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WASHINGTON STATE DEPARTMENT OF TRANSPORTATION  
REAL ESTATE SERVICES DIVISION  
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Skagit County Auditor

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

**Document to be recorded:** LIS PENDENS

FIRST AMERICAN TITLE CO.

91277

**Reference numbers of related documents:**

ACCOMMODATION RECORDING ONLY

**Petitioner(s):**

1. STATE OF WASHINGTON

**Respondent(s):**

- > GALLEY 5 REAL ESTATE LLC, a Washington limited liability company;
- > AMERICANWEST BANK; and
- > SKAGIT COUNTY.

**Legal Description is on page(s)1-2 of the Lis Pendens. PTN W/2 W/2 GOV'T LOT 1 OF  
6-34-4, Skagit County, Washington**

**Assessor's Property Tax Parcel Account Number(s): 340406-0-013-0203, 340406-0-12-0006**

**Assistant Attorney General Assigned to Case: AMANDA G. PHILY**

**Case Name: State v. GALLEY 5 REAL ESTATE LLC, et al..**

**County: Skagit**

**Cause No.: 07-2-00966-6**

**FA No. F-020 ( ) Project No. A02039A Parcel No. 1-16626**

**ORIGINAL**

STATE OF WASHINGTON  
SKAGIT COUNTY SUPERIOR COURT

STATE OF WASHINGTON,

Petitioner,

vs.

GALLEY 5 REAL ESTATE LLC, a  
Washington limited liability company;  
AMERICAN WEST BANK; and SKAGIT  
COUNTY,

Respondents.

No. 07-2-00966-6

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:

SINGLE

Parcel Number: 1-16626

STATE VS. Galley 5 Real Estate LLC

DESCRIPTION:

Parcel 1:

All that portion of the hereinafter described TRACT "X" lying southwesterly and northwesterly of a line beginning at a point opposite Highway Engineer's Station (herein after referred to as HES) N-WE 13+00.01 on the N-WE line survey of SR 5, SR 20 Interchange and 77 feet northeasterly therefrom; thence northwesterly to a point opposite HES N-WE 13+22.33 on said line survey and 59.41 northeasterly therefrom; thence northwesterly to a point opposite HES SR 20 769+75.65 on the SR 20 line survey of said Highway and 86.58 feet southeasterly therefrom; thence northeasterly to a point opposite HES SR 20 770+26.64 on said SR 20 line survey and 49.42 feet southeasterly therefrom; thence northeasterly to a point opposite HES SR 20 771+00

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on said SR 20 line survey and 43 feet southeasterly therefrom; thence northeasterly parallel with said SR 20 line survey to a point opposite HES SR 20 772+00 thereon and the end of this line description.

TOGETHER WITH the temporary right and easement to use and occupy the following described lands, to be designated as Parcel 2, for the purpose of constructing highway facilities and operating all necessary machinery and equipment thereon, at any and all times from the date hereof until the completion of construction.

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 (herein after referred to as HES) N-WE 13+00.01 on the N-WE line survey of SR 5, SR 20 Interchange and 77 feet northeasterly therefrom; thence northwesterly to a point opposite HES N-WE 13+22.33 on said line survey and 59.41 northeasterly therefrom; thence northwesterly to a point opposite HES SR 20 769+75.65 on the SR 20 line survey of said Highway and 86.58 feet southeasterly therefrom; thence northeasterly to a point opposite HES SR 20 770+26.64 on said SR 20 line survey and 49.42 feet southeasterly therefrom; thence northeasterly to a point opposite HES SR 20 771+00 on said SR 20 line survey and 43 feet southeasterly therefrom; thence northeasterly parallel with said SR 20 line survey to a point opposite SR 20 771+57± thereon, said point being on the easterly boundary line of said TRACT "X"; thence southerly along said easterly boundary line to a point opposite HES SR 20 771+50± on said SR 20 line survey and 58 feet southeasterly therefrom; thence southwesterly to a point opposite HES SR 20 770+35 on said SR 20 line survey and 64 feet southeasterly therefrom; thence southwesterly to a point opposite HES SR 20 769+96 on said SR 20 line survey and 95 feet southeasterly therefrom; thence southeasterly to a point opposite HES N-WE 13+01.39 on said N-WE line survey and 85.02 feet northeasterly therefrom; thence southwesterly to the point of beginning.

TRACT "X"

The east 108 feet (measured along the south line of SSH No. 1-C) of the west half of the west half of (Government) Lot 1, Section 6, Township 34 North, Range 4 East, W.M. in Skagit County, Washington lying south of SSH No. 1-C and north of a line 200 feet south (measured at right angles to said SSH No. 1-C) and parallel to the south line of said highway.

AND that portion of the west half of the west half of Government Lot 1, Section 6, Township 34 North, Range 4 East, W.M. in Skagit County, Washington lying south of State Route 20 and north of a line running parallel to the south line of said State Route 20, said line passing through a point which lies 77 feet northeasterly of Highway Engineer's Station S-EW-13+00 as shown in that certain deed executed by Kenneth S. Goulter, et ux to the State of Washington for State Route 20, Interchange of SR 5 Skagit River to Jct. SR 20 as recorded June 2, 1972 under Auditor's File No. 769083;

EXCEPT that portion conveyed to William M. Snelson, et al, by deed recorded January 31, 1968 under Auditor's File No. 709703;

AND ALSO EXCEPT that portion conveyed to the State of Washington for said State Route 20 Interchange by deed recorded June 2, 1972 under Auditor's File No. 769083.

TOGETHER WITH all rights of ingress and egress (including all existing, future or potential easements of access, light, view and air) to, from and between SR 5, SR 20 Interchange and the remainder of said TRACT "X".



EXCEPT that the State shall construct on its right of way a Type "D" off and on approach not to exceed 50 feet in width for use necessary to the normal operation of a commercial establishment on the southeasterly side of said Highway at or near Highway Engineer's Station SR 20 771+00 as shown on Sheet 4 of 8 Sheets of the hereinafter mentioned map of definite location, and to which off and on approach only, the Respondent, its successors or assigns, reserves a right of reasonable access for that purpose only, which approach shall be maintained between the right of way line and the shoulder line of said Highway by the Respondent, its successors or assigns. Traffic using this approach will be limited to right in/right out movements.

ALSO TOGETHER WITH the right to enter the respondents remaining land, where necessary, to:

(1) construct, reconstruct, remove and replace driveways and road approaches;

AND/OR

(2) remove improvements, if any, located wholly or partially upon the right of way

The lands herein condemned in fee contain an area of 4,043 square feet, more or less, and the lands herein condemned for temporary easement contain an area of 7,242 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 November 20, 2006, revised April 19, 2007.

SR 5, SR 20 Interchange

5/8/2007

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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 5, SR 20 Interchange, the lands being in the County of Skagit, State of Washington.

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

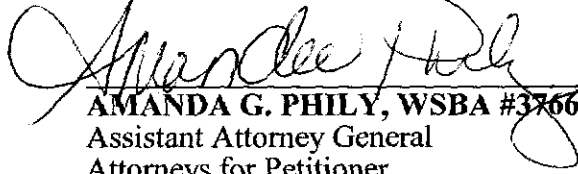
- GALLEY 5 REAL ESTATE LLC, a Washington limited liability company;
- AMERICAN WEST BANK; and
- SKAGIT COUNTY.



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**DATED** this 13<sup>th</sup> day of June, 2007.

ROBERT M. MCKENNA  
Attorney General

  
AMANDA G. PHILY, WSBA #37667  
Assistant Attorney General  
Attorneys for Petitioner  
STATE OF WASHINGTON



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