

SOUTH HILL BUSINESS AND TECHNOLOGY CENTER BINDING SITE PLAN PLBSP20230028

A Portion of the NE1/4, SE1/4, NW1/4, SW1/4 of the SE1/4 of
Section 3, Township 19 North, Range 4 East, W.M.
City of Puyallup, Pierce County, Washington

FREE CONSENT STATEMENT & DEDICATION

WE, THE UNDERSIGNED, ATTEST THAT WE ARE THE OWNERS IN FEE SIMPLE OF THE LAND REPRESENTED IN THIS SITE PLAN AND HAVE NO RIGHT, TITLE, OR INTEREST OF ANY KIND IN ANY UNPLATTED LAND CONTIGUOUS TO ANY PART OF THE LAND INCLUDED IN THIS SITE PLAN.

WE FURTHER DEDICATE TO THE USE OF THE PUBLIC ALL THE EASEMENTS SHOWN ON THIS BINDING SITE PLAN FOR ALL PUBLIC PURPOSES AS INDICATED THEREON, UNLESS SUCH EASEMENTS ARE SPECIFICALLY IDENTIFIED ON THIS BINDING SITE PLAN AS BEING DEDICATED OR CONVEYED TO A PERSON OR ENTITY OTHER THAN THE PUBLIC, IN WHICH CASE WE DO HEREBY DEDICATE AND CONVEY SUCH EASEMENTS TO THE PERSON(S) OR ENTITY IDENTIFIED HEREON FOR THE PURPOSE STATED.

THIS BINDING SITE PLAN IS MADE WITH OUR FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES.

BENAROYA CAPITAL COMPANY, LLC.
A WASHINGTON LIMITED LIABILITY COMPANY

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF WASHINGTON

} SS.

COUNTY OF _____

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____ IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (S)HE SIGNED THIS INSTRUMENT, ON OATH STATED (S)HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE _____ OF BENAROYA CAPITAL COMPANY, LLC. TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED THIS _____ DAY OF _____, 2025.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT _____

COMMISSION EXPIRES _____

PRINTED NAME _____

BINDING SITE PLAN NOTES

- THE PURPOSE OF THIS BINDING SITE PLAN IS TO DIVIDE FOR SALE OR LEASE PURPOSES OF THE LOTS SHOWN.
- SEPARATE APPROVALS WILL BE REQUIRED BY THE CITY OF PUYALLUP FOR:
 - BUILDING PERMITS
 - SITE DEVELOPMENT PERMITS
- AT THE TIME OF BUILDING PERMIT APPLICATION EACH LOT IS REQUIRED TO MEET THE MOST CURRENT FIRE FLOW AND EMERGENCY VEHICLE ACCESS STANDARDS OF THE CITY OF PUYALLUP FIRE MARSHAL'S OFFICE.
- THE OWNERS, HEIRS, SUCCESSORS, AND ASSIGNS OF THE LOTS OF THIS BINDING SITE PLAN SHALL BE BOUND BY THE STORMWATER FACILITIES MAINTENANCE AGREEMENT PER AFN 201001210587.
- EASEMENTS ARE HEREBY GRANTED FOR INSTALLATION, INSPECTION, AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES AS DELINEATED ON THIS BINDING SITE PLAN. NO ENCROACHMENTS WILL BE PLACED WITHIN THE EASEMENTS SHOWN WHICH MAY DAMAGE OR INTERFERE WITH INSTALLATION, INSPECTION, AND MAINTENANCE OF UTILITIES. MAINTENANCE AND EXPENSE OF THE UTILITIES AND DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS ASSOCIATION AS ESTABLISHED BY THE "DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, AND RESERVATION OF EASEMENTS RECORDED UNDER AFN 202301120145.
- THE OPERATION AND MAINTENANCE OF ANY EXISTING OR PROPOSED WATER SYSTEM LOCATED ON PRIVATE PROPERTY SHALL BE THE RESPONSIBILITY OF THE BINDING SITE PLAN OWNERSHIP UNLESS OTHERWISE SPECIFICALLY AGREED TO BY THE CITY OF PUYALLUP.
- THE SITE IS WITHIN A HIGH SUSCEPTIBILITY/CRITICAL AQUIFER RECHARGE AREA. USES AND ACTIVITIES ON THIS SITE SHALL COMPLY WITH THE CITY'S CRITICAL AREA ORDINANCE (PUYALLUP MUNICIPAL CODE 21.06, ARTICLE XI). ACTIVITIES THAT DO NOT CAUSE DEGRADATION OF GROUND WATER QUALITY AND WILL NOT ADVERSELY AFFECT THE RECHARGING OF THE AQUIFER MAY BE PERMITTED IN A CRITICAL AQUIFER RECHARGE AREA AND DO NOT REQUIRE PREPARATION OF A CRITICAL AREA REPORT; PROVIDED, THAT THEY COMPLY WITH THE CITY STORM WATER MANAGEMENT REGULATIONS AND OTHER APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.
- TRACTS "A" AND "B" CONTAIN A WETLAND AND/OR WETLAND BUFFER THAT IS PROTECTED BY FEDERAL, STATE AND LOCAL REGULATIONS. A WETLAND IS A PERMANENTLY, SEMI-PERMANENTLY, OR SEASONALLY FLOODED AREA OF LAND WITH A DISTINCT ECOSYSTEM BASED ON HYDROLOGY, HYDRIC SOILS, AND VEGETATION ADAPTED FOR LIFE IN WATER SATURATED SOILS. WETLANDS PROVIDE NUMEROUS BENEFITS TO THE NATURAL ENVIRONMENT INCLUDING WATER QUALITY, FLOOD CONTROL, WILDLIFE HABITAT, SHORELINE STABILITY, AND AESTHETIC VALUES. SINCE THE 1780S, WASHINGTON HAS LOST 31 PERCENT OF ITS WETLAND AREAS, FROM 1.35 MILLION ACRES TO 938,000 ACRES, CONTRIBUTING TO LOSS OF FLOOD STORAGE AND HABITAT AREAS. WETLANDS ARE CRITICAL TO THE OVERALL HEALTH OF WATERSHEDS AND PROPERTY OWNERS ARE KEY FOR PROTECTING, RESTORING, AND MANAGING OUR STATE'S REMAINING WETLAND RESOURCES. MODIFICATION OF LAND OR VEGETATION AND/OR ENCROACHMENT/CONVERSION OF THESE AREAS IS STRICTLY PROHIBITED WITHOUT PRIOR GOVERNMENT APPROVAL.
- TRACTS "A" AND "B" CONTAIN A FISH AND WILDLIFE HABITAT AREA THAT IS PROTECTED BY FEDERAL, STATE AND LOCAL REGULATIONS. THESE AREAS SERVE A CRITICAL ROLE IN SUSTAINING NEEDED HABITATS AND SPECIES FOR THE FUNCTIONAL INTEGRITY OF THE ECOSYSTEM, AND WHICH, IF ALTERED, MAY REDUCE THE LIKELIHOOD THAT THE SPECIES WILL PERSIST OVER THE LONG TERM. PROPERTY OWNERS ARE KEY FOR PROTECTING, RESTORING, AND MANAGING OUR STATE'S REMAINING HABITAT AREAS. MODIFICATION OF LAND OR VEGETATION AND/OR ENCROACHMENT/CONVERSION OF THESE AREAS IS STRICTLY PROHIBITED WITHOUT PRIOR GOVERNMENT APPROVAL.
- A ONE-FOOT NO-ACCESS EASEMENT HAS BEEN ESTABLISHED ALONG 39TH AVE. SE. ALL VEHICLES MUST ACCESS FROM EXISTING DRIVEWAY LOCATIONS ON 39TH AVE. SE.
- TRACTS "A" AND "B" SHALL BE RETAINED BY THE PROPERTY OWNER, BENAROYA CAPITAL COMPANY, LLC.
- A NON-EXCLUSIVE EASEMENT IS HEREBY GRANTED TO THE PURCHASERS OF THE LOTS HEREIN, THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, FOR ACCESS, INGRESS AND EGRESS OF THE PUBLIC, OVER SIDEWALKS, DRIVEWAYS, WALKWAYS, PARKING AREAS, LANDSCAPE AREAS, AND TRACTS, SOLELY FOR THE PURPOSE OF ACCESS TO INDIVIDUAL PLACES OF BUSINESS FOR EMPLOYMENT OR COMMERCE, TOGETHER WITH THE RIGHT TO ENTER UPON THE ABOVE STATED AREAS, TRACTS, AND SPACES AT ALL TIMES FOR THE PURPOSE HEREIN STATED.

BINDING SITE PLAN STATEMENT

THE USE AND DEVELOPMENT OF THIS PROPERTY MUST BE IN ACCORDANCE WITH THE PLAN AS REPRESENTED HEREIN OR AS HEREAFTER AMENDED, ACCORDING TO THE PROVISIONS OF THE BINDING SITE PLAN REGULATIONS OF THE CITY OF PUYALLUP; AND THE ROADS AND UTILITIES SHOWN ON THIS PLAN NEED NOT HAVE BEEN CONSTRUCTED AND/OR INSTALLED AT THE TIME THAT THE PROPERTY SUBJECT TO THIS PLAN IS DIVIDED. NO PERMIT REQUIRED TO BUILD PERMANENT STRUCTURES UPON ANY PORTION OF THIS PROPERTY, OTHER THAN FOR SITE PREPARATION (INCLUDING GRADING AND INFRASTRUCTURE INSTALLATIONS), SHALL BE ISSUED UNTIL THE ROADS AND UTILITIES NECESSARY TO SERVE THAT PORTION OF THIS PROPERTY HAVE BEEN CONSTRUCTED AND INSTALLED OR UNTIL ARRANGEMENTS ACCEPTABLE TO THE CITY OF PUYALLUP HAVE BEEN MADE TO ENSURE THAT THE CONSTRUCTION AND INSTALLATION OF SUCH ROADS AND UTILITIES WILL BE ACCOMPLISHED.

LEGAL DESCRIPTION (APN 041903-4036 & 041903-4038)

LOTS 1 AND 3, CITY OF PUYALLUP BOUNDARY LINE REVISION NO. P-21-0138, RECORDED MARCH 22, 2022 UNDER RECORDING NO. 202203225003, IN PIERCE COUNTY, WASHINGTON.

INDEX TO SHEETS

- SHEET 1: LEGAL DESCRIPTION, CONSENT, CODE DATA & APPROVALS
- SHEET 2: TITLE NOTES
- SHEET 3: SURVEY CONTROL & EXISTING LOT LINES
- SHEET 4: NEW LOT LINES
- SHEET 5: EXISTING EASEMENTS
- SHEETS 6-15: 50 SCALE SITE PLAN
- SHEET 16: PUBLIC PEDESTRIAN EASEMENT DETAIL & NOTE

DEVELOPER

BENAROYA CAPITAL COMPANY, LLC.
3600 136TH PL. SE
BELLEVUE, WA 98006

EXISTING SITE ADDRESSES

APN 041903-4036: 1019 TO 1021 39TH AVE. SE
APN 041903-4038: 1015 39TH AVE. SE

CODE DATA

ZONING DISTRICT: MP - BUSINESS PARK
TOTAL SITE AREA: 3,122,703 SQ. FT. (71.69 ACRES)
TOTAL BUILDING AREA: 182,465 SQ. FT. (STRUCTURES)
PERCENT OF BUILDING AND IMPERMEABLE SITE COVERAGE: 0.28%
NUMBER OF UNITS PROPOSED: N/A
TOTAL NUMBER OF PARKING STALLS (INCLUDING HANDICAPPED): 582
TOTAL PARKING AND MANEUVERING AREA: 656,093 SQ. FT.
REQUIRED LANDSCAPING: (PER PMC 20.35.035)
30' WIDE ALONG PUBLIC STREET FRONTAGES
35' WIDE ALONG COMMON LINES WITH RS, RM AND/OR PDR ZONES
PERCENT OF LOT IN OPEN SPACE: NONE PROPOSED
TYPE OF CONSTRUCTION: METAL FRAME, MASONRY
SPRINKLED/NON-SPRINKLED: SPRINKLED
OCCUPANCY CLASSIFICATION: LIGHT INDUSTRIAL
DESCRIPTION OF PROPOSED USES: MISC. MANUFACTURING

EXISTING LOT AREAS

LOT 1: 2,687,152 SQ. FT.
LOT 3: 435,551 SQ. FT.

TOTAL: 3,122,703 SQ. FT.

NEW LOT & TRACT AREAS

LOT 1: 184,119 SQ. FT.
LOT 2: 960,752 SQ. FT.
LOT 3: 616,537 SQ. FT.
LOT 4: 307,890 SQ. FT.
LOT 5: 399,097 SQ. FT.
LOT 6: 162,875 SQ. FT.
LOT 7: 146,282 SQ. FT.
LOT 8: 51,115 SQ. FT.
TRACT A: 90,669 SQ. FT.
TRACT B: 203,367 SQ. FT.

