



200805090073

Skagit County Auditor

5/9/2008 Page 1 of 6 11:51AM

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. 223 North Green Bay LLC
2. The Sherwin Williams Company

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)

Lots 1 and 2 of Riverside Business Park, Binding Site Plan recorded May 14, 2001 under Auditor's File No. 200105140108, and being a portion of the Northwest 1/4 of Southwest 1/4 of Section 17, Township 34 North, Range 4 East, W.M.

Additional legal is on page 4-5 of document.

Assessor's Property Tax Parcel/Account Number ☐ Assessor Tax # not yet assigned
P25676, P25675

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,

No. 08-2-00770-0

LIS PENDENS

14 *[In re City of Mount Vernon – College Way/
15 Riverside Drive (P25676/P25675 – 223 North
16 Green Bay)]*

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

21 Said action is to condemn, appropriate, take and damage certain property and property
22 rights for a public purpose, to wit: the acquisition of interests in land for the purpose of road
23 improvements of College Way and Riverside Drive in Mount Vernon, Washington. Said action
24 affects title to the real estate situated in Skagit County, Washington, described in Exhibit A
25 attached hereto.
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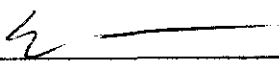
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LIS PENDENS – 1



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2 DATED this 8th day of May, 2008.

3 MOUNT VERNON CITY ATTORNEY

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5 
Kevin Rogerson, WSBA #31664

6 and

7 FOSTER PEPPER PLLC
8 P. Stephen DiJulio, WSBA # 7139
9 Michael S. Schechter, WSBA # 35602
Special Assistant City Attorneys

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LIS PENDENS - 2

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AMENDED EXHIBIT B

223 North Green Bay Street, LLC (fee owner)

The Sherwin Williams Company (tenant)

Dorothy F. Fellman (Deed of Trust beneficiary)

Land Title Company of Skagit County (Deed of Trust trustee)

Peoples Bank (Deed of Trust beneficiary/assignee of rents)

City of Mount Vernon (lienholder)

Puget Sound Energy (easement grantee)

Comcast Cable/TCI Cablevision of Washington, Inc. (easement grantee)

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

LISSE & 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 29, 2007

That portion of the following described Tract "X", lying Westerly of the following described line:

Commencing at the Northwest corner of the Southwest 1/4 (West 1/4 corner) of Section 17, Township 34 North, Range 4 East, W.M.;
thence South 0°24'00" West along the West line of said Southwest 1/4 for a distance of 669.94 feet, more or less, to the Southwest corner of the North 1/2 of the Northwest 1/4 of the Southwest 1/4 of said Section 17;
thence South 89°42'08" East along said South line for a distance of 37.00 feet to the TRUE POINT OF BEGINNING of said line description;
thence North 00°24'00" East for a distance of 27.82 feet;
thence North 2°30'00" East for a distance of 192.33 feet;
thence South 89°42'08" East for a distance of 2.00 feet;
thence North 2°30'00" East for a distance of 115.09 feet;
thence North 89°42'08" West for a distance of 2.27 feet;
thence North 00°24'00" East for a distance of 73.05 feet;
thence North 14°26'10" East for a distance of 45.87 feet;
thence North 00°24'00" East for a distance of 136.54 feet;
thence North 49°28'26" East for a distance of 37.83 feet;
thence South 89°37'00" East for a distance of 48.09 feet;
thence North 87°35'56" East for a distance of 329.36 feet, more or less, to the South line of the North 40.00 feet of said Southwest 1/4 of said Section 17, Township 34 North, Range 4 East, W.M., being the existing Southerly right-of-way margin of SR 538, College Way and also being the terminus of said line description.

Tract "X"

(Shown as Parcel A on Land Title Company Limited Liability Report Order No. 123866)

Lot 1 of Riverside Business Park, Binding Site Plan recorded May 14, 2001, under Auditor's File No. 200105140108, records of Skagit County, Washington; and being a portion of the Northwest 1/4 of the Southwest 1/4 of Section 17, Township 34 North, Range 4 East, W.M.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under and across the South 20 feet of the West 235 feet of Lot 2 of said Binding Site Plan.

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 = 2,088 sq. ft.



EXHIBIT A

LISSE & 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 29, 2007

That portion of the following described Tract "X", lying Westerly of the following described line:

Commencing at the Northwest corner of the Southwest 1/4 (West 1/4 corner) of Section 17, Township 34 North, Range 4 East, W.M.;
thence South 0°24'00" West along the West line of said Southwest 1/4 for a distance of 669.94 feet, more or less, to the Southwest corner of the North 1/2 of the Northwest 1/4 of the Southwest 1/4 of said Section 17;
thence South 89°42'08" East along said South line for a distance of 37.00 feet to the TRUE POINT OF BEGINNING of said line description;
thence North 00°24'00" East for a distance of 27.82 feet;
thence North 2°30'00" East for a distance of 192.33 feet;
thence South 89°42'08" East for a distance of 2.00 feet;
thence North 2°30'00" East for a distance of 115.09 feet;
thence North 89°42'08" West for a distance of 2.27 feet;
thence North 00°24'00" East for a distance of 73.05 feet;
thence North 14°26'10" East for a distance of 45.87 feet;
thence North 00°24'00" East for a distance of 136.54 feet;
thence North 49°28'26" East for a distance of 37.83 feet;
thence South 89°37'00" East for a distance of 48.09 feet;
thence North 87°35'56" East for a distance of 329.36 feet, more or less, to the South line of the North 40.00 feet of said Southwest 1/4 of said Section 17, Township 34 North, Range 4 East, W.M., being the existing Southerly right-of-way margin of SR 538, College Way and also being the terminus of said line description.

Tract "X"

(Shown as Parcel B on Land Title Company Limited Liability Report Order No. 123866)

Lot 2 of Riverside Business Park, Binding Site Plan recorded May 14, 2001, under Auditor's File No. 200105140108, records of Skagit County, Washington; and being a portion of the Northwest 1/4 of the Southwest 1/4 of Section 17, Township 34 North, Range 4 East, W.M.

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 = 274 sq. ft.



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