



Date of Meeting: August 1, 2017

Item No.: 5B_Attach_4

P.O. Box 1209
Seattle, WA 98111-1209
Tele: (206) 787-3000
www.portseattle.org

December 21, 2016

Kinder Morgan Liquids Terminals, LLC
Attn: David Rowland
2720 13th Avenue SW
Seattle, WA 98134

RE: Amendment to Easement located at Terminal 18

Dear Mr. Rowland:

Enclosed for your signature, and subject to approval, and recording, are two originals and one copy of a proposed Amendment to Easement for Pipeline and Risers with the Port of Seattle, at Terminal 18.

Please return the two original documents after each has been signed and notarized, to David Amble for execution and recording. Please retain the copy for your temporary reference until you receive a fully signed original from us. If you have any questions, please contact David Amble at (253) 888-4405 or damble@nwseaportalliance.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Macomber", with a long horizontal flourish extending to the right.

Matt Macomber
Lead Sr. Lease Administration Specialist

Enclosures

AMENDMENT TO EASEMENT FOR OIL PIPELINES AND RISERS TO
CORRECT LEGAL DESCRIPTION
BETWEEN
PORT OF SEATTLE
AND
KINDER MORGAN LIQUIDS TERMINALS, LLC
AT
TERMINAL 18

THIS AMENDMENT TO EASEMENT FOR OIL PIPELINES AND RISERS TO CORRECT LEGAL DESCRIPTION ("Amendment to Correct Legal Description") is made as of _____, 20__, by and between the PORT OF SEATTLE, a Washington municipal corporation, hereinafter called "Grantor" and KINDER MORGAN LIQUIDS TERMINALS, LLC, a Delaware Limited Liability Company, hereinafter called "Grantee." The Grantor and Grantee are collectively referred to as the "Parties."

R E C I T A L S

A. Grantor and Grantee entered into that certain Easement to Oil Pipelines and Risers ("Easement") dated February 27, 2004 and recorded March 26, 2004 as Instrument Number 20040326002210 of the King County Recorder's Office.

B. Pursuant to paragraph 4 (As-Built Drawings and Survey) of the 2004 Easement, the Parties agreed that the as-built drawings would comply with Grantor's drafting standards and that with completion of construction, Grantee would provide Grantor as-built drawings and a survey showing the location and depth of the pipeline on Grantor's property of which the Easement area is a part.

C. This Amendment to Correct Legal Description, is intended to correct the legal description of EASEMENT AREA C (Port-owned lands).

NOW THEREFORE, in consideration of their mutual promises, the Parties hereby agree as follows:

1. Grantor and Grantee hereby correct the legal description and plat of the previously recorded Easement so that the legal description and plat for Easement Area C (Port-owned lands) is removed in favor of the following substitution: (a) the legal description attached to this Amendment as new Exhibit "B-5"; (b) the plat attached to this Amendment as new Exhibit "B-6" both of which is made a part of this Amendment by this reference.
2. Except as expressly amended herein, all provisions of the Easement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the day and year first above written.

GRANTOR
PORT OF SEATTLE,
a municipal corporation

GRANTEE
KINDER MORGAN LIQUIDS
TERMINALS, LLC

By _____
Its _____

By Floyd C. Roberts
Its Attorney-in-fact

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

On this ____ day of _____, 20____ before me personally appeared _____, to me known to be the _____ of the PORT OF SEATTLE, the municipal corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that s/he was authorized to execute said instrument.

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year first above written.

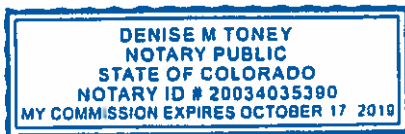
(Signature)

(Print Name)
Notary Public, in and for the State of Washington,
residing at _____
My Commission expires: _____

Colorado
STATE OF WASHINGTON)
 El Paso att) ss
COUNTY OF KING)

On this 23rd day of February, 2017 before me personally appeared Hayden Robertson, to me known to be the Attorney-in-Fact of Kinder Morgan Liquids Terminals LLC, the individual entity that executed the within and foregoing instrument as Lessee, and acknowledged said instrument to be the free and voluntary act and deed of said individual/entity, for the uses and purposes therein mentioned, and on oath stated that s/he was authorized to execute said instrument.

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year first above written.



