

PLAT VACATION OF **I-5 COMMERCE PLACE**  
A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND A PORTION OF THE NORTHWEST AND SOUTHWEST QUARTERS OF THE SOUTHEAST QUARTER  
OF SECTION 16, TOWNSHIP 17 NORTH, RANGE 2 WEST, W.M.

**VACATION DECLARATION**

KNOWN TO ALL PEOPLE PRESENT THAT THE CONFEDERATED TRIBES OF CHEHALIS RESERVATION, A FEDERAL RECONGNIZED TRIBE THE UNDERSIGNED OWNER, IN FEE SIMPLE OF THE LAND HEREBY PLATTED, HEREBY DECLARE THIS PLAT VACATION AND VACATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, AVENUES, PLACES, STORM DRAINAGE EASEMENTS, SANITARY SEWER EASEMENTS AND WATERMAIN EASEMENTS OR WHATEVER PUBLIC PROPERTY THERE IS SHOWN ON PLAT VACATION.

VEHICULAR ACCESS TO 93rd AVENUE SW, EXCEPT AS SHOWN, IS HEREBY WAIVED.

FOR VALUABLE CONSIDERATION, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, THE UNDERSIGNED OWNER, DOES HEREBY VACATE THE CITY OF TUMWATER'S PERPETUAL EASEMENTS, AS SHOWN ON THE FACE OF THIS PLAT VACATION.

TRACTS "A", "B", "C" & "D" ARE HEREBY VACATED BY THE LOT OWNER.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS AND SEALS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(NAME & TITLE)

**ACKNOWLEDGMENTS**

STATE OF WASHINGTON > SS  
COUNTY OF THURSTON

ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED \_\_\_\_\_ (NAME) TO ME KNOWN TO BE THE \_\_\_\_\_ (TITLE) OF CONFEDERATED TRIBES OF CHEHALIS RESERVATION, A FEDERALLY RECOGNIZED TRIBE AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT \_\_\_\_\_ IS AUTHORIZED TO EXECUTE THE SAID INSTRUMENT AND THAT THE SEAL AFFIXED (IF ANY) IS THE CORPORATE SEAL OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE-WRITTEN.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON,  
(PRINT NAME)  
RESIDING AT: \_\_\_\_\_

(SEAL)

MY COMMISSION EXPIRES: \_\_\_\_\_

**DESCRIPTIONS**

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, AND TRACTS A, B, C AND D, OF I-5 COMMERCE PLACE  
AS RECORDED SEPTEMBER 27, 2022 UNDER AUDITOR'S FILE NO. 4952603

**RESTRICTIONS AND PLAT NOTES**

- ALL LANDSCAPED AREAS IN PUBLIC RIGHTS-OF-WAY SHALL BE MAINTAINED BY THE LOT OWNER AND MAY BE REDUCED OR ELIMINATED IF DEEMED NECESSARY FOR OR DETRIMENTAL TO CITY ROAD PURPOSES.
- THE COST OF CONSTRUCTION AND MAINTAINING ALL STREETS OR DRIVEWAYS NOT HEREIN VACATED AS PUBLIC STREETS SHALL BE THE OBLIGATION OF ALL OF THE OWNERS AND THE OBLIGATION OF ANY CORPORATION IN WHICH TITLE OF THE STREETS MAY BE HELD.
- VEHICULAR ACCESS TO 93rd AVENUE SW IS RESTRICTED, THE APPROVED ACCESS POINTS ARE FROM THE EXISTING ACCESS ON 93rd AVENUE AS SHOWN HEREON.
- THE COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED UNDER AUDITOR'S FILE NO. 4952602 ARE HEREBY VACATED BY THIS PLAT VACATION. REFERENCE TERMINATION OF CCR'S RECORDED UNDER AUDITOR'S FILE NO. 5031247.
- THE STORM WATER MAINTENANCE AGREEMENT RECORDED UNDER AUDITOR'S FILE NO. 49502601 IS HEREBY VACATED BY THIS PLAT VACATION.

**PURPOSE STATEMENT**

THE PURPOSE OF THIS PLAT VACATION IS TO CONSOLIDATE ALL THE LOTS AND VACATE ALL DEDICATED RIGHTS-OF-WAY, CITY WATER EASEMENTS, CITY SEWER EASEMENTS, AND CITY STORMWATER MAINTENANCE AGREEMENTS RESULTING FROM THE FILING OF THE I-5 COMMERCE PLAT RECORDED UNDER THURSTON COUNTY AUDITOR'S FILE NO. 4952603.

**SHEET INDEX**

- SHEET 1..... VACATION, ACKNOWLEDGEMENTS, DESCRIPTION, EASEMENT PROVISIONS, APPROVALS AND LAND SURVEYOR'S CERTIFICATE
- SHEET 2..... FULL PLAT BOUNDARY
- SHEET 3..... SOUTH HALF OF PLAT BOUNDARY
- SHEET 4..... NORTH HALF OF PLAT BOUNDARY
- SHEET 5..... SECTION SUBDIVISION, TITLE NOTES, LAND SURVEYORS NOTES

**APPROVALS**

EXAMINED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_.

\_\_\_\_\_  
**TUMWATER TRANSPORTATION & ENGINEERING DIRECTOR**

EXAMINED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_.

