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04/28/2021 09:30:29 AM \$108.50  
AUDITOR, Pierce County, WASHINGTON

**When Recorded Return To:**

**Gregory L Eklund  
Attorney at Law  
1008 Yakima Avenue, Suite 100  
Tacoma, WA 98405**

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**THE TWENTY-FIRST AMENDMENT  
TO CONDOMINIUM  
DECLARATION  
FOR PACIFIC TOWER, A  
CONDOMINIUM**

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**Grantor: PACIFIC TOWER CONDOMINIUM ASSOCIATION  
Grantee: THE PUBLIC  
Abbreviated Legal Description: SEC 09 TWN 20 RG 3, QTR 34 CONDOMINIUM PACIFIC  
TOWER CONDO UNITS 704 and 706 Full Legal Description on Exhibit "A" of Document.  
Assessor's Tax Parcel ID #(s): 9004610510 & 9004610530**

Reference Nos. of Documents: 200312090202 (condominium declaration), 200509201273 (first amendment), 200605221165 (second amendment), 200709140189 (re-record of second amendment), 200705030233 (third amendment), 200709140190 (re-record of third amendment), 200706220221 (fourth amendment), 200910060856 (fifth amendment), 201004191113 (sixth amendment), 201101100726 (seventh amendment), 201103290557 (eighth amendment), 201203160373 (ninth amendment), 201207240770 (tenth amendment), 201307300995 (eleventh amendment), 201606170219 (twelfth amendment), 201606170234 (thirteenth amendment), 201611170126 (fourteenth amendment), 201703090199 (fifteenth amendment), 201705190747 (sixteenth amendment), 201803230170 (seventeenth amendment), 201803230171 (eighteenth amendment), 201912020460 (nineteenth amendment), 202002050278 (twentieth amendment) and 202002070372 (re-record of twentieth amendment).

For reference only, not for re-sale.

**TWENTY-FIRST AMENDMENT TO CONDOMINIUM DECLARATION  
OF PACIFIC TOWER, A CONDOMINIUM**

Pursuant to the applicable provisions of RCW 64.34, and in compliance with the amendment provisions of the Condominium Declaration recorded on December 9, 2003, under Pierce County Auditor's File No. 200312090202, together with the Survey Map and Plans recorded simultaneously under Pierce County Auditor's File No. 200312095003, are hereby amended as follows:

1. Purpose. The purpose of this Amendment is to reflect the transfer of Limited Common Area parking space Garage Unit 13 from Jong and Insook Kim, the current owners of Unit 704 to Lemon Hudson, the current owner of Unit 706.

2. 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. 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, all the undersigned agree that Parking space Garage Unit 13 should be reflected in the Declaration as a Limited Common Element assigned to Unit 706.

**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 704 hereby desire for this amendment to the Declaration to reflect the transfer and reassignment of Parking space Garage Unit 13 to Unit 706 as a Limited Common Element of said Unit; and the Association hereby consents to such transfer and reassignment.

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 Properties, 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.

**MORTGAGEES APPROVAL**

There is no Mortgage of record encumbering Garage Unit #13, therefore, no Mortgage approval is required.

**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 4/19, 2021, 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 non-profit corporation

By: [Signature]

Printed Name: Mea Pherson

Date: 4/19/21

President [Signature]

By: [Signature]

Printed Name: THOMAS A SANFORD

Date: 4/19/2021

Secretary Member AT LARGE

**Owners of Unit 704:**

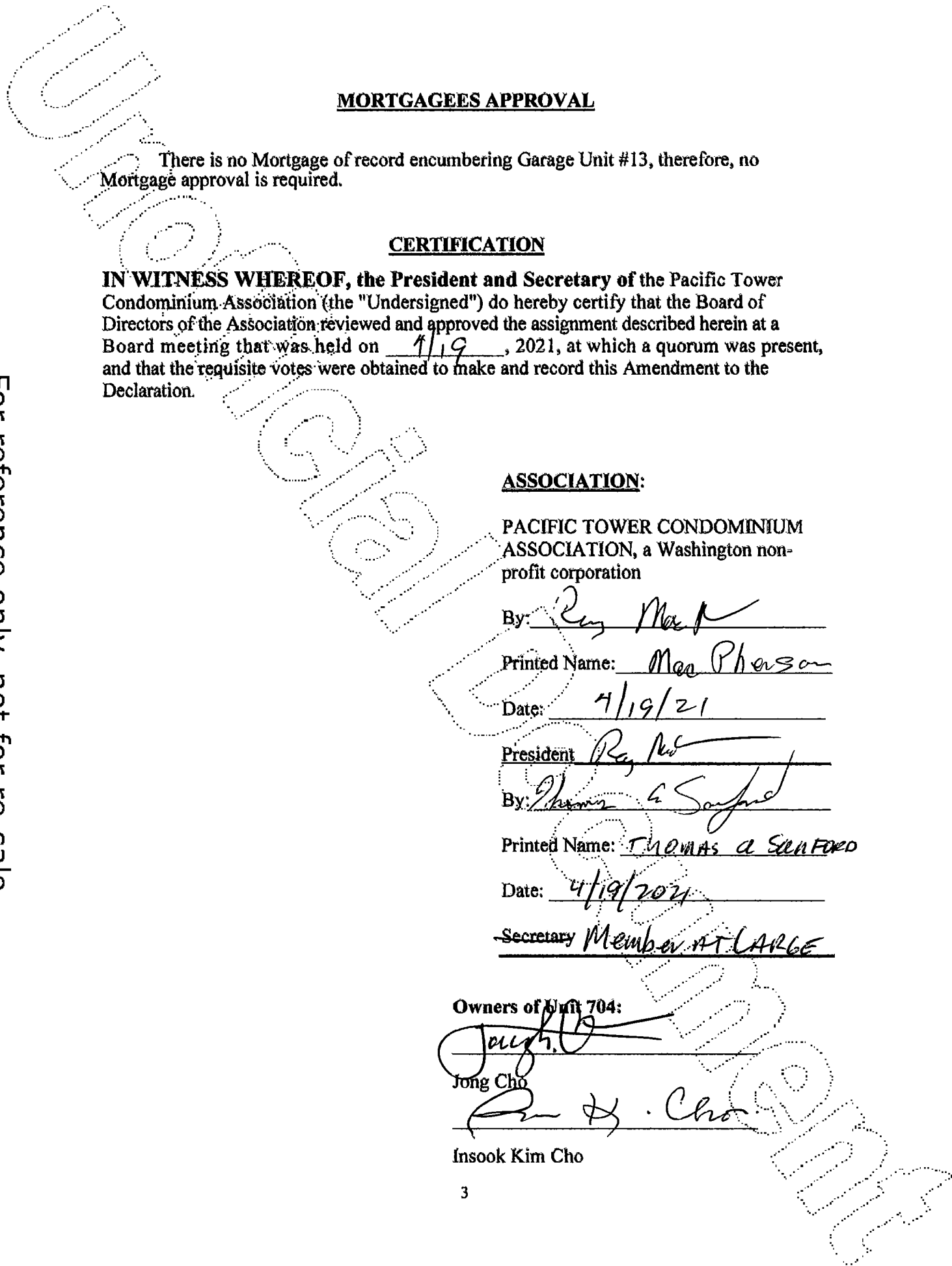
[Signature]

