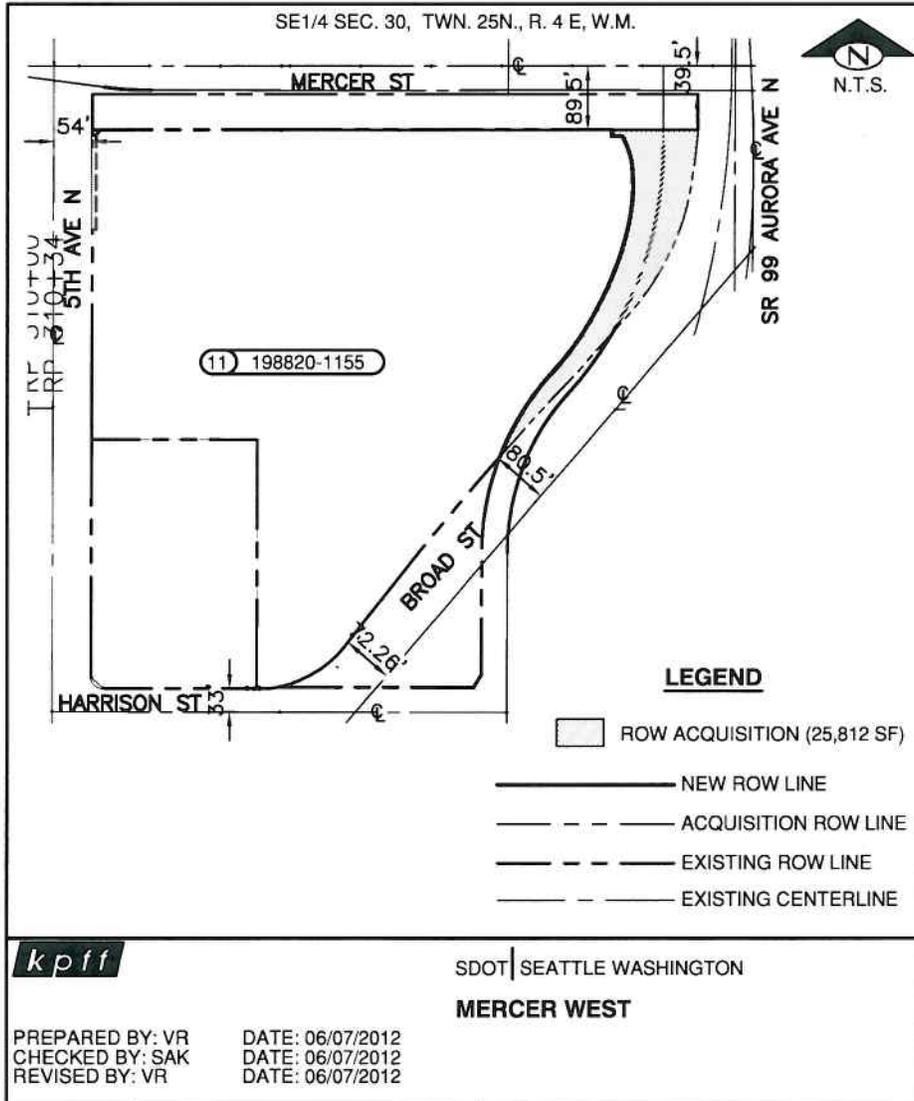
Dated: 9-10-12



  
Notary Public  
Print Name Samuel E. Spencer  
My commission expires 1-15-15

**PROPERTY ACQUISITION**

**EXHIBIT A**  
 PORTION OF PARCEL B  
 CITY OF SEATTLE LBA# 3008913



**EXHIBIT B**  
**LEGAL DESCRIPTION OF DEDICATED LAND**

(attached)

### RIGHT OF WAY ACQUISITION DESCRIPTION

THAT PORTION OF PARCEL B OF LOT BOUNDARY ADJUSTMENT NUMBER 308913, RECORDED UNDER RECORDING NUMBER 20080702900011, RECORDS OF KING COUNTY, STATE OF WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEASTERLY MOST CORNER OF SAID PARCEL B;  
THENCE SOUTH 01°28'03" WEST, ALONG THE WESTERLY MARGIN OF CONDEMNATION ORDINANCE NUMBER 59179 AND 84452, A DISTANCE OF 50.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH AND SOUTHWESTERLY ALONG SAID WESTERLY MARGIN FOR THE NEXT 7 COURSES, SOUTH 01°28'03" WEST, A DISTANCE OF 6.88 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE WEST, TO WHICH THE CENTER BEARS NORTH 83°58'23" WEST, AND HAVING A RADIUS OF 790.00 FEET;

