



201001200067 4 PGS  
 01/20/2010 08:34:25 AM \$65.00  
 PIERCE COUNTY, WASHINGTON

Return to:  
 Marge R. Bailey  
 Qwest Corporation  
 2510 - 84<sup>th</sup> St. S., Suite 18  
 Lakewood, WA 98499

RECORDING INFORMATION ABOVE  
 EASEMENT

The undersigned Grantor(s) TUSTIN RANCH HOMEOWNER'S ASSOCIATION for and in consideration of "MUTUAL BENEFIT" (\$-0-) and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto Qwest Corporation, a Colorado corporation, hereafter referred to as "Grantee", whose address is 1801 California St., Suite 5100, Denver, CO 80202, its permitted successors, assigns, lessees, licensees, and agents a perpetual easement to construct, reconstruct, modify, change, add to, operate, maintain, and remove such telecommunications facilities, electrical facilities and appurtenances, from time to time, as Grantee may require upon, over, under and across the following described land situated in the County of PIERCE, State of Washington, which the Grantor owns or in which the Grantor has any interest, to wit:

LOT(S) \_\_\_\_\_, BLOCK TRACT "D" OF TUSTIN RANCH PDD.  
SECTION 31, TOWNSHIP 19N, RANGE 04E, W.M.  
Tax Parcel # 6023541460

Qwest reference #: WA010410 HLO1

SEE EXHIBITS A & B ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Grantor further conveys to Grantee the following incidental rights:

The right of ingress and egress over and across the lands of Grantor to and from the above-described property and the right to clear and keep cleared all trees and other obstructions as may be necessary for the Grantee's use and enjoyment of the easement area.

Grantee shall indemnify Grantor for all damages caused to Grantor as a result of Grantee's negligent exercise of the rights and privileges herein granted. Grantee shall have no responsibility for pre-existing environmental contamination or liabilities.

Grantor reserves the right to occupy, use and cultivate said easement for all purposes not inconsistent with the rights herein granted.

Grantor covenants that he/she/they is/are the fee simple owner of said land or in which the Grantor has any interest and will warrant and defend title to the land against all claims.

Grantor hereby covenants that no excavation, building, structure or obstruction will be constructed, erected, built or permitted on said easement area and no change will be made by grading or otherwise to the surface or subsurface of the easement area or to the ground immediately adjacent to the easement area.

