



200303140018

Skagit County Auditor

Return Address:

George E. Benson  
Keithly, Weed, Graafstra & Benson, P.S., Inc.  
21 Avenue A  
Snohomish, WA 98290

Document Title: Lis Pendens

Reference Number of Related Document: Mortgage Filing No. 9603070023

Grantor: Dynes Farms, Inc., Riverview Farms, Charles Dynes and A.W. Dynes,  
partners, A.W. Dynes, Charles Dynes and Elizabeth Dynes  
(Other defendants listed on page 2.)

Grantee: Northwest Farm Credit Services, FLCA, a corporation  
(assignee)

Legal Description: ptn Blk. 130-132, 1st Add. To Burlington; ptn Lots 72, 78,  
& 79, Burlington Acreage Property; ptn SE 1/4 SW 1/4, 10-35-6; ptn N  
1/2, 15-35-6; ptn Gov. Lot 4, 25-35-4; ptn SE 1/4 SE 1/4, 26-35-4; ptn Gov.  
Lot 1, 35-35-4; ptn Gov. Lot 4, 36-35-4 E W.M.

(Full legal description of Skagit County Property found on pages 2 through 8.)

Assessor's Property Tax Parcel Numbers:

4077-130-006-0108	P72169	4077-131-001-0101	P72171
4077-131-002-0001	P72172	4077-131-003-0000	P72173
4077-132-003-0008	P72179	3867-000-072-0207	P62771
3867-000-072-0306	P62772	3867-000-079-0002	P62821
4077-131-005-0008	P72175	4077-132-004-0106	P72181
350610-3-009-0006	P40972	350615-2-001-0001	P41227
350615-1-002-0002	P41220	350615-1-001-0003	P41219
350425-0-021-0100	P37615	350426-4-003-0004	P37709
350436-0-005-0107	P38402	350435-0-001-0102	P38371
3867-000-078-0607	P62812		

1  
2  
3  
4  
5 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
6 IN AND FOR THE COUNTY OF SKAGIT

7 NORTHWEST FARM CREDIT SERVICES, )  
8 FLCA, a corporation, )

9 Plaintiff, )

10 vs. )

03 2 00376 2

NO.

11 DYNES FARMS, INC., a Washington )  
12 corporation, formerly known as Dynes Poultry )  
13 Farms, Inc., successor by merger to Broadview )  
14 Farms, Co., d/b/a Broadview Farms; )

15 RIVERVIEW FARMS, a Washington general )  
16 partnership, formerly known as Dynes Lyman )  
17 Farms and Dynes Poultry Farms, CHARLES )  
18 DYNES, also known as CHARLES G. )

19 DYNES, and A.W. DYNES, also known as )  
20 ARTHUR WILLIAM DYNES, general )

21 partners; A.W. DYNES and SHARON )  
22 DYNES, husband and wife, and their marital )

23 community; CHARLES DYNES and )  
24 ELIZABETH DYNES, also known as )

25 ELIZABETH C. DYNES, husband and wife, )  
26 and their marital community; JAMES H. )

27 DYNES and PEGGY H. DYNES, husband and )  
wife, and their marital community; FIRST )

AMERICAN TITLE INSURANCE )  
COMPANY, a California corporation; )

UNITED STATES OF AMERICA, acting )  
through the Internal Revenue Service; )

NORTHWEST FARM CREDIT SERVICES, )  
PCA; and OCCUPANTS NUMBERS 1 )

through 20, )

Defendants. )

LIS PENDENS

(Covering Real Property  
in Skagit County & Island  
County)



200303140018

Skagit County Auditor

3/14/2003 Page

2 of

11

8:43AM

LIS PENDENS (Covering Real Property  
in Skagit County & Island County) - 1  
DYNES/FLCA.LIS/0214912

LAW OFFICES OF  
KEITHLY, WEED, GRAAFSTRA,  
AND BENSON, INC., P.S.  
21 AVENUE A  
SNOHOMISH, WA 98290-2962  
(360) 568-3119; FAX (360) 568-4437

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

1. An action affecting the title to the real property hereinafter described has been commenced, and is now pending in the Superior Court of the State of Washington for Skagit County, as Cause No. 03 2 00376 2

2. The plaintiff in said action is Northwest Farm Credit Services, FLCA, a corporation. The defendants are Dynes Farms, Inc., a Washington corporation, formerly known as Dynes Poultry Farms, Inc., successor by merger to Broadview Farms, Co., d/b/a Broadview Farms, Riverview Farms, a Washington general partnership, formerly known as Dynes Lyman Farms and Dynes Poultry Farms, Charles Dynes, also known as Charles G. Dynes, and A.W. Dynes, also known as Arthus William Dynes, general partners, A.W. Dynes and Sharon Dynes, husband and wife, and their marital community, Charles Dynes and Elizabeth Dynes, also known as Elizabeth C. Dynes, husband and wife, and their marital community, James H. Dynes and Peggy H. Dynes, husband and wife, and their marital community, First American Title Insurance Company, a California corporation, United States of America, acting through the Internal Revenue Service, Northwest Farm Credit Services, PCA, and Occupants Numbers 1 through 20.

