

When Recorded, Return to

Department of Planning and Development

700 5th Ave, Suite 1800

P.O. Box 34019

Seattle, WA 98124-4019

**SIDE SEWER EASEMENT AGREEMENT
(SMC 21.16.250A)
(SIDE SEWER CROSSES ANOTHER PROPERTY)**

This form is provided by the City of Seattle only as an example of a generic side sewer easement that may not be appropriate for your specific needs or situation.

Parties intending to grant or receive a side sewer easement are strongly advised to seek legal counsel before granting or accepting easements on or for their property.

GRANTOR: 1) _____

2) _____

Additional Owners/Grantors on page _____

GRANTEE: 1) _____

2) _____

Additional Owners/Grantees on page _____

LEGAL DESCRIPTION (ABBREVIATED):

Grantor's Property:

Grantee's Property:

Additional legal description on page 2.

ASSESSOR'S TAX PARCEL ID NO(S). _____

Permit Street Address _____

Application No. (by DPD staff): _____

Date (by DPD staff): ____ / ____ / ____

Grantor's Address _____

City _____ State _____ Zip _____

**SIDE SEWER EASEMENT AGREEMENT
(SMC 21.16.250A)
(SIDE SEWER CROSSES ANOTHER PROPERTY)**

This Side Sewer Easement Agreement ("Agreement") is executed pursuant to SMC 21.16.250A, by _____, ("Grantor"), owner(s) of the following described real property situated in The City of Seattle, King County, State of Washington:

hereby grants a six (6) feet wide easement (3 feet wide on either side of the line of the side sewer constructed or to be constructed on Grantor's property as shown in attached Exhibit(A)("Easement"), to _____, ("Grantee"), owner(s) of the following described property situated in City of Seattle, King County, State of Washington:

In consideration of the City's issuance of a permit to locate a side sewer on a site other than the site being served by the side sewer, Grantor and Grantee agree and warrant as follows:

1. The undersigned Grantor and Grantee warrant that Grantor and Grantee have bargained for and negotiated this Agreement and that all owners have executed this Agreement.
2. The purpose of this Agreement is to provide side sewer service to Grantee's property. Grantee shall have the right to access Grantor's property as necessary to clean, maintain, repair or reconstruct that portion of the side sewer located in the Easement. Grantor may use the Easement as may be convenient to the use of Grantor's remaining land, including driving upon it, provided that Grantor does not damage the side sewer in the Easement or interfere with Grantee's use of the side sewer or the Easement.

3. The parties intend and agree on behalf of themselves and on behalf of their heirs, successors and assigns that this Agreement shall be a covenant running with the land and shall be binding upon all parties and their heirs, executors, administrators, successors, assigns, lessees, sub-lessees, tenants and sub-tenants.

4. Grantee has applied to the City for the following permits or approvals for the Grantee's property legally described above:

Type(s) of permit sought: Side Sewer

Date(s) of application: See front page

Application Number(s): See front page

5. **[Include the following or any revised version to which the parties agree or strike through this paragraph and initial.]**The cost of maintenance, repair or reconstruction of that portion of the side sewer used in common by Grantor and Grantee shall be borne in equal shares, except that the owners of any lower parcel are not responsible for maintenance, repair or reconstruction of the part of the side sewer above their connection.

SIGNATURES, ACKNOWLEDGEMENTS AND NOTARY

(INDIVIDUAL—attach more pages if needed)

Dated: _____

State of Washington)
) ss
County of _____)

Owner's Signature
 Grantor or Grantee

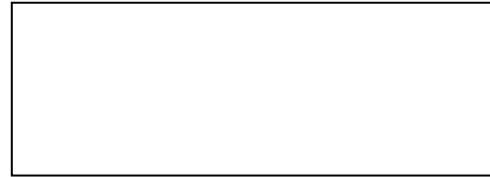
I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Printed Name

Date: _____

NOTARY PUBLIC in and for the State of
Washington
Residing at _____
My commission expires: _____
PRINT NAME: _____

Address



Use this space for Notary Seal

Dated: _____

State of Washington)
) ss
County of _____)

Owner's Signature
 Grantor or Grantee

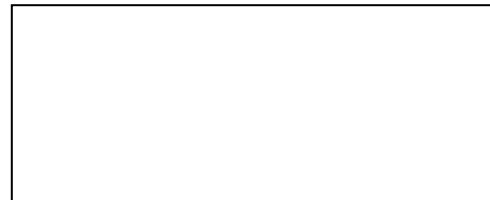
I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Printed Name

Date: _____

NOTARY PUBLIC in and for the State of
Washington
Residing at _____
My commission expires: _____
PRINT NAME: _____

Address



Use this space for Notary Seal

(CORPORATE, PARTNERSHIP, LIMITED LIABILITY COMPANY OR OTHER LEGAL ENTITY OWNER—attach more pages if needed)

Date: _____

State of Washington)
) ss
County of _____)

Owner's Signature
 Grantor or Grantee

I certify that I know or have satisfactory evidence that _____ 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 _____ (type of authority, e.g., partner, trustee, title of officer, personal representative, guardian, attorney in fact for a principal, etc.) of _____ (name of owner/entity on behalf of whom instrument was executed), to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Printed Name

By _____

Date: _____

NOTARY PUBLIC in and for the State of Washington
Residing at _____
My commission expires: _____
PRINT NAME: _____

Printed Name

Title

Address



Use this space for Notary Seal

Date: _____

State of Washington)
) ss
County of _____)

Owner's Signature
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Printed Name

By _____

Date: _____

NOTARY PUBLIC in and for the State of Washington
Residing at _____
My commission expires: _____
PRINT NAME: _____

Printed Name

Title

Address



Use this space for Notary Seal