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PIERCE COUNTY, WASHINGTON

Return Address
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Attn: Jemima J. McCullum

APR 19 2010
CTC

**THE SIXTH AMENDMENT
TO
CONDOMINIUM DECLARATION
FOR
PACIFIC TOWER, A CONDOMINIUM**

Grantor: PACIFIC TOWER CONDOMINIUM ASSOCIATION
Grantee: THE PUBLIC

Abbreviated Legal Description: SEC 09 TWN 20 RG 3, QTR 34
CONDOMINIUM PACIFIC TOWER CONDO UNITS 1201 & 806
Full Legal Description on Exhibit "A" of Document
Assessor's Tax Parcel ID #(s): 9004610610 & 9004610880

Reference Nos. of Documents: 200312090202; 200509201273,
20079140189, 200605221165, 200709140190, 200706220221,
200910060856, 200710190765 & 200802041068

For reference only, not for re-sale.

**SIXTH AMENDMENT TO
CONDOMINIUM DECLARATION OF
PACIFIC TOWER, A CONDOMINIUM**

I. BACKGROUND

a. Introduction. This is the sixth amendment (the "Amendment") to the Condominium Declaration of Pacific Tower, a Condominium, recorded under Pierce County Auditor's File No. 200312090202 (the "Declaration"), as amended. The Declaration was simultaneously recorded with that certain Survey Map and Plans with Pierce County Auditor's File No. 200312095003 (the "Survey"), as amended. The property which is the subject of the Declaration is legally described on the attached Exhibit A (the "Property").

b. Purpose. The purpose of this Amendment is to update the Declaration's records of parking and garage space assignments to reflect the exchange of a garage space between two Unit Owners. Specifically, the Owner of Unit 1201 granted and conveyed Garage Space No. G-12 to the Owner of Unit 806, pursuant to that certain statutory warranty deed, dated February 4, 2008, recorded under Pierce County Auditor's File No. 200802041068.

c. Authority to Amend. Section 6.2 of the Declaration allows for a Limited Common Element to be reallocated between Units with the approval of the Board, and by amendment to this Declaration executed by the affected Owners and approved in writing by the Mortgagees holding Mortgages against the Units to which the Limited Common Element was and will be allocated, to the extent that such Mortgage included the same as a part of its original collateral. In this case, the consent of a mortgagee is not needed because Unit 1201 is unencumbered. Further, a reallocation is allowed by the Declaration pursuant to the reserved Development Rights set forth in Section 22.1(e) of the Declaration.

Under any and all of the aforementioned grounds, the undersigned agree that G-12 should be reflected in the Declaration as a Limited Common Element assigned to Unit 806.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiently of which is hereby acknowledged, the Declaration is hereby amended as follows:

1. Assignment. The Owner of Unit 1201 hereby desires for this amendment to the Declaration to reflect the transfer and assignment of Garage Space No. G-12 to Unit 806, as a Limited Common Element of said Unit, and the Association hereby consents to such transfer and assignment.

2. Construction. All other provisions in the Declaration, as amended, shall remain unchanged. To the extent that any provisions in this Amendment conflict with the provisions in

the Declaration, and/or any amendments thereto, the provisions of this Amendment shall control and be binding on the parties.

3. Covenant Running with the Land. This Amendment to the Declaration shall be deemed a covenant running with the land which shall be binding on the Declarant, its successors and assigns, and all subsequent Owners and lessees of the Property, together with their grantees, successors, heirs, executors, administrators, devisees, or assigns.

4. Effective Date. This instrument shall be effective upon recordation.

5. Counterparts. This instrument may be executed in counterparts, each of which shall be deemed an original, and all of which, collectively, shall be deemed one original instrument.

CERTIFICATION

IN WITNESS WHEREOF, the President and Secretary of the Pacific Tower Condominium Association (the "Undersigned") do hereby certify that the Board of Directors of the Association reviewed and approved the assignment described herein at a Board meeting that was held on 3/9/2010, 2010, at which a quorum was present, and that the requisite votes were obtained to make and record this Amendment to the Declaration.

ASSOCIATION:

PACIFIC TOWER CONDOMINIUM ASSOCIATION, a Washington nonprofit corporation


_____, President

_____, Secretary

Dated 10 Mar 2010

For reference only, not for re-sale.

OWNER OF UNIT 806:

Penny A. Miller

Penny A. Miller, a single person

Dated *Mar. 19 2010*

OWNER OF UNIT 1201:

Olivann Hokold

OLIVANN HOKOLD

Oscar Hokold

OSCAR HOKOLD

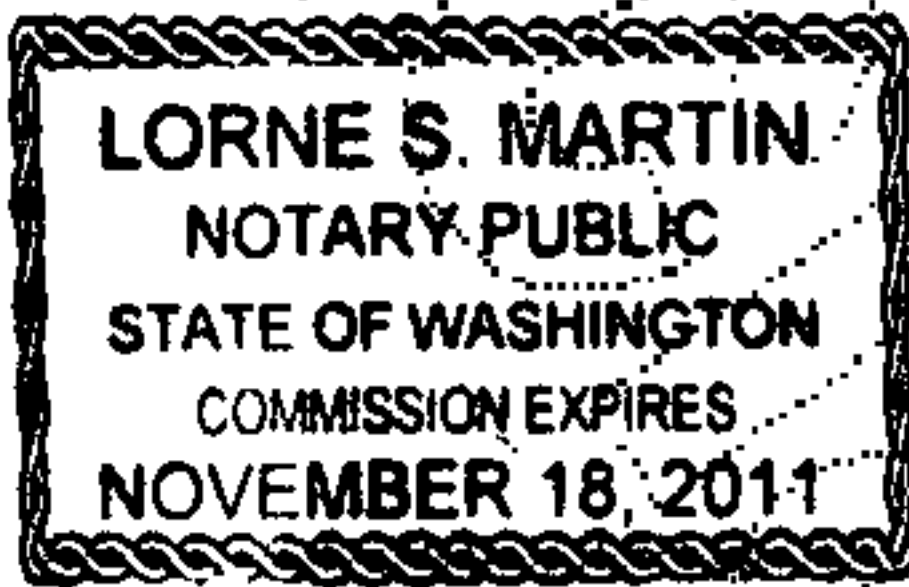
Dated *3-26-10*

For reference only, not for re-sale.

STATE OF WASHINGTON)
) ss.
County of Pierce)

I certify that I know or have satisfactory evidence that WILLIAM MONAMER is the person who appeared before me, and he/she acknowledged that he/she signed this instrument as the **President of Pacific Tower Condominium Association**, a Washington nonprofit corporation, and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 10 day of MARCH, 2010.



[Signature]
LORNE S. MARTIN
(Type/Print Name above)
Notary Public in and for the State of Washington,
residing at Pierce County
My Appointment Expires: 11/18/2011

STATE OF WASHINGTON)
) ss.
County of Pierce)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and he/she acknowledged that he/she signed this instrument as the **Secretary of Pacific Tower Condominium Association**, a Washington nonprofit corporation, and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this _____ day of _____, 2010.

(Type/Print Name above)
Notary Public in and for the State of Washington,
residing at _____
My Appointment Expires: _____

For reference only, not for re-sale.

STATE OF WASHINGTON)
) ss.
County of Pierce)

I certify that I know or have satisfactory evidence that **Penny A. Miller** is the person who appeared before me, and she acknowledged that she signed this instrument as the owner of Unit 806, and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 19 day of March, 2010.



Renae Ellen Geese
Renae Ellen Geese
(Type/Print Name above)
Notary Public in and for the State of Washington,
residing at Pierce County
My Appointment Expires: 1-21-13

STATE OF WASHINGTON)
) ss.
County of Pierce)

I certify that I know or have satisfactory evidence that **Oscar and Olivann Hokold** are the persons who appeared before me, and they acknowledged that they signed this instrument as the owners of Unit 1201 and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 26 day of MARCH, 2010.



[Signature]
LINDA ACOSTA
(Type/Print Name above)
Notary Public in and for the State of Washington,
residing at TACOMA
My Appointment Expires: 8-19-2011

For reference only, not for re-sale.

EXHIBIT A

LEGAL DESCRIPTION:

LOTS 1 TO 7, INCLUSIVE, BLOCK 8214, LOTS 1 TO 8, INCLUSIVE, BLOCK 8313 AND LOTS 1 TO 9, INCLUSIVE, BLOCK 8314, THE TACOMA LAND COMPANY'S FIRST ADDITION TO TACOMA, W.T. ACCORDING TO PLAT FILED FOR RECORD JULY 7, 1884, IN THE OFFICE OF THE PIERCE COUNTY AUDITOR, IN PIERCE COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF EAST 32ND STREET ABUTTING SAID BLOCK 8214; ALL OF THE ALLEY LYING BETWEEN LOTS 1 TO 7, INCLUSIVE, BLOCK 8214 AND LOTS 1 TO 8, INCLUSIVE, BLOCK 8313 AND NORTH HALF OF ALLEY ABUTTING LOTS 8 AND 9 IN SAID BLOCK 8314; ALL VACATED BY ORDINANCE NO. 21648 OF THE CITY OF TACOMA RECORDED UNDER AUDITOR'S NO. 2985788;

ALSO TOGETHER WITH ALL OF WRIGHT AVENUE LYING BETWEEN LOTS 1 TO 8, INCLUSIVE, SAID BLOCK 8313 AND LOTS 1 TO 9, INCLUSIVE, SAID BLOCK 8314, VACATED BY ORDINANCES 21648, 21856 AND 24147 OF THE CITY OF TACOMA AND RECORDED UNDER AUDITOR'S NO'S. 2985788, 2985789 AND 8808020120, RESPECTIVELY;

EXCEPT THAT PORTION OF SAID BLOCK 8214 LYING NORTHERLY OF THE SOUTHERLY LINE OF PRIMARY STATE HIGHWAY NO. 1;

ALSO TOGETHER WITH AND SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD; RECORDS OF PIERCE COUNTY, WASHINGTON.

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