3. The object of this action is to foreclose a mortgage in favor of the plaintiff against the real property described below. The action affects the following described property located within Skagit County, Washington, and Island County, Washington:

**SKAGIT COUNTY PROPERTY LEGAL DESCRIPTION:**

**PARCEL A:**

The East ½ of Lot 6, Block 130, together with the North ½ of vacated Cedar Street adjacent which reverted thereto by operation of law; the East ½ of Lot 1, together with the South ½ of vacated Cedar Street adjacent which reverted thereto by operation of law and all of Lot 2 and the West ½ of Lot 3, Block 131, and Lots 2 and 3, Block 132, "FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH." as per plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington.

Situate in the City of Burlington, County of Skagit, State of Washington.

**PARCEL B:**



1  
2 That portion of Tracts 72 and 79, "PLAT OF THE BURLINGTON ACREAGE  
3 PROPERTY," as per plat recorded in Volume 1 of Plats, page 49, records of  
4 Skagit County, Washington, lying Easterly of the right of way of the Great  
5 Northern Railway Company, EXCEPT road and dike rights of way.

6 ALSO, the West 1/2 of Lots 4 and 5, Block 131, and Lot 4, Block 132, EXCEPT  
7 the Westerly 50 feet thereof conveyed to Great Northern Railway Company for  
8 right of way, as conveyed by deed dated April 15, 1909 and recorded April 27,  
9 1909, under Auditor's File No. 73368 in Volume 76 of Deeds, page 561, "FIRST  
10 ADDITION TO BURLINGTON, SKAGIT CO., WASH.," as per plat recorded  
11 in Volume 3 of Plats, page 11, records of Skagit County, Washington.

12 Situate in the County of Skagit, State of Washington.

13 PARCEL C:

14 The Southeast 1/4 of the Southwest 1/4 of Section 10, EXCEPT the North 20 feet  
15 thereof conveyed to Skagit County for road purposes by deed dated May 15, 1913,  
16 and recorded February 3, 1914, under Auditor's File No. 100640, in Volume 96 of  
17 Deeds, page 92, records of Skagit County; that portion of the Northeast 1/4 of the  
18 Northwest 1/4 of Section 15, lying North of the North line of Old Highway 17A as  
19 conveyed to the State of Washington by deed dated July 5, 1938, and recorded  
20 September 6, 1938 under Auditor's File No. 305470, in Volume 175 of Deeds, page  
21 303, records of Skagit County; the Northwest 1/4 of the Northeast 1/4 of Section  
22 15, EXCEPT that portion lying within the boundaries of Old Highway 17A as  
23 conveyed to the State of Washington by deed dated July 5, 1938, and recorded  
24 September 6, 1938, under Auditor's File No. 305470, in Volume 175 of Deeds,  
25 page 303, records of Skagit County; the Northeast 1/4 of the Northeast 1/4 of  
26 Section 15, EXCEPT that portion, if any, lying within the as built and existing  
27 County road commonly known as Cabin Creek Road running along the East line  
thereof, all in Township 35 North, Range 6 East, W.M.

ALSO EXCEPT that portion, if any, lying within the boundaries of the County road  
commonly known as Cockreham Island Road, AND EXCEPT that portion of said  
premises condemned by the State of Washington for State Highway by decree  
entered July 11, 1960 in Skagit County Superior Court Cause No. 25060.

Situate in the County of Skagit, State of Washington.