\_\_\_\_\_  
**TUMWATER COMMUNITY DEVELOPMENT DIRECTOR**

I HEREBY CERTIFY THAT ALL LOCAL IMPROVEMENT DISTRICT ASSESSMENTS ON THE LAND DESCRIBED HEREON HAVE BEEN FULLY PAID.

\_\_\_\_\_  
**FINANCE DIRECTOR, CITY OF TUMWATER**

I HEREBY CERTIFY THAT ALL TAXES ON THE LAND DESCRIBED HEREON HAVE BEEN FULLY PAID.

\_\_\_\_\_  
**THURSTON COUNTY TREASURER**

EXAMINED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_.

\_\_\_\_\_  
**THURSTON COUNTY ASSESSOR**

**AUDITOR'S CERTIFICATE**

FILED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025 AT \_\_\_\_ M. IN BOOK \_\_\_\_ OF \_\_\_\_ AT PAGE \_\_\_\_ AT THE REQUEST OF HATTON GODAT PANTIER

\_\_\_\_\_  
THURSTON COUNTY AUDITOR BY \_\_\_\_\_  
AUDITOR'S FILE NO. \_\_\_\_\_ DEPUTY

**LAND SURVEYOR'S CERTIFICATE**



I, MATTHEW K. ABBAS, HEREBY CERTIFY THAT THIS NON-RESIDENTIAL PLAT VACATION OF I-5 COMMERCE PLACE IS BASED ON AN ACTUAL SURVEY AND SUBDIVISION OF A PORTION OF SECTION 16, TOWNSHIP 17 NORTH, RANGE 2 WEST, W.M., THAT THE DISTANCES AND COURSES SHOWN HEREON ARE CORRECT.

*Matthew K. Abbas*

10/20/25

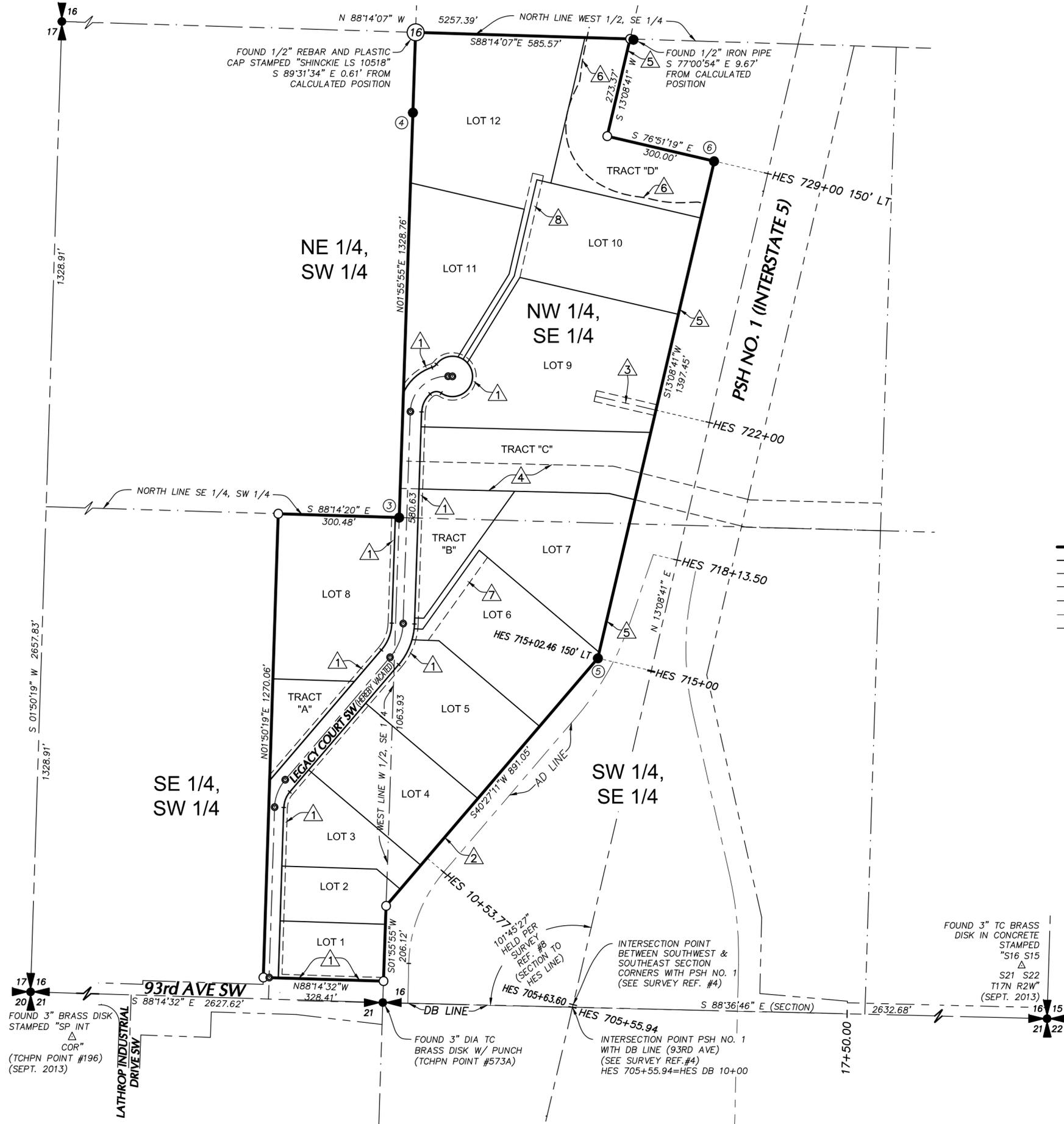
\_\_\_\_\_  
MATTHEW K. ABBAS PROF. REGISTERED LAND SURVEYOR CERTIFICATE NO. 20109892 DATE

