

202104291187 CCOMITA 7 PGS
04/29/2021 01:38:46 PM \$109.50
AUDITOR, Pierce County, WASHINGTON

After Recording Mail to:
K E Wright
3201 Pacific Ave., Unit 208
Tacoma, WA 98418

THE TWENTYTHIRD 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 208 and 1006 Full Legal Description on Exhibit "A" of Document.

Assessor's Tax Parcel ID # (s): 9004610150 & 9004610770

Reference Nos. of Documents: 200312090202 (condominium declaration), 200509201273 (first amendment), 200605221165 (second amendment), 20079140189 (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), 20127240770 (tenth amendment), 2013077300995 (eleventh amendment), 201606170219 (twelfth amendment), 201606170234 (thirteenth amendment), 201611170126 (fourteenth amendment), 201703090199 (fifteenth amendment), 201705190747 (sixteenth amendment), 20180320170 (seventeenth amendment), 20180230171 (eighteenth amendment), 201912020460 (nineteenth amendment), 202002050278 (twentieth amendment), 202104280233 (twentyfirst amendment),

For reference only, not for re-sale.

**TWENTYTHIRD 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 Garage Space Number G-6, Specifically, Kenneth E Wright and Teresa A Wright Owner of Unit 208, reassigns Garage Space Number G-6 to David J Rome Owner of Unit 1006.

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 Owner(s) 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 Garage Space Number G-6 should be reflected as a Limited Common Element assigned to Unit 1006.

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 Owner of Unit 208 hereby desires for this amendment to the Declaration to reflect the transfer and reassignment of Garage Space Number G-6 to Unit 1006, 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 Property, together with their grantees, successors, heirs, executors, administrators, devisees, or assigns.

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

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 Thomas Sanford, and Gary Brackett 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 April 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 nonprofit
Corporation

Thomas a Sanford
Person in Charge 4/29/21 Title, Date

[Signature]
Vice President 4/29/21 Title, Date

OWNER OF UNIT 1006

David J Rome
David J Rome

Dated April 26, 2021

For reference only, not for re-sale.

OWNERS OF UNIT 208

[Signature]
Kenneth E Wright

[Signature]
Teresa A Wright

Dated April 29, 2021

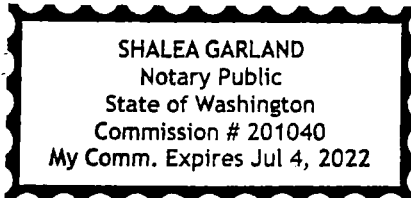
STATE OF WASHINGTON)

) ss.

County of Pierce)

I certify that I know or have satisfactory evidence that Thomas Sanford is the person who appeared before me, and he/she acknowledged that he/she signed this instrument as the Board Member 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 29 day of April, 2021



[Signature]
Shalea Garland Print Name
Notary Public in and for the State of Washington,
Residing at 1313 E 56th St Tacoma WA 98404
My Appointment expires July 4, 2022

For reference only, not for re-sale.

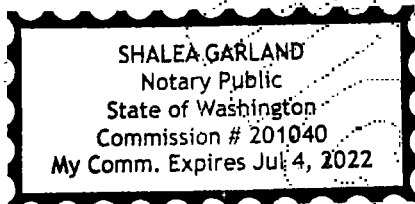
STATE OF WASHINGTON)

) ss.

County of Pierce)

I certify that I know or have satisfactory evidence that Gary Brackett is the person who appeared before me, and he/she acknowledged that he/she signed this instrument as the Vice 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 29 day of April, 2021



Shalea Garland

Shalea Garland Print Name

Notary Public in and for the State of Washington,

Residing at 1313 E 56th St Tacoma, WA 98404

My Appointment expires July 4, 2022

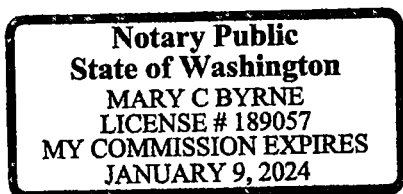
STATE OF WASHINGTON)

) ss.

County of Pierce)

I certify that I know or have satisfactory evidence that David J Rome is the person who appeared before me, and he acknowledged that he signed this instrument as the owner of Unit 1006 and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 26 day of April, 2021



Mary Byrne

Mary Byrne Print Name

Notary Public in and for the State of Washington,

Residing at Pierce

My Appointment expires 1/9/2024

For reference only, not for re-sale.

STATE OF WASHINGTON)

) ss.

County of Pierce)

I certify that I know or have satisfactory evidence that Kenneth E Wright and Teresa A Wright are the persons who appeared before me, and they acknowledged that they signed this instrument as the owners of Unit 208 and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 28th day of April, 2021



Savannah Raczkoński

Savannah Raczkoński, Print Name

Notary Public in and for the State of Washington,

Residing at Tacoma, WA

My Appointment expires 8/21/2021

MORTGAGEES APPROVAL:

There is no Mortgage of record encumbering either Garage Space Number G-9 or Garage Space Number G-6, and therefore, no Mortgagee approval is required.

For reference only, not for re-sale.

EXHIBIT A

LEGAL DESCRIPTION:

UNITS 208 AND 1006 OF PACIFIC TOWER, A CONDOMINIUM, 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.

LIMITED COMMON AREAS GARAGE SPACE NO. G-6 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.

For reference only, not for re-sale.