

202002050278 CCOMITA 8 PGS
02/05/2020 11:05:53 AM \$110.50
AUDITOR, Pierce County, WASHINGTON



202002070372 MBALLAR 9 PGS
02/07/2020 11:26:15 AM \$111.50
AUDITOR, Pierce County, WASHINGTON

When Recorded Return To:

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

LEE KARTES
3201 PACIFIC AVE UNIT 1008
TACOMA WA 98418

RE-RECORD

**THE TWENTIETH 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 1008 and 1005 Full Legal Description on Exhibit "A" of Document.
Assessor's Tax Parcel ID #(s): 9004610790 & 9004610760**

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), 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), and 201912020460 (nineteenth amendment).

**TWENTIETH 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 17 from Lee and Linda Kartes, the current owners of Unit 1008 to Keizo and Nanyoung Koo Shiraiwa, the current owners of Unit 1005.

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 17 should be reflected in the Declaration as a Limited Common Element assigned to Unit 1005.

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

1. **Reassignment.** The Owners of Unit 1008 hereby desire for this amendment to the Declaration to reflect the transfer and reassignment of Parking space Garage Unit 17 to Unit 1005 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.

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 Feb 1-1-20, 2020, 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: 

Printed Name: Mae Pherson

Date: 2/3/20

President

By: 

Printed Name: Gary D Brackett


Date: 3 Feb 2020

~~Secretary~~⁰³ via President

Owners of Unit 1008:



Lee Kartes



Linda Kartes



20th Amendment Final -
Kartes.pdf

CERTIFICATION VICE PRESIDENT

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 EMAIL Board meeting that was held on JAN 29, 2020, 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: Ma Phosa

Date: 2/3/20

President

By: [Signature]

Printed Name: Gary D. Brackett

Date: 3 Feb 2020

Secretary VICE PRESIDENT

CERTIFICATION VICE PRESIDENT

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 EMAIL Board meeting that was held on JAN 29, 2020, 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: Mac Pherson

Date: 2/3/20

President

By: [Signature]

Printed Name: Gary D Brackett

Date: 2 FEB 2020

~~Secretary~~ VICE PRESIDENT

Owners of Unit 1008:

[Signature]

Lee Kartes

[Signature]

Linda Kartes

STATE OF WASHINGTON)
) ss
COUNTY OF PIERCE)

On this day personally appeared before me Lee Kartes and Linda Kartes 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 3rd day of February 2020,

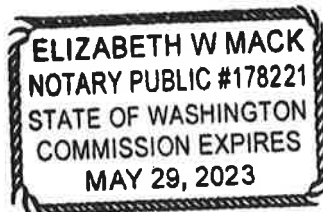


Elizabeth W. Mack
Printed Name: Elizabeth W. Mack
NOTARY PUBLIC in and for the State
Of Washington, residing at Tacoma, WA
My Commission Expires: May 29, 2023

STATE OF WASHINGTON)
) ss
COUNTY OF PIERCE)

On this day personally appeared before me Keizo Shiraiwa and Nanyoung Koo Shiraiwa 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 3rd day of February 2020,



Elizabeth W. Mack
Printed Name: Elizabeth W. Mack
NOTARY PUBLIC in and for the State
Of Washington, residing at Tacoma, WA
My Commission Expires: May 29, 2023

Owners of Unit 1005:

[Handwritten Signature]

Keizo Shiraiwa

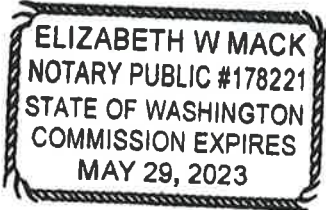
[Handwritten Signature]

Nanyoung Koo Shiraiwa

STATE OF WASHINGTON)
) ss
COUNTY OF PIERCE)

On this 3rd day of February, 2020, before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared *[Handwritten Signature]* and *[Handwritten Signature]*, 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.

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



Elizabeth W. Mack
Printed Name: Elizabeth W. Mack
NOTARY PUBLIC in and for the State
Of Washington, residing at Tacoma, WA
My Commission Expires: May 29, 2023

EXHIBIT A

LEGAL DESCRIPTION:

UNITS 1005 AND 1008 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 UNIT 17 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.

MORTGAGEES APPROVAL:

There is no Mortgage of record encumbering Garage Unit #17, therefore, no Mortgage approval is required.

**Auditor's notation
to facilitate
scanning process**