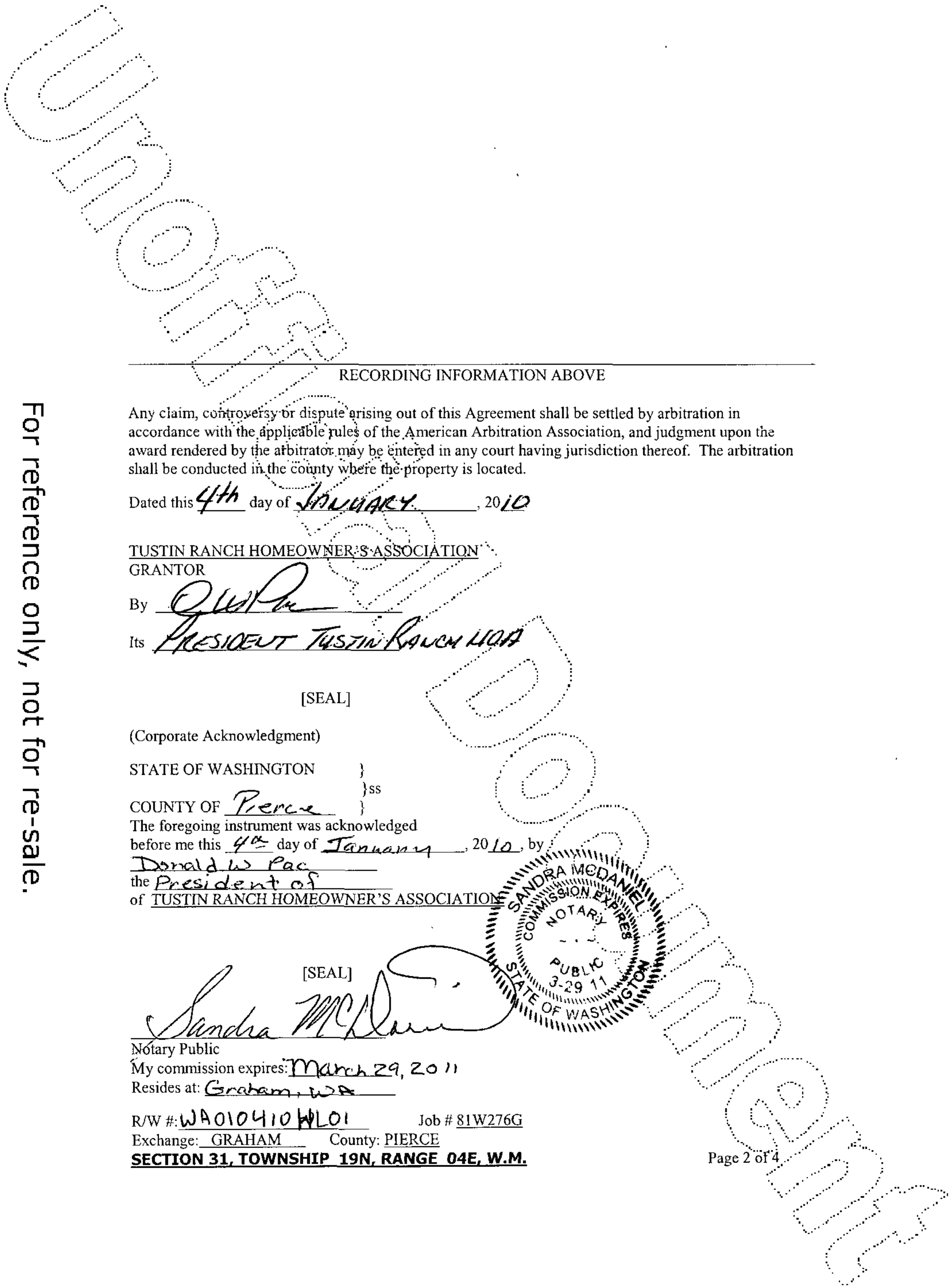
The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

EXCISE TAX EXEMPT DATE 1-20-10  
 Pierce County

By [Signature] Auth. Sig

For reference only, not for re-sale.

65



For reference only, not for re-sale.

RECORDING INFORMATION ABOVE

Any claim, controversy or dispute arising out of this Agreement shall be settled by arbitration in accordance with the applicable rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The arbitration shall be conducted in the county where the property is located.

Dated this 4th day of JANUARY, 2010

TUSTIN RANCH HOMEOWNER'S ASSOCIATION  
GRANTOR

By [Signature]

