



200601090168

Skagit County Auditor

1/9/2006 Page

1 of

4 3:48PM

When recorded, return to

Kristin L. Thompson
Marsh Mundorf Pratt Sullivan + McKenzie, P.S.C.
16504 9th Avenue S.E., Suite 203
Mill Creek, WA 98012

Document Title(s): Lis Pendens

Reference Number(s) of
Document assigned or released: n/a

Grantors/Plaintiffs' Name: Anthony and Lynette Berwald

Grantees'/Defendants' Name: Dwayne E.R. Mitchell, Jane Doe Mitchell,
Mitchell Television Productions, Inc.

Legal Description(s): All of Lot 15, less the Northerly 20 feet thereof and the
Northerly 30 feet of Lot 14, Block 43, "PLAT OF THE
TOWN OF MONTBORNE," as per plat recorded in
Volume 9 of Plats, page 80, records of Skagit County;

Lot 14, EXCEPT the Northerly 30 feet thereof, and all of
Lot 13, Block 43, "PLAT OF THE TOWN OF
MONTBORNE, SKAGIT COUNTY,
WASHINGTON," as per plat recorded in Volume 2 of
Plats, page 80, records of Skagit County, Washington.

Assessor's Property Tax Parcel/
Account No.:

4135-043-015-0003

4135-043-014-0004

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

SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

ANTHONY and LYNETTE BERWALD,
husband and wife,

No. 05-2-01634-8

Plaintiffs/Counter-Claim
Defendants,

LIS PENDENS

vs.

DWAYNE E.R. MITCHELL and JANE DOE
MITCHELL, husband and wife; MITCHELL
TELEVISION PRODUCTIONS, INC., a
foreign corporation; and all other unknown
heirs, grantees, devisees, personal
representatives, successors, and assigns,
claiming any right, title, estate lien or interest
in the real estate described in the complaint
herein

Defendants/Counter-
Claimants & Cross-Claimants,

vs.

LANCE PIRKLE, individually and in his
marital capacity,

Cross-Claim Defendant..

NOTICE IS HEREBY GIVEN that an action has been commenced and is now
pending in the Superior Court of the State of Washington for Skagit County, upon the
Petition of the Plaintiffs against the above-named Defendants, and that the object of that
action is for Quiet Title and Injunctive Relief under the above cause number and that the



1 action affects title to the two pieces of real property located in Skagit County and legally
2 described as follows:

3 All of Lot 15, less the Northerly 20 feet thereof and the Northerly 30 feet of Lot 14,
4 Block 43, "PLAT OF THE TOWN OF MONTBORNE," as per plat recorded in
Volume 9 of Plats, page 80, records of Skagit County;

5 TOGETHER WITH that portion of vacated Lakeside Boulevard adjoining said premises
6 EXCEPT the Northeasterly 40 feet of said premises conveyed to Skagit County by deed
7 dated October 9, 1946, filed October 15, 1946, as File No. 397033 and recorded in
Volume 213 of Deeds at page 368.

8 Parcel "B": That portion of the 100-foot wide railroad right-of-way commonly known
9 as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and
10 Eastern Railway), lying Westerly of Line "RR" described below and between the
11 Northeasterly extensions of both the Northwesterly and Southeasterly lines of that
12 certain tract of land in Block 43 and vacated Lakeside Boulevard of "The Town of
Montborne" as per plat recorded in Volume 2 of Plats, page 80, records of Skagit
County, Washington, conveyed to R. Elaine Pedersen, et ux., by deed recorded
December 27, 1983, as AF No. 8312270023.

13 Line "RR": Begin at a point on the North line of the South ½ of Government Lot 8 of
14 Section 6, Township 33 North, Range 5 East, W.M., which is midway between the
15 centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and
16 Eastern Railway and the last mainline track of the Northern Pacific Railway as it existed
17 in 1970; thence Northerly on a line drawn midway between the centerline of the original
18 100 foot wide right-of-way and the centerline of the above described mainline track to
19 the point of intersection of said centerlines, said point being the terminus of this line
description.

19 Parcel A:

20 Lot 14, EXCEPT the Northerly 30 feet thereof, and all of Lot 13, Block 43, "PLAT OF
21 THE TOWN OF MONTBORNE, SKAGIT COUNTY, WASHINGTON," as per plat
recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington.

22 TOGETHER WITH that portion of vacated Lakeside Boulevard adjoining said
23 premises,

24 EXCEPT the Northeasterly 40 feet of said premises conveyed to Skagit County by
25 Deed recorded October 15, 1946 under Auditor's File No. 397033, in Volume 213 of
Deeds, page 368.

1 ALSO EXCEPT that portion described in that certain Order Granting Partial Summary
2 Judgment filed June 23, 1995 in Skagit County Superior Court Cause No. 94-2-00917-
3 9.

4 Parcel B:

5 That portion of the 100 foot wide railroad right of way commonly known as the
6 Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and
7 Eastern Railway), lying Westerly of Line "RR" described below and between the
8 Northeasterly extensions of both the Northwesterly and Southeasterly lines of that
9 certain tract of land in Block 43 and vacated Lakeside Boulevard of 'PLAT OF THE
10 TOWN OF MONTBORNE, SKAGIT COUNTY, WASHINGTON,' as per plat
11 recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington,
12 conveyed to Woodrow White, et ux., by deed recorded September 25, 1987 under
13 Auditor's File No. 8709250034.

14 Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of
15 Section 6, Township 33 North, Range 5 East, W.M., which is midway between the
16 centerline of the original right of way of the Seattle Lake Shore and Eastern Railway
17 and the centerline of the last mainline track of the Northern Pacific Railway as it existed
18 in 1970; thence Northerly on a line drawn midway between the centerline of the original
19 100 foot wide right of way and the centerline of the above described mainline track to
20 the point of intersection of said centerlines, said point being the terminus of this line
21 description.

22 All persons dealing in any manner with the subject real estate subsequent to the
23 filing of this Lis Pendens will take subject to the rights of the Plaintiffs as established in
24 the action commenced by them against the above-named Defendants.

25 Dated: January 6, 2006.

MARSH MUNDORF PRATT SULLIVAN
+ McKENZIE, P.S.C.



WILLIAM R. SULLIVAN, WSBA 8196
KRISTIN L. THOMPSON, WSBA 35218
Attorneys for Plaintiffs

S:\Clients\Berwald, Anthony and Lynette\Boundary Line\Lis Pendens.doc