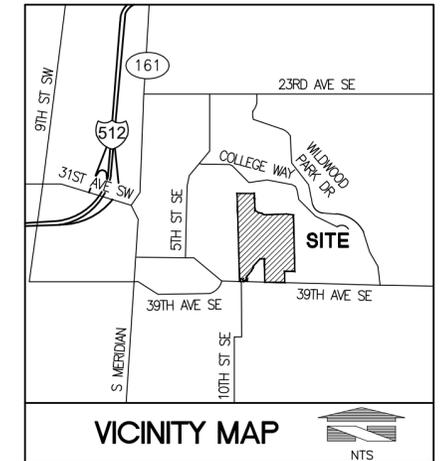
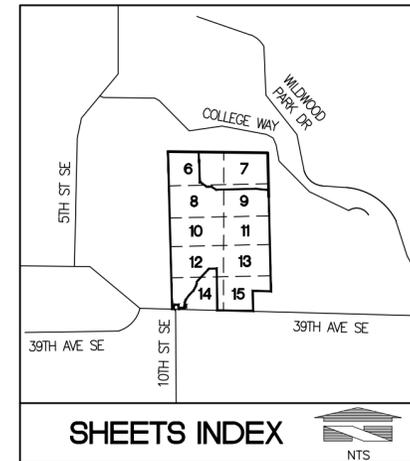
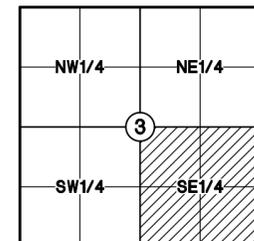
EXISTING USES

LOT 1: VACANT
LOT 2: OFFICE BUILDING
LOT 3: OFFICE BUILDING
LOT 4: VACANT
LOT 5: VACANT
LOT 6: VACANT
LOT 7: VACANT
LOT 8: STORM POND
TRACT A: WETLAND
TRACT B: WETLAND

LOT IMPERVIOUS AREAS

LOT #	LOT AREA	EXISTING IMPERVIOUS AREA OF STRUCTURES	EXISTING IMPERVIOUS AREA OF DRIVES/WALKS	TOTAL EXISTING IMPERVIOUS AREA
LOT 1	184,119 SF	N/A	22,115 SF	22,115 SF
LOT 2	960,752 SF	89,877 SF	334,019 SF	423,896 SF
LOT 3	616,537 SF	90,129 SF	273,250 SF	363,379 SF
LOT 4	307,890 SF	N/A	31,461 SF	31,461 SF
LOT 5	399,097 SF	N/A	12,336 SF	12,336 SF
LOT 6	162,875 SF	2,554 SF	19,946 SF	22,500 SF
LOT 7	146,282 SF	N/A	8,736 SF	8,736 SF
LOT 8	51,115 SF	N/A	N/A	-0-
SITE TOTAL IMPERVIOUS AREA = 884,423 SF				

INDEXING DATA SECTION 3, T19N, R4E, W.M.



DEVELOPMENT ENGINEERING DIVISION

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2025.

DEVELOPMENT ENGINEERING MANAGER

PLANNING DIVISION

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2025.

PLANNING MANAGER

FIRE PREVENTION DIVISION

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2025.

FIRE CODE OFFICIAL

COUNTY ASSESSOR-TREASURER

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREON, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID AND DISCHARGED.

DATED THIS _____ DAY OF _____, 2025.

PIERCE COUNTY ASSESSOR/TREASURER BY: _____

TAX ACCOUNT NUMBERS: 041903-4036 AND 041903-4038

AUDITOR'S CERTIFICATE:

FILED FOR RECORD THIS _____ DAY OF _____, 2025, AT _____ MINUTES PAST _____ M., AT THE REQUEST OF BARGHAUSEN CONSULTING ENGINEERS, LLC.
AUDITOR'S FEE NO. _____

DEPUTY AUDITOR

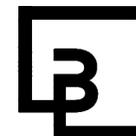
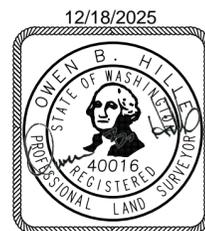
DATE

LAND SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF BENAROYA CAPITAL COMPANY, LLC. IN OCTOBER, 2025.

Owen B. Hille
OWEN B. HILLE, PLS #40016

12/18/2025
DATE



Barghausen
Consulting Engineers, LLC.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222 barghausen.com

DRAWN BY: KMA
DATE: 12/18/25
SCALE: N/A
CHECKED BY: OBH
JOB NO.: 18111

SOUTH HILL BUSINESS AND TECHNOLOGY CENTER BINDING SITE PLAN PLBSP20230028

INDEX DATA

**A Portion of the NE1/4, SE1/4, NW1/4,
SW1/4 of the SE1/4 of
Section 3, Township 19 North, Range 4 East, W.M.
City of Puyallup, Pierce County, Washington**

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OF
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SOUTH HILL BUSINESS AND TECHNOLOGY CENTER BINDING SITE PLAN PLBSP20230028

A Portion of the NE1/4, SE1/4, NW1/4, SW1/4 of the SE1/4 of
Section 3, Township 19 North, Range 4 East, W.M.
City of Puyallup, Pierce County, Washington

SPECIAL EXCEPTIONS:

(PER CHICAGO TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE, ORDER NO. 230472-TC DATED JULY 25, 2023)

1. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: PACIFIC NORTHWEST PIPELINE CORPORATION, A DELAWARE CORPORATION
PURPOSE: PIPELINE OR PIPELINES FOR THE TRANSPORTATION OF OIL, GAS AND THE PRODUCTS THEREOF
RECORDING DATE: APRIL 17, 1956 RECORDING NO.: 1752879
AFFECTS: A PORTION OF SAID PREMISES
SAID EASEMENT WAS MODIFIED BY AMENDMENTS THERETO RECORDED UNDER RECORDING NO. 2407599 AND 2487221. **(SHOWN)**

2. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: PACIFIC NORTHWEST PIPELINE CORPORATION, A DELAWARE CORPORATION
PURPOSE: PIPELINE OR PIPELINES FOR THE TRANSPORTATION OF OIL, GAS AND THE PRODUCTS THEREOF
RECORDING DATE: APRIL 17, 1956 RECORDING NO.: 1752880
AFFECTS: A PORTION OF SAID PREMISES **(SHOWN)**

3. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: PACIFIC NORTHWEST PIPELINE CORPORATION, A DELAWARE CORPORATION
PURPOSE: PIPELINE OR PIPELINES FOR THE TRANSPORTATION OF OIL, GAS AND THE PRODUCTS THEREOF
RECORDING DATE: APRIL 17, 1956 RECORDING NO.: 1752881
AFFECTS: PORTION OF SAID PREMISES
SAID EASEMENT WAS MODIFIED BY AMENDMENTS THERETO RECORDED UNDER RECORDING NO(S) 2433908 AND 2562573. **(SHOWN)**

4. RIGHT TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON PROPERTY HEREIN DESCRIBED AS GRANTED OR RESERVED IN DEED IN FAVOR OF: PIERCE COUNTY
RECORDING DATE: OCTOBER 30, 1964 RECORDING NO.: 2077107 **(AFFECTED AREA ADJACENT TO ORIGINAL 30' WIDE R/W FOR 39TH AVE. S.E.)**

5. COVENANTS, CONDITIONS AND RESTRICTIONS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, SOURCE OF INCOME, GENDER, GENDER IDENTITY, GENDER EXPRESSION, MEDICAL CONDITION OR GENETIC INFORMATION, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH IN THE DOCUMENT
RECORDING DATE: OCTOBER 10, 1968 RECORDING NO.: 2262387 **(CONDITIONAL OFFSITE WATER LINE EASEMENT. NOT VERIFIED TO HAVE BEEN CONSTRUCTED PER DOCUMENT)**

6. CONCOMITANT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
RECORDING DATE: JUNE 26, 1981 RECORDING NO.: 8106260306
REGARDING: MITIGATION OF ENVIRONMENTAL IMPACTS RELATED TO THE DEVELOPMENT OF SAID PREMISES

7. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: CITY OF PUYALLUP, A MUNICIPAL CORPORATION
PURPOSE: CONSTRUCTING AND MAINTAINING UNDERGROUND UTILITIES
RECORDING DATE: DECEMBER 1, 1982 RECORDING NO.: 8212010250
AFFECTS: A PORTION OF SAID PREMISES **(SHOWN)**

8. RIGHT TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON PROPERTY HEREIN DESCRIBED AS GRANTED OR RESERVED IN DEED IN FAVOR OF: THE CITY OF PUYALLUP, A MUNICIPAL CORPORATION
RECORDING DATE: FEBRUARY 28, 1985 RECORDING NO.: 8502280219 **(SLOPES ADJACENT TO ADDITIONAL R/W TAKE ALONG 39TH AVE. S.E., NOT PLOTTABLE)**

9. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: CITY OF PUYALLUP, A MUNICIPAL CORPORATION
PURPOSE: CONSTRUCTING AND MAINTAINING HIGHWAY SLOPES IN EXCAVATION AND/OR EMBANKMENT RECORDING DATE: FEBRUARY 28, 1985 RECORDING NO.: 8502280220
AFFECTS: A SOUTHERLY PORTION OF SAID PREMISES **(SHOWN)**

10. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: PUGET SOUND POWER & LIGHT COMPANY, A WASHINGTON CORPORATION
PURPOSE: THE RIGHT TO CONSTRUCT, MAINTAIN, REPAIR, REPLACE AND ENLARGE GUY WIRES AND ANCHORS TOGETHER WITH ALL NECESSARY OR CONVENIENT APPURTENANCES
RECORDING DATE: APRIL 22, 1985 RECORDING NO.: 8504220043
AFFECTS: A PORTION OF SAID PREMISES **(SHOWN)**

11. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: PUGET SOUND POWER & LIGHT COMPANY, A WASHINGTON CORPORATION
PURPOSE: THE RIGHT TO CONSTRUCT, OPERATE, MAINTAIN, REPAIR, REPLACE AND ENLARGE AN ELECTRICAL DISTRIBUTION SUBSTATION TOGETHER WITH ALL NECESSARY OR CONVENIENT APPURTENANCES
RECORDING DATE: JANUARY 15, 1988 RECORDING NO.: 8801150187
AFFECTS: A PORTION OF SAID PREMISES
SAID EASEMENT IS A CORRECTION OF EASEMENT RECORDED UNDER RECORDING NO. 8207080063. **(SHOWN)**

12. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION
PURPOSE: ONE OR MORE ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEMS, TOGETHER WITH ALL NECESSARY OR CONVENIENT APPURTENANCES
RECORDING DATE: OCTOBER 22, 1997 RECORDING NO.: 9710220463
AFFECTS: A PORTION OF SAID PREMISES **(SHOWN)**

13. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: WILLIAMS COMMUNICATIONS, INC., A DELAWARE CORPORATION
PURPOSE: UNDERGROUND COMMUNICATIONS SYSTEMS AND APPURTENANCES THERETO
RECORDING DATE: APRIL 3, 2000 RECORDING NO.: 200004030110
AFFECTS: A PORTION OF SAID PREMISES **(SHOWN, AFFECTS PIPELINE STRIP)**

14. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION
PURPOSE: ONE OR MORE UTILITY SYSTEMS FOR TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICITY
RECORDING DATE: SEPTEMBER 29, 2009 RECORDING NO.: 200909290651
AFFECTS: A PORTION OF SAID PREMISES **(SHOWN)**

15. STORMWATER MANAGEMENT/BMP FACILITIES AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
BETWEEN: BCC PUYALLUP, LLC AND: CITY OF PUYALLUP
RECORDING DATE: JANUARY 21, 2010 RECORDING NO.: 201001210587 **(ALLOWS CITY ACCESS)**

16. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION
PURPOSE: ONE OR MORE UTILITY SYSTEMS FOR TRANSMISSION, DISTRIBUTION AND SALE OF GAS
RECORDING DATE: MARCH 18, 2011 RECORDING NO.: 201103180520
AFFECTS: A PORTION OF SAID PREMISES AS DESCRIBED AND DELINEATED IN DOCUMENT
NOTE: SAID EASEMENT ALSO IS DELINEATED AND/OR DEDICATED ON THE FACE OF THE BOUNDARY LINE REVISION. **(SHOWN)**

17. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION
PURPOSE: ONE OR MORE UTILITY SYSTEMS FOR TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICITY
RECORDING DATE: FEBRUARY 22, 2012 RECORDING NO.: 201202220299
AFFECTS: A PORTION OF SAID PREMISES AS DESCRIBED AND DELINEATED IN DOCUMENT
NOTE: SAID EASEMENT ALSO IS DELINEATED AND/OR DEDICATED ON THE FACE OF THE BOUNDARY LINE REVISION. **(SHOWN)**

18. ROAD AND SIGNAGE EASEMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
BETWEEN: BCC PUYALLUP LLC, A WASHINGTON LIMITED LIABILITY COMPANY AND: GROUP HEALTH COOPERATIVE
RECORDING DATE: AUGUST 30, 2013 RECORDING NO.: 201308300562

19. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: CITY OF PUYALLUP, A MUNICIPAL CORPORATION
PURPOSE: UTILITIES
RECORDING DATE: NOVEMBER 30, 2016 RECORDING NO.: 201611300412
AFFECTS: PORTION OF SAID PREMISES **(SHOWN)**

20. COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, ENCROACHMENTS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH ON CITY OF PUYALLUP BOUNDARY LINE REVISION NO. P-21-0138: RECORDING NO: 202203225003 **(EASEMENTS SHOWN)**

