FIRST AMENDMENT
TO
BALLOT DROP BOX USE PERMIT
(Pierce County Auditor)

This First Amendment to Ballot Drop Box Use Permit ("First Amendment") is made and entered into by and between PIERCE TRANSIT, a Washington municipal corporation (hereinafter "Pierce Transit") and PIERCE COUNTY, a municipal corporation and political subdivision of the state of Washington (hereinafter "Pierce County"). PIERCE TRANSIT and Pierce County may hereinafter be referred to collectively as "Parties" or individually as a "Party."

WHEREAS PIERCE TRANSIT and Pierce County have entered into that certain Ballot Drop Box Property Use Permit ("Agreement") dated September 8, 2010 pursuant to which PIERCE TRANSIT granted to Pierce County and Pierce County accepted from PIERCE TRANSIT, the right to use certain parcels of real property consisting of the land and improvements commonly and legally described in Exhibit A attached hereto and by this reference incorporated herein ("Subject Properties"); and

WHEREAS PIERCE TRANSIT has sold the Bonney Lake Park and Ride Property located at 9201 Sky Island Drive East, Bonney Lake, WA, tax parcel 5640001841 (hereinafter "The Bonney Lake Park and Ride Property") to CENTRAL PUGET SOUND REGIONAL TRANSIT AUTHORITY, A REGIONAL TRANSIT AUTHORITY OF THE STATE OF WASHINGTON (hereinafter "Sound Transit") pursuant to that certain Statutory Warranty Deed dated 10/10/14 and recorded on 10/17/14; and

WHEREAS PIERCE TRANSIT and Pierce County now desire to amend the terms of the Agreement in accordance with this First Amendment.

NOW, THEREFORE, for and in consideration the terms, covenants and conditions set forth below, PIERCE TRANSIT and Pierce County hereby agree as follows:

1. Amendment to Exhibit “A” Common and Legal Descriptions of Subject Properties. Exhibit “A” shall be replaced with the attached Exhibit “A-1” to remove the Bonney Lake Park and Ride Property from the Agreement.

2. Amendment to Exhibit “C” Depiction of the Premises. Exhibit “C” shall be replaced with the attached Exhibit “C-1” to remove the Bonney Lake Park and Ride Property from the Agreement.

3. Amendment to Section 11. Notices. Section 11 is deleted and substituted with

11. Notices. Any notices required or desired to be given shall be by telephone, electronic mail and U.S. mail to the person(s) set forth below:

Draft 1st Amendment To BALLLOT DROP BOX PROPERTY USE PERMIT Page 1 of 13 FacilitiesMgmt_AuditorBallotDropBoxUseAgreementPierceTransit.doc
To Pierce Transit:  Pierce Transit  
Attn: Larry McCarty, Facilities Maintenance Manager  
3701 96th Street SW  
Lakewood, WA 98499-4431  
Telephone: 253-581-8053  
Email: lmccarty@piercetransit.org  

Copy to:  Pierce Transit  
Attn: Dixie Sciacqua, Special Events Coordinator  
P.O. Box 99070  
Lakewood, WA 98496-0070  
Telephone: 253-581-8001  
Fax: 253-984-8161  
Email: dixiesciacqua@piercetransit.org  

To Pierce County:  Pierce County Auditor - Elections Division  
Attn: Julie Colacurcio//Mike Rooney  
2501 South 35th Street, Suite C  
Tacoma, WA 98409-7284  
Telephone: 253-798-6587 (Colacurcio)  
253-798-2148 (Rooney)  
Email: jcolacu@co.pierce.wa.us (Colacurcio)  
mrooney@co.pierce.wa.us (Rooney)  

Copy to:  Pierce County Facilities Management  
Attn: Real Property Management Specialist  
1102 Broadway, Suite 302  
Tacoma, WA 98402-2160  
Telephone: 253-798-7223  
Email: rtacket@co.pierce.wa.us  

Copy to:  Pierce County Prosecuting Attorney/Civil Division  
Attn: David H. Prather, Deputy Prosecuting Attorney  
955 Tacoma Avenue South, Suite 301  
Tacoma, WA 98402-2160  
Telephone: 253-798-4168 (Direct Line)  
Email: dprathe@co.pierce.wa.us  

4. **Construction.** This First Amendment was negotiated under circumstances in which each party had the opportunity to seek the assistance of their own legal counsel and shall be construed according to its fair meaning and not strictly for or against either party.  

