

After Recording Mail to:  
Bryce H. Dille  
DILLE LAW, P.L.L.C.  
2010 Caton Way SW, Suite 101  
Olympia, WA 98502

202208230297 CPENNY 15 PGS  
08/23/2022 12:58:50 PM \$217.50  
AUDITOR, Pierce County, WASHINGTON

## EASEMENT AGREEMENT FOR A PERMANENT WALL AND TEMPORARY CONSTRUCTION EASEMENT

Grantors: Daniel C. Schwartz and Sheryl A. Disney-Schwartz, Karen L. Chapman, John D. Vindivich and Karen L. Vindivich  
Grantee: Jason L. Davis  
Legal Description (abbreviated): a Portion of the Northwest Quarter of the Southeast quarter of Section 33 Township 20 N., Range 4 E., of the W.M., City of Puyallup, Pierce County, Washington  
Assessor's Tax Parcel Numbers: 0420334110, 0420334203, 0420334202, 0420334204

This Declaration of permanent wall and temporary construction easement is executed on the day and year below written by and between Jason L. Davis ("hereinafter referred to as "Davis"), Daniel C. Schwartz and Sheryl A. Disney-Schwartz (hereinafter referred to as "Schwartz"), Karen L. Chapman (hereinafter referred to as "Chapman"), and John D. Vindivich and Karen L. Vindivich (hereinafter referred to as "Vindivich").

### RECITALS

1. Davis is the owner of certain real property described herein as set forth on Exhibit A and is constructing a replacement retaining wall around a portion of the perimeter of his property and it is necessary in the course of construction to obtain a permanent easement to construct a portion of said retaining wall and also to obtain a temporary construction easement for ingress and egress across the Chapman, Schwartz and Vindivich property as set forth herein.

2. Chapman, Schwartz and Vindivich have agreed to grant Davis for the benefit of his property a temporary construction easement for ingress and egress and a permanent easement for the location of a portion of the retaining wall as more particularly set forth in this agreement.

3. The Davis property, which is benefited by this easement is legally described on Exhibit A attached hereto, the Schwartz property is legally described on Exhibit B attached

EXCISE TAX EXEMPT DATE 8-23-2022

Pierce County

Easement Agreement for a Permanent Wall and Temporary Construction Easement  
By Cheryl Pennington Auth. Sig.

hereto, the Chapman property is legally described on Exhibit C attached hereto and the Vindivich property is legally described on Exhibit D attached hereto.

4. Grant of Easement. Subject to the terms and provisions of this easement agreement Schwartz, Chapman and Vindivich do hereby grant and convey a perpetual, exclusive easement for the benefit of the Davis property. The legal description of which permanent easement over the Chapman, Schwartz and Vindivich property is attached hereto as Exhibit E and by reference incorporated herein for the purpose of the construction, location and maintenance and use of a retaining wall to be constructed by Davis along the perimeter of a portion of the Davis property.

5. Construction and Maintenance. The construction of said wall will be in accordance with and subject to any rules and regulations of the City of Puyallup or the County of Pierce and that said wall will be constructed in a workmanlike manner in accordance with any plans and specifications which has been approved. Furthermore, after construction Davis, on his own behalf, as will any subsequent owners of the Davis property, agrees to maintain and keep said retention wall in good and operable condition and will make any repairs that are necessitated in a workmanlike manner. Furthermore, Davis agrees to hold Chapman, Schwartz and Vindivich, and their respective successors in interest harmless from any claims or suits or actions arising out of or in connection with the construction or failure to maintain said wall.

6. Temporary Construction Access Easement. In order to facilitate the construction of retaining wall by Davis, Schwartz, Chapman and Vindivich do hereby grant and convey a temporary easement for purposes of access across their property the legal description of which are attached hereto as Exhibit F and said easement shall permit Davis and his contractors and agents to access the Davis property in order to construct the retaining wall as set forth above. Said easement shall commence upon the commencement of construction and shall terminate at such time as the construction shall be concluded and terminated. As a condition of granting said temporary construction easement Davis agrees that it shall not damage or injure the easement property and at the conclusion of the use of the easement the property which is accessed in connection with the use of the easement shall be restored in the same condition as existed prior to the commencement of construction and furthermore Davis agrees to indemnify and hold the grantors of the easement harmless from any claim, suits or actions arising out of or in connection with the use of the easement property by Davis its contractors or agents.

