

SKAGIT COUNTY, WASH.
FILED

JUL 10 1992

Phyllis Coie McKeehen, Co. Clerk
Deputy

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Paul Kelly
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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SKAGIT

JOHN STEWARD HUMPHREYS and
ANN M. HUMPHREYS, husband
and wife,

Plaintiffs,

vs.

SKAGIT COUNTY, a municipal
corporation,

Defendant.

NO. 92-2-00494-4

AGREED JUDGMENT QUIETING
TITLE IN FIFTH STREET
AND WASHINGTON AVENUE,
PLAT OF FIDALGO CITY,
TOGETHER WITH PLATTED
ALLEYWAY

THIS MATTER having come on for hearing in the above-entitled Court upon the stipulation of the Plaintiffs above and herein named, appearing by and through their attorney, PAUL H. REILLY, and the Defendant appearing through its attorney, JOHN R. MOFFAT, Chief Civil Deputy, Skagit County Prosecuting Attorney's Office, whereby the parties agree that judgment should be entered upon Plaintiff's claim, which is well-founded in fact and law, and Defendant does not have any affirmative or other defenses to claim for relief, and the Court being otherwise fully advised, NOW, THEREFORE,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That Plaintiffs are the owners of certain real property within the "Plat of Fidalgo City", said Plat being filed for record in the office of the Skagit County Auditor in Volume 2 of Plats, page 113, on or about November 7, 1889.

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AGREED JUDGMENT QUIETING TITLE - 1

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2. That the real property owned by these Plaintiffs herein abuts upon certain portions of streets and alleyways as set forth in the above-referenced Plats, to wit:

The property owned by these Plaintiffs abuts upon portions of Fifth Street and Washington Avenue and the alleyway bisecting Block 136. The legal description of the Plaintiffs' property is set forth in Exhibit A attached hereto and incorporated by this reference as if fully set forth.

3. That none of the real property subject to this lawsuit lies within the boundaries of any incorporated city or town and that these portions of the described streets, together with adjacent alleyways, and which abut upon Plaintiffs' property have never been opened and used as public rights-of-way.

4. That according to the provisions of the laws of 1889-1890, Chapter 19, Section 32, those portions of the described streets and alleyways abutting upon the Plaintiffs' property were vacated and abandoned by operation of law, not having been opened and used as public rights-of-way within five (5) years of the date of the dedication and filing of said Plat, and to the centerline thereof, has been and is the property of the Plaintiffs insofar as the said streets and alleyways abut the Plaintiffs' property.

5. That the Defendant has no right, title, interest, or right of possession in or to the said portions of the said rights-of-way described in paragraph 2 above.

6. That the Plaintiffs' prayer for relief is granted and title to the property described in paragraph 2 above,

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AGREED JUDGMENT QUIETING TITLE - 2

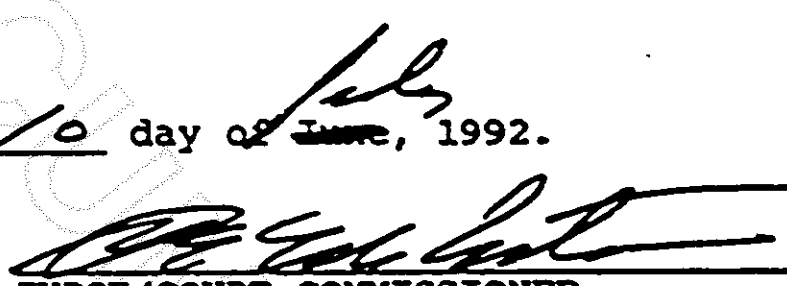
0715 1992 0411 1788

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specifically the streets and alleyways, is quieted in the
Plaintiffs to the centerline of the described streets insofar as
they appear in the "Plat of Fidalgo City", and as they abut the
Plaintiffs's property.

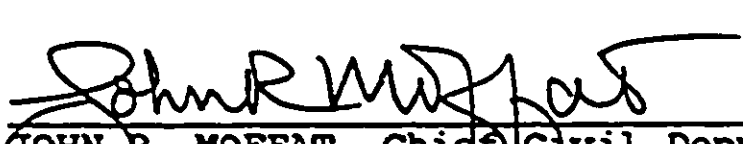
DONE IN OPEN COURT this 10 day of June, 1992.


JUDGE/COURT COMMISSIONER

Presented By:


PAUL H. REILLY, WSBA #10709
Attorney for Plaintiffs

COPY RECEIVED; APPROVED AS TO FORM;
NOTICE OF PRESENTATION WAIVED:


JOHN R. MOFFAT, Chief Civil Deputy
WSBA #5887, Attorney for Defendant

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AGREED JUDGMENT QUIETING TITLE - 3

0715 1992 0411 1789

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Lots 14 through 26, Block 136, MAP OF FIDALGO CITY, according to the plat thereof recorded in Volume 2 of Plats, page 113, records of Skagit County, Washington.

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"EXHIBIT A"

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