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WASHINGTON STATE DEPARTMENT OF TRANSPORTATION
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200702090060
Skagit County Auditor

2/9/2007 Page 1 of 4 11:16AM

**WASHINGTON STATE COUNTY AUDITOR/RECORDER'S
RECORDING SHEET**

Document to be recorded: *LIS PENDENS*

FIRST AMERICAN TITLE CO.

69427

Reference numbers of related documents:

ACCOMMODATION RECORDING ONLY

Petitioner(s):

1. STATE OF WASHINGTON

Original

Respondent(s):

1. Allen D. Brown and Gwen E. Brown, husband and wife
2. Dike District 12
3. SKAGIT COUNTY

Legal Description is on page(s) 1-3 of the Lis Pendens.

Assessor's Property Tax Parcel Account Number(s): 3867-000-050-1508, 3867-000-050-0807

Assistant Attorney General Assigned to Case: Amanda Phily

Case Name: State v. Brown, et al.

County: Skagit

Cause No.: 07-2-00063-4

FA No. F-020 Project No. A02039A Parcel No. 1-16630

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6 **STATE OF WASHINGTON**
7 **SKAGIT COUNTY SUPERIOR COURT**

8 STATE OF WASHINGTON,

NO. 07-2-00063-4

9 Petitioner,

LIS PENDENS

10 v.

11 ALLEN D. BROWN and GWEN E.
12 BROWN, husband and wife; DIKE
13 DISTRICT 12; and SKAGIT
14 COUNTY,

Respondents

15 **TO WHOM IT MAY CONCERN:**

16 An action affecting the title to real property has been commenced in the
17 Superior Court of Skagit County, State of Washington, and is now pending in this
18 court. The property is more particularly described as follows:

19 All that portion of the hereinafter described TRACT "X" lying southerly
20 of a line beginning at a point opposite Highway engineer's Station
21 (hereinafter referred to as HES) SR 20 774+52.39 on the SR 20 line
22 survey of SR 5, SR 20 Interchange and 49.63 feet northerly therefrom;
23 thence easterly to a point opposite HES SR 20 776+28.75 on said line
24 survey and 45 feet northerly therefrom; thence easterly parallel with said
line survey to a point opposite HES SR 20 776+48.75 thereon and the end
of this line description.

TRACT "X"

LIS PENDENS

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200702090060
Skagit County Auditor

1 Parcel A

2 That portion of the east half of Tract 50, "PLAT OF THE
3 BURLINGTON ACREAGE PROPERTY" as per plat recorded in volume
4 1 of Plats, page 49, records of Skagit County, Washington, lying
southerly of the great northern Railway right-of-way, described as
follows:

5 Beginning at a point on the south line of said Tract 50, at a point 380 feet
6 west of the southeast corner thereof, thence west 100 feet, thence north
7 130.49 feet, more or less, to the southerly line of said railway right-of-
8 way; thence northeasterly along said southerly line a distance of 112.48
9 feet, more or less, to a point due north of the point of beginning; thence
south a distance of 181.97 feet, more or less, to the point of beginning.
EXCEPT that portion of said parcel A conveyed to the State of
Washington for road purposes by deed recorded march 24, 2004 as
Auditor's file No. 200403240059.

10 Parcel B

11 That portion of the east half of Tract 50, "PLAT OF THE
12 BURLINGTON ACREAGE PROPERTY" as per plat recorded in
13 Volume 1 of Plats, page 49, records of Skagit County, Washington, lying
southerly of the Great Northern Railway right-of-way, described as
follows:

14 Beginning at a point on the south line of said Tract 50 at a point 520 feet
15 west of the southeast corner thereof; thence west 80 feet; thence north to
16 the south line of said railway right-of-way, thence northeasterly along
said southerly line to a point due north of the point of beginning; thence
south to the point of beginning.

17 TOGETHER WITH the following described portion of said Tract 50,
18 "PLAT OF THE BURLINGTON ACREAGE PROPERTY";

19 Beginning at a point along the south line of said Tract 50, 480 feet west of
20 the southeast corner of said Tract 50; thence west 40 feet along said south
21 line; thence north to the southerly line of said Great Northern railway
right-of-way; thence northeasterly along the south line of said railway
right-of-way to a point due north of the point of beginning; thence south
to the point of beginning.

22 EXCEPT that portion of said Parcel "B" conveyed to the State of
23 Washington for road purposes by deed recorded March 24, 2004 as
Auditor's File No. 200403240059

24 TOGETHER WITH all rights of ingress and egress (including all
existing, future or potential easements of access, light, view and air) to,

1 from and between SR 5, SR 20 Interchange and the remainder of said
2 TRACT "X" except the right of reasonable access to said highway lying
easterly of HES SR 20 776+28.75.

3 The lands herein described contain an area of 1,048 square feet, more or
4 less, the specific details concerning all of which are to be found in that
5 certain map of definite location now of record and on file in the office of
the secretary of Transportation at Olympia, and bearing date of approval
November 20, 2006.

6 The object of the legal action is to acquire by condemnation the described lands,
7 real estate, premises and other property and/or property rights as a right of way for the
8 state highways known as SR 5 and SR 20, the lands being in the County of Skagit,
9 State of Washington.
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11 The name of the petitioner and plaintiff in this action is the State of
12 Washington, and the names of the respondents and defendants are:

13 ALLEN D. BROWN and GWEN E. BROWN, husband and wife;
14 DIKE DISTRICT 12; and
15 SKAGIT COUNTY

16 DATED this 2nd day of February, 2007.

17 ROBERT M. MCKENNA
Attorney General

18 *Amanda Phily*
19 **AMANDA PHILY, WSBA #37667**
20 Assistant Attorney General
21 Attorneys for Petitioner
22 STATE OF WASHINGTON
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