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 07/30/2013 03:00:06 PM \$76.00  
 AUDITOR: Pierce County, WASHINGTON

After Recording Mail to:  
 Bryce H. Dille  
 Campbell, Dille, Barnett & Smith  
 317 S. Meridian  
 P.O. Box 488  
 Puyallup, WA 98371

## ELEVENTH AMENDMENT TO CONDOMINIUM DECLARATION FOR PACIFIC TOWER, A CONDOMINIUM

**Grantor:** Pacific Tower Condominium Association, a Washington non-profit corporation, and Gary Cantu and Salomon Cantu

**Grantee:** The Public

**Reference Numbers of Document Being Amended:** 200312090202, 200509201273, 200605221165, 200709140189, 200705030233, 200709140190, 200706220221, 200910060856, 201004191113, 201101101726, 201103290557, 201203160373, and 201207240770

**Legal Description:** Section 09, Township 20, Range 3, Quarter 34, a Condominium, Pacific Tower Condo Units 308 and 1107

Pursuant to the applicable provisions of RCW 64.34, and in compliance with the amendment provisions of the Condominium Declaration recorded on the 9<sup>th</sup> day of December, 2003, under Pierce County Auditor's Recording No. 200312090202, together with the Survey Map and Plans recorded simultaneously under Pierce County Auditor's Recording No. 200312095003, as amended by amended recorded under Pierce County Auditor's Recording Nos. 200509201273, 200605221165, 200709140189, 200705030233, 200709140190, 200706220221, 200910060856, 201004191113, 201101101726, 201103290557, 201203160373, and 201207240770, the Declarant does hereby amend the same and states as follows:

1. **Purpose.** The purpose of this Amendment is to reflect the transfer of limited common area parking Unit G10. Specifically, Gary Cantu, the owner of Unit 1107, desires to assign outside parking Unit G10 to Shirley M. Smith, as the owner of Unit 308.

Eleventh Amendment

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For reference only, not for re-sale.

2. **Authority to Amend.** Section 6.02 of the Declaration allows for a limited common element to be reallocated between units with the approval of the Board, and by amendment to the 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. 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 parking Unit G10 shall be reflected in this Declaration as a limited common element assigned to unit 308.

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

1. **Reassignment.** The owners of unit 1107 desires for this amendment to the Declaration to reflect the transfer and reassignment of parking unit G10 to Unit 308 as a limited common element of said unit and the Association hereby consents to such transfer and reassignment.

2. **Construction.** All other terms and provisions of the Condominium Declaration shall remain in full force and effect, except as expressly modified and amended herein. 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 hereto.

3. **Covenant Running with the Land.** This Amendment to the Declaration shall be deemed a covenant running with the land which shall be binding upon 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 which, collectively, shall be deemed one original instrument.

#### CERTIFICATION

Eleventh Amendment

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For reference only, not for re-sale.

IN WITNESS WHEREOF, the president and secretary of Pacific Tower Condominium Association do hereby certify that the Board of Directors of the Association reviewed and approved the reassignment made herein at a Board meeting that was held on July 23, 2013 2013, at which a quorum was present, and that the requisite votes were obtained to make and record this Amendment to the Declaration.

**DECLARANT:** Pacific Tower Condominium Association, a Washington non-profit corporation

By: [Signature]  
Ray MacPherson, President

By: [Signature]  
~~Dennis Brekke~~, Secretary  
Shirley Lancaster, Vice President

STATE OF WASHINGTON )  
COUNTY OF PIERCE )

On this 23 day of July, 2013, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Ray MacPherson and Dennis Brekke, to me known to be the President and Secretary, respectively, of Pacific Tower Condominium Association, the corporation that executed the foregoing instrument, and acknowledged the 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 they are authorized to execute the said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.

[Signature]  
Printed Name: Kenneth E Wright  
NOTARY PUBLIC in and for the State of Washington, residing at TALOMA  
My commission expires: MAR 5, 2017



For reference only, not for re-sale.

Owner of unit 1107

Gary Cantu  
Gary Cantu

Salomon Cantu  
Salomon Cantu

STATE OF WASHINGTON )  
 ) §  
COUNTY OF PIERCE )

On this day personally appeared before me Gary Cantu and Salomon Cantu, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 22 day of July, 2013.



Kenneth E. Wright  
Printed Name: Kenneth E. Wright  
NOTARY PUBLIC in and for the State of  
Washington, residing at TACOMA  
My commission expires: MARCH 5 2017

Purchaser of unit 1107

Shirley M. Smith  
Shirley M. Smith

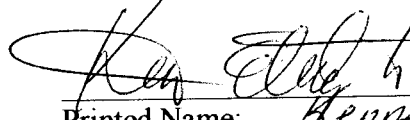
STATE OF WASHINGTON )  
 ) §  
COUNTY OF PIERCE )

On this day personally appeared before me Shirley M. Smith, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

For reference only, not for re-sale.

Unrecorded Document

GIVEN under my hand and official seal this 22 day of July, 2013.

  
Printed Name: Kenneth E. Wright  
NOTARY PUBLIC in and for the State of  
Washington, residing at 1 ACOMA  
My commission expires: MAR 5, 2017



For reference only, not for re-sale.