Denise M Toney
(Signature)
Denise M Toney
(Print Name)
Notary Public, in and for the State of Colorado att
residing at Colorado Springs, CO
My Commission expires: 10.17.19

EXHIBIT "B-5"

- Legal Description -

TERMINAL 18
KINDER MORGAN FUEL LINES
AMENDED LEGAL DESCRIPTION FOR EASEMENT AREA "C"

A STRIP OF LAND 16 FEET IN WIDTH SITUATED IN THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 24 NORTH, RANGE 4 EAST, W.M., KING COUNTY, WASHINGTON, AND LYING WITHIN A PORTION OF 11TH AVENUE SOUTHWEST TO BE VACATED DESCRIBED PER EXHIBIT K, "EXHIBIT MAP FOR HARBOR ISLAND PROJECT, TERMINAL 18, SEATTLE, WASHINGTON", FILED UNDER RECORDING NUMBER 199910089000 13, RECORDS OF KING COUNTY, WASHINGTON, A PORTION OF VACATED 11TH AVENUE SOUTHWEST AS DESCRIBED BY CITY OF SEATTLE VACATION ORDINANCE 109970, A PORTION OF VACATED SOUTHWEST FLORIDA STREET AS DESCRIBED BY CITY OF SEATTLE VACATION ORDINANCE 70383, LOTS 1 THROUGH LOTS 6, INCLUSIVE, BLOCK 395, AND LOT 1, BLOCK 396, PLAT OF SEATTLE TIDELANDS ACCORDING TO THE OFFICIAL MAPS ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS, OLYMPIA, WASHINGTON. THE SIDELINES OF SAID STRIP BEING 8 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHEAST CORNER OF LOT 44, BLOCK 398, SAID PLAT;

THENCE SOUTH 88°51' 44" EAST, A DISTANCE OF 56.00 FEET TO THE WESTERLY MARGIN OF SAID 11TH AVENUE SOUTHWEST TO BE VACATED ; THENCE SOUTH 01°08' 16" WEST, ALONG SAID WESTERLY MARGIN, A DISTANCE OF 30.35 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE;

THENCE SOUTH 89°14'49" EAST, A DISTANCE OF 69.00 FEET TO THE WESTERLY MARGIN OF SAID VACATED 11TH AVENUE SOUTHWEST; THENCE CONTINUING SOUTH 89°14' 49" EAST, A DISTANCE OF 125.00 FEET TO THE EASTERLY MARGIN OF SAID VACATED 11TH AVENUE SOUTHWEST; THENCE CONTINUING SOUTH 89°14'49" EAST, A DISTANCE OF 21.00 FEET; THENCE NORTH 01°10' 06" EAST, A DISTANCE OF 457.15 FEET TO THE SOUTHERLY MARGIN OF SAID VACATED SOUTHWEST FLORIDA STREET; THENCE CONTINUING NORTH 01°10'06" EAST, A DISTANCE OF 312.30 FEET TO THE CENTERLINE OF SAID VACATED SOUTHWEST FLORIDA STREET; THENCE CONTINUING NORTH 01°10'06" EAST, A DISTANCE OF 128.45 FEET TO THE NORTHERLY MARGIN OF SAID VACATED SOUTHWEST FLORIDA STREET;

THENCE CONTINUING NORTH 01°10'06" EAST, A DISTANCE OF 924.91 FEET TO THE INNER HARBOR LINE AS ESTABLISHED BY THE STATE OF WASHINGTON, DEPARTMENT OF NATURAL RESOURCES, 1991 SUPPLEMENTAL MAP OF SEATTLE HARBOR AND THE TERMINUS OF SAID CENTERLINE.

THE SIDELINES OF SAID STRIP TO BE LENGTHENED OR SHORTENED TO INTERSECT AT ALL ANGLE POINTS, AND TERMINATE ON A LINE PERPENDICULAR TO SAID WESTERLY MARGIN OF THAT PORTION OF SAID 11TH AVENUE SOUTHWEST TO BE VACATED AND SAID INNER HARBOR LINE.

CONTAINING 32,600 SQUARE FEET OR .75 ACRES, MORE OR LESS.



