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WA State Department
of Ecology (SWRO)

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7 SUPERIOR COURT OF WASHINGTON IN AND FOR PIERCE COUNTY

8 STATE OF WASHINGTON,
9 DEPARTMENT OF ECOLOGY,

Plaintiff,

v.

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12 CITY OF TACOMA and FOSS
13 WATERWAY DEVELOPMENT
14 AUTHORITY

Defendants.

No. 94-2-10917-6

FOURTEENTH AMENDMENT TO
CONSENT DECREE TO ADD
PARTY DEFENDANT

(SUCCESSOR OWNER OR
OPERATOR AGREEMENT)

15 This Amendment is to add CR Albers Mill Communities, LLC as a party Defendant to
16 the Consent Decree in this case, pursuant to Section 17 of the Decree. CR Albers Mill
17 Communities, LLC is acquiring, or has acquired, an ownership interest in property covered
18 under the Decree. The property is known as Parcel 9, Development Site 2, which is within the
19 geographic boundary described in Amended Exhibit A to the Decree. A legal description of the
20 property is provided in Appendix A to this Amendment.

21 CR Albers Mill Communities, LLC agrees to be bound by all provisions of the Consent
22 Decree previously entered in this case as they apply to the particular parcel in which it is
23 acquiring an ownership interest. This Amendment is not intended to make CR Albers Mill
24 Communities, LLC jointly and severally liable for properties covered by the Decree for which it
25 is not a Successor Owner or Operator.
26

1 The undersigned parties agree to amend the Consent Decree to add CR Albers Mill
2 Communities, LLC as a party Defendant. These parties agree that this Amendment will be
3 submitted for entry with the Court only after the transfer in interest to CR Albers Mill
4 Communities, LLC is consummated.

5 Being fully advised of the reasons for entering this Amendment to the Consent Decree
6 and good cause having been shown,

7 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that CR Albers Mill
8 Communities, LLC is added as a party Defendant to the Consent Decree and is bound by it.

9 DATED THIS 30 day of Jan, 2013.

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13 JUDGE/COMMISSIONER
14 Pierce County Superior Court

15 IT IS SO AGREED TO BY THE UNDERSIGNED

16
17 CR Albers Mill Communities, LLC

18 By: 

19 Printed Name: Penny Carlsrud

20 Title: Manager

21 Date: 12/5/13

1 DEPARTMENT OF ECOLOGY

ROBERT FERGUSON
Attorney General

2
3 



4 JAMES PENDOWSKI
5 Program Manager
6 Toxics Cleanup Program


JOHN LEVEL, WSBA #20439
Assistant Attorney General
Attorneys for Plaintiff

7 Date: 1/27/14

Department of Ecology
Date: 1/28/14

8 CITY OF TACOMA

9
10 
11 T. C. BROADNAX
12 City Manager


JEFF CAPELL, WSBA #25207
Assistant City Attorney

13 Date: 1/2/2014

City of Tacoma
Date: Dec. 30, 2013

14 FOSS WATERWAY DEVELOPMENT
15 AUTHORITY

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18 SU DOWIE
19 Interim Executive Director

20 Date: 12.30.13

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Appendix A
Legal Description

Pierce County
All of Lots 9 through 13 inclusive, Block 58, according to the official MAP OF THE TACOMA TIDELANDS filed in the Office of the commissioner of Public Lands at Olympia, Washington, 3 September 1895. Except the easterly 159 feet of said Lots 9 through 13. Located in Tacoma, Pierce County, State of Washington.