**HATTON GODAT PANTIER**  
ENGINEERS AND SURVEYORS  
3910 MARTIN WAY E, SUITE B  
OLYMPIA, WA 98506  
TEL: 360.943.1599 FAX: 360.357.6299  
hattonpantier.com

# PLAT VACATION OF I-5 COMMERCE PLACE

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND A PORTION OF THE NORTHWEST AND SOUTHWEST QUARTERS OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 17 NORTH, RANGE 2 WEST, W.M.

## EXISTING CONDITIONS



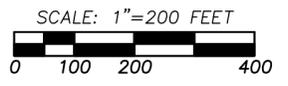
### LEGEND

- FOUND AS NOTED
- FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "JSP 28073"
- FOUND CONCRETE MONUMENT WITH BRASS DISC STAMPED "28073"
- ③ FOUND 1/2" IRON PIPE S 26°30'9" W 0.52' FROM CALCULATED POSITION
- ④ FOUND 5/8" REBAR AND PLASTIC CAP STAMPED "TUMWATER LS 19626" ON CALCULATED LINE
- ⑤ FOUND 1/2" REBAR & PLASTIC CAP STAMPED "SHINCKE LS 13518" S 31°18'54" W 0.34' FROM CALCULATED POSITION
- ⑥ FOUND 4"x4" CONCRETE MONUMENT S 48°53'1" W 0.78 FROM CALCULATED POSITION
- △ 1 EXISTING 10' WIDE UTILITY EASEMENT RECORDED UNDER AUDITOR'S FILE NO. 4952603 (TO REMAIN)
- △ 2 RIGHT OF WAY LINE DESCRIBED IN DEED TO THE STATE OF WASHINGTON DESCRIBED IN DEED RECORDED UNDER AUDITOR'S FILE NO. 743347
- △ 3 30' WIDE DRAINAGE EASEMENT DESCRIBED IN DEED TO THE STATE OF WASHINGTON RECORDED UNDER AUDITOR'S FILE NO. 516498 (TO REMAIN)
- △ 4 APPROXIMATE LOCATION 75' WIDE EASEMENT GRANTED TO PACIFIC NORTHWEST PIPELINE, AS DESCRIBED UNDER AUDITOR'S FILE NO. 757510 (TO REMAIN)
- △ 5 RIGHT OF WAY LINE DESCRIBED IN DEED RECORDED UNDER AUDITOR'S FILE NO. 516498
- △ 6 150' WETLAND BUFFER BASED ON REPORT BY KRIPPNER CONSULTING, LLC DATED JANUARY 30, 2020
- △ 7 30-FOOT INGRESS, EGRESS, AND UTILITY EASEMENT ACROSS LOT 6 (HEREBY VACATED)
- △ 8 30-FOOT WIDE INGRESS, EGRESS, AND UTILITY EASEMENT FOR LOTS 9-12, AND TRACT "D" (HEREBY VACATED)

### LINETYPES

- BOUNDARY
- LOT LINE
- SECTION
- CL OF SECTION
- SIXTEENTH OF SECTION
- STATION LINE
- RIGHT OF WAY LINE

**BASIS OF BEARINGS:**  
 THURSTON COUNTY HIGH PRECISION NETWORK  
 BASED ON CONTROL POINTS #196 AND #673A  
 EQUALS SOUTH 88°14'32" EAST

