

After recording return to:

City Clerk
City of Puyallup
333 South Meridian
Puyallup, WA 98371

Document Title: Easement

Grantee: City of Puyallup

Grantor: East Town Crossing, LLC

Abbreviated Legal Description: A portion of S26,35 / T20N / R4E

Legal Description: Complete legal description on pages 4 - 7

Assessor's Property Tax Parcel or Account Number: 0420264054, 0420264053, 0420264021,

Reference Numbers of Documents Assigned or Released: N/A 0420351030, 0420351029,
0420351026

Easement

Grantor owns the real property that is designated as Grantor's Property and is legally described in Exhibit A, which is attached hereto and incorporated by this reference. For and in good and valuable consideration, Grantor hereby grants to Grantee City of Puyallup, a municipal corporation in the State of Washington, a Easement in the Easement Area of Grantor's Property, for the purposes identified herein. The Easement Area, which is a portion of the Grantor's Property, is also legally described in Exhibit A. Grantor's Property and the Easement Area are depicted in Exhibit B, which is attached hereto and incorporated by this reference. The Easement shall burden Grantor's Property and shall benefit Grantee.

1. Purpose. Grantee shall have the right to use the Easement Area for the purpose of locating, designing, constructing, installing, inspecting, surveying, protecting, policing, maintaining, repairing, modifying, or otherwise changing utilities, which include, but are not limited to, water, sewer, storm water, cable, telephone, electricity, gas, petroleum, fiber optics, or communications and any related facilities, appurtenances or elements. Grantee is further entitled to use the Easement Area for ingress and egress above, through, along and under the Easement Area and to engage in any other activity that is reasonably related to utilities.

[OPTIONAL] The easement shall be commercial, and as such fully transferable. Grantee may freely divide and transfer the easement to another person or entity or more than one person or entity. Use of the easement by more than one person or entity shall not result in overuse or

surcharge. The easement shall not terminate if abandoned. Rather, the easement shall terminate only upon Grantee's execution of an instrument that releases the easement to Grantor.

2. Impediments. 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. This covenant is an equitable covenant that touches and concerns Grantor's Property and shall run with the land.

3. Successors. This instrument shall bind the parties' successors and assigns, and whoever has possession of the Easement Area, or uses the Easement Area, in whole or in part, without regard to whether the possessor or user has title, or has succeeded to the same estate or interest that Grantee has or had.

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

5. Venue. The venue for any action that arises from or out of this instrument shall be the Pierce County Superior Court.

<Signature page to follow>

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EXHIBIT "A"
(LEGAL DESCRIPTION FOR ACCESS EASEMENT)

THOSE PORTIONS OF THE BELOW DESCRIBED TAX PARCELS **0420264054, 0420264053, 0420264021, 0420351030, 0420351029, AND 0420351026** LYING NORTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE ONE-SIXTEENTH CORNER COMMON TO SECTION 26 AND SECTION 35, TOWNSHIP 20 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN; THENCE ALONG THE LINE COMMON TO SAID SECTION 26 AND SAID SECTION 35, SOUTH 88°32'35" EAST, A DISTANCE OF 48.89 FEET TO THE FUTURE EAST RIGHT OF WAY MARGIN OF SHAW ROAD EAST; THENCE ALONG SAID MARGIN, SOUTH 02°44'57" WEST, A DISTANCE OF 1.46 FEET TO THE **POINT OF BEGINNING** AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 43°03'40" EAST, 28.68 FEET);

THENCE DEPARTING SAID MARGIN ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 91°37'15", AN ARC DISTANCE OF 31.98 FEET;
THENCE SOUTH 88°52'18" EAST, A DISTANCE OF 13.17 FEET;
THENCE SOUTH 01°06'38" WEST, A DISTANCE OF 69.28 FEET;
THENCE NORTH 88°53'23" WEST, A DISTANCE OF 15.40 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 46°06'37" WEST, 28.28 FEET);
THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 31.42 FEET TO A POINT ON SAID FUTURE EAST RIGHT OF WAY MARGIN OF SHAW ROAD EAST;
THENCE ALONG SAID MARGIN, NORTH 02°16'50" EAST, A DISTANCE OF 109.88 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2,547 SQUARE FEET, OR 0.06 ACRES, MORE OR LESS.