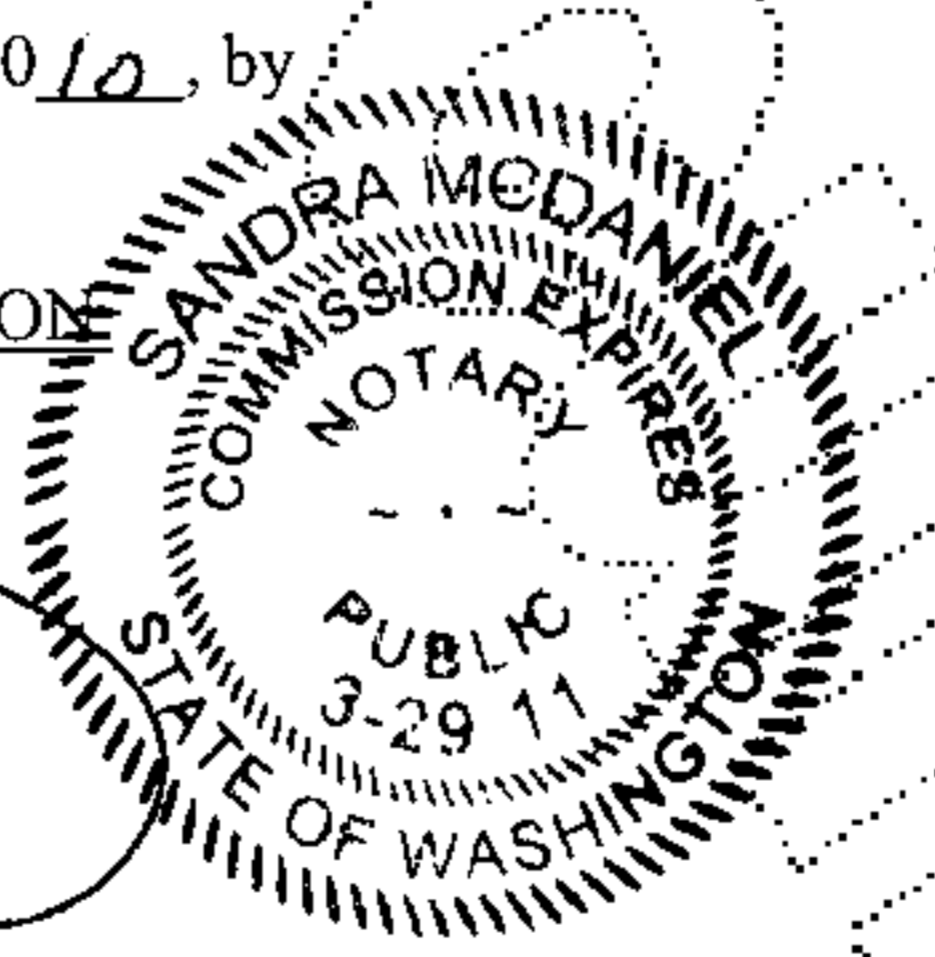
Its PRESIDENT TUSTIN RANCH HOA

[SEAL]

(Corporate Acknowledgment)

STATE OF WASHINGTON }  
COUNTY OF Pierce } ss

The foregoing instrument was acknowledged before me this 4th day of January, 2010, by Donald W Pac the President of TUSTIN RANCH HOMEOWNER'S ASSOCIATION



[Signature]  
Notary Public

My commission expires: March 29, 2011  
Resides at: Graham, WA

R/W #: WA010410 WLO1 Job # 81W276G  
Exchange: GRAHAM County: PIERCE  
**SECTION 31, TOWNSHIP 19N, RANGE 04E, W.M.**

**EXHIBIT "A"**

THAT PORTION OF SECTION 31, TOWNSHIP 19 NORTH, RANGE 04 EAST, WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL TRACT "D" OF TUSTIN RANCH PDD - 6023541460

THAT PORTION OF SECTION 31, TOWNSHIP 19 NORTH, RANGE 04 EAST, W.M., DESCRIBED AS FOLLOWS:

TRACT "D" OF TUSTIN RANCH PDD, RECORDS OF PIERCE COUNTY, WASHINGTON, RECORDING NUMBER 200101175004.

SUBJECT TO RESERVATIONS, EASEMENTS AND RESTRICTIONS OF RECORD.

SAID EASEMENT BEING A 5' X 20', MORE OR LESS, PIECE OF LAND AS PLACED IN THE NORTHWESTERLY PORTION OF THE ABOVE DESCRIBED PROPERTY, SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

GRANTOR GRANTS RIGHTS FOR ELECTRIC POWER PROVIDING COMPANIES AND THEIR CONTRACTORS TO PLACE AND MAINTAIN CABLE, CONDUIT, FACILITIES, AND APPURTENANCES ON THIS EASEMENT FOR THE PURPOSE OF PROVIDING POWER FOR GRANTEE'S TELECOMMUNICATIONS EQUIPMENT.