02/24/2012

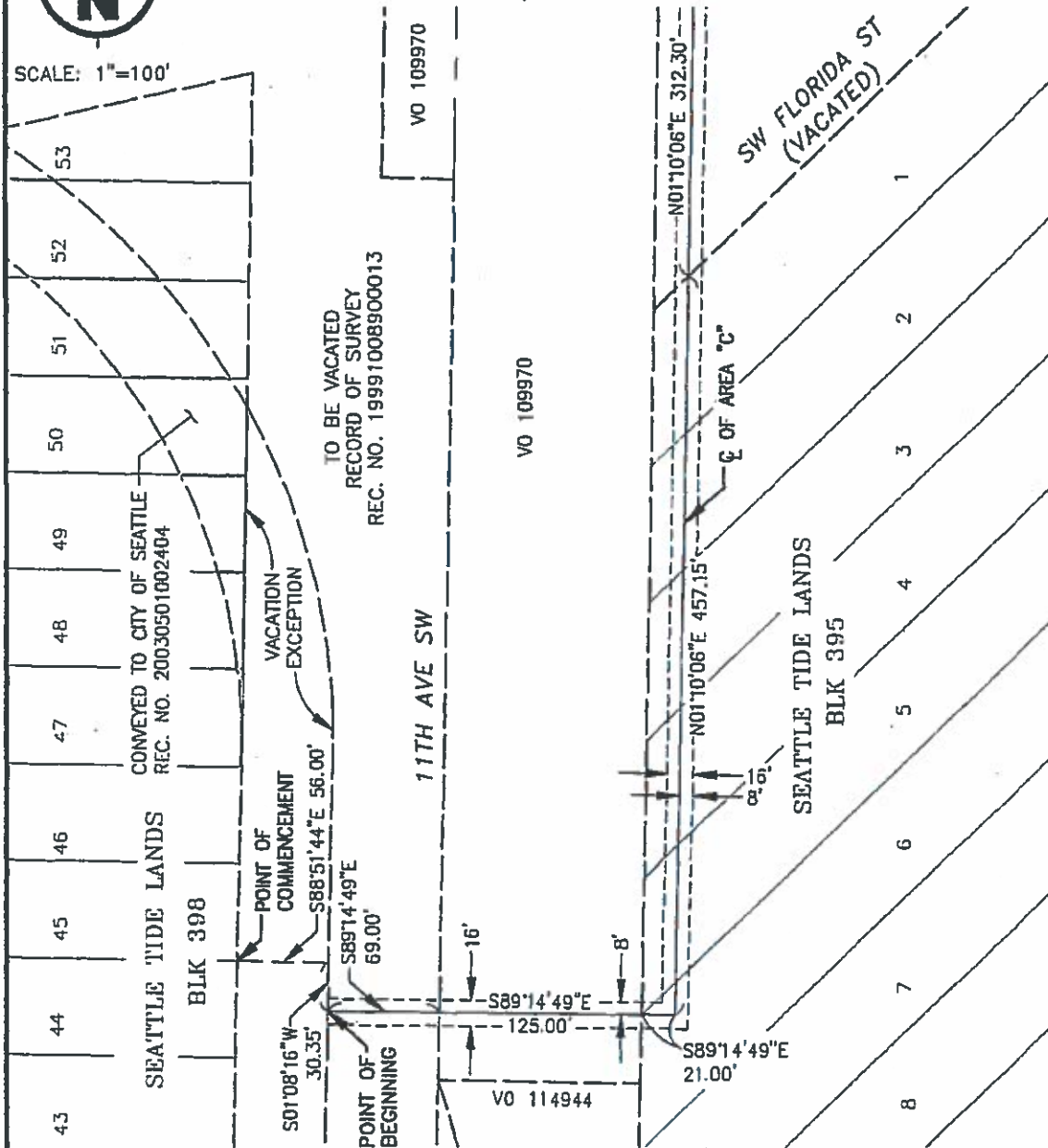
EXHIBIT "B-6"

- Plat -



PORTIONS OF THE NW 1/4, S. 07, T. 24 N., R. 04 E.
AND THE SW 1/4, S. 07, T. 24 N., R. 04 E. W.M.
KING COUNTY, WASHINGTON

SCALE: 1"=100'



