

AGREEMENT

This Agreement is made as of June 1, 1996, by and among Sisters of Providence in Washington d/b/a Providence Marianwood ("SPW"), PeaceHealth ("PH") and Providence Point Umbrella Association ("PPA"). SPW is the owner in fee simple of that certain parcel of property legally described on attached Exhibit A on which it owns and operates Providence Marianwood. SPW acquired Providence Marianwood from PH on or about February 1, 1996.

At the time SPW acquired Providence Marianwood from PH, PH agreed to indemnify and hold Chicago Title Insurance Company harmless from and against certain potential encroachments; these encroachments are disclosed by a survey dated January 17, 1996, prepared by Dowl Engineers, a division of Dowl, Incorporated ("Dowl Survey"). PH and SPW also agreed to work cooperatively with PPA to resolve any outstanding issues resulting from these encroachments.

PPA owns certain property legally described on attached Exhibit B which adjoins Providence Marianwood and which property is affected by the encroachments identified in the Dowl Survey.

PPA, SPW and PH desire to resolve the outstanding issues with respect to such encroachments by permitting the encroachments which include a wall, fences and sign as shown on the Dowl Survey to remain as currently situated; provided, at such time as SPW or any successor in interest relocates or removes such encroaching wall, fences and/or sign, such encroachments shall be cured by changing the location of the encroaching wall, fences and sign to eliminate the encroachment. Further, neither PH nor SPW shall have any claim either by adverse possession or otherwise to any property upon which the encroachment is situated.

In consideration of the mutual covenants set forth herein, PPA, SPW and PH agree as follows:

1. Until the encroaching wall, fences and sign as shown on the Dowl Survey are either removed, relocated or rebuilt, SPW or any successor in interest shall have the right to have such wall, fences and sign encroach onto PPA's property. At such time as such encroaching wall, fences or sign are either removed, relocated or rebuilt, SPW or any successor in interest shall cause the reconstructed or relocated wall, fences or sign to be relocated so as to prevent any encroachment onto PPA's property.
2. Neither PH nor SWP shall have any claim by adverse possession or otherwise in and to any

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of PPA's property arising out of the encroaching wall, fences and sign as shown on the Dowl Survey. PH and SPW expressly waive any rights or claims they may have with respect to any such claim of adverse possession and specifically quit claim to PPA any interest in and to any property of PPA arising out of the encroachments. Notwithstanding the encroaching wall, fences and sign, the parties hereto acknowledge and confirm that the property lines as set forth in the attached legal descriptions on Exhibit A and B represent the true property lines between Providence Marianwood and PPA's property.

3. This Agreement shall operate as a covenant running with the land and shall bind all parties, their respective personal representatives, successors and assigns.

Executed as of June 1, 1996.

Sisters of Providence in Washington d/b/a
Providence Marianwood

By: *Jessye Long*

Its: SECRETARY

Date: 6/21/96

PeaceHealth

By: *Stuart P. Hennessey*

Its: Assistant Secretary

Date: 7/2/96

Providence Point Umbrella Association

By: *Wendolyn B. Strong*

Its: President

By: *Roberta G. Bach*

Its: Secretary

Date: June 25, 1996

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Exhibit A

Legal Description of Providence Marianwood

(See attached Exhibit A)

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EXHIBIT A

LEGAL DESCRIPTION

The land referred to is situated in the State of Washington, County of KING, and is described as follows:

LOTS 2 AND 3, KING COUNTY SHORT PLAT NUMBER 983051R, RECORDED UNDER RECORDING NUMBER 8503069003, SAID SHORT PLAT BEING A REVISION OF KING COUNTY SHORT PLAT NUMBER 983051, RECORDED UNDER RECORDING NUMBER 8312299001, IN KING COUNTY, WASHINGTON;
EXCEPT THAT PORTION OF LOT 2 OF KING COUNTY SHORT PLAT NUMBER 983051R, RECORDED UNDER RECORDING NUMBER 8503069003, IN KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2;
THENCE NORTH 30°00'00" EAST 39.98 FEET ALONG THE WEST LINE THEREOF TO A POINT OF CUSP WITH A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 60.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS NORTH 60°00'00" WEST;
THENCE SOUTHWESTERLY AND SOUTHERLY 43.76 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 41°47'28" TO THE SOUTHERLY LINE OF SAID LOT 2;
THENCE NORTH 59°58'51" WEST 15.27 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING;

TOGETHER WITH THAT PORTION OF LOT 1 OF KING COUNTY SHORT PLAT NUMBER 983051R, RECORDED UNDER RECORDING NUMBER 8503069003, IN KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF LOT 2 OF SAID SHORT PLAT;
THENCE ALONG THE LINE COMMON TO SAID LOTS 1 AND 2 SOUTH 59°58'51" EAST 15.27 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING ALONG SAID COMMON LOT LINE SOUTH 59°58'51" EAST 89.44 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 60.00 FEET, A RADIAL LINE THROUGH SAID BEGINNING BEARS SOUTH 18°10'14" EAST;
THENCE WESTERLY AND NORTHWESTERLY 100.93 ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 96°22'46" TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH THAT PORTION OF SAID LOT 1, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 3 OF SAID SHORT PLAT;
THENCE SOUTH 01°27'13" WEST 20.00 FEET ALONG THE SOUTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 3;
THENCE NORTH 81°56'19" WEST 176.17 FEET TO AN ANGLE POINT IN THE SOUTH LINE OF SAID LOT 2;
THENCE ALONG THE LINE COMMON TO SAID LOTS 1 AND 2 AND THE LINE COMMON TO SAID LOTS 1 AND 3 SOUTH 88°27'26" EAST 175.00 FEET TO THE POINT OF BEGINNING;

(ALSO KNOWN AS LOT B, KING COUNTY LOT LINE ADJUSTMENT NO. 8602006, RECORDED UNDER RECORDING NUMBER 8605120928).

