

After recording return to:
City Clerk
City of Puyallup
333 South Meridian
Puyallup, WA 98371

Document Title: Declaration of Covenant for Easements

Grantor: Richard and Kathy Farris, husband and wife

Grantee: City of Puyallup

Abbreviated Legal Description: NE ¼ of the NW ¼ Sec. 29, T20N, R4E W.M.

Assessor's Property Tax Parcel(s) or Account Number: 042020-7-028 and 042020-7-029

Declaration of Covenant for Easement

WHEREAS, Richard and Kathy Farris, husband and wife ("Grantor") is the owner of the real property burdened by this Covenant ("burdened property") as described in Exhibit "A" attached hereto; and

WHEREAS, Grantor is developing the burdened property in accordance with Building Permit B-20-0741, ("project") affecting the burdened property; and,

WHEREAS as a condition of approval of the project, the City of Puyallup, a municipal corporation ("Grantee") has required that a non-exclusive easement be provided over a portion of the burdened property for access; and,

WHEREAS, Grantor intends to comply with the above-described condition of approval by creating the required easement on the burdened property.

NOW THEREFORE, Grantor, by this Covenant to the Grantee does hereby create, establish, declare and impose a non-exclusive easement, for the purpose of locating, designing, constructing, installing, inspecting, surveying, protecting, policing, maintaining, repairing, modifying, or otherwise changing access for ingress and egress. Said easement is more particularly described in Exhibit "B" and graphically indicated in Exhibit "C".

Grantor covenants to refrain from placing, locating, constructing, installing or maintaining landscaping, vegetation, buildings, structures, including, but not limited to fences, decks, sheds, patios, or other impediments, objects or tangible things in, on, under or above the surface of Easement Area unless the objects or things do not unreasonably interfere with Grantee's rights hereunder, and Grantor first obtains Grantee's consent, which shall not be unreasonably withheld.

The easements established herein shall run with the land and shall supersede that easement recorded under AFN 202012170856, AFN 201902055001, and AFN 201512145007. Upon sale or conveyance in any manner of the burdened property described above, the Grantor covenants and agrees with the Grantee to include and establish the access easements which are the subject of this Declaration in any deed or other instrument of conveyance.

This Covenant of Easement shall be recorded in the office of the Pierce County Auditor. Upon recordation of this Covenant of Easement, the burdens of the easement shall be binding upon, and the benefits shall inure to, all successors in interest to the real property.

This Covenant of Easement shall not be modified or released without the prior approval of the Grantee in the manner required by applicable law.

This instrument shall be governed by and construed in accordance with the laws of the State of Washington.

Dated this _____ day of _____, 2023

_____, Richard Farris, Grantor

_____, Kathy Farris, Grantor

State of Washington
County of Pierce } ss.

I certify that I know or have satisfactory evidence that Richard and Kathy Farris are the persons who appeared before me, and on _____ said persons acknowledged that they signed the instrument, on oath stated that they were was authorized to execute this instrument and acknowledged it as the owners to be the free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: _____

[seal or stamp]

Notary Public, in and for the State of Washington
residing at: _____
My appointment expires:

EXHIBIT "A"

LOT 1 OF CITY OF PUYALLUP SHORT PLAT AMENDMENT P-18-0060,
AUDITOR'S FEE NUMBER 201902055001, RECORDS OF THE PIERCE COUNTY AUDITOR.

DESCRIPTION OF PROPERTY

LOT 2 OF CITY OF PUYALLUP SHORT PLAT AMENDMENT P-18-0060,
AUDITOR'S FEE NUMBER 201902055001, RECORDS OF THE PIERCE COUNTY AUDITOR.

EXHIBIT "B"

DESCRIPTION OF EASEMENT

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, CITY OF PUYALLUP SHORT PLAT AMENDMENT P-18-0060, RECORDING NUMBER 201902055001, RECORDS OF THE PIERCE COUNTY AUDITOR, BEING ON THE NORTH MARGIN OF WEST STEWART, ALSO BEING THE MOST SOUTHWEST CORNER OF LOT 2 OF SAID SHORT PLAT;

THENCE NORTH 00°43'36" EAST, ALONG THE COMMON LINE BETWEEN LOTS 1 AND 2, A DISTANCE OF 322.68 FEET, TO THE NORTHEAST CORNER OF SAID LOT 1, ALSO BEING AN ANGLE POINT IN THE LINE OF SAID LOT 2;

THENCE CONTINUING NORTH 00°43'36" EAST, LEAVING SAID COMMON LINE, A DISTANCE OF 33.87 FEET;

THENCE SOUTH 89°16'24" EAST, A DISTANCE OF 22.00 FEET;

THENCE SOUTH 00°43'36" WEST, A DISTANCE OF 21.00 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE;

THENCE SOUTHERLY, SOUTHEASTERLY AND EASTERLY A DISTANCE OF 43.98 FEET ALONG THE CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 28.00 FEET AND A CENTRAL ANGLE OF 90°00'00";

THENCE SOUTH 89°16'24" EAST TANGENT TO SAID CURVE, A DISTANCE OF 21.00 FEET;

THENCE SOUTH 00°43'36" WEST, A DISTANCE OF 22.00 FEET;

THENCE NORTH 89°16'24" WEST, A DISTANCE OF 21.00 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE;