Port
of Seattle

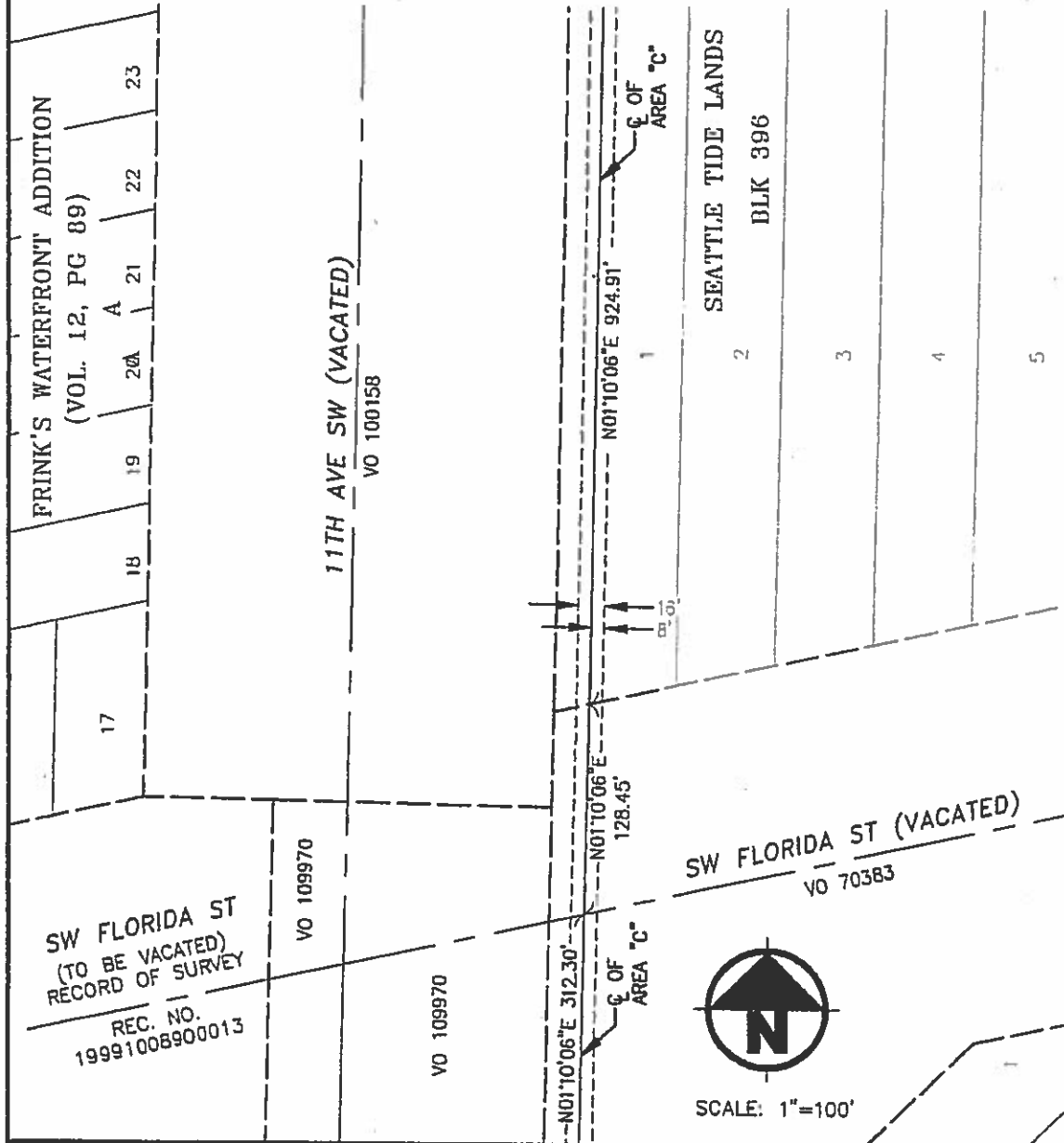
EXHIBIT
AMENDED LEGAL DESCRIPTION
FUEL LINE EASEMENT

