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200209040052

Skagit County Auditor

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SKAGIT COUNTY WASH.
FILED

SEP - 4 2002

Phyllis Coole-McKeenen, Co. Clerk.
By _____ Deputy

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF SKAGIT

FRANCHISE HOLDING II, LLC, a
Delaware limited liability company,

Plaintiff,

020. 2 01331 0

LIS PENDENS

v.

1. ORCHARD LLC, Washington
limited liability company;
2. PETER B. BRAUN, individually and
on behalf of his marital community;
3. JOAN L. BRAUN, individually and
on behalf of her marital community; and
4. ORCHARD FOODS
CORPORATION, a Washington
corporation,

Defendants.

NOTICE IS HEREBY GIVEN pursuant to RCW 4.28.320 that the above-named plaintiff has commenced an action against the above-named defendants in the Superior Court for the above-named county by filing a summons and complaint; this is notice of pendency of that action. The names of the parties to the action are set forth above. The object of the action is to foreclose a deed of trust recorded on August 7, 2000, with the Skagit County Auditor's Office, file number 200008070113. The deed of trust was assigned to the plaintiff on August 3, 2000, and recorded with the Skagit County

LIS PENDENS - 1

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PRESTON GATES & ELLIS LLP
701 FIFTH AVENUE
SUITE 5000
SEATTLE, WASHINGTON 98104-7078
TELEPHONE: (206) 623-7580
FACSIMILE: (206) 623-7022

1 Auditor's Office under file number 200112310189 on December 31, 2001. The
2 description of the real property encumbered by the deed of trust and affected by the action
3 is as follows:

4 **Lots 1 through 8, inclusive, Block 46, MAP OF THE CITY OF**
5 **ANACORTES, according to the plat thereof recorded Volume 2 of**
6 **Plats, pages 4 through 7, records of Skagit County, Washington.**

7 **That certain Lease made and entered into by and between Orchard**
8 **LLC, as tenant, and Madrona Real Estate Investors, LLC, as landlord,**
9 **dated December 7, 1998, as amended by that certain Addendum of**
10 **Lease dated May 27, 1999, of the real property described above, a**
11 **Memorandum of which was recorded June 29, 2000, under Skagit**
12 **County Auditor's Number 200006290112.**

13 All persons dealing with the real estate subsequent to the recording of this lis
14 pendens will take subject to the plaintiff's rights as established in the action.

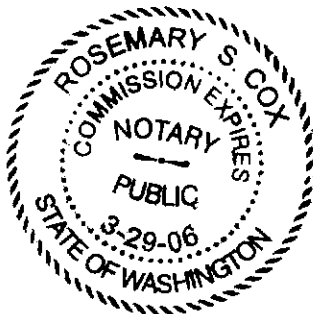
15 DATED this 3rd day of September, 2002.

16 PRESTON GATES & ELLIS LLP

17 By

18 *Julie Anne Halter*
19 David K. Tang, WSBA # 09428
20 Julie Anne Halter, WSBA # 27492
21 Marni Hussong, WSBA # 31574
22 Attorneys for Plaintiff
23 Franchise Holding II, LLC


24 SIGNED AND AFFIRMED before me on the 3rd day of September, 2002, by
25 Julie Anne Halter.



26 Print Name: Rosemary S. Cox
27 NOTARY PUBLIC in and for the State
28 of Washington
29 My appointment expires: 3-29-06

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