THENCE WESTERLY, SOUTHWESTERLY AND SOUTHERLY A DISTANCE OF 43.98 FEET ALONG THE CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 28.00 FEET AND A CENTRAL ANGLE OF 90°00'00";

THENCE SOUTH 00°43'36" WEST TANGENT TO SAID CURVE, A DISTANCE OF 24.36 FEET, TO AN ANGLE POINT IN SAID LOT 2 BEING THE EAST LINE OF A PIPE STEM;

THENCE SOUTH 00°43'36" WEST, ALONG THE EAST LINE OF SAID PIPE STEM, A DISTANCE OF 239.16 FEET, TO THE NORTH MARGIN OF SAID WEST STEWART;

THENCE NORTH 74°07'01" WEST, ALONG SAID NORTH MARGIN, A DISTANCE OF 22.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 9324 SQUARE FEET, MORE OR LESS.

DESCRIPTION OF EASEMENT

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, CITY OF PUYALLUP SHORT PLAT AMENDMENT P-18-0060, RECORDING NUMBER 201902055001, RECORDS OF THE PIERCE COUNTY AUDITOR, BEING ON THE NORTH MARGIN OF WEST STEWART

THENCE NORTH 00°43'36" EAST, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 1.04 FEET, TO THE NORTH LINE OF A ONE FOOT NO ACCESS EASEMENT PER SAID SHORT PLAT AMENDMENT,

AND THE TRUE POINT OF BEGINNING:

THENCE CONTINUING NORTH 00°43'36" EAST, ALONG SAID EAST LINE, A DISTANCE OF 264.79 FEET:

THENCE SOUTH 10°33'55" WEST, A DISTANCE OF 19.24 FEET:

THENCE SOUTH 00°20'36" EAST, A DISTANCE OF 5.78 FEET:

THENCE NORTH 89°12'48" WEST, A DISTANCE OF 0.82 FEET:

THENCE SOUTH 00°43'36" WEST, A DISTANCE OF 238.96 FEET, TO THE NORTH LINE OF SAID ONE FOOT NO ACCESS EASEMENT:

THENCE SOUTH 74°07'01" EAST, ALONG THE NORTH LINE OF SAID NO ACCESS EASEMENT, A DISTANCE OF 4.14 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1008 SQUARE FEET, MORE OR LESS.

DIAGRAM OF EASEMENT

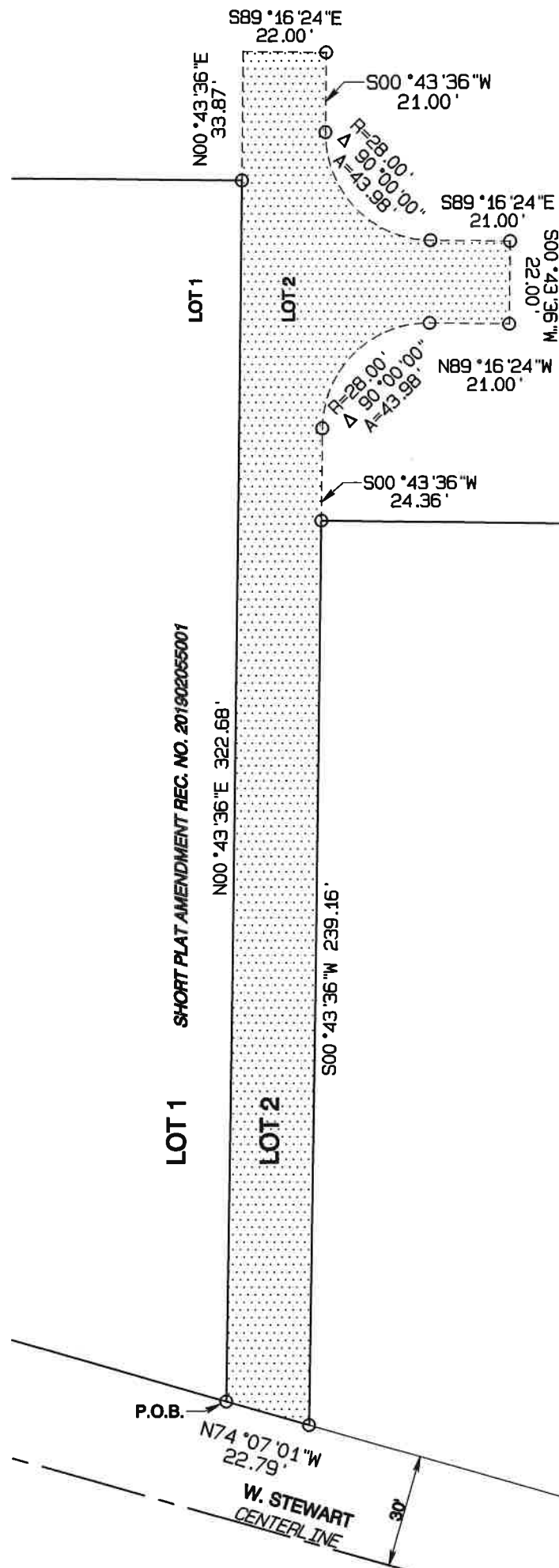
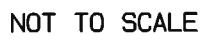


EXHIBIT "C"

DIAGRAM OF EASEMENT



NOT TO SCALE