5. **Authority.** Landlord and Tenant each represents and warrants to the other that it has the power and authority to execute this First Amendment and that there are no third party approvals required to execute this First Amendment or to comply with the terms and conditions set forth herein.
6. **Ratification and Confirmation.** The Agreement, except as amended by the First Amendment is hereby ratified and confirmed and shall remain in full force and effect in accordance with its original terms and conditions.

7. **Effective Date of First Amendment.** The effective date hereof shall be the date the Pierce County Executive (who shall be the last person to sign) shall have executed this Amendment as indicated opposite her name below.

[SIGNATURES & ACKNOWLEDGEMENTS APPEAR ON FOLLOWING PAGES]
PIERCE TRANSIT SIGNATURE PAGE

PIERCE TRANSIT, A Washington municipal corporation:

By:                                                                                      1/27/15  
Jim Walton, Interim Chief Executive Officer  

By:                                                                                      1/27/15  
Wayne Fanshier, Chief Financial Officer  

APPROVED AS TO LEGAL FORM ONLY:  

By:                                                                                      1/27/15  
Dana Henderson, General Counsel  

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FacilitiesMgmt_AuditorBallotDropBoxUseAgreementPierceTransit.doc
PIERCE COUNTY SIGNATURE PAGE
PIERCE COUNTY, a municipal corporation and political subdivision of the state of Washington:

APPROVED AS TO LEGAL FORM ONLY:

By: [Signature] 2/3/15
   Deputy Prosecuting Attorney   Date

RECOMMENDED:

By: [Signature] 2/5/15
   Director, Budget and Finance   Date

By: [Signature] 2/2/15
   Pierce County Auditor   Date

FINAL ACTION:

By: [Signature] 2/19/15
   Pierce County Executive
EXHIBIT A
(Common and Legal Descriptions of Subject Properties)

72nd Street Park & Ride
Site address: 1319 E 72nd Street, Tacoma, WA
Tax Parcel: 916000592
Legal Description:
Section 27 Township 20 Range 03 Quarter 24 UNION PACIFIC: UNION PACIFIC
PARCEL "B" OF BOUNDARY LINE REVISION 94-06-02-0287 DESC AS FOLL LOTS 1 THRU
12 BLK 49 TOG/W LOTS 1 THRU 12 BLK 50 TOG/W THAT POR OF LOTS 1 THRU 12 BLK 51
DESC AS FOLL BEG AT SW COR O

Lakewood Park & Ride
Site address: 10417 S. Tacoma Way, Lakewood, WA
Tax Parcel: 5095000054
Legal Description:
Township 19 Range 03 Quarter 32 LAKE VIEW PARK: LAKE VIEW PARK POR B4, 5, 18,
10, 19 & 24 & POR VAC WATER ST, OLYMPIA AVE & ALLEYS LY WLY OF SR 5, SCOTT RD
TO TAC & SELY OF FOLL DESC LI BEG AT A PT OPPOSITE HES 1091+66 ON SURVEY LI
OF SR 5 & 1

Roy Y Park & Ride
Site address: 19110 SR 7 E, Tacoma, WA
Tax Parcel: None
Legal Description:
Parcel A (PARK & RIDE FACILITY)
Commencing at the POINT OF BEGINNING; thence south 86°17'30" west,
176.76 feet; thence along a curve to the right having a central angle of
22°00'00" and radius of 540.00 feet, a distance of 207.34 feet; thence north
71°42'30" west a distance of 92.27 feet to the southeasterly right-of-way
line of State Highway No. 507; thence north 17°31'30" east along said
southeasterly right-of-way line a distance of 123.54 feet; thence along a
curve to the right having a central angle of 98°14'58" and a radius of 144.8
feet, a distance of 248.3 feet to the intersection with the southwesterly
right-of-way line of State Highway No. 7; thence south 42°49'30" east along
said right-of-way a distance of 338.61 feet, more or less, to the POINT OF
BEGINNING.
Contains 1.85 acres, more or less.