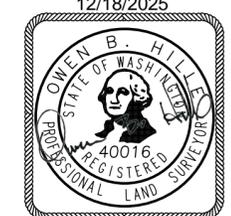
21. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT:
ENTITLED: FENCE ENCROACHMENT EASEMENT AGREEMENT
EXECUTED BY: BCC PUYALLUP LLC
RECORDING DATE: APRIL 7, 2022 REC. NO. 202204070358 **(SHOWN)**

22. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS SET FORTH IN A DOCUMENT:
PURPOSE: WATERLINE, SEWER AND STORM DRAINAGE
RECORDING DATE: JANUARY 12, 2023 RECORDING NO.: 202301120111
AFFECTS: PORTION OF SAID PREMISES **(SHOWN)**

23. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS SET FORTH IN A DOCUMENT:
PURPOSE: FIBER OR POWER
RECORDING DATE: JANUARY 12, 2023 RECORDING NO.: 202301120112
AFFECTS: PORTION OF SAID PREMISES **(SHOWN)**

24. COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, GENDER, GENDER EXPRESSION, MEDICAL CONDITION OR GENETIC INFORMATION, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH IN THE DOCUMENT: RECORDING DATE: JANUARY 12, 2023 RECORDING NO: 202301120145 **(DEPICTS PROPOSED COMMON ACCESS INCLUDING VERIFYING ITEMS 22 & 23 ABOVE AS PERMANENT. SEE DOCUMENT FOR PARTICULARS)**

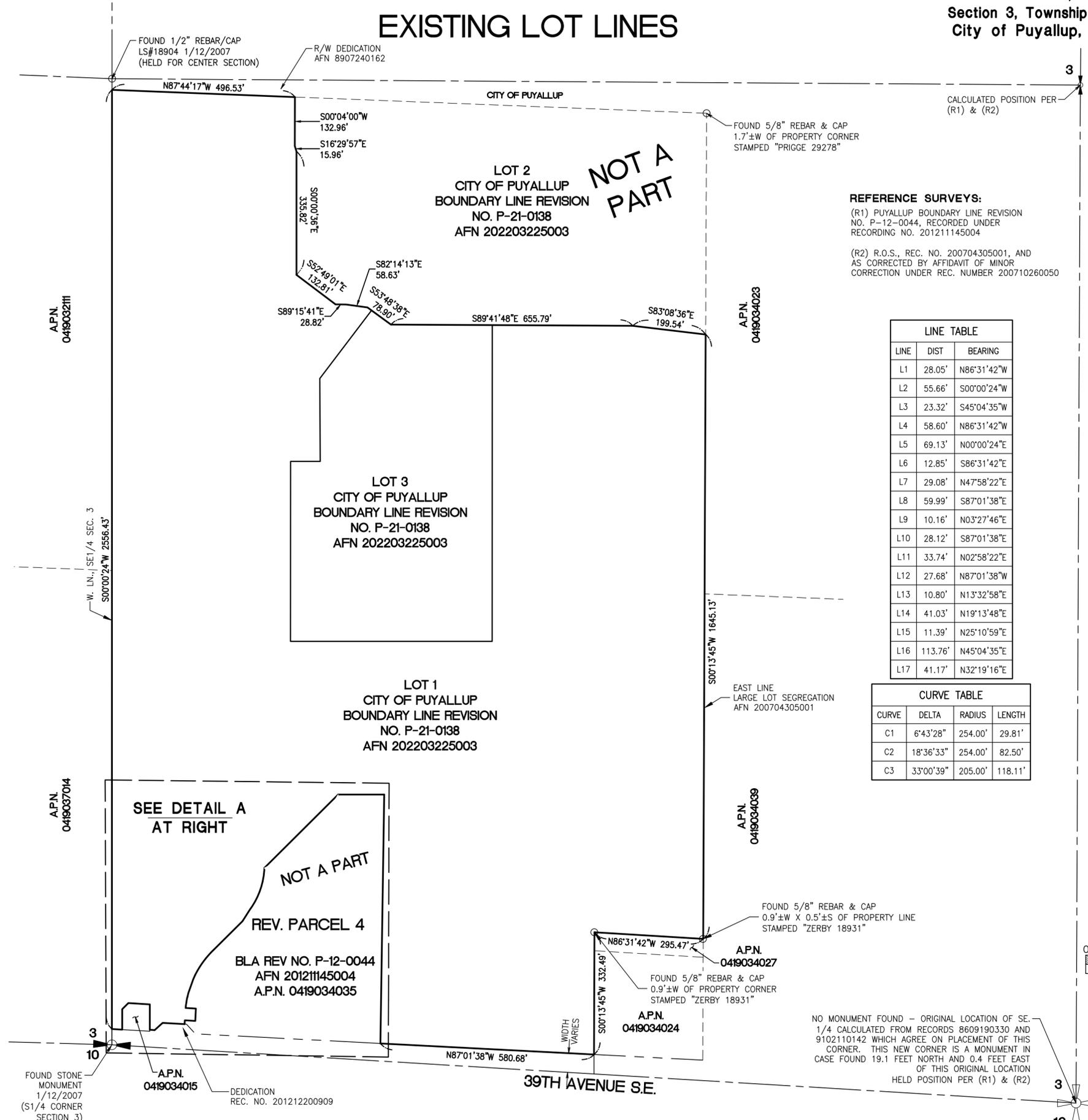
25-27. NOT APPLICABLE TO BE SHOWN ON SURVEY.

	 <p>Barghausen Consulting Engineers, LLC. 18215 72nd Avenue South Kent, WA 98032 425.251.6222 barghausen.com</p>	DRAWN BY: KMA DATE: 12/18/25 SCALE: N/A CHECKED BY: OBH JOB NO.: 18111	<p>SOUTH HILL BUSINESS AND TECHNOLOGY CENTER BINDING SITE PLAN PLBSP20230028</p> <p>INDEX DATA</p> <p>A Portion of the NE1/4, SE1/4, NW1/4, SW1/4 of the SE1/4 of Section 3, Township 19 North, Range 4 East, W.M. City of Puyallup, Pierce County, Washington</p>	SHT 2 OF 16
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SOUTH HILL BUSINESS AND TECHNOLOGY CENTER BINDING SITE PLAN PLBSP20230028

A Portion of the NE1/4, SE1/4, NW1/4, SW1/4 of the SE1/4 of
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SURVEY CONTROL AND EXISTING LOT LINES



REFERENCE SURVEYS:

(R1) PUYALLUP BOUNDARY LINE REVISION
NO. P-12-0044, RECORDED UNDER
RECORDING NO. 201211145004

(R2) R.O.S., REC. NO. 200704305001, AND
AS CORRECTED BY AFFIDAVIT OF MINOR
CORRECTION UNDER REC. NUMBER 200710260050

LINE TABLE		
LINE	DIST	BEARING
L1	28.05'	N86°31'42"W
L2	55.66'	S00°00'24"W
L3	23.32'	S45°04'35"W
L4	58.60'	N86°31'42"W
L5	69.13'	N00°00'24"E
L6	12.85'	S86°31'42"E
L7	29.08'	N47°58'22"E
L8	59.99'	S87°01'38"E
L9	10.16'	N03°27'46"E
L10	28.12'	S87°01'38"E
L11	33.74'	N02°58'22"E
L12	27.68'	N87°01'38"W
L13	10.80'	N13°32'58"E
L14	41.03'	N19°13'48"E
L15	11.39'	N25°10'59"E
L16	113.76'	N45°04'35"E
L17	41.17'	N32°19'16"E

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	6°43'28"	254.00'	29.81'
C2	18°36'33"	254.00'	82.50'
C3	33°00'39"	205.00'	118.11'

SURVEY INFORMATION

PROCEDURE / NARRATIVE

A FIELD TRAVERSE USING A TOPCON GT1000 & FOCUS 30 TOTAL STATIONS, DELL TABLET WITH MAGNET FIELD SOFTWARE SUPPLEMENTED WITH FIELD NOTES WAS PERFORMED, ESTABLISHING THE ANGULAR, AND DISTANCE RELATIONSHIPS BETWEEN THE MONUMENTS, PROPERTY LINES, AND TOPOGRAPHIC FEATURES AS SHOWN HEREON. THE RESULTING DATA MEETS OR EXCEEDS THE STANDARDS FOR LAND BOUNDARY SURVEYS AS SET FORTH IN WAC 332-130-090.

DATES OF SURVEYS

FIELD SURVEYS BY BARGHAUSEN CONSULTING ENGINEERS, INC. WERE CONDUCTED IN NOVEMBER 2017. ALL MONUMENTS WERE VISITED ON DATES SHOWN.

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS THE BEARING BETWEEN PIERCE COUNTY MON 2208 (WCCS 660) AND PIERCE COUNTY MON 2128 (WCCS 580), TAKEN AS NORTH 25°54'26" WEST, BASED UPON NORTH AMERICAN DATUM OF 1983 - NAD 83 (91) - WASHINGTON STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.

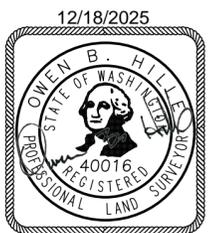
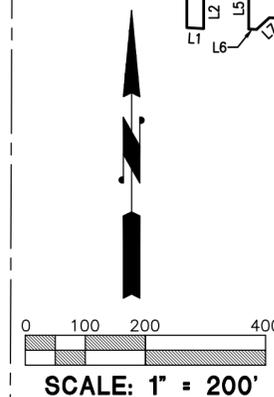
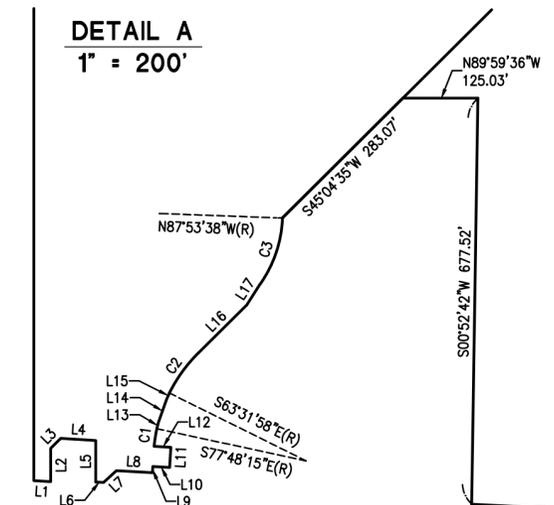
TOPOGRAPHY NOTE

(REGARDING SHEETS 6-15)
LIDAR DATA EXTRACTED FROM TILE 11936710, 11936710, 11966710, 11966740, 11996710, AND 11996740 FROM THE PIERCE COUNTY LIDAR PROJECT (2010-2011), AND PROVIDED BY THE PUGET SOUND LIDAR CONSORTIUM

DATUMS (PER PSLC)
HORIZONTAL DATUM: NAD83 (PER PSLC)
VERTICAL DATUM: NGVD29 = NAVD88 - 3.50

10' MAJOR CONTOURS

DETAIL A 1" = 200'

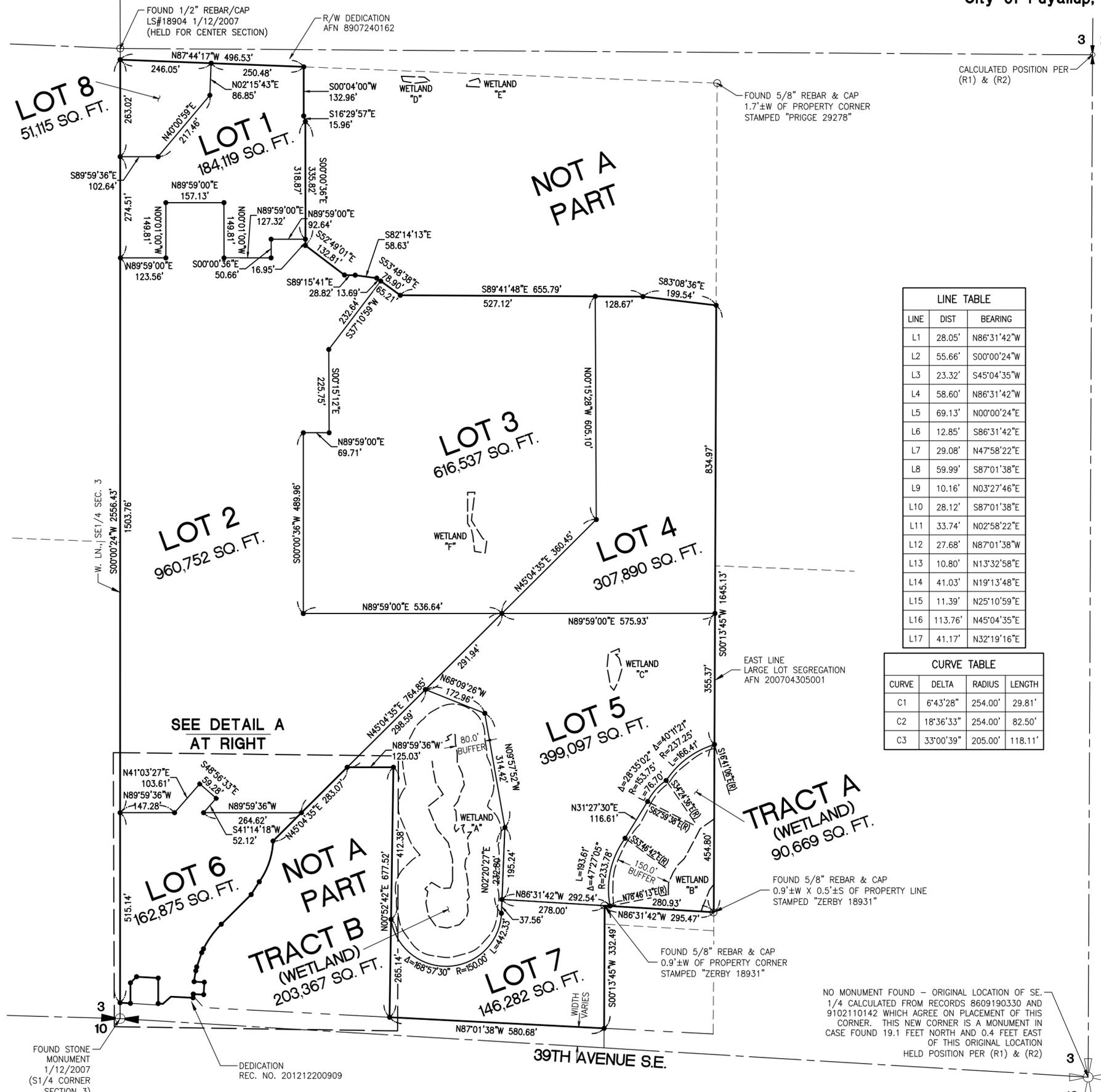


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A Portion of the NE1/4, SE1/4, NW1/4, SW1/4 of the SE1/4 of
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NEW LOT LINES