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES AS DELINEATED ON SAID SHORT PLAT OVER THE NORTHERLY 81.23 FEET OF THE MOST EASTERLY 475 FEET OF SAID LOT 1;

EXCEPT THAT PORTION OF SAID EASEMENT CONVEYED TO KING COUNTY FOR ROAD PURPOSES BY DEED RECORDED UNDER RECORDING NUMBER 8606100953; AND
EXCEPT THAT PORTION OF SAID EASEMENT LYING WITHIN THE FOLLOWING DESCRIBED PORTION OF SAID LOT 1:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 3 OF SAID SHORT PLAT;
THENCE SOUTH 01°27'13" WEST 20.00 FEET ALONG THE SOUTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 3;
THENCE NORTH 81°56'19" WEST 176.17 FEET TO AN ANGLE POINT IN THE SOUTH LINE OF SAID LOT 2;
THENCE ALONG THE LINE COMMON TO SAID LOTS 1 AND 2 AND THE LINE COMMON TO SAID LOTS 1 AND 3 SOUTH 88°27'26" EAST 175.00 FEET TO THE POINT OF BEGINNING.

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EXHIBIT A

LEGAL DESCRIPTION (continued)

TOGETHER WITH AN EASEMENT FOR USE OF A STORM DRAINAGE DETENTION POND AND RELATED IMPROVEMENTS AND FOR LANDSCAPING, FOUNTAINS, WALKWAYS AND RELATED IMPROVEMENTS WITHIN THE "STORM DETENTION EASEMENT AREA", AS ESTABLISHED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 8703090373; AND

TOGETHER WITH AN EASEMENT FOR LANDSCAPING, FOUNTAINS, WALKWAYS, PRIVATE ROADWAYS AND UTILITIES WITHIN THE "HHS LANDSCAPE, ACCESS AND UTILITY EASEMENT AREA", AS DESCRIBED IN AND ESTABLISHED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 8703090373.

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Exhibit B

Legal Description of Providence Point Umbrella Association

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EXHIBIT B

TRACTS ~~X~~ AND Z, GARDEN VILLAGE CONDOMINIUM,
SURVEY MAP AND PLANS RECORDED IN VOLUME 87 OF CONDOMINIUMS, PAGES 59 THROUGH 70,
INCLUSIVE; AMENDED IN VOLUME 88, PAGES 31 THROUGH 33, INCLUSIVE; AMENDED IN
VOLUME 89, PAGES 56 THROUGH 59, INCLUSIVE; CORRECTED BY AFFIDAVIT RECORDED UNDER
RECORDING NUMBER 8902070605; AMENDED IN VOLUME 90, PAGES 52 THROUGH 54,
INCLUSIVE; AMENDED IN VOLUME 91, PAGES 1 THROUGH 4, INCLUSIVE; AMENDED IN VOLUME
92, PAGES 12 THROUGH 17, INCLUSIVE; AMENDED IN VOLUME 98, PAGES 51 THROUGH 79,
INCLUSIVE; CORRECTED BY AFFIDAVITS RECORDED UNDER RECORDING NUMBERS 9007021232
AND 9008280571; AMENDED IN VOLUME 100, PAGES 70 THROUGH 77, INCLUSIVE; AMENDED
IN VOLUME 101, PAGES 50 THROUGH 57, INCLUSIVE; AMENDED IN VOLUME 101, PAGES 84
THROUGH 88, INCLUSIVE; AMENDED IN VOLUME 102, PAGES 64 THROUGH 71, INCLUSIVE;
CORRECTED BY AFFIDAVIT RECORDED UNDER RECORDING NUMBER 9503220651 CONDOMINIUM
DECLARATION RECORDED UNDER RECORDING NUMBER(S) 8805190303, IN KING COUNTY,
WASHINGTON.

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ACKNOWLEDGMENT

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 28TH day of June, 1996, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Jeffrey W. Rogers, to me known to be the Secretary of Sisters of Providence in Washington; and he acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the purposes and uses therein mentioned, and on oath stated that they were duly authorized to execute said instrument.

In witness whereof I have hereunto set my hand and affixed my official seal this 28TH day of June, 1996.

[SEAL]

Charlton P. Clark
Notary Public for the
State of Washington
Residing at King County
My commission expires
8-14-96

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ACKNOWLEDGMENT

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 2nd day of July, 1996, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Stuart Hennessy, to me known to be the Assistant Secretary of PeaceHealth; and he acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the purposes and uses therein mentioned, and on oath stated that they were duly authorized to execute said instrument. kg

In witness whereof I have hereunto set my hand and affixed my official seal this 2nd day of July, 1996.

[SEAL]

Karen Wilson
Notary Public for the
State of Washington
Residing at King County
My commission expires
May 15, 2000

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