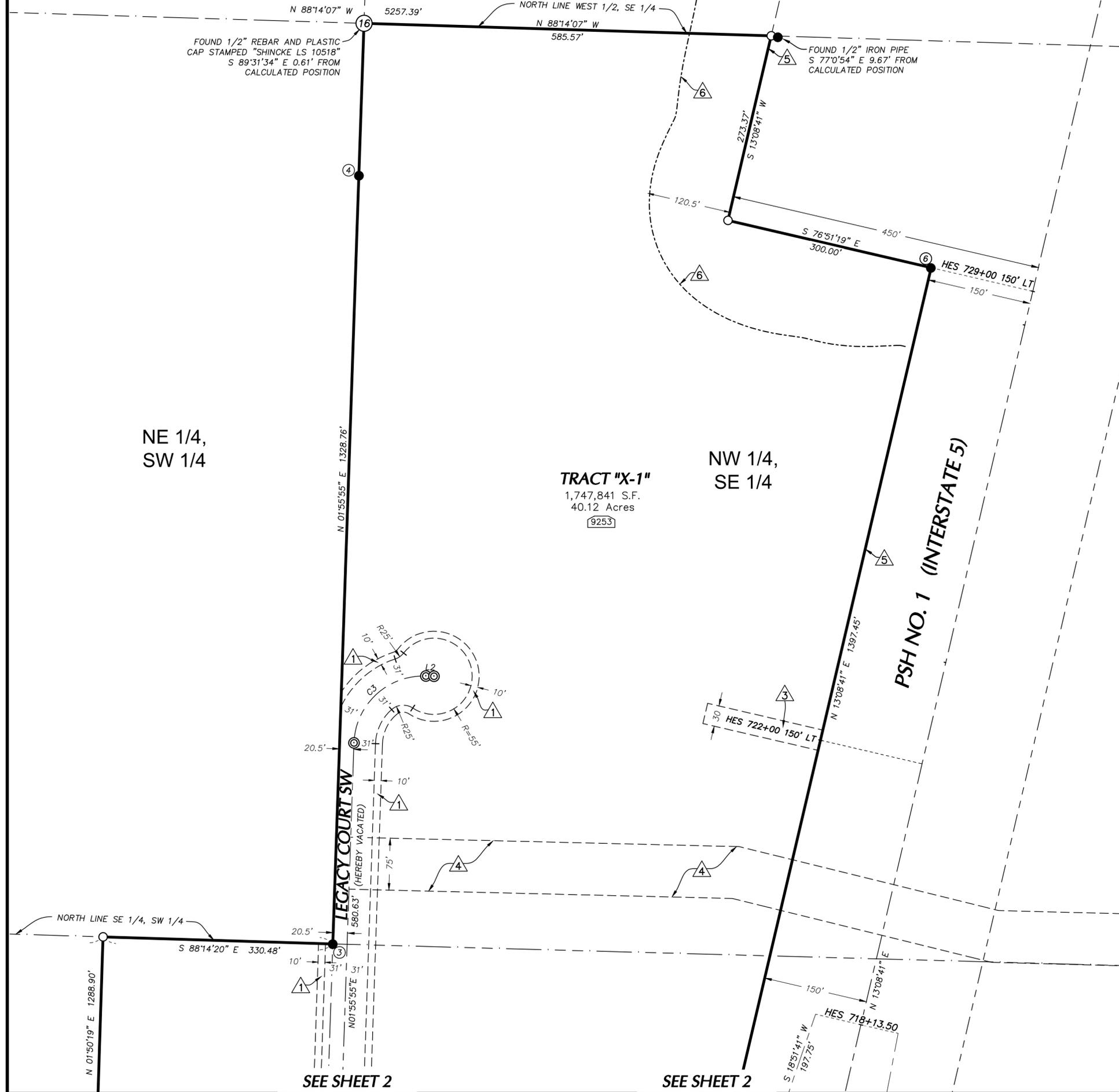


10/20/25



# PLAT VACATION OF I-5 COMMERCE PLACE

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND A PORTION OF THE NORTHWEST AND SOUTHWEST QUARTERS OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 17 NORTH, RANGE 2 WEST, W.M.



### LEGEND

- FOUND AS NOTED
- FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "JSP 28073"
- ⊙ FOUND CONCRETE MONUMENT WITH BRASS DISC STAMPED "28073"
- ③ FOUND 1/2" IRON PIPE  
S 26°30'9" W 0.52' FROM CALCULATED POSITION
- ④ FOUND 5/8" REBAR AND PLASTIC CAP STAMPED "TUMWATER LS 19626" ON CALCULATED LINE
- ⑥ FOUND 4"x4" CONCRETE MONUMENT  
S 48°53'1" W 0.78' FROM CALCULATED POSITION
- △ 1 EXISTING 10' WIDE UTILITY EASEMENT RECORDED UNDER AUDITOR'S FILE NO. 4952603 (TO REMAIN)
- △ 3 30' WIDE DRAINAGE EASEMENT DESCRIBED IN DEED TO THE STATE OF WASHINGTON RECORDED UNDER AUDITOR'S FILE NO. 516498
- △ 4 APPROXIMATE LOCATION 75' WIDE EASEMENT GRANTED TO PACIFIC NORTHWEST PIPELINE, AS DESCRIBED UNDER AUDITOR'S FILE NO. 757510
- △ 5 RIGHT OF WAY LINE DESCRIBED IN DEED RECORDED UNDER AUDITOR'S FILE NO. 516498
- △ 6 150' WETLAND BUFFER BASED ON REPORT BY KRIPPNER CONSULTING, LLC DATED JANUARY 30, 2020

1234 ADDRESS: 93rd AVENUE SW TUMWATER, WA 98501

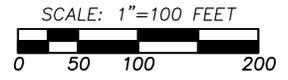
CURVE TABLE			
NO.	RADIUS	DELTA ANGLE	ARC LENGTH
C1	121.44'	38°35'44"	81.80'
C2	150.00'	38°31'16"	100.85'
C3	100.00'	90°00'00"	157.08'

LINE TABLE		
NO.	BEARING	DISTANCE
L1	S 88°14'32" E	16.00'
L2	S 88°04'05" E	11.67'

### LINETYPES

- BOUNDARY
- - - SECTION
- · - CL OF SECTION
- · - SIXTEENTH
- · - STATION LINE
- · - RIGHT OF WAY LINE
- · - EASEMENT LINE
- · - WETLAND BUFFER

**BASIS OF BEARINGS:**  
 THURSTON COUNTY HIGH PRECISION NETWORK BASED ON CONTROL POINTS #196 AND #573A EQUALS SOUTH 88° 14' 32" EAST