CALCULATED POSITION PER
(R1) & (R2)

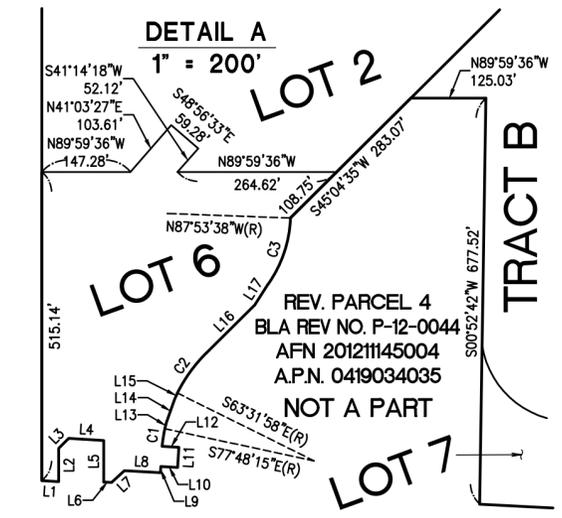
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C3	33°00'39"	205.00'	118.11'

12/18/2025

SCALE: 1" = 200'

LEGEND:
● SET REBAR/CAP "BCE 40016"



NOTE FOR LOT 1 & LOT 2:
AS A RESULT OF VAPOR INTRUSION CONCERNS RELATED TO CHLORINATED SOLVENTS, NO RESIDENTIAL USES OR USES THAT INCLUDE EMPLOYEES OR CUSTOMERS REGULARLY OCCUPYING THE AREA WITHIN A 100-FOOT RADIUS OF THE IDENTIFIED CONTAMINATED AREA. IF SUCH USES ARE PROPOSED, THE APPLICANT SHALL COMPLETE A TIER 2 VAPOR INTRUSION INVESTIGATION CONSISTENT WITH ECOLOGY PUBLICATION 09-09-047, GUIDANCE FOR EVALUATING VAPOR INTRUSION IN WASHINGTON STATE, REVISED MARCH 2022. THE ANALYSIS MUST PROVIDE SUFFICIENT ANALYTICAL DATA FOR ECOLOGY TO CONCURE THAT CHLORINATED SOLVENT CONCENTRATIONS IN INDOOR AIR DO NOT AND WOULD NOT PRESENT AN UNACCEPTABLE RISK TO BUILDING OCCUPANTS.

NO MONUMENT FOUND - ORIGINAL LOCATION OF SE 1/4 CALCULATED FROM RECORDS 8609190330 AND 9102110142 WHICH AGREE ON PLACEMENT OF THIS CORNER. THIS NEW CORNER IS A MONUMENT IN CASE FOUND 19.1 FEET NORTH AND 0.4 FEET EAST OF THIS ORIGINAL LOCATION HELD POSITION PER (R1) & (R2)

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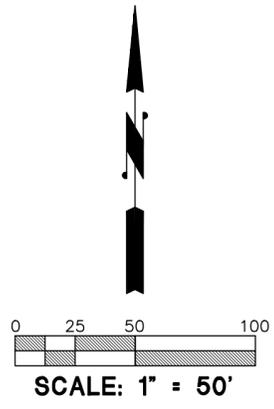
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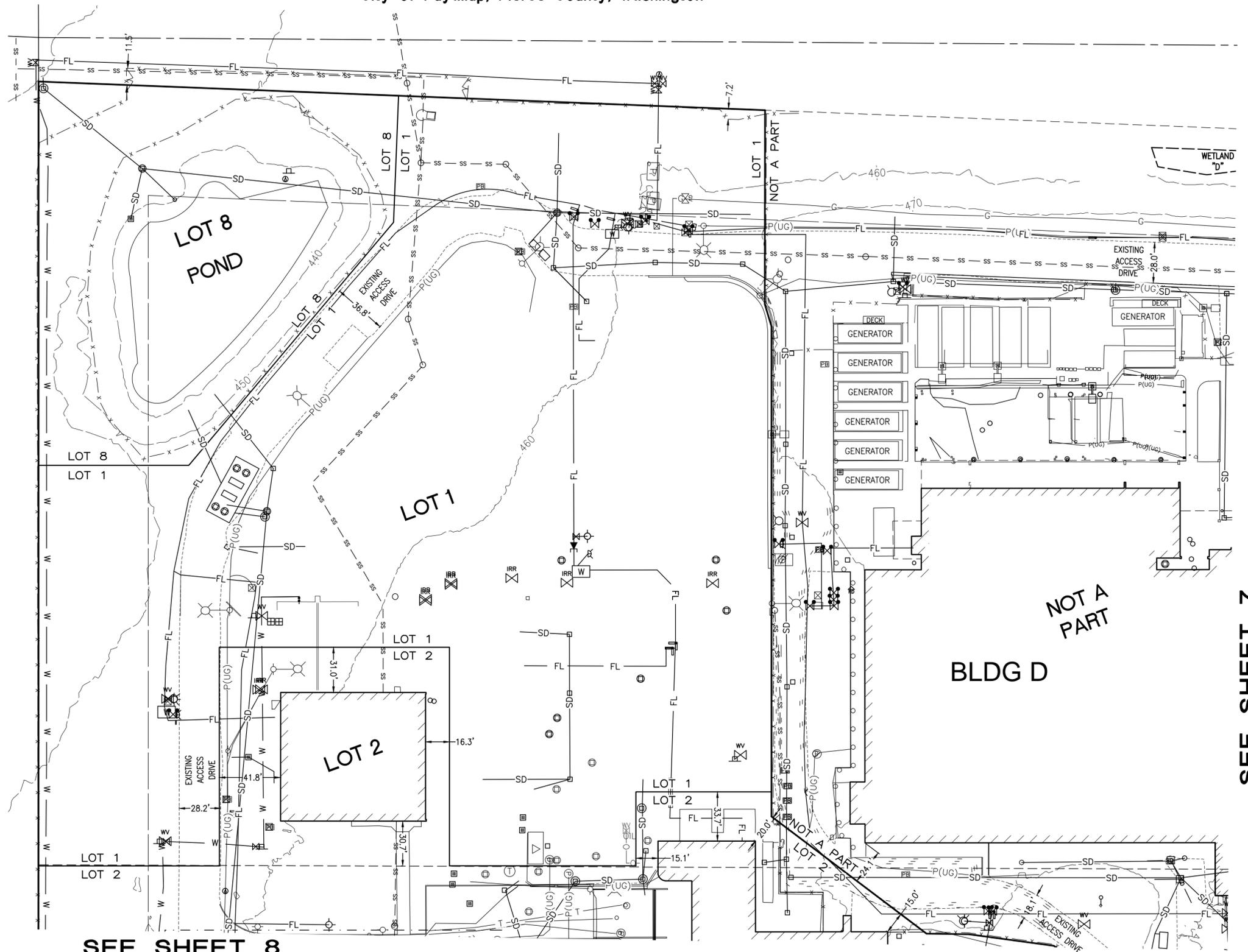


LEGEND

(NOTE: NOT ALL SYMBOLS MAY APPEAR ON THE MAP)

- SURVEY MONUMENT (AS NOTED)
- SECTION CORNER (AS NOTED)
- SET REBAR/CAP (LS#45789)
- FOUND REBAR/CAP (AS NOTED)
- SET 2"x2" HUB/TACK LINE STAKE
- MAG/WASHER OR LEAD/TACK (AS NOTED)
- BENCHMARK
- LUMINAIRE (LUM.)
- YARD LIGHT
- ORNAMENTAL LIGHT
- TRAFFIC SIGNAL LIGHTS
- POWER METER
- POWER POLE
- JUNCTION BOX (AS NOTED)
- TELEPHONE MANHOLE
- CATCH BASIN (CB)
- STORM MANHOLE (SDMH)
- SANITARY SEWER MANHOLE (SSMH)
- CLEANOUT (AS NOTED)
- GAS METER
- GAS VALVE
- WATER VALVE (WV)
- FAUCET
- FIRE HYDRANT(FH) / CONNECTION(FDC)
- WATER MANHOLE
- WATER METER
- BLOW-OFF / AIRVAC
- MONITOR WELL
- SIGN
- IRRIGATION SPRINKLER
- DIRECTIONAL ARROW
- HANDICAP
- CHAIN LINK FENCE
- WOOD FENCE
- HOGWIRE FENCE
- SILT FENCE
- METAL/IRON FENCE
- GUARD RAIL/CABLE FENCE
- WATER LINE
- GAS LINE
- STEAM LINE
- TELEPHONE LINE (OH) OR (UG)
- POWER LINE (OH) OR (UG)
- STORM LINE
- SEWER LINE
- WATER LINE
- FIRE LINE
- ROCKERY
- KEYSTONE WALL
- DECIDUOUS TREE
- CONIFEROUS TREE
- TREE DRIPLINE
- CONCRETE
- GRAVEL/SAND (AS NOTED)
- ASPHALT
- BUILDING LINE

- ABBREVIATIONS**
- (R#) REFERENCE SURVEYS
 - (OH) OVERHEAD
 - (UG) UNDERGROUND
 - (TYP) TYPICAL
 - (C) CALCULATED
 - (M) MEASURED



SEE SHEET 8

SEE SHEET 7

12/27/23 OBH ADDED NEW LIMITED TOPO AREAS



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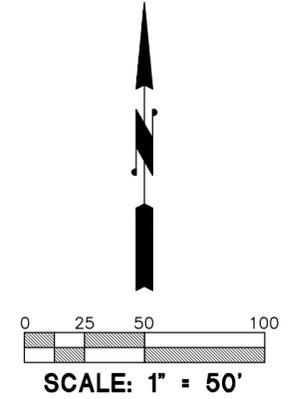
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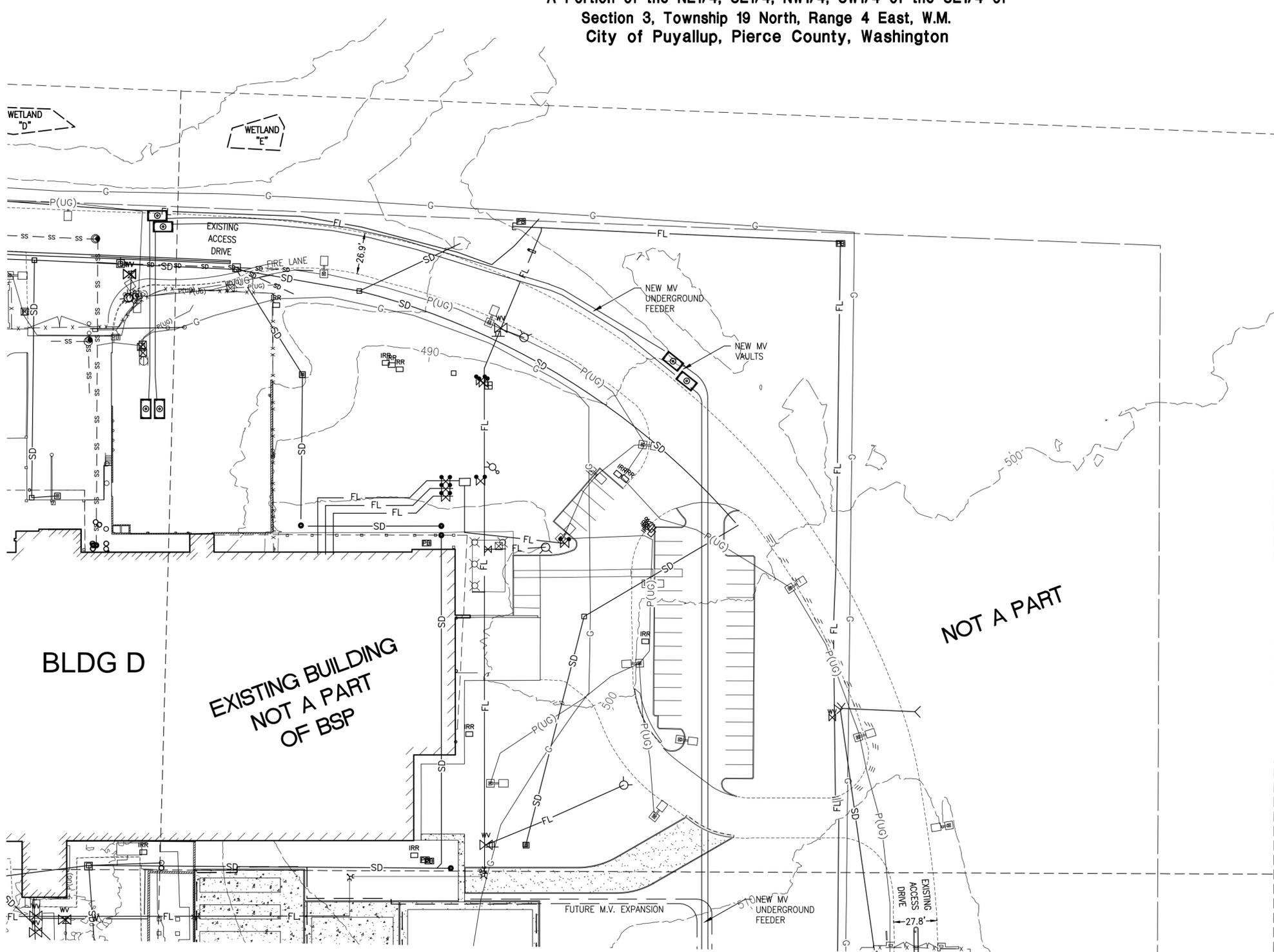
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SEE SHEET 6



