RIGHT-OF-ENTRY AGREEMENT
for
Grand Avenue Park Bridge Project
COE #UP-PW3588

REAL ESTATE MANAGER
3200 CEDAR STREET
EVERETT, WA 98201

PROJECT: Grand Avenue Park Bridge
PARCEL ADDRESS: Grand Ave to Port of Everett
Port Property APN#: 29051800400900 & 29051800400800
OWNER: Port of Everett

This agreement is made this 10th day of March, 2015 (the
"Effective Date"), by and between Port of Everett, a Washington Port District (hereinafter
referred to as "Owner") and the City of Everett, (hereinafter referred to as "City") with reference
to real property generally identified as Assessor’s Parcel Number 29051800400900 and
29051800400800 (the “Property”). The City desires to conduct geotechnical borings upon
portions of such Property as generally depicted on Exhibit A attached hereto and incorporated
herein (such portions, the “Access Area”) in furtherance of the Grand Avenue Park Bridge
Project (the “Project”). Because the Project will support the Owner’s furtherance of public
access to waterfront areas and benefits the community, Owner hereby grants use of the Access
Area under the terms and conditions provided herein.

In consideration of mutual benefits, Owner hereby grants permission to the City, its authorized
agents, assigns, or subcontractors, to enter at its own risk upon the Access Area to perform the
work depicted and described on Exhibit A hereto (the “Work”) and to temporarily use a portion
of the Property (in its as-is, where-is condition with all faults and defects, including without
limitation environmental defects) in connection with the Project.

The rights of the City under this agreement are coupled with an interest on the part of the City
and therefore may not be revoked prior to expiration on December 31, 2015 or Project
completion, whichever occurs first.

The Owner and the City, by granting and accepting this agreement respectively, mutually
covenant and agree as follows:

1. The City will make reasonable efforts to minimize disruption and inconvenience to said
   Property and uses made thereof in compliance with applicable law and so as not to interfere with
   the Owner’s tenants or activities.
Exhibit "A"

GRAND AVENUE PARK BRIDGE
Proposed Geotechnical Borings
as per attached
PROJECT TITLE:
Right of Entry Agreement with the Port of Everett granting property access for Grand Avenue Park pedestrian and utility bridge project

COUNCIL BILL #
Real Property

Originating Department
Mike Palacios

Contact Person
425-257-8938

Phone Number

FOR AGENDA OF
2/25/15

Initialed by:
Department Head
CAACouncil President

Location
1620 WMVD

Preceding Action
Briefing

Attachment
Right of Entry Agreement

Department(s) Approval
Utilities, Real Property

<table>
<thead>
<tr>
<th>Amount Budgeted</th>
<th>-0-</th>
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<td>Expenditure Required</td>
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<td>Budget Remaining</td>
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<tr>
<td>Additional Required</td>
<td>-0-</td>
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ACCOUNT NUMBER(S):

DETAILED SUMMARY STATEMENT:
The City needs to conduct geotechnical investigative work on Port of Everett property as part of the design work for the Grand Avenue Park pedestrian and utility bridge project. The attached right of entry agreement grants the City access to the Port of Everett’s property to perform this work.

RECOMMENDATION:
Authorize the Mayor to sign Right of Entry Agreement with the Port of Everett granting property access for Grand Avenue Park pedestrian and utility bridge project.