PARCEL D:



200303140018

Skagit County Auditor

3/14/2003 Page 4 of 11 8:43AM

LIS PENDENS (Covering Real Property  
in Skagit County & Island County) - 3  
DYNES/FLCA.LIS/0214912

AND BENSON, INC., P.S.  
21 AVENUE A  
SNOHOMISH, WA 98290-2962  
(360) 568-3119; FAX (360) 568-4437

1  
2 That portion of the South 1/2 of the Northeast 1/4 of Section 15, Township 35  
3 North, Range 6 East, W.M., lying Northerly of the Great Northern Railway  
4 Company right of way, EXCEPT that portion lying within the boundaries of the as  
5 built and existing Cockreham Island County Road, AND EXCEPT that portion  
6 lying within the boundaries of Old Highway 17A as conveyed to the State of  
7 Washington by deed dated July 5, 1938, and recorded September 6, 1938, under  
8 Auditor's File NO. 305470, in Volume 175 of Deeds, page 303, records of Skagit  
9 County, AND EXCEPT that portion, if any, lying within the boundaries of the as  
10 built and existing County road commonly known as Cabin Creek Road, running  
11 along the East line of said subdivision.

12 Situate in the County of Skagit, State of Washington.

13 EXCEPT from Parcels "C" and "D", those portions conveyed to Skagit County for  
14 road by deeds recorded November 6, 1997, under Auditor's File Nos. 9711060047  
15 through 9711060051, inclusive, records of Skagit County, Washington.

16 PARCEL E:

17 That portion of Government Lot 4, Section 25, Township 35 North, Range 4 East,  
18 W.M., and of Government Lot 4, Section 36, Township 35 North, Range 4 East,  
19 W.M., lying South of the centerline of Hart's Slough (sometimes referred to as  
20 Batey's Slough), West of the West line of that portion thereof condemned by the  
21 State of Washington for Secondary State Highway 1-A by Skagit County Superior  
22 Court Cause No. 24376, and lying North of the following described line:

23 Beginning at a point on the West line of Government Lot 4, Section 36, Township  
24 35 North, Range 4 East, W.M., that is South 0 degrees, 32 minutes 05 seconds  
25 East a distance of 227.50 feet from the corner common to Sections 25, 26, 35 and  
26 36, Township 35 North, Range 4 East, W.M.;  
27 thence North 72 degrees 51 minutes 30 seconds East a distance of 776.03 feet to  
the Westerly right of way line of Secondary State Highway No. 1-A and the  
terminus of this line description, EXCEPT mineral rights as reserved by the State  
of Washington in deed dated May 27, 1914, and recorded October 14, 1914, under  
Auditor's File No. 104621, in Volume 97 of Deeds, page 593, records of Skagit  
County, Washington.

ALSO that portion of the Southeast 1/4 of the Southeast 1/4 of Section 26,  
Township 35 North, Range 4 East, W.M., lying South of Hart's Slough (sometimes  
referred to as Batey's Slough).



200303140018

Skagit County Auditor

1  
2 ALSO that portion of Government Lot 1, Section 35, Township 35 North, Range  
3 4 East, W.M., described as follows:

4 Beginning at a point on the North line of said Section 35, that is South 89 degrees  
5 47 minutes 31 seconds West a distance of 1,323 feet from the Northeast corner  
6 thereof;  
7 thence North 89 degrees 47 minutes 31 seconds East a distance of 1,323 feet to  
8 said Northeast corner;  
9 thence South 0 degrees 32 minutes 05 seconds East along the East line of said  
10 Section a distance of 227.50 feet;  
11 thence South 72 degrees 51 minutes 30 seconds West a distance of 15.96 feet;  
12 thence South 83 degrees 08 minutes 18 seconds West a distance of 207.51 feet;  
13 thence North 82 degrees 56 minutes 36 seconds West a distance of 273.54 feet;  
14 thence South 83 degrees 20 minutes 29 seconds West a distance of 254.25 feet;  
15 thence South 78 degrees 33 minutes 39 seconds West a distance of 251.08 feet;  
16 thence South 83 degrees 51 minutes 38 seconds West a distance of 332 feet, more  
17 or less, to a point directly South of the point of beginning;  
18 thence North a distance of 333 feet, more or less, to the point of beginning.

19 Situate in the County of Skagit, State of Washington.

20 PARCEL F:

21 That portion of the West ½ of the West ½ of Tract 78, "PLAT OF THE  
22 BURLINGTON ACREAGE PROPERTY," as per plat recorded in Volume 1 of  
23 Plats, page 49, records of Skagit County, Washington, described as follows:

24 Beginning at a point on the West line of said Tract 78, which is 254 feet South of  
25 the centerline of the County road along the North line thereof, as said road existed  
26 on June 15, 1959;  
27 thence East parallel to the centerline of said County road to the East line of the  
West ½ of the West ½ of said Tract 78;  
thence South along said East line 135 feet;  
thence West parallel to the centerline of said County road, 200 feet;  
thence Southwesterly to a point on the West line of said Tract 78 which is 180 feet  
South of the point of beginning;  
thence North along said West line to the point of beginning.