Jong Cho

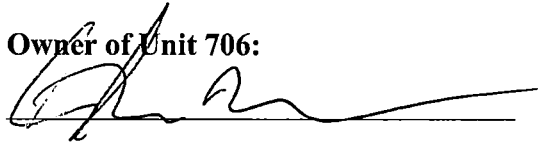
[Signature]

Insook Kim Cho

For reference only, not for re-sale.



Owner of Unit 706:

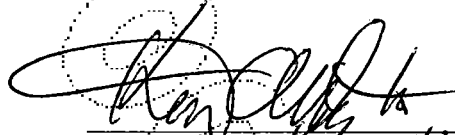


Hudson Lemon

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF PIERCE )

On this 19 day of April, 2021 before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared Ray MacPherson and Thomas Sanford, to me known to be the President and Secretary 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.



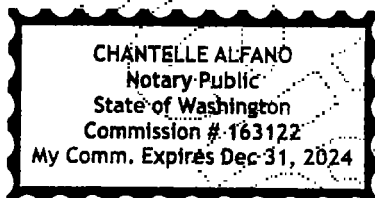
Printed Name: Kenneth E Wright  
NOTARY PUBLIC in and for the State  
Of Washington, residing at Tacoma  
My Commission Expires: 03-05-25

For reference only, not for re-sale.

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF PIERCE )

On this day personally appeared before me Jong and Insook Kim Cho 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 her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 9<sup>th</sup> day of March 2021,

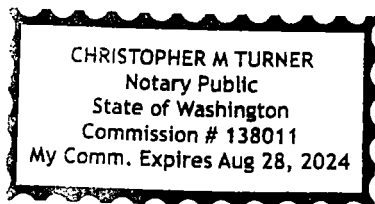


Chantelle Alfano  
Printed Name: Chantelle Alfano  
NOTARY PUBLIC in and for the State  
Of Washington, residing at US Bank,  
My Commission Expires: 12/31/2021

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF PIERCE )

On this day personally appeared before me Hudson Lemon to me known to be the individuals 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 17<sup>th</sup> day of March 2021,



Chris  
Printed Name: Christopher M Turner  
NOTARY PUBLIC in and for the State  
Of Washington, residing at Pierce County  
My Commission Expires: Aug 28 2024

For reference only, not for re-sale.

**EXHIBIT A**

**LEGAL DESCRIPTION:**

**Unit 704:**

Section 09 Township 20 Range 03 Quarter 34 Condominium PACIFIC TOWER CONDO UNIT 704 GARAGE UNIT 13 ASSESSED WITH THIS CONDO UNIT TOG/W 1:0387% INT IN COMMON AREAS & LIMITED COMMON AREAS EASE OF REC REF: 208313-001-3 OUT OF 001-2 SEG 2004-0752 2/3/04MD DC00523870 06/01/2017MC.

**Unit 706:**

Section 09 Township 20 Range 03 Quarter 34 Condominium PACIFIC TOWER CONDO UNIT 706 TOG/W 1.0199% INT IN COMMON AREAS & LIMITED COMMON AREAS EASE OF REC REF: 208313-001-3 OUT OF 001-2 SEG 2004-0752 2/3/04MD

**Garage Unit 13:**

LIMITED COMMON AREAS GARAGE UNIT 13 AS DESCRIBED IN THAT CERTAIN CONDOMINIUM DECLARATION RECORDED UNDER PIERCE COUNTY AUDITOR'S FILE NO. 200312090202 AND DEPICTED ON THE SURVEY MAP AND PLANS RECORDED UNDER PIERCE COUNTY AUDITOR'S FILE NO. 200312095003.

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