

Skagit County Prosecuting Attorney
Civil Division
605 S. Third Street
Mount Vernon, WA 98273



201106270063
Skagit County Auditor

6/27/2011 Page 1 of 17 11:21AM

Document Title:

Lis Pendens

Reference Number: Skagit County Superior Court No. 11-2-01272-0

Grantor(s):

additional grantor names on page ___

1. H.J. & MARION E. TWOMEY
2. TIMOTHY B. & FAY WHITE

Grantee(s):

additional grantee names on page ___

1. SKAGIT COUNTY
- 2.

Abbreviated legal description:

full legal on page(s) ___

21.3100 ac) OPEN SPACE #33 #788889 1975 NE1/4 OF SE1/4 LESS RD LESS TAX 6 5 4 3 2
53 88 29 & AEMMER ADD TO M.V. INC M/H WAFLEW1AG35317114 FLEETWOOD 86 70X14

*

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page ___

P28741 and P28761

*

TRACT D OF SHORT PLAT 39-83 RECORDED UNDER AF#8311140026; BEING A PORTION OF THE SE1/4 SE1/4 OF SEC 29, TWP 34, RNG 4; EXCEPT THAT PORTION OF SAID TRACT "D" OF SHORT PLAT #39-83 DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF TRACT "C" OF SAID SHORT PLAT; THENCE WEST ALONG THE NORTH LINE THEREOF, 660 FEET; THENCE NORTH PARALLEL TO THE EAST BOUNDARY OF TRACT "D" OF SAID SHORT PLAT, 150 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID TRACT "C" TO THE EAST LINE OF SAID TRACT "D"; THENCE SOUTH TO THE POINT OF BEGINNING

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SUPERIOR COURT OF WASHINGTON IN AND FOR SKAGIT COUNTY

In the Matter of the Petition of Skagit County to acquire by condemnation certain property and property rights for the Anderson/LaVenture Road Extension Cedardale to Blodgett Project No. STPUS-7337 (005) and Anderson/LaVenture Road Extension Blodgett to Blackburn Project No. STPUS-7337 (004) as contemplated by Skagit County Resolutions Nos. R20110145 and R20110175,

No. 11-2-01272-0
LIS PENDENS

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

Said action is to condemn, appropriate, take, and damage certain property and property rights for a public purpose, to wit: the acquisition of interests in land for the purpose of County road construction and improvements of a County road project described as the Anderson/LaVenture Road Extension, Cedardale to Blodgett, Project No. STPUS-7337 (005); and, Anderson/LaVenture Road Extension, Blodgett to Blackburn, Project No. STPUS-7337 (004). Said action affects title to real estate situated in Skagit County, Washington, described in Exhibit A attached hereto.

///

LIS PENDENS - 1

51151172.2

ORIGINAL

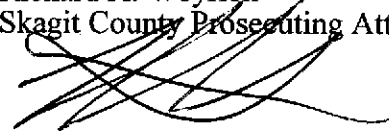


201106270063
Skagit County Auditor

ex
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1 DATED this 27th day of June, 2011.

2 Richard A. Weyrich
3 Skagit County Prosecuting Attorney

4 

5 William W. Honea, WSBA #33528
6 Stephen R. Fallquist, WSBA # 31678
7 Attorneys for Skagit County
8 E-mail: willh@co.skagit.wa.us
9 stephenf@co.skagit.wa.us
10 Courthouse Annex, 605 South Third
11 Mount Vernon, WA 98273
12 Phone: (360) 336-9460
13 Fax: (360) 336-4947

14 and

15 FOSTER PEPPER PLLC

16 P. Stephen DiJulio, WSBA #7139
17 Special Deputy Prosecuting Attorneys
18 E-mail: DiJup@foster.com
19 1111 Third Avenue, Ste. 3400
20 Seattle, WA 98101
21 Tel: 206.447-8971
22 Fax: 206.749-1927



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26 Skagit County Auditor

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LIS PENDENS - 2

SKAGIT COUNTY PROSECUTING ATTORNEY
605 S. 3RD ST. - Courthouse Annex
Mount Vernon, WA 98273
PHONE: (360) 336-9460
Fax: (360) 336-9497

Exhibit A

**TO
SKAGIT COUNTY PETITION FOR CONDEMNATION**

[Parcels P28741 and P28761]