Situate in the County of Skagit, State of Washington.

Tax Account No. 4077-130-006-0108 P72169  
Tax Account No. 4077-131-001-0101 P72171



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

Tax Account No.	4077-131-002-0001	P72172
Tax Account No.	4077-131-003-0000	P72173
Tax Account No.	4077-132-003-0008	P72179
Tax Account No.	3867-000-072-0207	P62771
Tax Account No.	3867-000-072-0306	P62772
Tax Account No.	3867-000-079-0002	P62821
Tax Account No.	4077-131-005-0008	P72175
Tax Account No.	4077-132-004-0106	P72181
Tax Account No.	350610-3-009-0006	P40972
Tax Account No.	350615-2-001-0001	P41227
Tax Account No.	350615-1-002-0002	P41220
Tax Account No.	350615-1-001-0003	P41219
Tax Account No.	350425-0-021-0100	P37615
Tax Account No.	350426-4-003-0004	P37709
Tax Account No.	350436-0-005-0107	P38402
Tax Account No.	350435-0-001-0102	P38371
Tax Account No.	3867-000-078-0607	P62812

All situate in the County of Skagit, Washington.

All water and water rights used upon or appurtenant to said property, however evidenced.

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

Said property also subject to:

Easement in favor of Public Utility District No. 1, Skagit County, Washington for pipe line, affecting the North 20 feet of Tract 72 of Burlington Acreage Property, lying Easterly of the Westerly line of South Pine Street in the City of Burlington, and said street produced South, dated July 16, 1956, recorded July 17, 1956 under Skagit County Auditor's File No. 538877, Volume 279 of Deeds, page 624.

Easement in favor of Puget Sound Power & Light Company for two anchor guys, affecting the Northeast 1/4 of the Northwest 1/4 and North 1/2 of the Northeast 1/4, Section 15, Township 35 North, Range 6 East, W.M., the exact location therein not being disclosed on the record, dated July 19, 1957, recorded July 24, 1957 under Auditor's No. 554110, Volume 288 of Deeds, page 260.

Easement in favor of Puget Sound Power & Light Company for anchor, affecting the North 1/2 of the Northeast 1/4, Section 15, Township 35 North, Range 6 East,



1  
2 W.M., the exact location therein not being disclosed on the record, dated December  
3 27, 1957, recorded December 27, 1957 under Auditor's No. 560068, Volume 291  
4 of Deeds, page 497.

5 An easement in favor of Puget Sound Power and Light Company, affecting the  
6 portion of said premises and for the purposes stated herein, and incidental purposes,  
7 including provision against blasting, for the right, privilege and authority to  
8 construct, erect, alter, improve, repair, operate and maintain two electric  
9 transmission lines, recorded April 25, 1925, under Auditor's No. 183091,  
10 Volume 136 of Deeds, page 304. Affects a strip 100 feet wide in the Southeast  
11 1/4 of the Southwest 1/4 of Section 10, Township 35 North, Range 6 East, W.M.,  
12 the centerline of which is described as follows:

13 Beginning at a point on the West Line of Section 10, Township 35 North,  
14 Range 6 East, W.M., which point is 75.0 feet, more or less, North of the  
15 Southwest corner of said Section;  
16 thence running North 89 degrees 55 minutes East a distance of 1,630.89  
17 feet;  
18 thence North 76 degrees 21 minutes East a distance of 1,840.4 feet;  
19 thence North 86 degrees 38 minutes East a distance of 1,868.79 feet to a  
20 point on the East line of said Section, which point is 614.70 feet, more or  
21 less, North of the Southeast corner of said Section.

22 Easement in favor of Simpson Timber Company (formerly Simpson Logging  
23 Company) for use of an existing roadway and for other and incidental purposes  
24 stated therein, and the terms and conditions thereof, recorded December 13, 1963  
25 under Auditor's File No. 644301, affecting an existing road running through Parcel  
26 "E" herein, the exact width and location of said road not being disclosed on the  
27 record. Said easement is a correction of easements filed February 5, 1958 and April  
3, 1958 under Auditor's File Nos. 561461 and 563682.

Reservation contained in deed from the State of Washington recorded under Skagit  
County Auditor's File No. 10462, Volume 97 of Deeds, page 593, reserving to the  
grantor all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for  
opening, developing and working the same and providing that such rights shall not  
be exercised until provision has been made for full payment of all damages  
sustained by reason of such entry.