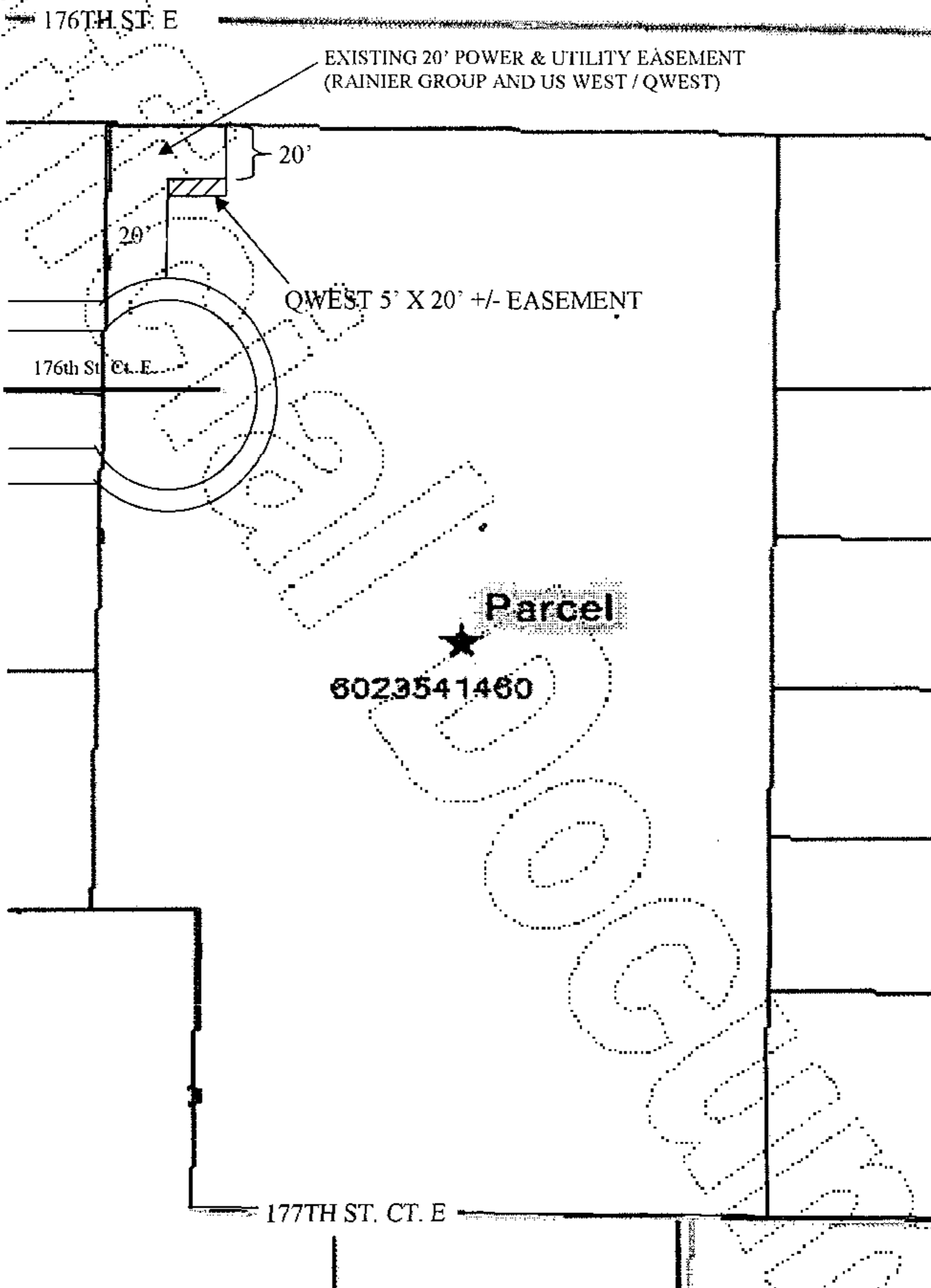
R/W # WA010410 HLO1  
CPD # 81W276G  
PARCEL # 6023541460

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EXHIBIT "B"

N  
NO SCALE

SECTION - 31  
TOWNSHIP - 19 N  
RANGE - 04E



For reference only, not for re-sale.

R/W # WA010410 HLO1  
CPD # 81W276G  
PARCEL # Tract "D" of Tustin Ranch, PDD - 6023541460