EXHIBIT "A"
JUL 26 2011
EXHIBIT A
(Common and Legal Descriptions of Subject Properties)
Continued

Tacoma Dome Park & Ride
Site address: 610 Puyallup Ave., Tacoma, WA
Tax Parcel: 2074240011

Legal Description:
Section 09 Township 20 Range 03 Quarter 12 : TACOMA LD COS 1ST N 1/2 OF NE 9-20-03E COMB FOR TAX PURPOSES ONLY L 1 THRU 12 B 7424, L 1 THRU 12 B 7426, L 1
THRU 12 B 7523, L 1 THRU 12 B 7525 TOG/W VAC ALLEYS & VAC EAST `F` ST PER ORD
25698 ALSO TOG/W E 10

Bonney Lake Park & Ride
Site address: 9201 SKY ISLAND DR E, Bonney Lake, WA
Tax Parcel: 5640001841

Legal Description:
Section 33 Township 20 Range 05 Quarter 32 MCDONALD FRUIT TRACTS: MCDONALD
FRUIT TRACTS L 4 DBLR 98-04-16-5004 POR IN SW 33-20-05E DESC AS POLL S 1/2 TR
28 & N 1/2 OF N 1/2 TR 30 EXC POR LY NLY OF ELY OF POLL DESC LI COM AT NW COR
OF S 1/2 TR 28 TH S 89
EXHIBIT A-1
(Common and Legal Descriptions of Subject Properties)

72nd Street Park & Ride
Site address: 1319 E 72nd Street, Tacoma, WA
Tax Parcel: 916000592
Legal Description:
Section 27 Township 20 Range 03 Quarter 24 UNION PACIFIC: UNION PACIFIC PARCEL "B" OF BOUNDARY LINE REVISION 94-06-02-0287 DESC AS FOLL LOTS 1 THRU 12 BLK 49 TOG/W LOTS 1 THRU 12 BLK 50 TOG/W THAT POR OF LOTS 1 THRU 12 BLK 51 DESC AS FOLL BEG AT SW COR O

Lakewood Park & Ride
Site address: 10417 S. Tacoma Way, Lakewood, WA
Tax Parcel: 5095000054
Legal Description:
Township 19 Range 03 Quarter 32 LAKE VIEW PARK: LAKE VIEW PARK POR B4, 5, 18, 10, 19 & 24 & FOR VAC WATER ST, OLYMPIA AVE & ALLEYS LY WLY OF SR 5, SCOTT RD TO TAC & SELY OF FOLL DESC LI BEG AT A PT OPPOSITE HES 1091+66 ON SURVEY LI OF SR 5 & 1

Roy Y Park & Ride
Site address: 19110 SR 7 E, Tacoma, WA
Tax Parcel: None
Legal Description:

Parcel A (PARK & RIDE FACILITY)

Commencing at the POINT OF BEGINNING; thence south 86°17'30" west, 176.76 feet; thence along a curve to the right having a central angle of 22°00'00" and radius of 540.00 feet, a distance of 207.34 feet; thence north 71°42'30" west a distance of 92.27 feet to the southeasterly right-of-way line of State Highway No. 507; thence north 17°31'30" east along said southeasterly right-of-way line a distance of 123.54 feet; thence along a curve to the right having a central angle of 98°14'58" and a radius of 144.8 feet, a distance of 248.3 feet to the intersection with the southwesterly right-of-way line of State Highway No. 7; thence south 42°49'30" east along said right-of-way a distance of 338.61 feet, more or less, to the POINT OF BEGINNING.

Contains 1.85 acres, more or less.

EXHIBIT A

JUL 26 1304
EXHIBIT A-1
(Common and Legal Descriptions of Subject Properties)
Continued

Tacoma Dome Park & Ride
Site address: 610 Puyallup Ave., Tacoma, WA
Tax Parcel: 2074240011

Legal Description:
Section 09 Township 20 Range 03 Quarter 12 : TACOMA LD COS 1ST N 1/2 OF NE 9-20-03E COMB FOR TAX PURPOSES ONLY L 1 THRU 12 B 7424, L 1 THRU 12 B 7426, L 1 THRU 12 B 7523, L 1 THRU 12 B 7525 TOG/W VAC ALLEYS & VAC EAST `F` ST PER ORD 25698 ALSO TOG/W E 10
EXHIBIT C-1
(Depiction of Premises)

72nd Street Park & Ride
Site address: 1319 E 72nd Street, Tacoma, WA
Tax Parcel: 916000592
EXHIBIT C-1
(Description of Premises)
Continued

Lakewood Park & Ride
Site address: 10417 S. Tacoma Way, Lakewood, WA
Tax Parcel: 5095000054
EXHIBIT C-1
(Depiction of Premises)
Continued

Tacoma Dome Park & Ride
Site address: 610 Puyallup Ave., Tacoma, WA
Tax Parcel: 2074240011