UNOFFICIAL DOCUMENT

51151290.1

Exhibit A



201106270063
Skagit County Auditor

Exhibit A

Continued

Parcel P28741

UNOFFICIAL DOCUMENT

51151290.1

Exhibit A



201106270063

Skagit County Auditor

EXHIBIT "A"

That portion of the Northeast ¼ of the Southeast ¼ of Section 29, Township 34 North, Range 4 East, W.M., lying Easterly of the following described line:

Beginning at a point on the South line of the Northeast ¼ of the Southeast ¼, said Section 29, said point being South 88°49' East 357.81 feet from the Southwest corner of said Northeast ¼ of the Southeast ¼; thence North 30 feet; thence North 24°38' East 159.50 feet; thence North 45°50'20" East 136.25 feet; thence North 14°42' East 121.46 feet; thence North 14°16'10" West 123.98 feet; thence North 13°19'10" East 110.04 feet; thence North 6°44' East 100.63 feet; thence North 33°04'30" East 118.92 feet; thence North 35°18' East 122.07 feet; thence North 0°24'15" East 60 feet; thence South 89°41' East 116.71 feet; thence North 41°26'30" East 199.13 feet to the Southeasterly corner of a tract of land conveyed to Joseph P. Souza and Jean P. Souza, husband and wife, by deed recorded July 15, 1957, under Auditor's File No. 553738; thence along the Easterly line of said Souza tract, the following courses and distances; thence North 49°21' East 55.48 feet; thence North 6°39' East 144.33 feet, more or less, to the North line of said Northeast ¼ of the Southeast ¼, said point being the terminal point of said line,

EXCEPT that portion lying within that certain County road known as the Blackburn Road,

AND EXCEPT that portion conveyed to Skagit County by deed recorded July 11, 1946, under Auditor's File No. 393775,

AND EXCEPT that portion conveyed to Skagit County by deed recorded July 28, 1969, under Auditor's File No. 729225.

Situate in the County of Skagit, State of Washington.



201106270063

Skagit County Auditor

EXHIBIT "A"

P28741

Right of Way Acquisition

Acquisition Description

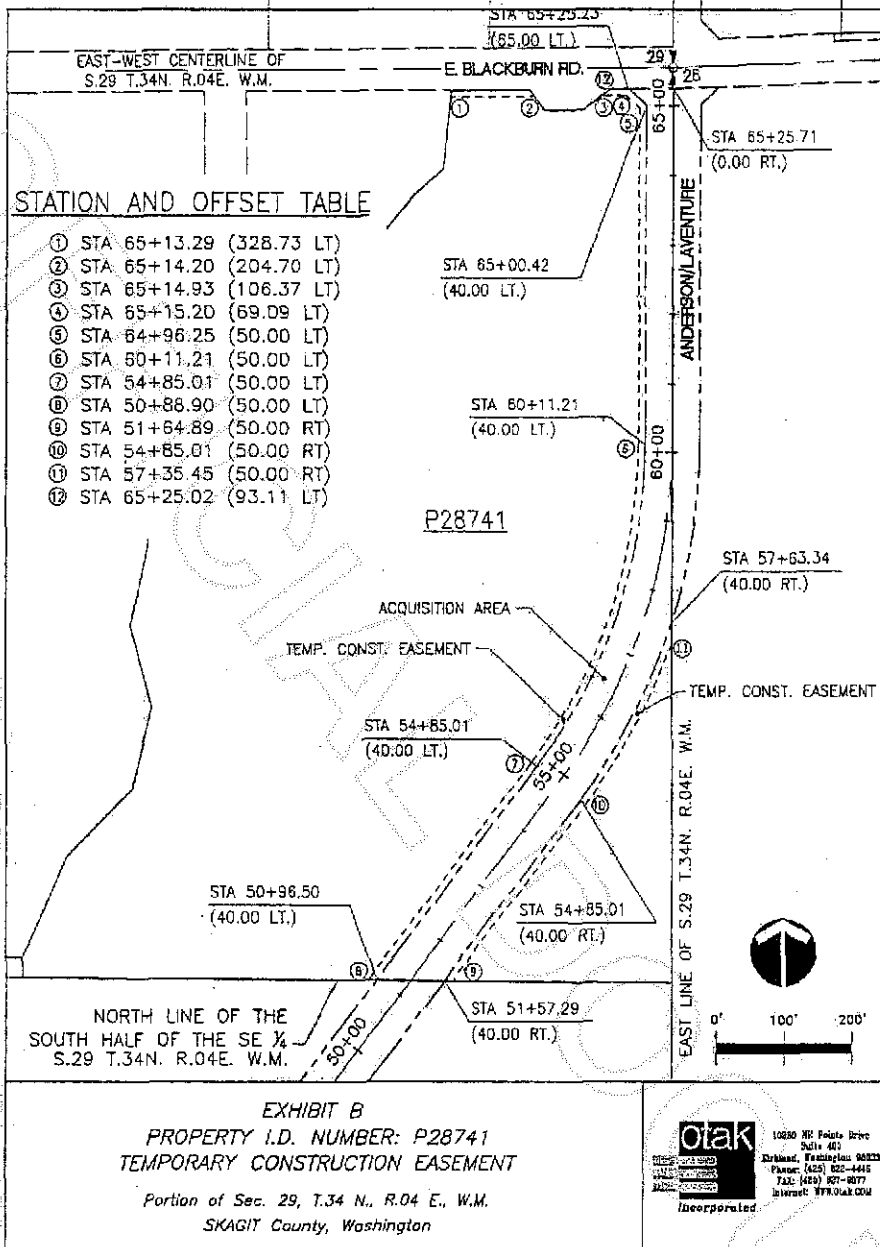
All that portion of that parcel of land as described in Warranty Deed Recorded under Auditor's File Number 795811, Records of Skagit County, State of Washington, described as follows:

Beginning at Highway Engineer's Station (hereinafter referred to as HES) 65+25.71 on the Anderson/LaVenture Road (Cedardale Rd. to Blackburn Rd.) Right of Way and Easement Plan when measured at right angles from Anderson/LaVenture centerline said point being the northeast corner of said Parcel; thence westerly along the north line of said Parcel to a point 65.00 feet left of HES 65+25.23; thence leaving said north line southeasterly to a point 40.00 feet left of HES 65+00.42; thence southerly to a point 40.00 feet left of 60+11.21, said point being a point of curve right of a 760.00 foot radius curve; thence along the arc of said curve right through a central angle of $37^{\circ}41'12''$; a distance of 499.89 feet to a point 40.00 feet left of HES 54+85.01; thence southwesterly to a point on the south line of said Parcel said point being 40.00 feet left of HES 50+96.50; thence easterly along the south line of said Parcel to a point 40.00 feet right of HES 51+57.29; thence northeasterly to a point 40.00 feet right of HES 54+85.01, said point being a point of curve left of a 840.00 foot radius curve; thence along the arc of said curve left through a central angle of $19^{\circ}56'02''$, a distance of 292.25 feet more or less to a point on the west line of said Parcel said point being 40.00 feet right of HES 57+63.34; thence northerly along the west line to the Point of Beginning.

Containing 84,769 square feet, more or less.



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Skagit County Auditor



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EXHIBIT "A"

P28741

Temporary Construction Easement

TCE Description

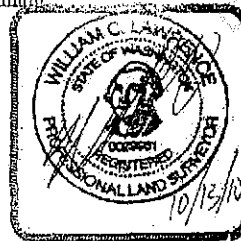
All that portion of that parcel of land as described in Warranty Deed Recorded under Auditor's File Number 795811, Records of Skagit County, State of Washington, lying northerly of the following described line:

Beginning at a point 328.73 feet left of Highway Engineer's Station (hereinafter referred to as HES) 65+13.29 on the Anderson/LaVenture Road (Cedardale Rd. to Blackburn Rd.) Right of Way and Easement Plan when measured at right angles from Anderson/LaVenture centerline, said point being on the west line of said Parcel and 10.00 feet South of the North line of said Parcel when measured at right angles; thence easterly to a point 204.70 feet left of HES 65+14.20 said point being on the west line of the exception conveyed to Skagit County by deed under Auditor's File No. 729225 and the terminus of herein described line.