BLDG D

EXISTING BUILDING
NOT A PART
OF BSP

NOT A PART

SEE SHEET 9



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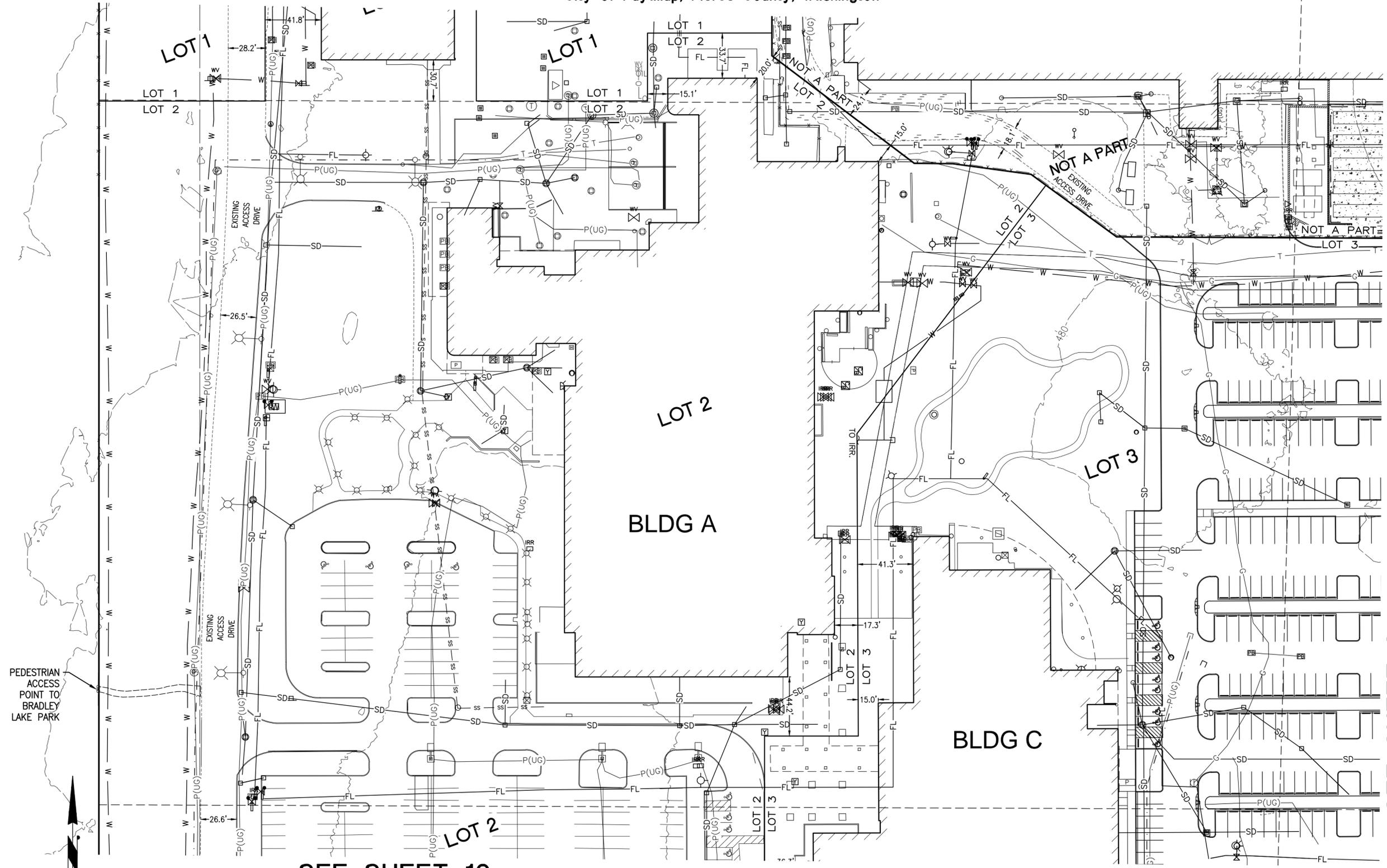
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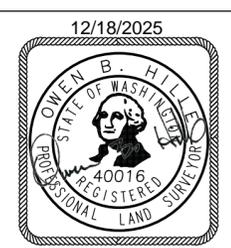
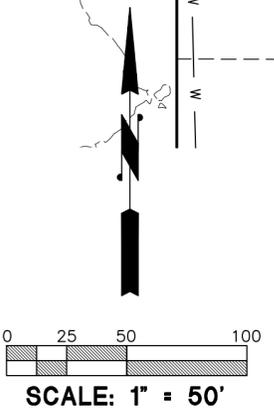
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SEE SHEET 9

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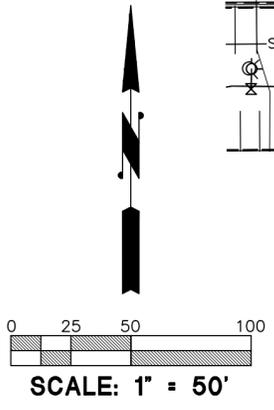
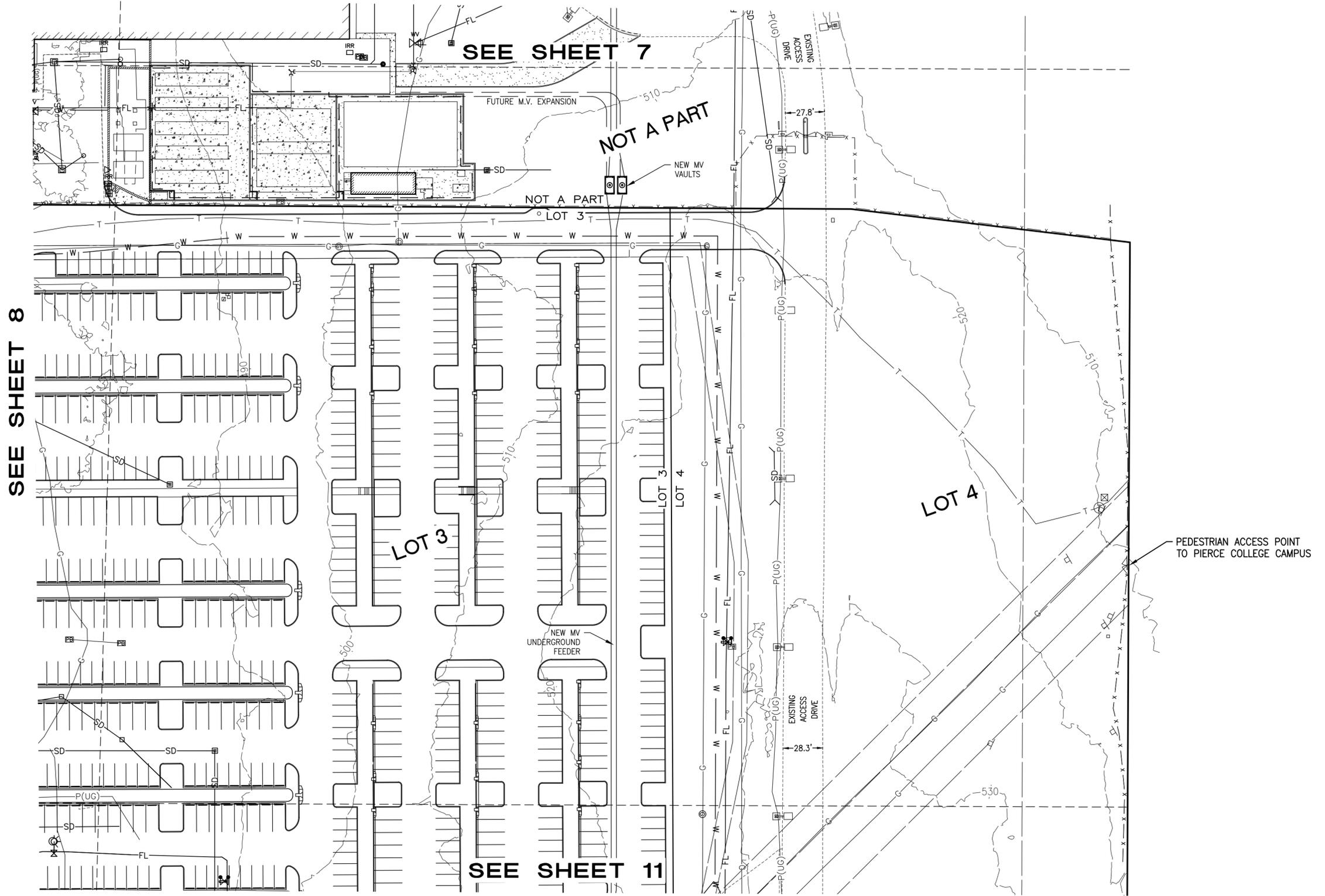
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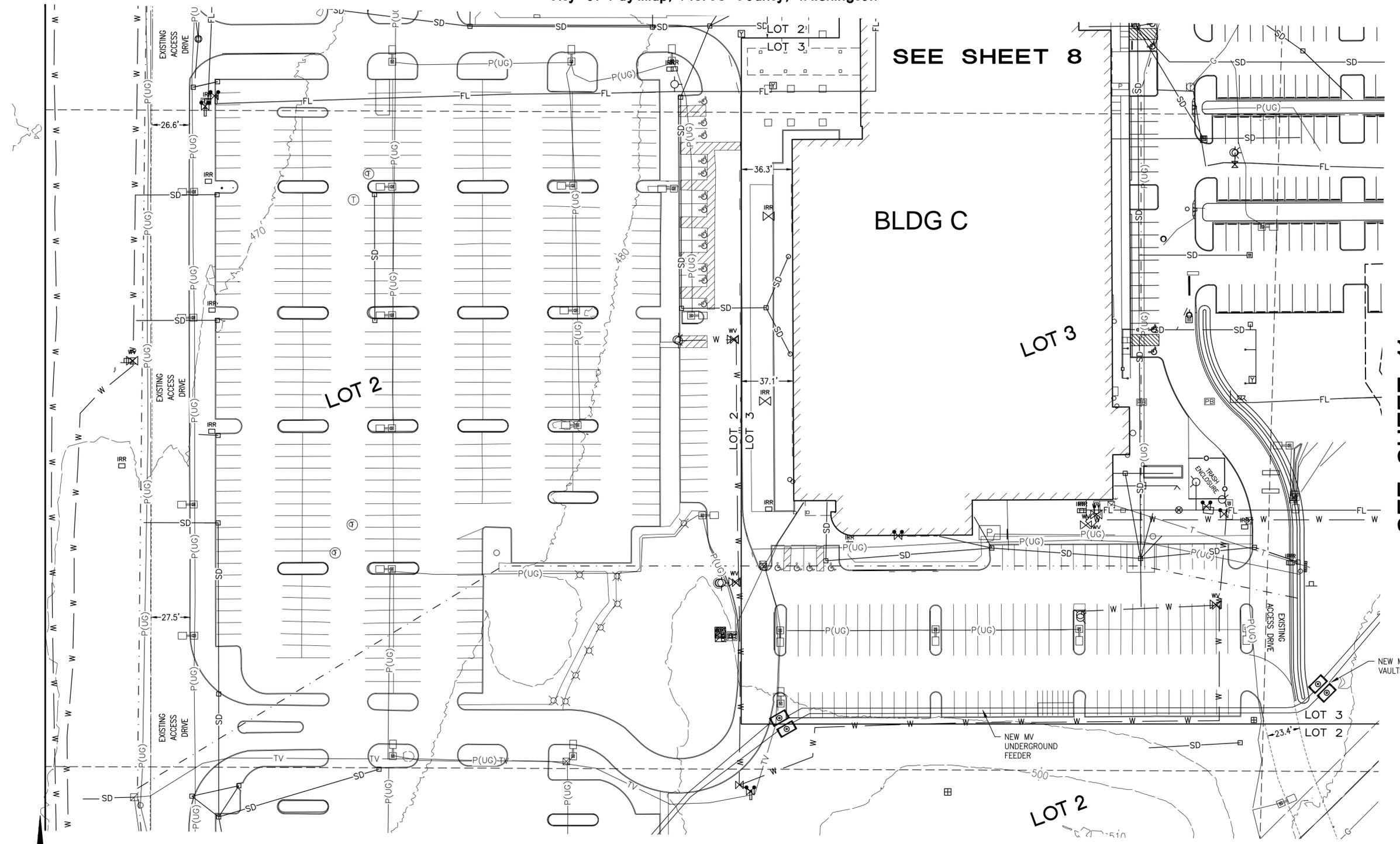
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SEE SHEET 8