5/20/25

**HATTON GODAT PANTIER**  
 ENGINEERS AND SURVEYORS  
 3910 MARTIN WAY E, SUITE B  
 OLYMPIA, WA 98506  
 TEL: 360.943.1599 FAX: 360.357.6299  
 hattanpantier.com

SEE SHEET 2

SEE SHEET 2

# PLAT VACATION OF I-5 COMMERCE PLACE

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## TITLE NOTES:

TITLE INFORMATION DEPICTED/NOTED ON THIS PLAT IS BASED ON SUBDIVISION GUARANTEE ISSUED BY THURSTON COUNTY TITLE DATED APRIL 24, 2025 UNDER FILE NO. TH45797

### TITLE EXCEPTIONS:

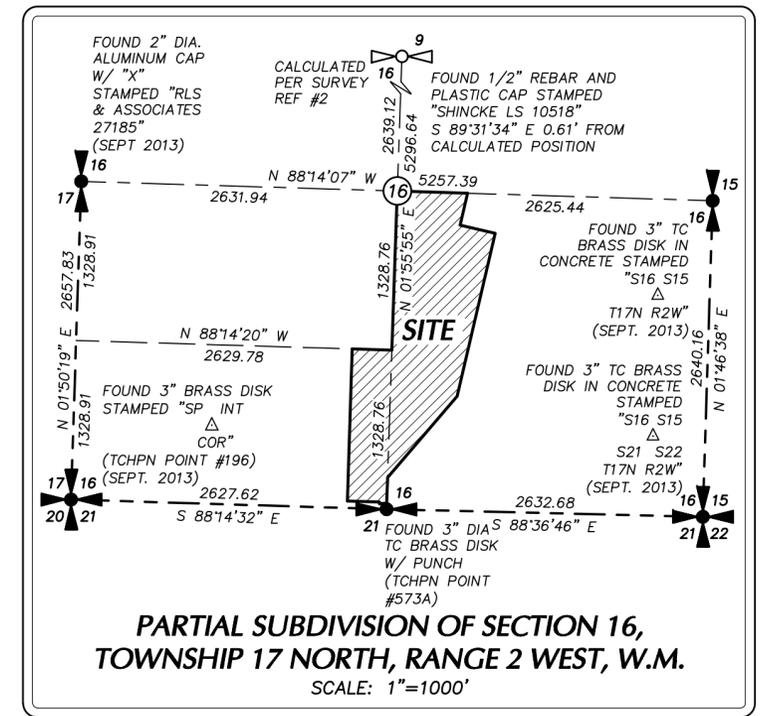
- GENERAL TAXES AND ASSESSMENTS, IF ANY, NO SEARCH HAVING BEEN MADE THEREOF; ALSO, TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS.
- UNPATENTED MINING CLAIMS, RESERVATIONS OR EXCEPTIONS IN THE UNITED STATES PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; WATER RIGHTS, CLAIMS OR TITLE TO WATER.
- TITLE TO ANY PROPERTY BEYOND THE LINES OF THE REAL PROPERTY EXPRESSLY DESCRIBED HEREIN, OR TITLE TO STREETS, ROADS, AVENUES, LANES, WAYS OR WATERWAYS ON WHICH SUCH REAL PROPERTY ABUTS, OR THE RIGHT TO MAINTAIN THEREIN VAULTS, TUNNELS, RAMPS, OR ANY OTHER STRUCTURE OR IMPROVEMENT; OR ANY RIGHTS OR EASEMENTS THEREIN UNLESS SUCH PROPERTY, RIGHTS OR EASEMENTS ARE EXPRESSLY AND SPECIFICALLY SET FORTH IN SAID DESCRIPTION.