TOGETHER WITH a tract of land beginning at a point 65.00 feet left of HES 65+25.23 said point being on the north line of said Parcel; thence leaving said north line southeasterly to a point 40.00 feet left of HES 65+00.42; thence southerly to a point 40.00 feet left of 60+11.21, said point being a point of curve right of a 760.00 foot radius curve; thence along the arc of said curve right through a central angle of $37^{\circ}41'12''$; a distance of 499.89 feet to a point 40.00 feet left of HES 54+85.01; thence southwesterly to a point on the south line of said Parcel said point being 40.00 feet left of HES 50+96.50; thence westerly along the south line of said Parcel to a point 50.00 feet left of HES 50+88.90; thence leaving said south line northeasterly to a point 50.00 feet left of HES 54+85.01, said point being a point of curve left of a 750.00 foot radius curve; thence along the arc of said curve left through a central angle of $37^{\circ}41'12''$, a distance of 493.32 feet to a point 50.00 feet left of HES 60+11.21; thence northerly to a point 50.00 feet left of HES 64+96.25; thence northwesterly to a point 69.09 feet left of HES 65+15.20; thence westerly to a point 106.37 feet left of HES 65+14.93 said point being on the east line of the exception conveyed to Skagit County by deed under Auditor's File No. 729225; thence northeasterly to a point 93.11 feet left of HES 65+25.02 said point being on the north line of said Parcel; thence easterly along the north line to the Point of Beginning.

AND TOGETHER WITH a tract of land beginning at a point 40.00 feet right of HES 51+57.29 said point being on the south line of said Parcel; thence leaving said south line northeasterly to a point 40.00 right of HES 54+85.01 said point being a point of curve left of a 840.00 foot radius curve; thence along the arc of said curve left through a central angle of $19^{\circ}56'02''$, a distance of 292.25 feet more or less to a point on the east line of said Parcel said point being 40.00 feet right of HES 57+63.34; thence southerly to a point 50.00 feet right of HES 57+35.45 said point being a point of nontangent curvature; thence southwesterly along the arc of a 850.00 foot radius curve right (the radius point of which bears North $67^{\circ}47'15''$ West) through a central angle of $17^{\circ}56'12''$, a distance of 266.10 feet to a point 50.00 feet right of HES 54+85.01; thence southwesterly to a point 50.00 feet right of 51+64.89 said point being on the south line of said Parcel; thence westerly along the south line to the Point of Beginning.

Containing 21,625 square feet, more or less.