7. Binding Arbitration of Disputes. In the event of a dispute between the parties as to any aspect relating to the enforcement of this Declaration or relating to easement use, maintenance, repair or replacement, including but not limited to that necessary therefore, the parties agree to submit the dispute to binding arbitration as provided herein. If the parties are unable to agree upon an arbitrator, either party may apply to the Pierce County Superior Court for the appointment of an arbitrator. A party seeking to enforce this Declaration may bring directly, in a court of competent jurisdiction, a lawsuit without seeking arbitration if the primary relief sought is a temporary restraining order or preliminary injunction. Upon the court's determination of whether a restraining order injunction should be granted, the matter shall then be referred to arbitration for determination of the merits of the dispute.

8. Attorneys' Fees. If any legal action or arbitration is commenced to enforce or determine any of the rights of the parties under this Declaration and easement, the prevailing party in such legal action shall be entitled to recover their attorneys' fees and all costs of litigation.


9. Applicable Law. This Declaration and easement shall be construed in accordance with and all disputes hereunder shall be governed by the laws of the State of Washington.


10. Binding. This Declaration and easement binds the parties hereto, their heirs, successors, assigns, and invitees and shall run with the land.


11. Amendments. Amendments to this Declaration shall be made only upon unanimous consent of all owners.


12. Counterparts. This Amendment may be executed in multiple counterparts, each of which will be deemed an original, and all of which will constitute one and the same agreement. Transmission of an executed signature page of this Amendment by email will be effective to create a binding agreement.

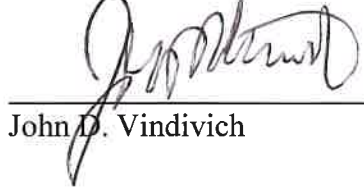
22<sup>nd</sup> **IN WITNESS WHEREOF**, the parties hereto have executed this agreement on the of August, 2022.

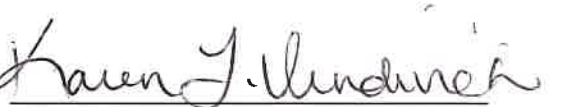
  
\_\_\_\_\_  
Jason L. Davis

  
\_\_\_\_\_  
Daniel C. Schwartz

  
\_\_\_\_\_  
Sheryl A. Disney-Schwartz

  
\_\_\_\_\_  
Karen L. Chapman

  
\_\_\_\_\_  
John D. Vindivich

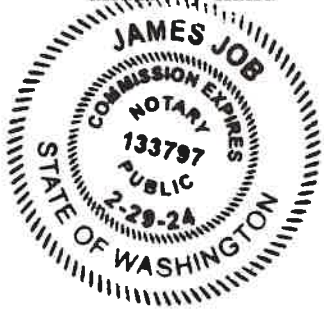
  
\_\_\_\_\_  
Karen L. Vindivich

***Notary Acknowledgement on the Following Page***

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF Pierce )

On this day personally appeared before me Jason L. Davis, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 22nd day of August, 2022.



James M Job  
NOTARY PUBLIC - State of Washington  
Commission expires: 2-29-24

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF Pierce )

On this day personally appeared before me Daniel C. Schwartz and Sheryl A. Disney-Schwartz, 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 19th day of August, 2022.



James M Job  
NOTARY PUBLIC - State of Washington  
Commission expires: 2-29-24

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF Pierce )

On this day personally appeared before me Karen L. Chapman, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she 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 19th day of August, 2022.



James M Job  
NOTARY PUBLIC - State of Washington  
Commission expires: 2-29-24

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF Pierce )

On this day personally appeared before me John D. Vindivich and Karen L. Vindivich, 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 22nd day of August, 2022.