KINDER MORGAN

DATE
FEB. 14, 2012

SHEET NO.
01 OF 04

PORTIONS OF THE NW 1/4, S. 07, T. 24 N., R. 04 E.
AND THE SW 1/4, S. 07, T. 24 N., R. 04 E. W.M.
KING COUNTY, WASHINGTON



Port of Seattle

EXHIBIT
AMENDED LEGAL DESCRIPTION
FUEL LINE EASEMENT

KINDER MORGAN

DATE
FEB. 14, 2012

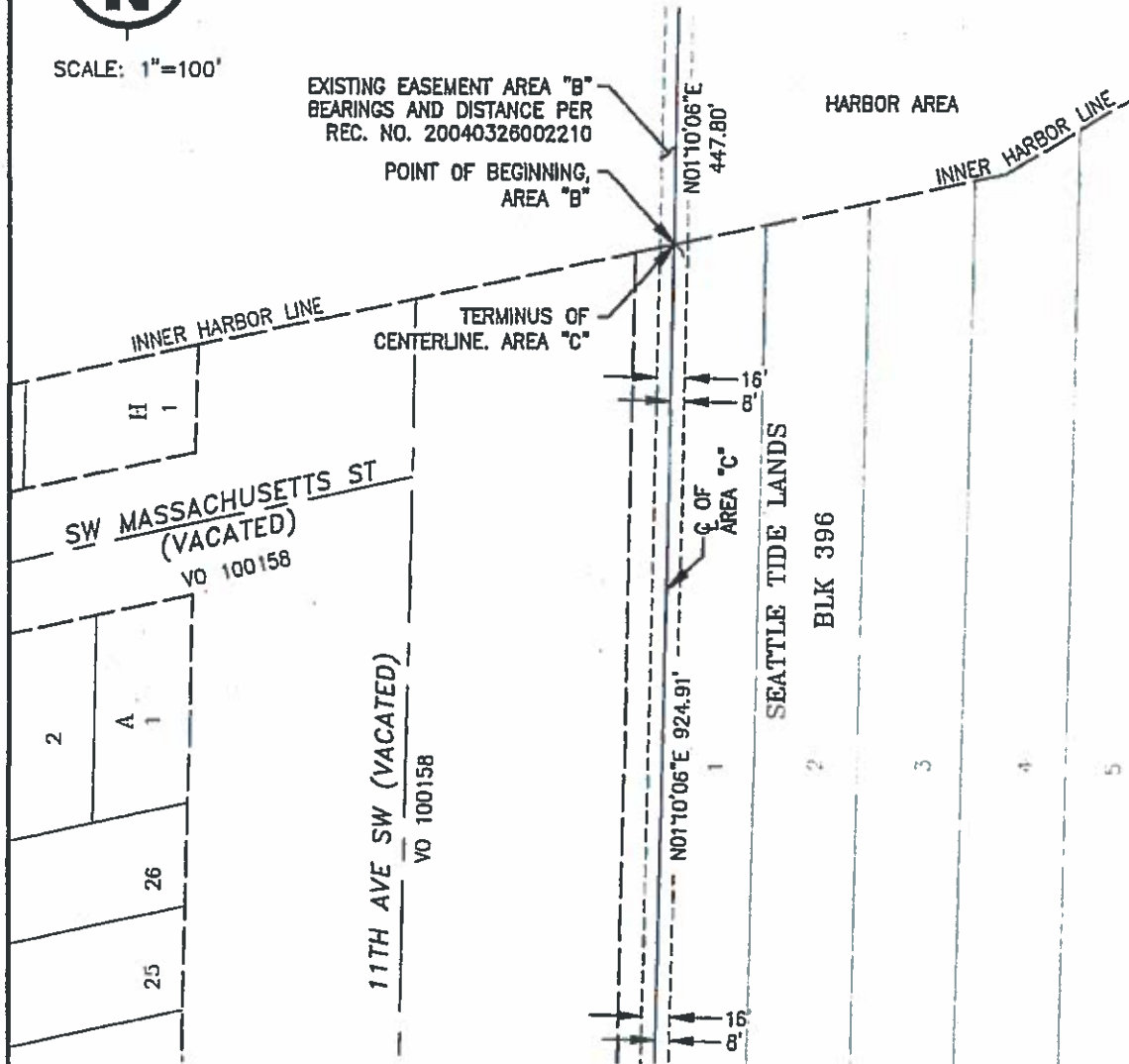
SHEET NO.

02 OF 04

PORTIONS OF THE NW 1/4, S. 07, T. 24 N., R. 04 E.
AND THE SW 1/4, S. 07, T. 24 N., R. 04 E. W.M.
KING COUNTY, WASHINGTON



SCALE: 1"=100'



Port
of Seattle

EXHIBIT
AMENDED LEGAL DESCRIPTION
FUEL LINE EASEMENT

KINDER MORGAN

DATE
FEB. 14, 2012

SHEET NO.