Right of State of Washington or its successor, subject to payment of compensation  
therefore, to acquire rights of way for private railroads, skid roads, flumes, canals,  
water courses or other easements for transporting and moving timber, stone,  
minerals and other products from this and other property, as reserved in deed





1  
2 referred to above. Affects that portion of Parcel "E" herein lying within Section 36,  
Township 35 North, Range 4 East, W.M.

3  
4 Condemnation by the State of Washington for right of access to State Highway and  
of light, view and air, by decree entered March 13, 1958, in Skagit County Superior  
5 Court Cause No. 24376. Affects Parcel "E".

6 Any questions that may arise due to shifting or changing in the course of Hart's  
7 Slough, also known as Batey's Slough and/or the Skagit River.

8 Possible rights of third parties to use an existing private road running through  
Parcel "E" herein, as disclosed by Contract recorded under Auditor's File No.  
9 811861, records of Skagit County.

10 Possible rights of property owners on the West side of Parcel "E" due to an  
encroaching fence line as disclosed by Survey recorded January 13, 1975, under  
11 Auditor's File No. 812297, in Volume 1 of Surveys, page 123, records of Skagit  
County.

12 Oil and gas lease and the terms and conditions thereof, William R. Dynes, or  
13 assigns, Lessor, and Seacoast Oil & Gas Company, Inc., Lessee, for a term of 3  
14 years from date and as long thereafter as coal, precious metals, gas or oil can be  
produced in paying quantities, recorded July 8, 1970, recorded July 8, 1970 under  
15 Skagit County Auditor's File No. 740941. Affects Parcels "A" and "B".

16 Easement in favor of Puget Sound Power & Light Company, a Washington  
17 corporation, for the right to construct, operate, maintain, repair, replace and enlarge  
one or more electric transmission and/or distribution lines, dated May 7, 1986,  
18 recorded May 19, 1986 under Skagit County Auditor's File No. 8605190119.  
Affects the North 10 feet of Parcel "C".

19 Relinquishment of access to State Highway No. 9 and of light, view and air to the  
20 State of Washington by deed recorded May 24, 1991 under Auditor's No.  
9105240005.

21 Notice of moratorium on non-forestry use of land recorded December 3,  
22 1998, under Auditor's File No. 9812310029.



25 200303140018  
Skagit County Auditor

26 3/14/2003 Page 9 of 11 8:43AM

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**ISLAND COUNTY PROPERTY LEGAL DESCRIPTION:**

**PARCEL 1:**

That portion of the Northwest 1/4 of the Northeast 1/4 of Section 15, Township 32 North, Range 1 East W.M., lying South of County Road known as Miller Road, EXCEPT that portion conveyed to Island County by deed recorded March 6, 1925 in Volume 35 of Deeds, page 210, records of Island County, Washington, and EXCEPT right of way for County Road along the East line thereof known as Balda Road.

Situate in the County of Island, State of Washington.

**PARCEL 2:**

The Southwest 1/4 of the Northeast 1/4 of Section 15, Township 32 North, Range 1 E. W.M.,

EXCEPT right of way for County Road along the East line thereof known as Balda Road.

Situate in the County of Island, State of Washington.

Tax Account No. R13215-330-3290

Key 19704 (112)

Tax Account No. R13215-425-3310

Key 19857 (112)

All situate in the County of Skagit, Washington.

All water and water rights used upon or appurtenant to said property, however evidenced.

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

Said property also subject to:


Reservation of minerals, etc., as provided by Section 7797-56 of Remington's Revised Statutes, as contained in deed from the State of Washington, dated December 15, 1930, recorded December 20, 1930, in Volume 46 of Deeds, page 379.



1 An easement granted to Puget Sound Power & Light Company, dated February 27,  
2 1935, recorded December 2, 1936, in Volume 50 of Deeds, page 183.

3  
4 4. All persons who in any manner deal with the above-described real estate  
5 subsequent to the filing of this Lis Pendens will take subject to the rights of the plaintiff as  
6 established in said action.

7  
8 Dated this 14 day of March, 2003.

9  
10   
11 George E. Benson, WSBA #8352  
12 Keithly, Weed, Graafstra & Benson, P.S., Inc.  
13 Attorney for Plaintiff  
14 21 Avenue A  
15 Snohomish, Washington 98290  
16 (360) 568-3119  
17  
18  
19  
20  
21  
22



23 200303140018

24 Skagit County Auditor

25 3/14/2003 Page 11 of 11 8:43AM