02/21/2025

TAX PARCEL 0420264054

PARCEL B, PER QUIT CLAIM DEED RECORDED UNDER PIERCE COUNTY AUDITOR'S FILE NO. 200801090302:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 26, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE W.M.;
THENCE ON THE SOUTH LINE OF SAID SECTION, WEST 640 FEET TO THE **TRUE POINT OF BEGINNING** FOR THIS DESCRIPTION;

THENCE CONTINUE WEST 20 FEET, MORE OR LESS, TO THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE W.M.;
THENCE ON SAID WEST LINE SOUTH 54 FEET;
THENCE WEST 55 FEET;
THENCE PARALLEL TO SAID WEST LINE, NORTH TO THE SOUTHERLY LINE OF PIONEER WAY COU ROAD IN SECTION 26, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE W.M.;
THENCE ON SAID LINE SOUTHEASTERLY TO A LINE PARALLEL WITH AND 640 FEET WEST OF THE EAST LINE OF SAID SECTION 26;
THENCE SOUTH TO THE **TRUE POINT OF BEGINNING**.

SITUATE IN THE CITY OF PUYALLUP, COUNTY OF PIERCE, STATE OF WASHINGTON.

TAX PARCEL 0420264053

PARCEL B, PER QUIT CLAIM DEED RECORDED UNDER PIERCE COUNTY AUDITOR'S FILE NO. 200910150210:

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 20 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, CITY OF PUYALLUP, PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35 WHICH POINT BEARS N 88°32'51" W, 640.11 FEET FROM A BRASS IN CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID SECTION 35; THENCE ALONG THE EAST LINE OF SAID WEST HALF, S 01°15'04" W, 54.00 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE ALONG THE EAST LINE OF SAID WEST HALF, S 01°15'04" W, 437.43 FEET TO A POINT LYING S 88°53'30" E, 405.26 FEET OF THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 2 OF PIERCE COUNTY SHORT PLAT NO. 9303010321; THENCE ALONG SAID NORTH LINE, N 88°53'30" W, 405.26 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE ALONG THE NORTHELY EXTENSION OF THE EAST LINE OF SAID LOT 2, N 01°06'30" W, 282.08 FEET TO A LINE 54.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 35; THENCE ALONG SAID PARALLEL LINE, S 88°32'51" E, 142.38 FEET TO THE **TRUE POINT OF BEGINNING**.

EXCEPT THE SOUTH 145.00 FEET THEREOF.

CONTAINING 202,648 SQ. FT., MORE OR LESS.

TAX PARCEL 0420264021

PER STATUTORY WARRANTY DEED RECORDED UNDER PIERCE COUNTY AUDITOR'S FILE NO. 202101120936:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SECTION 26, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE W.M. WITH THE EAST 1/16TH LINE OF SAID SECTION; THENCE SOUTH ALONG THE 1/16TH LINE OF SECTION 35, TOWNSHIP 20 NORTH, RANGE 4 EAST, W.M., A DISTANCE OF 95.4 FEET; THENCE EAST 258.26 FEET; THENCE NORTH TO THE SOUTHERLY LINE OF COUNTY ROAD; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY LINE OF COUNTY ROAD TO THE EAST 1/16TH LINE OF SECTION 26; THENCE SOUTH ALONG SAID 1/16TH LINE TO THE **TRUE POINT OF BEGINNING**.