James M Job  
NOTARY PUBLIC - State of Washington  
Commission expires: 2-29-24

Exhibit A  
Davis Legal Description

BEGINNING 30 FEET WEST AND 160 FEET SOUTH OF THE NORTHEAST  
CORNER OF  
NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33,  
TOWNSHIP 20 NORTH,  
RANGE 4-EAST OF THE WILLAMETTE MERIDIAN;  
THENCE SOUTH, 105 FEET MORE OR LESS TO A POINT SITUATED 379 FEET  
NORTH OF THE  
NORTH RIGHT OF WAY LINE OF 17TH AVENUE SW;  
THENCE WEST PARALLEL WITH SAID NORTH RIGHT OF WAY LINE OF 17TH  
AVENUE SW, 150  
FEET MORE OR LESS TO THE WEST LINE OF THE EAST 180 FEET OF SAID  
SECTION  
SUBDIVISIONS;  
THENCE NORTH PARALLEL WITH SAID WEST LINE, 103.5 FEET MORE OR LESS  
TO A POINT  
SITUATED WEST OF THE POINT OF BEGINNING;  
THENCE EAST 150 FEET MORE OR LESS TO THE POINT OF BEGINNING;

(ALSO KNOWN AS DESCRIPTION 3 PURSUANT TO DECREE OF DISTRIBUTION,  
PIERCE COUNTY  
SUPERIOR COURT PROBATE NO. 02-4-00602-0);

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

Exhibit B  
Schwartz Legal Description

THE NORTH 171 FEET OF THE SOUTH 379 OF THE EAST 150 FEET OF THE FOLLOWING DESCRIBED PROPERTY: BEGINNING 30 FEET WEST AND 140 FEET SOUTH OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; THENCE SOUTH 505 FEET TO THE NORTH LINE OF 17TH AVENUE SW; THENCE WEST 270 FEET TO THE EAST LINE OF 6TH STREET SW; THENCE NORTH 601.06 FEET TO THE SOUTH LINE OF 15TH AVENUE SW; THENCE ALONG SAID SOUTH LINE EAST 115 FEET TO A POINT 165 FEET WEST OF THE EAST LINE OF SAID GOVERNMENT SUBDIVISION; THENCE SOUTH 108.53 FEET, MORE OR LESS, TO A POINT WEST OF THE POINT OF BEGINNING; THENCE EAST 155 FEET TO THE POINT OF BEGINNING IN PUYALLUP, PIERCE COUNTY, WASHINGTON

Exhibit C  
Chapman Legal Description

The South 200.25 feet of the following:

Beginning 30 feet West and 140 feet South of the Northeast corner of the Northwest quarter of The Southeast quarter of Section 33, Township 20 North, Range 4 East of the Willamette Meridian, in Pierce County, Washington:

THENCE South 505 feet to the North line of 17th Avenue SW:

THENCE West along said right of way line 270 feet more or less to the East right of way line of 6th Street SW;

THENCE North 601.06 feet to South right of way line of 15th Avenue SW thence East along said right of way line, 115 feet more or less to a point situated 185 feet West of the East line of said subdivision.

THENCE South 110.00 feet, more or less, to a point West of the point of beginning:

THENCE East 155 feet, more or less, to the point of beginning.

EXCEPT the South 208 feet thereof and

EXCEPT the most Easterly 150 feet thereof

TOGETHER WITH the East 30 feet of vacated 6th Street SW, vacated by Ordinance No. 1866 of the City of Puyallup

TOGETHER WITH a 20 foot wide driveway and utility easement described as follows:

Beginning 30 feet West and 140 feet South of the Northeast corner of the Northwest quarter of The Southeast quarter of Section 33, Township 20 North, Range 4 East of the Willamette Meridian, in Pierce County, Washington:

THENCE South 505 feet to the North line of 17th Avenue SW:

THENCE West along said right of way line 270 feet more or less to the East right of way line of 6th Street SW;

THENCE North 601.06 feet to South right of way line of 15th Avenue SW thence East along said right of way line, 115 feet more or less to a point situated 185 feet West of the East line of said subdivision.