### ADDITIONAL TITLE EXCEPTIONS:

- A PORTION OF THE LAND DESCRIBED HEREON IS SUBJECT TO EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED FROM THE STATE OF WASHINGTON, WHEREBY THE GRANTOR EXCEPTS AND RESERVES ALL OILS, GASES, COAL, ORES, MINERALS, FOSSILS, ETC., AND THE RIGHT OF ENTRY FOR OPENING, AND DEVELOPING AND WORKING MINES, ETC., PROVIDED THAT NO RIGHTS SHALL BE EXERCISED UNTIL PROVISION HAS BEEN MADE FOR FULL PAYMENT OF ALL DAMAGES SUSTAINED BY REASON OF SUCH ENTRY; AND UPON PAYING REASONABLE COMPENSATION, TO ACQUIRE RIGHTS OF WAY FOR PRIVATE RAILROADS, SAND OR GRAVEL, LOGGING AND/OR LUMBERING RAILROADS, SKID ROADS, FLUMES, CANALS, WATER COURSES, OR OTHER EASEMENTS FOR TRANSPORTING AND MOVING TIMBER, STONE, MINERALS OR OTHER PRODUCTS FROM OTHER LANDS, CONTAINED IN DEED FROM THE STATE OF WASHINGTON, DATED DECEMBER 5, 1942 AND RECORDED UNDER VOLUME 174 OF DEEDS, PAGE 128. (TO REMAIN) (NOT SHOWN-BLANKET IN NATURE) (AFFECTS SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER)
- A PORTION OF THE LAND DESCRIBED HEREON IS SUBJECT TO EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED FROM THE STATE OF WASHINGTON, WHEREBY THE GRANTOR EXCEPTS AND RESERVES ALL OILS, GASES, COAL, ORES, MINERALS, FOSSILS, ETC., AND THE RIGHT OF ENTRY FOR OPENING, AND DEVELOPING AND WORKING MINES, ETC., PROVIDED THAT NO RIGHTS SHALL BE EXERCISED UNTIL PROVISION HAS BEEN MADE FOR FULL PAYMENT OF ALL DAMAGES SUSTAINED BY REASON OF SUCH ENTRY; AND UPON PAYING REASONABLE COMPENSATION, TO ACQUIRE RIGHTS OF WAY FOR PRIVATE RAILROADS, SAND OR GRAVEL, LOGGING AND/OR LUMBERING RAILROADS, SKID ROADS, FLUMES, CANALS, WATER COURSES, OR OTHER EASEMENTS FOR TRANSPORTING AND MOVING TIMBER, STONE, MINERALS OR OTHER PRODUCTS FROM OTHER LANDS, CONTAINED IN DEED FROM THE STATE OF WASHINGTON, DATED FEBRUARY 10, 1944 AND RECORDED UNDER FILE NO. 383226. (TO REMAIN) (NOW SHOWN-BLANKET IN NATURE) (AFFECTS SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER)
- A PORTION OF THE LAND DESCRIBED HEREON IS SUBJECT TO EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED FROM THE STATE OF WASHINGTON, WHEREBY THE GRANTOR EXCEPTS AND RESERVES ALL OILS, GASES, COAL, ORES, MINERALS, FOSSILS, ETC., AND THE RIGHT OF ENTRY FOR OPENING, AND DEVELOPING AND WORKING MINES, ETC., PROVIDED THAT NO RIGHTS SHALL BE EXERCISED UNTIL PROVISION HAS BEEN MADE FOR FULL PAYMENT OF ALL DAMAGES SUSTAINED BY REASON OF SUCH ENTRY; AND UPON PAYING REASONABLE COMPENSATION, TO ACQUIRE RIGHTS OF WAY FOR PRIVATE RAILROADS, SAND OR GRAVEL, LOGGING AND/OR LUMBERING RAILROADS, SKID ROADS, FLUMES, CANALS, WATER COURSES, OR OTHER EASEMENTS FOR TRANSPORTING AND MOVING TIMBER, STONE, MINERALS OR OTHER PRODUCTS FROM OTHER LANDS, CONTAINED IN DEED FROM THE STATE OF WASHINGTON, DATED SEPTEMBER 1, 1949 AND RECORDED UNDER FILE NO. 462790. (TO REMAIN) (NOT SHOWN-BLANKET IN NATURE) (AFFECTS SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER)
- A PORTION OF THE LAND DESCRIBED HEREON IS SUBJECT TO EASEMENT AND THE TERMS AND CONDITIONS THEREOF GRANTED TO PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION FOR TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICITY RECORDED FEBRUARY 19, 2021 UNDER AUDITOR'S FILE NO. 4827283. (TO REMAIN) (NOT SHOWN-BLANKET IN NATURE) (AFFECTS PORTIONS OF LOTS 1 THROUGH 4, LOT 8, AND TRACT "A")
- A PORTION OF THE LAND DESCRIBED HEREON IS SUBJECT TO EASEMENT AND THE TERMS AND CONDITIONS THEREOF GRANTED TO PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION PURPOSE FOR TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICITY RECORDED: FEBRUARY 19, 2021 UNDER AUDITOR'S FILE NO. 4827352. (TO REMAIN) (NOT SHOWN-BLANKET IN NATURE) (AFFECTS PORTIONS OF LOTS 1 THROUGH 4, LOT 8, AND TRACT "A")
- A PORTION OF THE LAND DESCRIBED HEREON IS SUBJECT TO A FRANCHISE EASEMENT BENEFITING THE CITY OF TUMWATER, A MUNICIPAL CORPORATION, PUGET SOUND ENERGY, INC., A GAS AND ELECTRIC COMPANY, CENTURYLINK, INC., ANY TELECOMMUNICATIONS COMPANY, ANY CABLE TELEVISION COMPANY, ANY CABLE TELEVISION COMPANY, THE LOT OWNERS ASSOCIATION AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, DELINEATED ON THE FACE OF THE PLAT OF SAID SUBDIVISION. (TO REMAIN) (SEE )
- LOT 6 OF I-5 COMMERCE PLACE IS SUBJECT TO A 30-FOOT EASEMENT DELINEATED ON THE FACE OF THE PLAT OF SAID SUBDIVISION; FOR INGRESS, EGRESS AND UTILITIES FOR THE BENEFIT OF LOT 7 AND THE OWNERS ASSOCIATION. (HEREBY VACATED) (SEE )
- LOTS 9, 10, 11, 12, AND TRACT "D" OF I-5 COMMERCE PLACE ARE SUBJECT TO A 30-FOOT INGRESS, EGRESS AND UTILITY EASEMENT FOR THE BENEFIT OF LOTS 9-12, AND TRACT "D". (HEREBY VACATED) (SEE )
- TRACT "D" OF I-5 COMMERCE PLACE IS SUBJECT TO A 150 FOOT WETLAND BUFFER AS SHOWN ON THE FACE OF THE PLAT OF I-5 COMMERCE PLACE. (SEE )
- A PORTION OF THE LAND IS SUBJECT TO AGREEMENT AND THE TERMS AND CONDITIONS THEREOF GRANTING TO CITY OF TUMWATER AND KAUFMAN REAL ESTATE, LLC TO MAINTAIN STORM WATER FACILITIES AND IMPLEMENT A POLLUTION SOURCE CONTROL PLAN AS RECORDED SEPTEMBER 27, 2022 AUDITOR'S FILE NO. 4952601. (AGREEMENT HEREBY TERMINATED)
- A PORTION OF THE LAND IS SUBJECT TO EASEMENT, OR QUASI-EASEMENT, DEDICATED IN SAID PLAT FOR THE RIGHT OF THE PUBLIC TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON SAID PREMISES IN THE REASONABLE ORIGINAL GRADING OF STREETS, AVENUES, ALLEYS AND ROADS. ALSO, THE RIGHT TO DRAIN ALL STREETS OVER AND ACROSS ANY LOT OR LOTS WHERE WATER MIGHT TAKE A NATURAL COURSE AFTER THE STREET OR STREETS ARE GRADED. ALSO, ALL CLAIMS FOR DAMAGE AGAINST ANY GOVERNMENTAL AUTHORITY ARE HEREBY WAIVED WHICH MAY BE OCCASIONED TO THE ADJACENT LAND BY THE ESTABLISHED CONSTRUCTION, DRAINAGE AND MAINTENANCE OF SAID ROADS. (HEREBY VACATED)

