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WASHINGTON STATE DEPARTMENT OF TRANSPORTATION  
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Skagit County Auditor

2/22/2007 Page

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5 1:33PM

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

**Document to be recorded:** *LIS PENDENS*

FIRST AMERICAN TITLE CO.

**Reference numbers of related documents:**

**Petitioner(s):**

1. STATE OF WASHINGTON

**Respondent(s):**

1. ALBERT HOWARD and DELLA HOWARD a/k/a DELLA C. HOWARD;
2. U.S. BANK NATIONAL ASSOCIATION, N.D.; and
3. SKAGIT COUNTY.

**ACCOMMODATION RECORDING ONLY**

**Legal Description is on page(s) 1 and 2 of the Lis Pendens.**

**Assessor's Property Tax Parcel Account Number(s):** 4101-150-026-0003;  
4101-133-026-0009; 4101-133-026-0100

**Assistant Attorney General Assigned to Case:** KAREN SMALL

**Case Name:**

State v. Howard, et ux., et al.

**County:**

SKAGIT

**Cause No.:**

07-2-00200-9

**FA No. F-020 0; Project No. A02027C; Parcel No. 1-22042**

**STATE OF WASHINGTON  
SKAGIT COUNTY SUPERIOR COURT**

STATE OF WASHINGTON,

Petitioner,

v.

ALBERT HOWARD and DELLA HOWARD  
a/k/a DELLA C. HOWARD, husband and wife;  
U.S. BANK NATIONAL ASSOCIATION,  
N.D.; and SKAGIT COUNTY,

Respondents.

No. 07-2-00200-9

LIS PENDENS

**TO WHOM IT MAY CONCERN:**

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

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Parcel Number: 1-22042

Parcel 1:

All that portion of the hereinafter described TRACT "X" lying northwesterly and southwesterly of a line beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 209+55± on the SR 20 line survey of SR 20, Meadow Creek Vic. to S. Campbell Lake Rd. and 50 feet southeasterly therefrom; thence northeasterly parallel with said line survey to a point opposite HES 212+65.89 thereon; thence northwesterly to said HES 212+65.89 and the end of this line description.



TOGETHER WITH a perpetual non-exclusive easement to use and occupy the following described lands to be designated as Parcel 2, for the purpose of an access road including ingress and egress.

**Parcel 2:**

All that portion of the hereinafter described TRACT "X" lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 212+87.29 on the SR 20 line survey of SR 20, Meadow Creek Vic. to S. Campbell Lake Rd. and 40 feet southeasterly therefrom; thence northeasterly parallel with said line survey to a point opposite HES 213+30.09 thereon; thence easterly to a point opposite HES 213+65± on said line survey and 60.65 feet southeasterly therefrom, said point being on the centerline of alley extended southerly from Block 133; thence southerly along said centerline of alley extended to a point opposite HES 213+53± on said line survey and 80.46 feet southeasterly therefrom; thence westerly to the point of beginning.

ALSO TOGETHER WITH the temporary right and easement to use and occupy the following described lands, to be designated "Parcels 3 and 4" for the purpose of providing a work area and operating all necessary machinery and equipment thereon, at any and all times from the date hereof until December 31, 2011.

**Parcel 3:**

All that portion of the hereinafter described TRACT "X" lying within a tract of land beginning at a point opposite Highway Engineer's Station ( hereinafter referred to as HES) 213+30.09 on the SR 20 line survey of SR 20, Meadow Creek Vic. to S. Campbell Lake Rd. and 40 feet southeasterly therefrom; thence easterly to a point opposite HES 213+65± on said line survey and 60.65 feet southeasterly therefrom, said point being on the centerline of alley extended southerly from Block 133; thence northerly along said centerline of alley extended to a point opposite HES 213+74± on said line survey and 46.59 feet southeasterly therefrom, said point being on the northerly boundary line of vacated 4<sup>th</sup> St. and the southerly boundary of alley within Block 133; thence westerly to a point opposite HES 213+63.52 on said line survey and 40 feet southeasterly therefrom; thence southwesterly parallel with said line survey to the point of beginning.

**Parcel 4:**

All that portion of the hereinafter described TRACT "X" lying within a tract of land beginning at a point opposite HES 212+65.89 on said SR 20 line survey of said Highway and 40 feet southeasterly therefrom; thence southeasterly to a point opposite said HES 212+65.89 and 50 feet southeasterly therefrom; thence easterly to a point opposite HES 213+42.57 on said line survey and 97.6 feet southeasterly therefrom; thence northerly to a point opposite HES 213+48± on said line survey and 89.1 feet southeasterly therefrom, said point being at the intersection with the centerline of vacated 4<sup>th</sup> St. and the centerline of alley extended southerly from Block 133; thence northerly along centerline of alley extended to a point opposite HES 213+53± on said line survey and 80.46 feet southeasterly therefrom; thence westerly to a point opposite HES 212+87.29 on said line survey and 40 feet



southeasterly therefrom; thence southwesterly parallel with said line survey to the point of beginning.

TRACT "X"

PARCEL A

Lots 1 to 26, inclusive, Block 150, "City of Fidalgo Skagit County and Territory of Washington", according to the recorded plat thereof in the office of the Auditor of Skagit County, Washington, in Volume 2 of Plats, page 114;  
ALSO that portion of vacated 3rd and 4th Streets, Commercial Avenue, Fidalgo Avenue and alley adjoining the above described premises which have reverted to said premises by process of law pursuant to vacations in Commissioner File Nos. 6899 and 7348.

EXCEPT that portion thereof, if any, lying within the right-of-way of SR 20.

ALSO EXCEPT the southerly 137.22 feet thereof.

PARCEL B

All that portion of the following described property lying southerly of that property conveyed to Skagit County for road purposes by deeds recorded June 10, 1936 and March 25, 1937, under Skagit County Auditor's File Nos. 279777 and 288123, respectively, records of Skagit County, Washington;

Lots 14 to 26, inclusive, Block 133, "Map of Fidalgo City, Skagit Co., Washington" according to the plat thereof recorded in Volume 2 of Plats, page 113, records of Skagit County, Washington;

TOGETHER WITH such portions of vacated 4th Street and Fidalgo Avenue that have reverted to said premises by operation of law.

ALSO TOGETHER WITH the west half of alley which upon vacation would attach thereto by operation of law.

The lands herein condemned in fee contain an area of 843 square feet, more or less, the lands herein condemned for perpetual easement contain an area of 1,343 square feet, more or less, the lands herein condemned for temporary easement contain an area of 2,229 square feet, more or less, the specific details concerning all of which are to be found in that 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 February 24, 2006, revised September 14, 2006 as to sheet 2 and revised October 26, 2006 as to sheet 3.



The object of the legal action is to acquire by condemnation the described lands, real estate, premises and other property and/or property rights as a right of way for the state highway known as SR 20, the lands being in the County of Skagit, State of Washington.

The name of the petitioner in this action is the State of Washington, and the names of the respondents are:

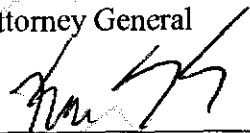
**ALBERT HOWARD and DELLA HOWARD a/k/a DELLA C. HOWARD, husband and wife;**

**U.S. BANK NATIONAL ASSOCIATION, N.D.; and**

**SKAGIT COUNTY.**

**DATED** this 12<sup>th</sup> day of February, 2007.

ROBERT M. McKENNA  
Attorney General



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**KAREN S. SMALL, WSBA #32546**  
Assistant Attorney General  
Attorneys for Petitioner  
STATE OF WASHINGTON



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Skagit County Auditor