THENCE South 110.00 feet, more or less, to a point West of the point of beginning:

THENCE East 155 feet, more or less, to the point of beginning.

(Also Known as Description 2 Pursuant to Decree of Distribution, Pierce county Superior Court Probate No. 02-4-00602-0)

Situate in the City of Puyallup, County of Pierce, State of Washington



Exhibit D  
Vindivich Legal Description

BEGINNING 30 FEET WEST AND 140 FEET SOUTH OF THE NORTHEAST CORNER OF NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; IN PIERCE COUNTY, WASHINGTON; THENCE SOUTH 20 FEET; THENCE WEST 150 FEET TO A POINT SITUATED 185 FEET WEST OF THE EAST LINE OF SAID SUBDIVISION; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SUBDIVISION 72.7 FEET MORE OR LESS TO A POINT SITUATED 408.25 FEET NORTH OF THE NORTH RIGHT OF WAY LINE OF 17TH AVE SW; THENCE WEST PARALLEL WITH SAID RIGHT OF WAY LINE 120.8 FEET MORE OR LESS TO THE EAST RIGHT OF WAY LINE OF 6<sup>TH</sup> STREET SW; THENCE NORTH 200.25 FEET MORE OR LESS TO THE SOUTH RIGHT OF WAY LINE OF 15TH AVENUE SW; THENCE EAST ALONG SAID RIGHT OF WAY LINE, 115 FEET MORE OR LESS TO A POINT SITUATED 185 FEET WEST OF THE EAST LINE OF SAID SUBDIVISION; THENCE SOUTH 110.00 FEET, MORE OR LESS, TO A POINT WEST OF THE POINT OF BEGINNING; THENCE EAST 155 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;

TOGETHER WITH THE EAST 30 FEET OF VACATED 6TH STREET SW, VACATED BY ORDINANCE NO. 1866 OF THE CITY OF PUYALLUP.

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

(ALSO KNOWN AS DESCRIPTION 1 PURSUANT TO DECREE OF DISTRIBUTION, PIERCE COUNTY SUPERIOR COURT PROBATE NO. 02-4-00602-0);

Exhibit E  
Permanent Easement Descriptions

**Schwartz Permanent Easement**

THE NORTH 5 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

THE NORTH 171 FEET OF THE SOUTH 379 OF THE EAST 150 FEET OF THE FOLLOWING DESCRIBED PROPERTY: BEGINNING 30 FEET WEST AND 140 FEET SOUTH OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; THENCE SOUTH 505 FEET TO THE NORTH LINE OF 17TH AVENUE SW; THENCE WEST 270 FEET TO THE EAST LINE OF 6TH STREET SW; THENCE NORTH 601.06 FEET TO THE SOUTH LINE OF 15TH AVENUE SW; THENCE ALONG SAID SOUTH LINE EAST 115 FEET TO A POINT 165 FEET WEST OF THE EAST LINE OF SAID GOVERNMENT SUBDIVISION; THENCE SOUTH 108.53 FEET, MORE OR LESS, TO A POINT WEST OF THE POINT OF BEGINNING; THENCE EAST 155 FEET TO THE POINT OF BEGINNING IN PUYALLUP, PIERCE COUNTY, WASHINGTON

**Chapman Permanent Easement**

The North 38 feet of the east 5 feet of the following described property:

The South 200.25 feet of the following:

Beginning 30 feet West and 140 feet South of the Northeast corner of the Northwest quarter of The Southeast quarter of Section 33, Township 20 North, Range 4 East of the Willamette Meridian, in Pierce County, Washington:  
THENCE South 505 feet to the North line of 17th Avenue SW;  
THENCE West along said right of way line 270 feet more or less to the East right of way line of 6th Street SW;  
THENCE North 601.06 feet to South right of way line of 15th Avenue SW thence East along said right of way line, 115 feet more or less to a point situated 185 feet West of the East line of said subdivision.  
THENCE South 110.00 feet, more or less, to a point West of the point of beginning;  
THENCE East 155 feet, more or less, to the point of beginning.