- A PORTION OF THE LAND DESCRIBED HEREON IS SUBJECT TO RESTRICTIONS AND PLAT NOTES AS SHOWN ON THE FACE OF I-5 COMMERCE PLACE:
  - PURSUANT TO CHAPTER 17.22 OF THE TUMWATER MUNICIPAL CODE, LOTS 1 THROUGH 12 ARE SUBJECT TO ALL SERVICE FEES AND CHARGES WHICH MAY BE LEVIED BY THE OWNERS ASSOCIATION FOR THE MAINTENANCE, OPERATION AND IMPROVEMENT OF COMMUNITY FACILITIES AND FOR LIENS FOR ANY UNPAID SERVICE FEES OR CHARGES.
  - TRACTS A, B, C, & D SHALL BE OWNED AND MAINTAINED BY THE I-5 COMMERCE PLACE LOT OWNERS ASSOCIATION.
  - TRACTS A & B ARE DESIGNATED STORM WATER MANAGEMENT AREAS FOR THIS PLAT. THE STORM WATER SYSTEMS SHALL BE MAINTAINED BY THE LOT OWNERS ASSOCIATION IN ACCORDANCE WITH THE STORM WATER MAINTENANCE PLAN RECORDED WITH THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THIS PLAT.
  - TRACT C IS DESIGNATED AS OPEN SPACE.
  - ALL LANDSCAPED AREAS IN PUBLIC RIGHTS-OF-WAY SHALL BE MAINTAINED BY THE LOT OWNERS ASSOCIATION AND MAY BE REDUCED OR ELIMINATED IF DEEMED NECESSARY FOR OR DETRIMENTAL TO CITY ROAD PURPOSES AND SHALL BE SUFFICIENT FOR THE FRONT YARD LANDSCAPING REQUIREMENTS FOR LOTS 1-9 & LOT 11 INCLUSIVE. ADDITIONALLY, THE 25.5 FEET OF LANDSCAPING ADJACENT TO LOT 1 FRONTING ON 93RD AVENUE SE SHALL COUNT TOWARD THE 15% LANDSCAPE REQUIREMENT FOR DEVELOPMENT OF LOTS 1-12.
  - THE COST OF CONSTRUCTION AND MAINTAINING ALL STREETS OR DRIVEWAYS NOT HEREBY DEDICATED AS PUBLIC STREETS SHALL BE THE OBLIGATION OF ALL OF THE OWNERS AND THE OBLIGATION OF ANY CORPORATION IN WHICH TITLE OF THE STREETS MAY BE HELD.
  - VEHICULAR ACCESS TO 93RD AVENUE SE FROM LOT 1 IS RESTRICTED, THE APPROVED ACCESS POINTS ARE FROM LEGACY COURT SW.
  - EACH LOT IN THE SUBDIVISION SHALL PROVIDE A STORM WATER MANAGEMENT PLAN, IN ACCORDANCE WITH ANY OF TUMWATER STANDARDS AT THE TIME OF DEVELOPMENT OF EACH LOT.
    - THE KAUFMAN HABITAT CONSERVATION PLAN WAS PREPARED AND SUBSEQUENTLY APPROVED BY THE U.S. FISH & WILDLIFE SERVICE (USFWS) FOR THIS PLAT TO MITIGATE POTENTIAL IMPACTS TO THE OLYMPIA POCKET GOPHER, TAYLOR'S CHECKERSPOT BUTTERFLY AND STREAKED HORNED LARK (FEDERAL FISH AND WILDLIFE PERMIT NUMBER TE91853B-0). THE MITIGATION MEASURES INCLUDED IN THE APPROVED PLAN HAVE BEEN IMPLEMENTED AND NO FURTHER MITIGATION WILL BE REQUIRED FOR THE DEVELOPMENT OF EACH LOT WITHIN THIS PLAT.
    - THE PROPERTY OWNER AND THE CITY OF TUMWATER WISH TO RECORD THIS FINAL PLAT WITHOUT DELAY AND WHEREAS IT IS UNDETERMINED HOW LOTS 9, 10, 11 AND 12 WILL DEVELOP, EITHER SEPARATELY OR CONSOLIDATED INTO FEWER PARCELS, IT IS HEREBY AGREED BETWEEN THE CITY OF TUMWATER AND KAUFMAN REAL ESTATE LLC AND ITS SUCCESSOR AND ASSIGNS TO DELAY THE CONSTRUCTION OF THE WATER MAIN AND THE SEWER MAIN AND THE GRANTING OF THE EASEMENTS TO THE NORTH PROPERTY LINE OF THE I-5 COMMERCE PLAT UNTIL SUCH TIME AS THE LOTS DEVELOP, WHETHER AS ONE CONSOLIDATED PARCEL OR INDIVIDUAL PARCELS.  
  