EXCEPT THE WEST 30 FEET THEREOF CONVEYED TO PIERCE COUNTY BY DEED RECORDED UNDER RECORDING NO. 1618885 FOR SHAW COUNTY ROAD;

ALSO EXCEPT THEREFROM THAT PORTION CONVEYED TO THE CITY OF PUYALLUP BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 9408230215, A BEING A RE-RECORD OF INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 9308310480;

AND ALSO EXCEPT ANY PORTION THEREOF LYING SOUTHERLY AND WESTERLY OF A LINE DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 35, HEREINAFTER CALLED "POINT A"; THENCE SOUTH ALONG THE 1/16TH LINE 95.4 FEET TO THE TRUE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED; THENCE EAST 258.35 FEET; THENCE SOUTH TO A POINT 495.4 FEET SOUTH OF AND 258.35 FEET EAST OF "POINT A"; THENCE EAST TO THE EAST LINE OF SAID PREMISES AND THE TERMINUS OF SAID LINE, SAID POINT ALSO BEING DESCRIBED AS THE SOUTHWEST CORNER OF LOT 3 OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 200303315001;

SITUATE IN THE CITY OF PUYALLUP, COUNTY OF PIERCE, STATE OF WASHINGTON.

TAX PARCEL 0420351030

PER STATUTORY WARRANTY DEED RECORDED UNDER PIERCE COUNTY AUDITOR'S FILE NO. 202101120937:

BEGINNING AT THE SIXTEENTH CORNER OF SECTION 35, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, 1,321.48 FEET WEST OF THE CORNER COMMON TO SECTION 25, 26, 35, AND 36; THENCE SOUTH ALONG THE SIXTEENTH SECTION LINE 95.4 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE EAST 258.26 FEET; THENCE SOUTH 100 FEET; THENCE WEST 258.26 FEET; THENCE NORTH 100 FEET TO THE **TRUE POINT OF BEGINNING**, IN PIERCE COUNTY, WASHINGTON.

EXCEPT SHAW COUNTY ROAD.

SITUATE IN THE CITY OF PUYALLUP, COUNTY OF PIERCE, STATE OF WASHINGTON.

TAX PARCEL 0420351029

PER STATUTORY WARRANTY DEED RECORDED UNDER PIERCE COUNTY AUDITOR'S FILE NO. 202102180246:

BEGINNING AT THE 1/16 SECTION CORNER, 1,321.48 FEET WEST OF CORNER MONUMENT COMMON TO SECTIONS 25, 26, 35, AND 36 IN TOWNSHIP 20 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON; THENCE SOUTH ALONG THE 1/16 SECTION LINE 195.4 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE EAST 258.26 FEET; THENCE SOUTH 100 FEET; THENCE WEST 258.26 FEET; THENCE NORTH 100 FEET TO THE **TRUE POINT OF BEGINNING**.

EXCEPT THE WEST 30 FEET THEREOF FOR ROAD.