BLDG C

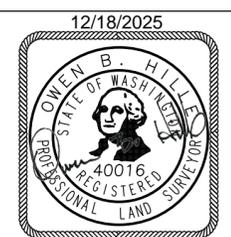
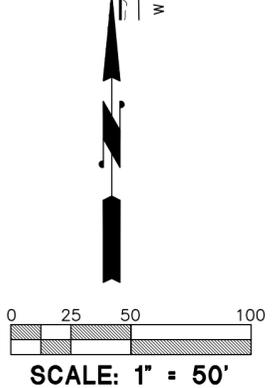
LOT 3

LOT 2

LOT 2
LOT 3

SEE SHEET 11

SEE SHEET 12



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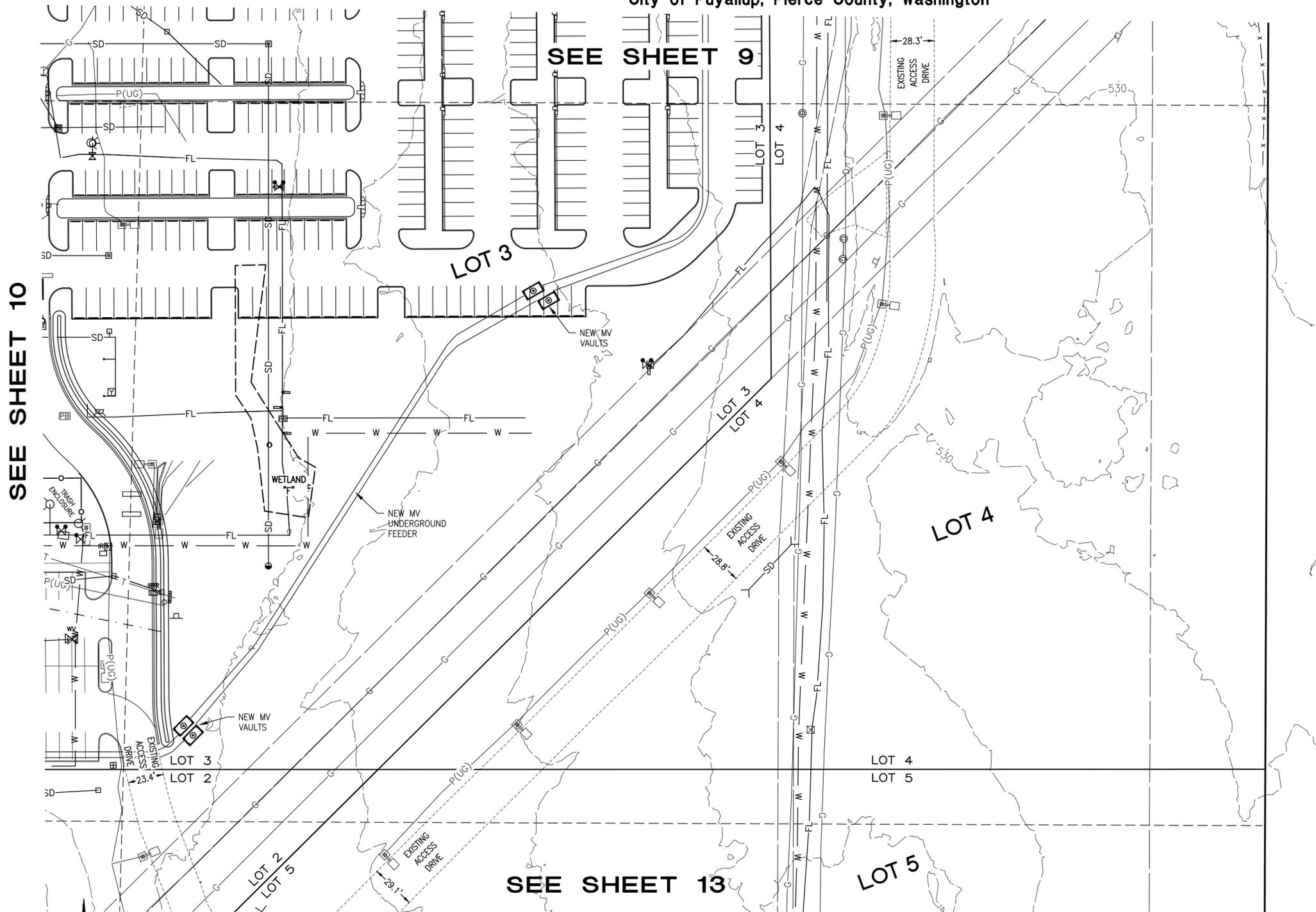
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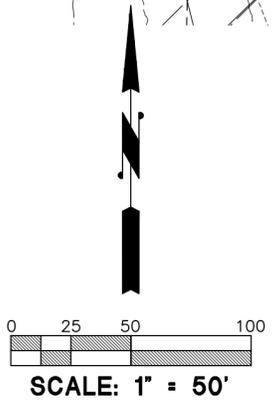
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SEE SHEET 10

SEE SHEET 9

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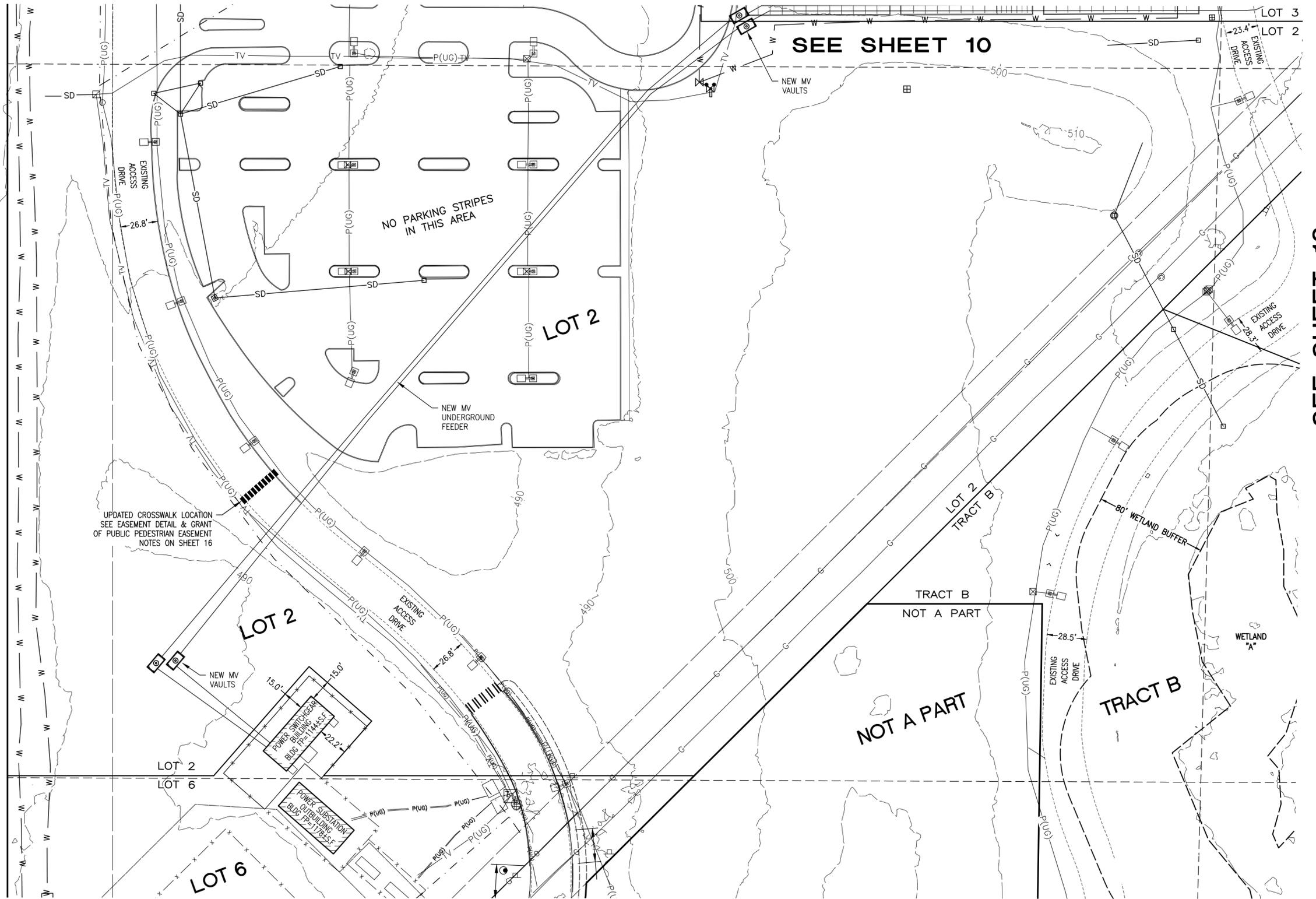
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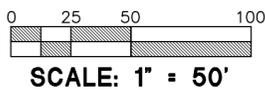
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SEE SHEET 14