THE GRANTING OF THE WATER MAIN AND SEWER MAIN EASEMENTS IN ADDITION TO THE CONSTRUCTION OF THE UTILITIES WILL BE CONDITIONED UPON FUTURE SITE DEVELOPMENT/GRADING PERMITS AND/OR BUILDING PERMITS FOR THE LOTS 9, 10, 11, AND 12.  
(ITEMS "A" THROUGH "F", AND "H" ARE HEREBY VACATED)
- EASEMENT PROVISIONS AS SHOWN ON THE FACE OF I-5 COMMERCE PLACE:

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF TUMWATER, A MUNICIPAL CORPORATION, PUGET SOUND ENERGY, INC., A GAS AND ELECTRIC COMPANY, CENTURYLINK, INC., ANY TELECOMMUNICATIONS COMPANY, ANY CABLE TELEVISION COMPANY, THE LOT OWNERS ASSOCIATION AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS UNDER AND UPON THE EXTERIOR TEN FEET PARALLEL WITH AND ADJOINING THE PUBLIC STREET FRONTS OF ALL LOTS AND TRACTS TOGETHER WITH THOSE EASEMENTS DEPICTED ON SHEETS 4 & 5 IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN ANY PRIVATE OR PUBLIC UTILITIES, INCLUDING UNDERGROUND PIPE, CONDUIT, CABLES AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, GAS, SEWER, WATER, STREET LIGHTING AND UTILITY SERVICE; TOGETHER WITH THE RIGHT TO ENTER UPON LOTS AND TRACTS AT ALL TIMES FOR THE PURPOSES HEREIN STATED. THESE EASEMENTS ENTERED UPON FOR THESE PURPOSES SHALL BE RESTORED AS NEAR AS POSSIBLE TO THEIR ORIGINAL CONDITION. NO LINES OR WIRES FOR THE TRANSMISSION OF ELECTRIC CURRENT OR FOR TELEPHONE USE OR CABLE TELEVISION SHALL BE PLACED OR PERMITTED TO BE PLACED UPON ANY LOT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING. (TO REMAIN)



## LAND SURVEYORS NOTES:

- THIS SURVEY WAS CONDUCTED BY FIELD TRAVERSE METHODS USING A LEICA THREE SECOND TOTAL STATION SURVEY INSTRUMENT. THE RESULTS OF THIS SURVEY EXCEED THE STANDARDS CONTAINED IN WAC 332.130.090.
- ALL CORNERS NOTED AS FOUND WERE VISITED IN AUGUST OF 2013 AND JUNE OF 2025.

## SURVEY REFERENCES

- SUBDIVISION GUARANTEE ISSUED BY THURSTON COUNTY TITLE DATED APRIL 24, 2025 UNDER FILE NO. TH45797
- THURSTON COUNTY HIGH PRECISION SURVEY CONTROL NETWORK
- SR5 RIGHT OF WAY PLANS, MAYTOWN TO TUMWATER, SHEETS 6-12 DATED MAY 1952
- SR5 RIGHT OF WAY PLAN, MAYTOWN TO TUMWATER, LATHROP ROAD INTERCHANGE, SHEET 2 DATED DECEMBER 21, 1965
- SURVEY RECORDED UNDER AUDITOR'S FILE NO. 4178427
- SURVEY RECORDED UNDER AUDITOR'S FILE NO. 3848391
- SURVEY RECORDED UNDER AUDITOR'S FILE NO. 3705330
- SURVEY RECORDED UNDER AUDITOR'S FILE NO. 3161359
- SURVEY RECORDED UNDER AUDITOR'S FILE NO. 3161358
- SURVEY RECORDED UNDER AUDITOR'S FILE NO. 9008090011
- PLAT OF I-5 COMMERCE PLACE RECORDED UNDER AUDITOR'S FILE NO. 4952603



10/20/25

**HATTON GODAT PANTIER**  
 ENGINEERS AND SURVEYORS  
 3910 MARTIN WAY E, SUITE B  
 OLYMPIA, WA 98506  
 TEL: 360.943.1599 FAX: 360.357.6299  
 hattonpantier.com