



200805090070
Skagit County Auditor

5/9/2008 Page 1 of 5 11:50AM

Return Address:

Mr. Michael S. Schechter
Foster Pepper PLLC
1111 Third Ave., Suite 3400
Seattle, WA 98101

Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)

Document Title(s) (or transactions contained therein): (all areas applicable to your document must be filled in)

- 1. Lis Pendens 2. _____
- 3. _____ 4. _____

Reference Number(s) of Documents assigned or released:

Additional reference #'s on page N/A of document

Grantor(s) (Last name, first name, initials)

- 1. Hawley, Kristie L.
- 2. Coty, Robert Anthony (d/b/a Advanced Auto and Service)

Additional names on page 3 of document.

Grantee(s) (Last name first, then first name and initials)

- 1. City of Mount Vernon
- 2.

Additional names on page N/A of document.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)

South 1/2 of Southeast 1/4 of Northeast 1/4 of Section 18, Township 34 North, Range 4 East, W.M.

Additional legal is on page 4 of document.

Assessor's Property Tax Parcel/Account Number Assessor Tax # not yet assigned
P26133

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

Signature of Requesting Party

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7 SUPERIOR COURT OF WASHINGTON IN AND FOR SKAGIT COUNTY

8 In the Matter of the Petition of the City of
9 Mount Vernon to acquire by condemnation
10 certain property and property rights for the
11 improvement of College Way and Riverside
12 Drive, as contemplated by City of Mount
13 Vernon Ordinance No. 3401,

14 *[In re City of Mount Vernon – College
15 Way/Riverside Drive (P26133 – Hawley)]*

No. **08 2 00764 5**
LIS PENDENS

16 NOTICE IS HEREBY GIVEN that an action has been instituted and is now pending in
17 the Superior Court of the State of Washington for Skagit County, upon the Summons and
18 Petition of the City of Mount Vernon, a municipal corporation, against the persons, firms and
19 corporations listed in Exhibit B attached hereto.

20 Said action is to condemn, appropriate, take and damage certain property and property
21 rights for a public purpose, to wit: the acquisition of interests in land for the purpose of road
22 improvements of College Way and Riverside Drive in Mount Vernon, Washington. Said action
23 affects title to the real estate situated in Skagit County, Washington, described in Exhibit A
24 attached hereto.

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LIS PENDENS -- 1

ORIGINAL



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1
2 DATED this 22nd day of April, 2008.

3 MOUNT VERNON CITY ATTORNEY

4 

5 Kevin Rogerson, WSBA #31664

6 and

7 FOSTER PEPPER PLLC

8 P. Stephen DiJulio, WSBA # 7139

9 Michael S. Schechter, WSBA # 35602

10 Special Assistant City Attorneys

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LIS PENDENS - 2



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EXHIBIT B

Interested Parties

Kristie L. Hawley aka Kristie Hawley aka Kristie Mitzel (fee owner)

Robert Anthony Coty d/b/a Advanced Auto and Service (tenant)

Whidbey Island Bank (Deed of Trust beneficiary)

Island Title Company (Deed of Trust trustee)

Skagit County (for general taxation purposes only)

THE IDENTIFICATION OF INTERESTS IN PROPERTY SET FORTH PARENTHETICALLY ABOVE ARE FOR INFORMATIONAL PURPOSES ONLY; AND, ARE NOT A REPRESENTATION OR ACKNOWLEDGMENT OF A RESPONDENT'S SPECIFIC RIGHTS.



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EXHIBIT A

LISSER & ASSOCIATES, PLLC

320 Milwaukee St, PO Box 1109, Mount Vernon WA 98273 (360) 419-7442 FAX (360) 419-0581

Description for New Road Right-of-way

June 26, 2007

That portion of the following described Tract "X", lying Southerly and Easterly of the following described line:

Commencing at the Southeast corner of the Northeast 1/4 (East 1/4 corner) of Section 18, Township 34 North, Range 4 East, W.M.;
thence North 0°40'15" East along the East line of said Northeast 1/4 for a distance of 120.00 feet to the North line of the South 120 feet of said Northeast 1/4;
thence South 89°43'41" West along said North line for a distance of 37.00 feet to the TRUE POINT OF BEGINNING of said description;
thence South 0°40'15" East for a distance of 7.72 feet;
thence South 2°06'23" West for a distance of 38.64 feet;
thence South 49°56'16" West for a distance of 41.67 feet;
thence South 89°43'41" West for a distance of 55.07 feet;
thence South 87°26'15" West for a distance of 98.91 feet;
thence South 0°40'15" East for a distance of 2.00 feet;
thence South 87°26'15" West for a distance of 26.16 feet, more or less, to a point on the North line of the South 40.00 feet of said Northeast 1/4 and being the terminus of said line description.

Tract "X"

(Shown as Parcel A on Land Title Company Limited Liability Report Order No. 123868)

That portion of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 18, Township 34 North, Range 4 East, W.M., described as follows:

BEGINNING at a point on the West line of the right-of-way of former State Highway, now Riverside Drive, 20 feet North of the South line of said South 1/2 of the Southeast 1/4 of the Northeast 1/4;
thence North along said right-of-way line 100 feet;
thence West 120 feet;
thence South 100 feet to a point 20 feet North of the South line of said South 1/2 of the Southeast 1/4 of the Northeast 1/4;
thence East 120 feet to the POINT OF BEGINNING,

EXCEPT that portion thereof conveyed to the State of Washington by deed dated August 12, 1953 and recorded October 15, 1953, under Auditor's File No. 493949, records of Skagit County, Washington,

AND EXCEPT that portion thereof conveyed to the City of Mount Vernon by Deed dated September 15, 1975, recorded under Auditor's File No. 823658, records of Skagit County, Washington.

SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

Area of new right-of-way = 1,855 sq. ft.



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