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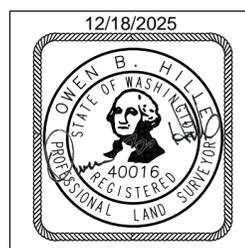
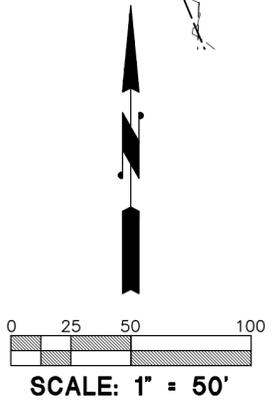
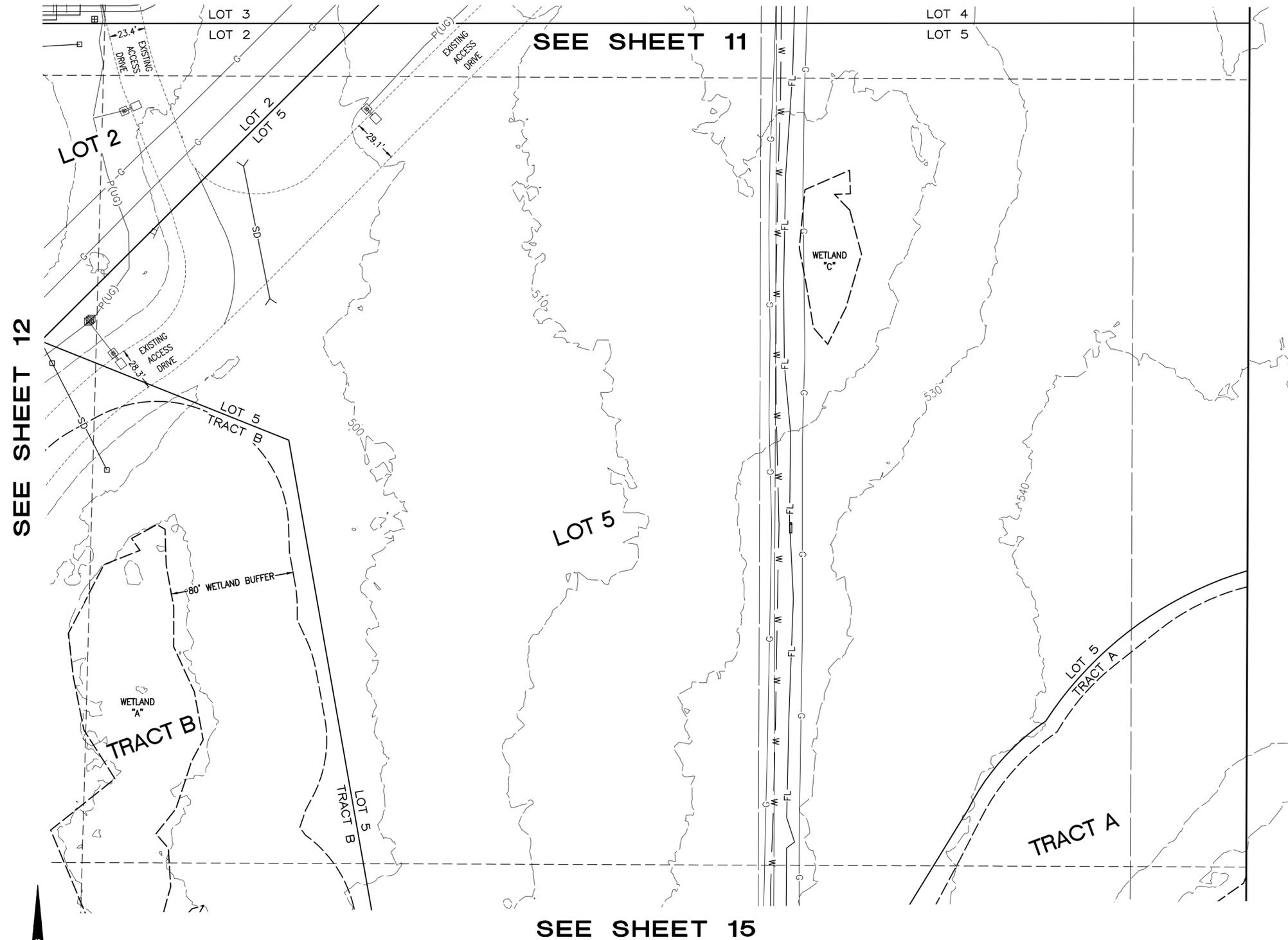
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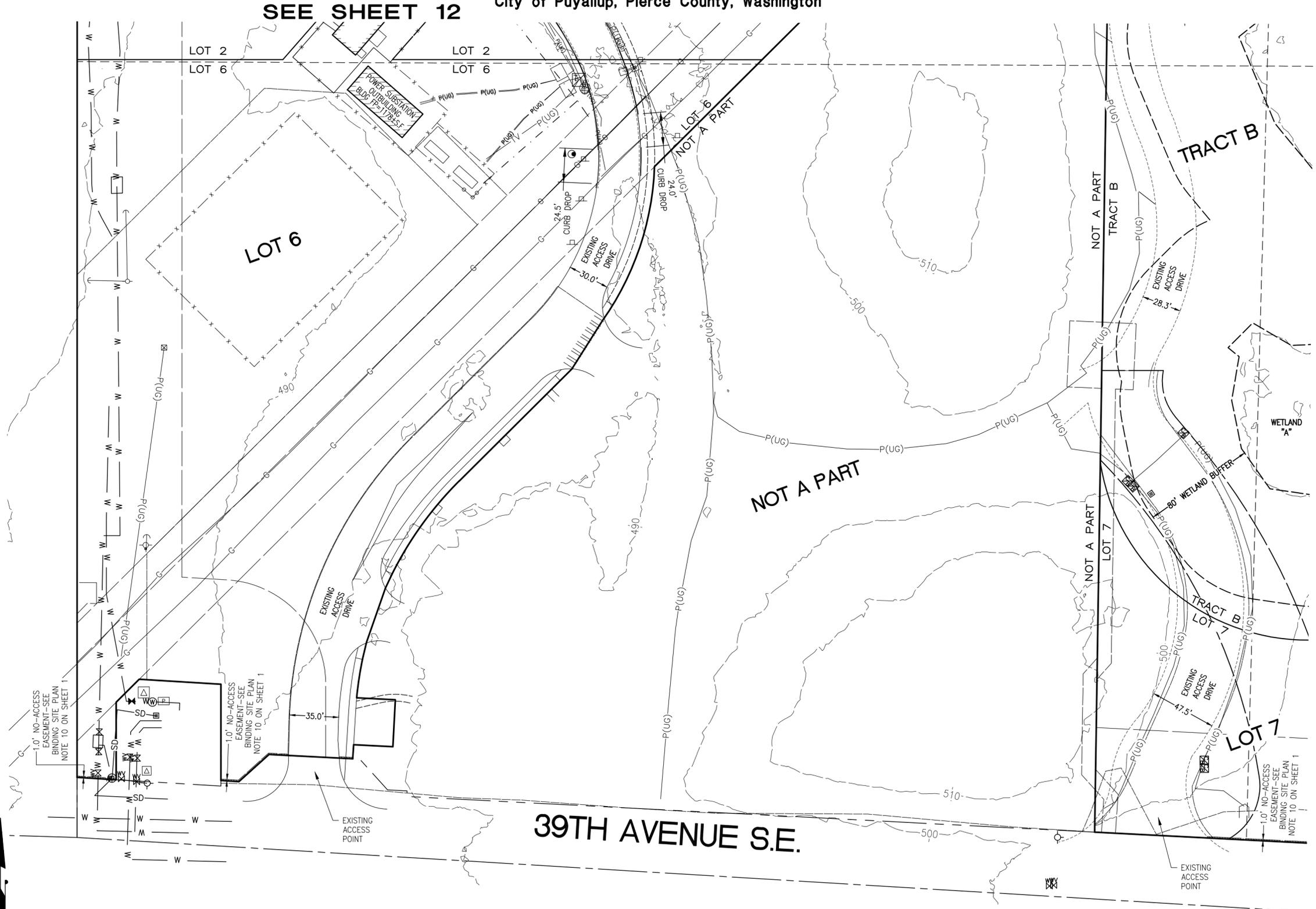
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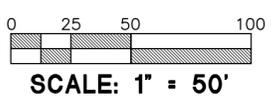
SOUTH HILL BUSINESS AND TECHNOLOGY CENTER BINDING SITE PLAN PLBSP20230028

A Portion of the NE1/4, SE1/4, NW1/4, SW1/4 of the SE1/4 of
Section 3, Township 19 North, Range 4 East, W.M.
City of Puyallup, Pierce County, Washington



SEE SHEET 12

SEE SHEET 15



Barghausen Consulting Engineers, LLC.
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Kent, WA 98032
425.251.6222 barghausen.com

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DATE: 12/18/25
SCALE: 1" = 50'
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JOB NO.: 18111

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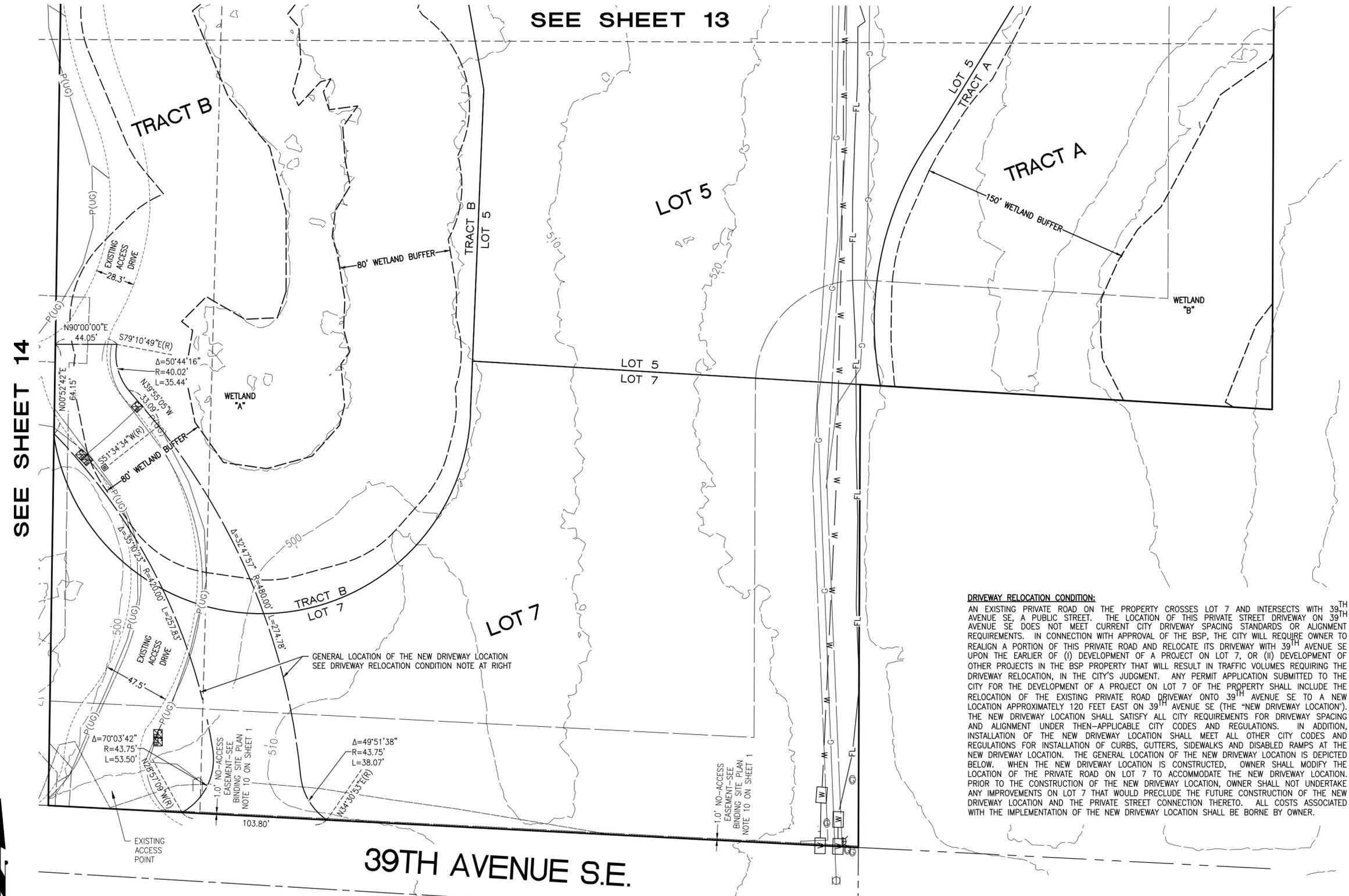
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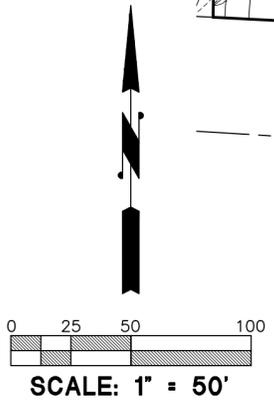
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DRIVEWAY RELOCATION CONDITION:
AN EXISTING PRIVATE ROAD ON THE PROPERTY CROSSES LOT 7 AND INTERSECTS WITH 39TH AVENUE SE, A PUBLIC STREET. THE LOCATION OF THIS PRIVATE STREET DRIVEWAY ON 39TH AVENUE SE DOES NOT MEET CURRENT CITY DRIVEWAY SPACING STANDARDS OR ALIGNMENT REQUIREMENTS. IN CONNECTION WITH APPROVAL OF THE BSP, THE CITY WILL REQUIRE OWNER TO REALIGN A PORTION OF THIS PRIVATE ROAD AND RELOCATE ITS DRIVEWAY WITH 39TH AVENUE SE UPON THE EARLIER OF (I) DEVELOPMENT OF A PROJECT ON LOT 7, OR (II) DEVELOPMENT OF OTHER PROJECTS IN THE BSP PROPERTY THAT WILL RESULT IN TRAFFIC VOLUMES REQUIRING THE DRIVEWAY RELOCATION, IN THE CITY'S JUDGMENT. ANY PERMIT APPLICATION SUBMITTED TO THE CITY FOR THE DEVELOPMENT OF A PROJECT ON LOT 7 OF THE PROPERTY SHALL INCLUDE THE RELOCATION OF THE EXISTING PRIVATE ROAD DRIVEWAY ONTO 39TH AVENUE SE TO A NEW LOCATION APPROXIMATELY 120 FEET EAST ON 39TH AVENUE SE (THE "NEW DRIVEWAY LOCATION"). THE NEW DRIVEWAY LOCATION SHALL SATISFY ALL CITY REQUIREMENTS FOR DRIVEWAY SPACING AND ALIGNMENT UNDER THEN-APPLICABLE CITY CODES AND REGULATIONS. IN ADDITION, INSTALLATION OF THE NEW DRIVEWAY LOCATION SHALL MEET ALL OTHER CITY CODES AND REGULATIONS FOR INSTALLATION OF CURBS, GUTTERS, SIDEWALKS AND DISABLED RAMPS AT THE NEW DRIVEWAY LOCATION. THE GENERAL LOCATION OF THE NEW DRIVEWAY LOCATION IS DEPICTED BELOW. WHEN THE NEW DRIVEWAY LOCATION IS CONSTRUCTED, OWNER SHALL MODIFY THE LOCATION OF THE PRIVATE ROAD ON LOT 7 TO ACCOMMODATE THE NEW DRIVEWAY LOCATION. PRIOR TO THE CONSTRUCTION OF THE NEW DRIVEWAY LOCATION, OWNER SHALL NOT UNDERTAKE ANY IMPROVEMENTS ON LOT 7 THAT WOULD PRECLUDE THE FUTURE CONSTRUCTION OF THE NEW DRIVEWAY LOCATION AND THE PRIVATE STREET CONNECTION THERETO. ALL COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THE NEW DRIVEWAY LOCATION SHALL BE BORNE BY OWNER.