EXCEPT the South 208 feet thereof and

EXCEPT the most Easterly 150 feet thereof

TOGETHER WITH the East 30 feet of vacated 6th Street SW, vacated by Ordinance No. 1866

of the City of Puyallup

TOGETHER WITH a 20 foot wide driveway and utility easement described as follows:

Beginning 30 feet West and 140 feet South of the Northeast corner of the Northwest quarter of

The Southeast quarter of Section 33, Township 20 North, Range 4 East of the Willamette

Meridian, in Pierce County, Washington:

THENCE South 505 feet to the North line of 17th Avenue SW:

THENCE West along said right of way line 270 feet more or less to the East right of way line of

6th Street SW;

THENCE North 601.06 feet to South right of way line of 15th Avenue SW thence East along

said right of way line, 115 feet more or less to a point situated 185 feet West of the East line of

said subdivision.

THENCE South 110.00 feet, more or less, to a point West of the point of beginning:

THENCE East 155 feet, more or less, to the point of beginning.

(Also Known as Description 2 Pursuant to Decree of Distribution, Pierce county Superior Court

Probate No. 02-4-00602-0)

Situate in the City of Puyallup, County of Pierce, State of Washington

**Vindivich permanent easement**

THE SOUTH 33 FEET OF THE EAST 5 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING 30 FEET WEST AND 140 FEET SOUTH OF THE NORTHEAST CORNER OF

NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 20 NORTH,

RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; IN PIERCE COUNTY, WASHINGTON; THENCE

SOUTH 20 FEET;

THENCE WEST 150 FEET TO A POINT SITUATED 185 FEET WEST OF THE EAST LINE OF SAID

SUBDIVISION;

THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SUBDIVISION 72.7 FEET MORE OR

LESS TO A POINT SITUATED 408.25 FEET NORTH OF THE NORTH RIGHT OF WAY LINE OF 17TH AVE

SW;

THENCE WEST PARALLEL WITH SAID RIGHT OF WAY LINE 120.8 FEET MORE OR LESS TO THE

EAST RIGHT OF WAY LINE OF 6<sup>TH</sup> STREET SW;

THENCE NORTH 200.25 FEET MORE OR LESS TO THE SOUTH RIGHT OF WAY LINE OF 15TH

AVENUE SW;

THENCE EAST ALONG SAID RIGHT OF WAY LINE, 115 FEET MORE OR LESS TO A POINT

SITUATED 185 FEET WEST OF THE EAST LINE OF SAID SUBDIVISION;

THENCE SOUTH 110.00 FEET, MORE OR LESS, TO A POINT WEST OF THE POINT OF BEGINNING;

THENCE EAST 155 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;

TOGETHER WITH THE EAST 30 FEET OF VACATED 6TH STREET SW, VACATED BY ORDINANCE

NO. 1866 OF THE CITY OF PUYALLUP.

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

(ALSO KNOWN AS DESCRIPTION 1 PURSUANT TO DECREE OF DISTRIBUTION, PIERCE COUNTY

SUPERIOR COURT PROBATE NO. 02-4-00602-0);

Exhibit F  
Temporary Construction Easement Descriptions

**Schwartz Temporary Construction easement (the entire property)**

THE NORTH 171 FEET OF THE SOUTH 379 OF THE EAST 150 FEET OF THE FOLLOWING DESCRIBED

PROPERTY: BEGINNING 30 FEET WEST AND 140 FEET SOUTH OF THE NORTHEAST CORNER OF

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; THENCE SOUTH 505 FEET TO THE NORTH LINE OF 17TH AVENUE SW; THENCE WEST 270 FEET TO THE EAST LINE OF 6TH STREET SW; THENCE

NORTH 601.06 FEET TO THE SOUTH LINE OF 15TH AVENUE SW; THENCE ALONG SAID SOUTH

LINE EAST 115 FEET TO A POINT 165 FEET WEST OF THE EAST LINE OF SAID GOVERNMENT

SUBDIVISION; THENCE SOUTH 108.53 FEET, MORE OR LESS, TO A POINT WEST OF THE POINT OF

BEGINNING; THENCE EAST 155 FEET TO THE POINT OF BEGINNING IN PUYALLUP, PIERCE COUNTY,

WASHINGTON

**Chapman Temporary Construction easement (the entire property)**

The South 200.25 feet of the following:

Beginning 30 feet West and 140 feet South of the Northeast corner of the Northwest quarter of

The Southeast quarter of Section 33, Township 20 North, Range 4 East of the Willamette

Meridian, in Pierce County, Washington:

THENCE South 505 feet to the North line of 17th Avenue SW:

THENCE West along said right of way line 270 feet more or less to the East right of way line of

6th Street SW;

THENCE North 601.06 feet to South right of way line of 15th Avenue SW thence East along

said right of way line, 115 feet more or less to a point situated 185 feet West of the East line of

said subdivision.

THENCE South 110.00 feet, more or less, to a point West of the point of beginning:

THENCE East 155 feet, more or less, to the point of beginning.

EXCEPT the South 208 feet thereof and

EXCEPT the most Easterly 150 feet thereof

TOGETHER WITH the East 30 feet of vacated 6th Street SW, vacated by Ordinance No. 1866

of the City of Puyallup

TOGETHER WITH a 20 foot wide driveway and utility easement described as follows:

Beginning 30 feet West and 140 feet South of the Northeast corner of the Northwest quarter of

The Southeast quarter of Section 33, Township 20 North, Range 4 East of the Willamette

Meridian, in Pierce County, Washington:

THENCE South 505 feet to the North line of 17th Avenue SW:

THENCE West along said right of way line 270 feet more or less to the East right of way line of

6th Street SW;

THENCE North 601.06 feet to South right of way line of 15th Avenue SW thence East along

said right of way line, 115 feet more or less to a point situated 185 feet West of the East line of

said subdivision.

THENCE South 110.00 feet, more or less, to a point West of the point of beginning:

THENCE East 155 feet, more or less, to the point of beginning.

(Also Known as Description 2 Pursuant to Decree of Distribution, Pierce county Superior Court

Probate No. 02-4-00602-0)

Situate in the City of Puyallup, County of Pierce, State of Washington

**Vindivich Temporary Construction easement**

THE SOUTH 33 FEET OF THE EAST 10 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING 30 FEET WEST AND 140 FEET SOUTH OF THE NORTHEAST CORNER OF

NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 20 NORTH,

RANGE 4-EAST OF THE WILLAMETTE MERIDIAN; IN PIERCE COUNTY, WASHINGTON; THENCE

SOUTH 20 FEET;

THENCE WEST 150 FEET TO A POINT SITUATED 185 FEET WEST OF THE EAST LINE OF SAID

SUBDIVISION;

THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SUBDIVISION 72.7 FEET MORE OR

LESS TO A POINT SITUATED 408.25 FEET NORTH OF THE NORTH RIGHT OF WAY LINE OF 17TH AVE

SW;  
THENCE WEST PARALLEL WITH SAID RIGHT OF WAY LINE 120.8 FEET MORE OR LESS TO THE EAST RIGHT OF WAY LINE OF 6<sup>TH</sup> STREET SW;  
THENCE NORTH 200.25 FEET MORE OR LESS TO THE SOUTH RIGHT OF WAY LINE OF 15TH AVENUE SW;  
THENCE EAST ALONG SAID RIGHT OF WAY LINE, 115 FEET MORE OR LESS TO A POINT SITUATED 185 FEET WEST OF THE EAST LINE OF SAID SUBDIVISION;  
THENCE SOUTH 110.00 FEET, MORE OR LESS, TO A POINT WEST OF THE POINT OF BEGINNING;  
THENCE EAST 155 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;

TOGETHER WITH THE EAST 30 FEET OF VACATED 6TH STREET SW, VACATED BY ORDINANCE NO. 1866 OF THE CITY OF PUYALLUP.

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

(ALSO KNOWN AS DESCRIPTION 1 PURSUANT TO DECREE OF DISTRIBUTION, PIERCE COUNTY SUPERIOR COURT PROBATE NO. 02-4-00602-0);