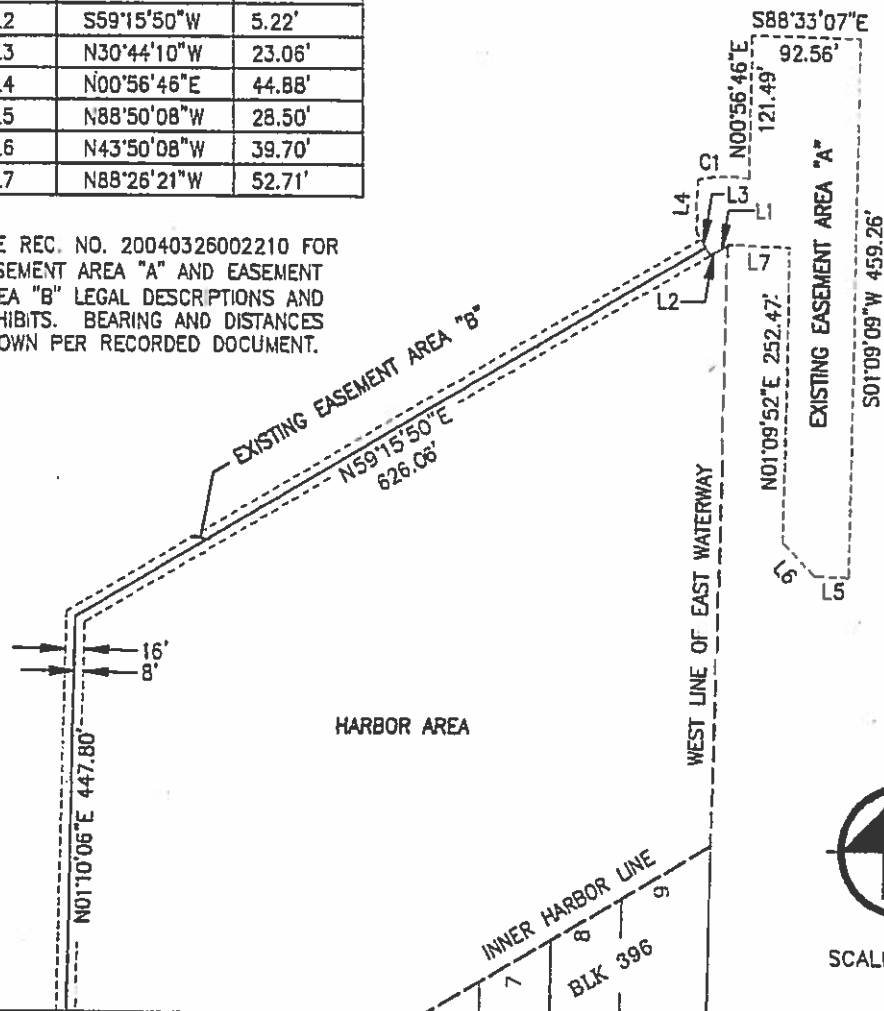
03 OF 04

**PORTIONS OF THE NW 1/4, S. 07, T. 24 N., R. 04 E.
AND THE SW 1/4, S. 07, T. 24 N., R. 04 E. W.M.
KING COUNTY, WASHINGTON**

CURVE	DELTA ANGLE	RADIUS	LENGTH
C1	23°13'10"	110.00'	44.58'

LINE	BEARING	DISTANCE
L1	S59°15'50"W	12.18'
L2	S59°15'50"W	5.22'
L3	N30°44'10"W	23.06'
L4	N00°56'46"E	44.88'
L5	N88°50'08"W	28.50'
L6	N43°50'08"W	39.70'
L7	N88°26'21"W	52.71'

SEE REC. NO. 20040326002210 FOR
EASEMENT AREA "A" AND EASEMENT
AREA "B" LEGAL DESCRIPTIONS AND
EXHIBITS. BEARING AND DISTANCES
SHOWN PER RECORDED DOCUMENT.



**Port
of Seattle**

**EXHIBIT
AMENDED LEGAL DESCRIPTION
FUEL LINE EASEMENT**

KINDER MORGAN

DATE FEB. 14, 2012

SHEET NO.

04 OF 04