TAX PARCEL 0420351026

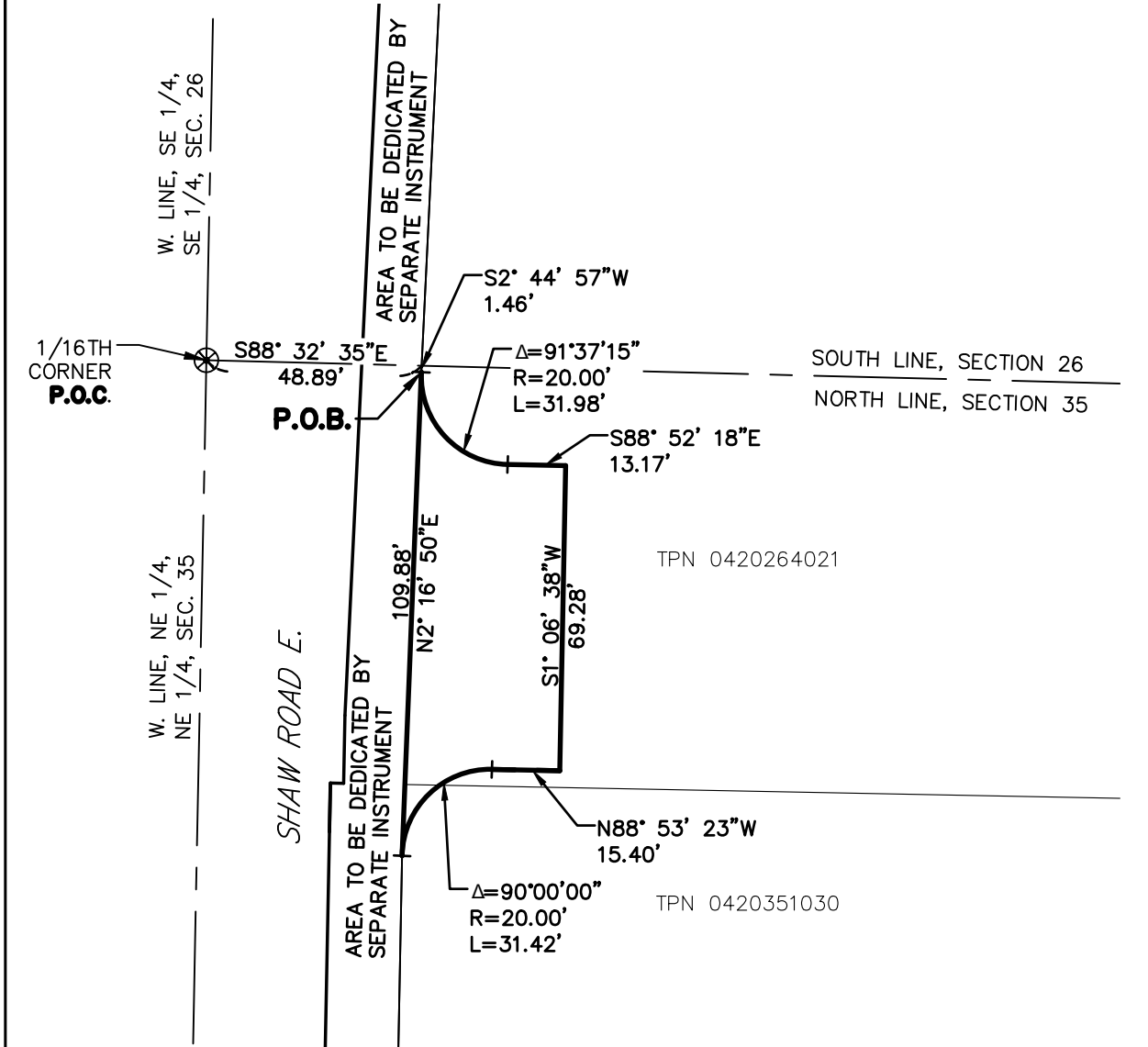
PER STATUTORY WARRANTY DEED RECORDED UNDER PIERCE COUNTY AUDITOR'S FILE NO. 202101120937:

BEGINNING AT THE 1/16 CORNER 1,321.48 FEET WEST OF THE CORNER MONUMENT COMMON TO SECTION 25, 26, 35, AND 36 IN TOWNSHIP 20 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON; THENCE SOUTH ALONG THE 1/16 SECTION LINE 294.5 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE EAST 258.35 FEET; THENCE SOUTH 100 FEET; THENCE WEST 258.35 FEET; THENCE NORTH 100 FEET TO THE **TRUE POINT OF BEGINNING** IN PIERCE COUNTY, WASHINGTON.

EXCEPT SHAW COUNTY ROAD.

SITUATE IN THE CITY OF PUYALLUP, COUNTY OF PIERCE, STATE OF WASHINGTON.

EXHIBIT "B"



1"=40'

JOB NO. 2230752.50

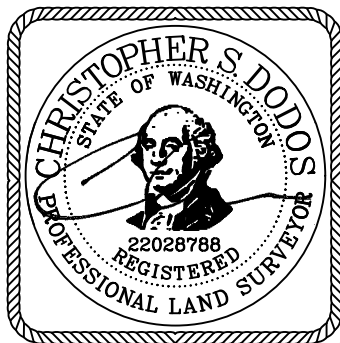
2/21/25

ACCESS EASEMENT

LEGAL BY: CD EXHIBIT BY: CD

SE 1/4, SE 1/4, S26, T20N, R4E

NE 1/4, NE 1/4, S35, T20N, R4E



02/21/2025



THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.

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