SEE SHEET 14

SEE SHEET 13



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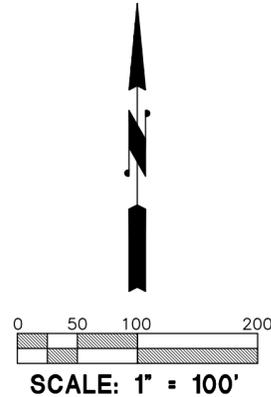
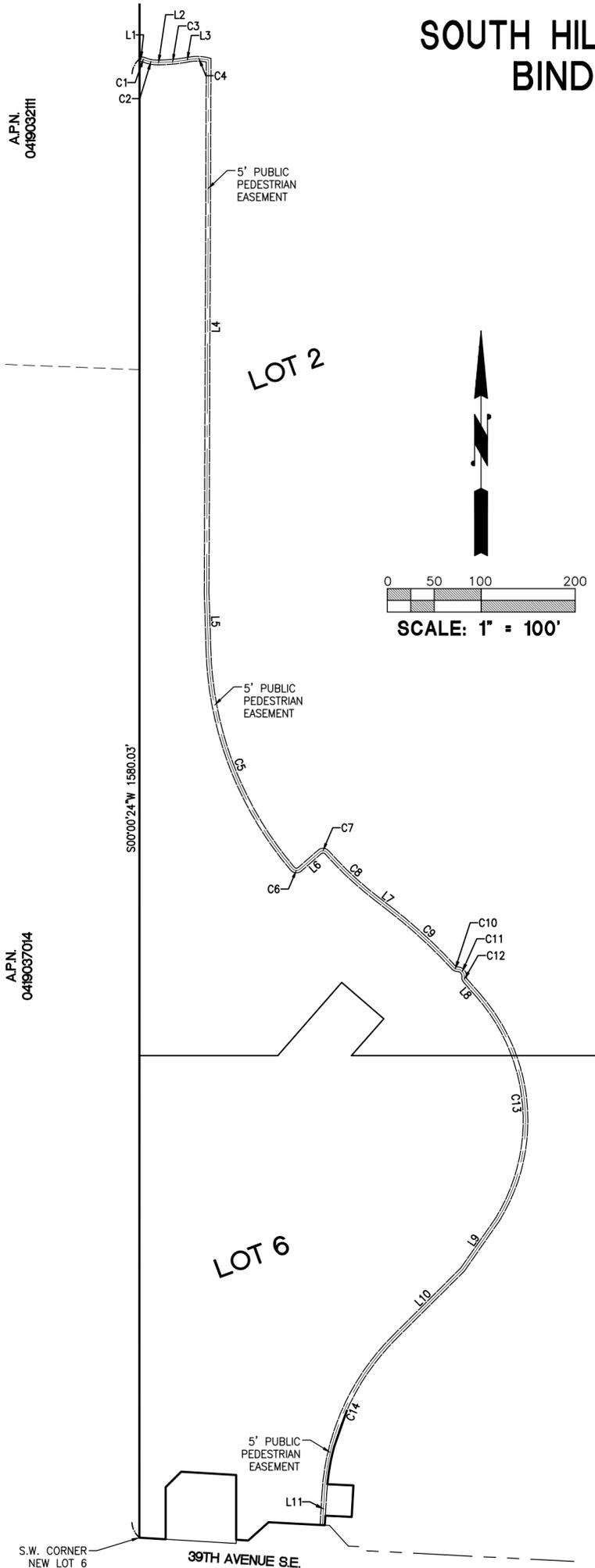
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LINE TABLE		
LINE	DIST	BEARING
L1	2.76'	S82°06'32"E
L2	2.12'	N89°16'53"E
L3	3.97'	N80°11'17"E
L4	568.06'	S00°12'59"W
L5	64.89'	N01°46'17"W
L6	28.06'	S48°50'30"W
L7	20.11'	N52°10'56"W
L8	21.29'	N41°08'09"W
L9	65.45'	N34°44'04"E
L10	101.98'	S45°04'35"W
L11	35.02'	S03°27'46"W

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	14°48'52"	10.00'	2.59'
C2	23°25'26"	35.00'	14.31'
C3	9°05'36"	175.00'	27.77'
C4	23°54'17"	50.00'	20.86'
C5	38°18'09"	377.50'	252.36'
C6	90°50'50"	5.50'	8.72'
C7	89°46'54"	5.50'	8.62'
C8	10°48'19"	377.50'	71.19'
C9	9°47'18"	536.91'	91.73'
C10	47°17'01"	5.00'	4.13'
C11	96°32'24"	7.50'	12.64'
C12	47°17'01"	5.00'	4.13'
C13	72°34'22"	202.50'	256.49'
C14	41°36'49"	256.50'	186.29'

GRANT OF PUBLIC PEDESTRIAN EASEMENT

A. GRANT OF TRAIL EASEMENT. OWNER AND THE SOUTH HILL BUSINESS AND TECHNOLOGY CENTER OWNER'S ASSOCIATION (THE "ASSOCIATION") HEREBY GRANT, DEDICATE AND CONVEY TO THE CITY, ITS SUCCESSORS AND ASSIGNS, AS A COVENANT RUNNING WITH THE LAND, A NON-EXCLUSIVE EASEMENT (THE "TRAIL EASEMENT"), SUBJECT TO THE TERMS AND CONDITIONS SET FORTH BELOW, ON, OVER, ACROSS AND ABOVE THE SURFACE OF THAT PORTION OF THE PROPERTY LEGALLY DESCRIBED BELOW (THE "EASEMENT AREA").

B. PEDESTRIAN ACCESS. SUBJECT TO THE CONDITIONS SET FORTH HEREIN, THE TRAIL EASEMENT IS GRANTED SOLELY FOR PEDESTRIAN ACCESS. PRIOR TO COMPLETION OF THE EASEMENT AREA IMPROVEMENTS BY THE OWNER, ACCESS TO THE EASEMENT AREA SHALL BE LIMITED TO OWNER, AND ITS AGENTS, EMPLOYEES, CONSULTANTS AND CONTRACTORS. FURTHER, FOLLOWING COMPLETION OF THE EASEMENT AREA IMPROVEMENTS, THE RIGHT OF THE GENERAL PUBLIC TO USE EASEMENT AREA SHALL BE LIMITED AS REASONABLY REQUIRED FOR THE SAFE EXERCISE OF OWNER'S REPAIR, RECONSTRUCTION OR REDEVELOPMENT RIGHTS. AFTER THE EASEMENT AREA IMPROVEMENTS ARE COMPLETED BY THE OWNER, AND EXCEPT WHEN THE EASEMENT AREA MAY BE CLOSED TO PUBLIC USE AS PROVIDED HEREIN, THE EASEMENT AREA WILL OPEN TO THE GENERAL PUBLIC DURING DAYLIGHT HOURS, WITHOUT CHARGE, DURING REASONABLE AND PREDICTABLE HOURS, FOR A MINIMUM OF TEN (10) HOURS EACH DAY OF THE YEAR BETWEEN OCTOBER AND APRIL AND TWELVE (12) HOURS EACH DAY OF THE YEAR BETWEEN MAY AND SEPTEMBER ("PUBLIC ACCESS HOURS"). USE OF THE EASEMENT AREA BY THE GENERAL PUBLIC DURING PUBLIC ACCESS HOURS SHALL AT ALL TIMES BE LIMITED TO PEDESTRIAN PASSAGE, WITHOUT RIGHT TO ACCESS TO ANY OF THE PROPERTY BORDERING THE EASEMENT AREA, AND SHALL BE SUBJECT TO SUCH REASONABLE RULES AND REGULATIONS AS MAY BE ADOPTED BY THE OWNER OR BY THE ASSOCIATION (THE "TRAIL REGULATIONS"). OWNER, ON BEHALF OF ITSELF AND THE ASSOCIATION, RESERVES THE RIGHT TO TAKE SUCH ACTION AS OWNER OR THE ASSOCIATION DEEMS NECESSARY OR ADVISABLE UNDER THE CIRCUMSTANCES TO PREVENT, RESPOND TO OR TERMINATE ANY ACTIVITY PROHIBITED UNDER THE TRAIL REGULATIONS, INCLUDING WITHOUT LIMITATION THE EVICTION OF INDIVIDUALS FROM THE EASEMENT AREA OR THE TEMPORARY CLOSURE OF THE EASEMENT AREA. THE CITY OF PUYALLUP SHALL HAVE NO OBLIGATION TO ENFORCE THE TRAIL REGULATIONS.

C. OWNER'S RESERVED USE OF THE EASEMENT AREA. OWNER RESERVES FOR ITSELF AND ITS SUCCESSORS (A) THE USE OF THE AIRSPACE IN AND ABOVE THE EASEMENT AREA FOR THE PURPOSE OF CRANE SWING AND FOR OTHER PURPOSES ASSOCIATED WITH THE CONSTRUCTION AND OPERATION OF BUILDINGS AND USES ON THE PROPERTY, AND, FURTHER RESERVES FOR ITSELF, ITS SUCCESSORS AND THE ASSOCIATION (B) THE USE OF THE SURFACE AND SUBSURFACE OF THE EASEMENT AREA AS REQUIRED FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, RECONSTRUCTION AND REDEVELOPMENT OF THE PROPERTY. PARTIAL OR COMPLETE TEMPORARY CLOSURE OF THE EASEMENT AREA BY THE OWNER OR SUCH SUCCESSORS MAY BE REASONABLY REQUIRED FOR OWNER OR SUCCESSORS TO COMPLETE ANY WORK PERMITTED HEREUNDER OR BY THE ASSOCIATION FOR MAINTENANCE AND/OR REPAIR. SUCH PERIOD OF CLOSURE SHALL BE LIMITED TO THE PERIOD REASONABLY NECESSARY TO COMPLETE THE REQUIRED WORK.

D. MAINTENANCE AND REPAIR. FOLLOWING COMPLETION OF THE EASEMENT AREA IMPROVEMENTS, THE ASSOCIATION SHALL ASSUME FROM OWNER AND PROVIDE, AS A COMMON EXPENSE UNDER THE CC&RS, ALL MAINTENANCE AND REPAIR SERVICES FOR THE EASEMENT AREA IMPROVEMENTS. THE EASEMENT AREA AND EASEMENT AREA IMPROVEMENTS SHALL BE MAINTAINED IN A CLEAN, ATTRACTIVE AND SAFE CONDITION, SUBSTANTIALLY SIMILAR TO THE CONDITION OF THE ORIGINAL INSTALLATION, WITH ALLOWANCE FOR REASONABLE WEAR AND TEAR PRIOR TO REPLACEMENT OF THE EASEMENT AREA IMPROVEMENTS. ALL REPAIRS TO AND REPLACEMENT OF THE EASEMENT AREA IMPROVEMENTS SHALL BE CONDUCTED PROMPTLY AND WITH MATERIALS OF LIKE KIND AND QUALITY TO THE ORIGINAL. FOLLOWING AMENDMENT OF THE CC&RS TO ASSUME THE OBLIGATIONS CONTAINED HEREIN, OWNER SHALL BE RELEASED FROM ALL SUCH OBLIGATIONS UNDER THIS EASEMENT AGREEMENT.

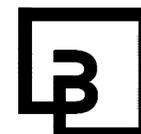
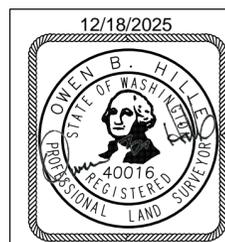
E. NO CONSTRUCTION BY CITY IN THE EASEMENT AREA. NOTHING HEREIN SHALL AUTHORIZE THE CITY TO UNDERTAKE ANY CONSTRUCTION OR MODIFICATION OF THE EASEMENT AREA OR INSTALL ANY FIXTURES, LANDSCAPING OR IMPROVEMENTS IN THE EASEMENT AREA.

F. EASEMENT AREA IMPROVEMENTS. AS A CONDITION TO THE NEXT BUILDING PERMIT FOR A NEW BUILDING ON THE PROPERTY FOLLOWING RECORDING OF THIS BINDING SITE PLAN, OWNER WILL COMPLETE CERTAIN IMPROVEMENTS TO THE EASEMENT AREA ("EASEMENT AREA IMPROVEMENTS") AS GENERALLY DESCRIBED BELOW, AT OWNER'S COST. THE EASEMENT AREA IMPROVEMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR SUCH NEW BUILDING.

WHERE A CONCRETE SIDEWALK OR GRAVEL PATH DOES NOT EXIST, A 5-FOOT-WIDE CONCRETE PEDESTRIAN PATH WILL BE CONSTRUCTED WITHIN THE DESIGNATED EASEMENT AREA, TOGETHER WITH MUTCD-COMPLIANT SIGNAGE AT THE STREET CROSSING.

G. THE OBLIGATIONS OF OWNER UNDER THIS EASEMENT AGREEMENT SHALL BE ENFORCEABLE EXCLUSIVELY BY THE CITY, AND THE CITY SHALL HAVE, IN ADDITION TO ALL AVAILABLE REMEDIES, RIGHTS OF ACCESS TO THE EASEMENT AREA FOR PURPOSES OF ENFORCING THE RIGHTS OF THE PUBLIC GRANTED HEREIN.

H. RECREATIONAL USE. THE USE OF THE EASEMENT AREA BY THE PUBLIC AS PERMITTED HEREIN IS INTENDED FOR THE RECREATIONAL USE OF THE PUBLIC, SHALL NOT BE SUBJECT TO A FEE, AND SHALL BE SUBJECT TO RCW 4.24.210.



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