THENCE ALONG SAID CURVE AN ARC DISTANCE OF 78.82 FEET, THROUGH A CENTRAL ANGLE OF 05°42'59" TO THE BEGINNING OF A COMPOUND CURVE, TO WHICH THE CENTER BEARS NORTH 78°15'24" WEST, AND HAVING A RADIUS OF 350.00 FEET;

THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 192.74 FEET, THROUGH A CENTRAL ANGLE OF 31°33'08";

THENCE SOUTH 43°17'44" WEST, A DISTANCE OF 109.46 FEET;

THENCE SOUTH 44°34'12" WEST, A DISTANCE OF 90.19 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST, TO WHICH THE CENTER BEARS SOUTH 45°42'17" EAST, AND HAVING A RADIUS OF 3886.97 FEET;

THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 75.94 FEET, THROUGH A CENTRAL ANGLE OF 01°07'10" TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST, TO WHICH THE CENTER BEARS SOUTH 67°12'19" EAST, AND HAVING A RADIUS OF 369.00 FEET;

THENCE DEPARTING SAID WESTERLY MARGIN NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 120.49 FEET, THROUGH A CENTRAL ANGLE OF 18°42'31" TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE NORTHWEST, TO WHICH THE CENTER BEARS NORTH 46°30'30" WEST, AND HAVING A RADIUS OF 1037.78 FEET;

THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 41.84 FEET, THROUGH A CENTRAL ANGLE OF 02°18'36" TO THE BEGINNING OF A COMPOUND CURVE, TO WHICH THE CENTER BEARS NORTH 49°27'49" WEST, AND HAVING A RADIUS OF 476.00 FEET;

THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 158.86 FEET, THROUGH A CENTRAL ANGLE OF 19°07'18" TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE NORTHWEST, TO WHICH THE CENTER BEARS NORTH 68°35'07" WEST, AND HAVING A RADIUS OF 388.00 FEET;

THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 73.91 FEET, THROUGH A CENTRAL ANGLE OF 10°54'52" TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE WEST, TO WHICH THE CENTER BEARS NORTH 79°29'59" WEST, AND HAVING A RADIUS OF 238.00 FEET;

THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 63.37 FEET, THROUGH A CENTRAL ANGLE OF 15°15'16" TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE WEST, TO WHICH THE CENTER BEARS SOUTH 85°14'14" WEST, AND HAVING A RADIUS OF 108.00 FEET;

THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 40.52 FEET, THROUGH A CENTRAL ANGLE OF 21°29'55", TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE SOUTHWEST, TO WHICH THE CENTER BEARS SOUTH 63°44'49" WEST, AND HAVING A RADIUS OF 33.00 FEET;

THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 5.60 FEET, THROUGH A CENTRAL ANGLE OF 9°43'31";

THENCE NORTH 88°35'09" WEST, A DISTANCE OF 14.20 FEET;

THENCE NORTH 01°25'51" EAST, A DISTANCE OF 8.98 FEET TO A POINT 89.50 FEET SOUTH OF THE MONUMENTED CENTERLINE OF MERCER STREET, WHEN MEASURED AT RIGHT ANGLES;

THENCE SOUTH 88°42'03" EAST ALONG A LINE, WHICH LIES 89.50 FEET SOUTH AND PARALLEL WITH THE MONUMENTED CENTERLINE OF MERCER STREET, A DISTANCE OF 121.96 FEET TO THE TRUE POINT OF BEGINNING;

CONTAINING AN AREA OF 25,812 SQUARE FEET OR 0.5926 ACRES, MORE OR LESS;

SITUATE IN THE CITY OF SEATTLE, KING COUNTY, STATE OF WASHINGTON.



KPFF  
MERCER WEST  
OLIVER Q. ROBAR, P.L.S.  
BRH JOB NO. 2010053.08  
01-27-2012  
REVISED 05-02-2012  
REVISED 06-11-2012

BUSH, ROED & HITCHINGS, INC.  
2009 MINOR AVENUE EAST  
SEATTLE, WA 98102  
(206) 323-4144

**EXHIBIT C**  
**LEGAL DESCRIPTION OF THE PARENT PARCEL**

PARCEL B OF CITY OF SEATTLE LOT BOUNDARY ADJUSTMENT NUMBER 3008913, RECORDED UNDER RECORDING NUMBER 20080702900011, IN KING COUNTY WASHINGTON;

EXCEPT THAT PORTION CONVEYED FOR STREET PURPOSES TO THE CITY OF SEATTLE BY DEED RECORDED UNDER RECORDING NUMBER 20120620001398.

SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.