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Skagit County Auditor

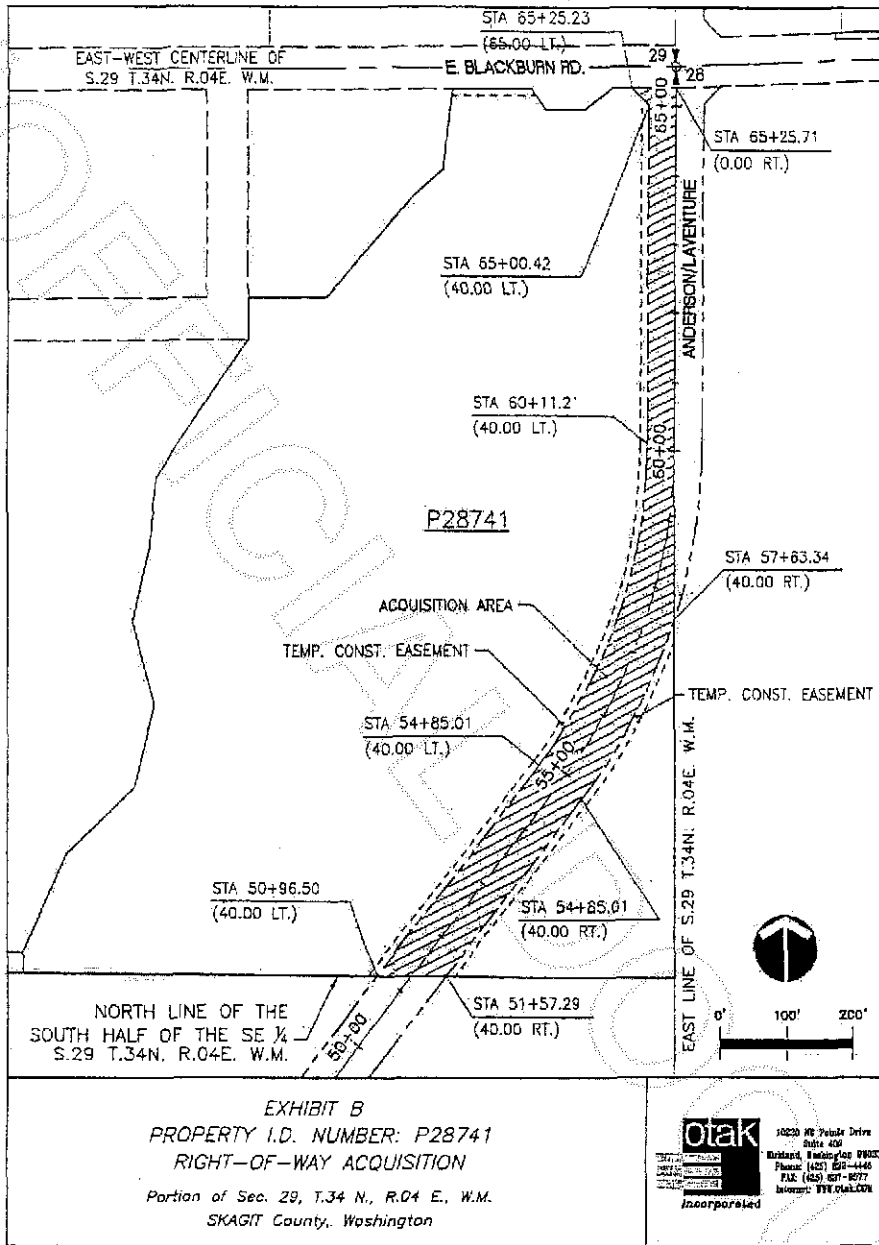


EXHIBIT B
 PROPERTY I.D. NUMBER: P28741
 RIGHT-OF-WAY ACQUISITION
 Portion of Sec. 29, T.34 N., R.04 E., W.M.
 SKAGIT County, Washington

otak
 10230 NE Pebble Drive
 Suite 400
 Everett, Washington 98203
 Phone: (425) 651-4444
 FAX: (425) 651-8277
 Internet: WWW.OTAK.COM
 Incorporated



201106270063
 Skagit County Auditor

Exhibit A

Continued

Parcel P28761

UNOFFICIAL DOCUMENT

51151290.1

Exhibit A



201106270063

Skagit County Auditor

P28761

Schedule "A-1"

DESCRIPTION:

Tract "D" of Skagit County Short Plat No. 39-83, approved November 14, 1983 and recorded November 14, 1983, under Auditor's File No. 8311140026, in Volume 6 of Short Plats, pages 97 and 98, records of Skagit County, Washington; being a portion of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 29, Township 34 North, Range 4 East, W.M., EXCEPT, that portion described as follows:

Beginning at the Northeast corner of Tract "C" of said Short Plat;
thence West along the North line thereof, 660 feet;
thence North parallel to the East boundary of Tract "D" of said Short Plat, 150 feet;
thence East parallel to the North line of said Tract "C" to the East line of said Tract "D";
thence South to the point of beginning.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over and across an existing private road of varying widths, as delineated on the face of the Short Plat, over and across a portion of Tract "C" of said Short Plat, which adjoins the Northwesterly line of said Tract "C".

Situate in the County of Skagit, State of Washington.



201106270063
Skagit County Auditor

EXHIBIT "A"

P28761

Right of Way Acquisition

Acquisition Description

All that portion of that parcel of land as described in Real Estate Contract Recorded under Auditor's File number 9807100117, Records of Skagit County, State of Washington, lying westerly of the following described line:

Beginning at a point 40.00 feet right of Highway Engineer's Station (hereinafter referred to as HES) 51+57.29 on the Anderson/LaVenture Road (Cedardale Rd. to Blackburn Rd.) Right of Way and Easement Plan when measured at right angles from Anderson/LaVenture centerline said point being on the North line of said Parcel; thence southwesterly to a point 40.00 feet right of HES 40+34.36; thence southerly to an angle point in the property line of said parcel said point being 36.57 feet right of HES 312+76.25 when measured at right angles from S. 19th Street centerline of said plan set; thence southerly along the east line of said parcel to the intersection with the south line of said parcel and the terminus of herein described line.

Containing 53,630 square feet, more or less.



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Skagit County Auditor

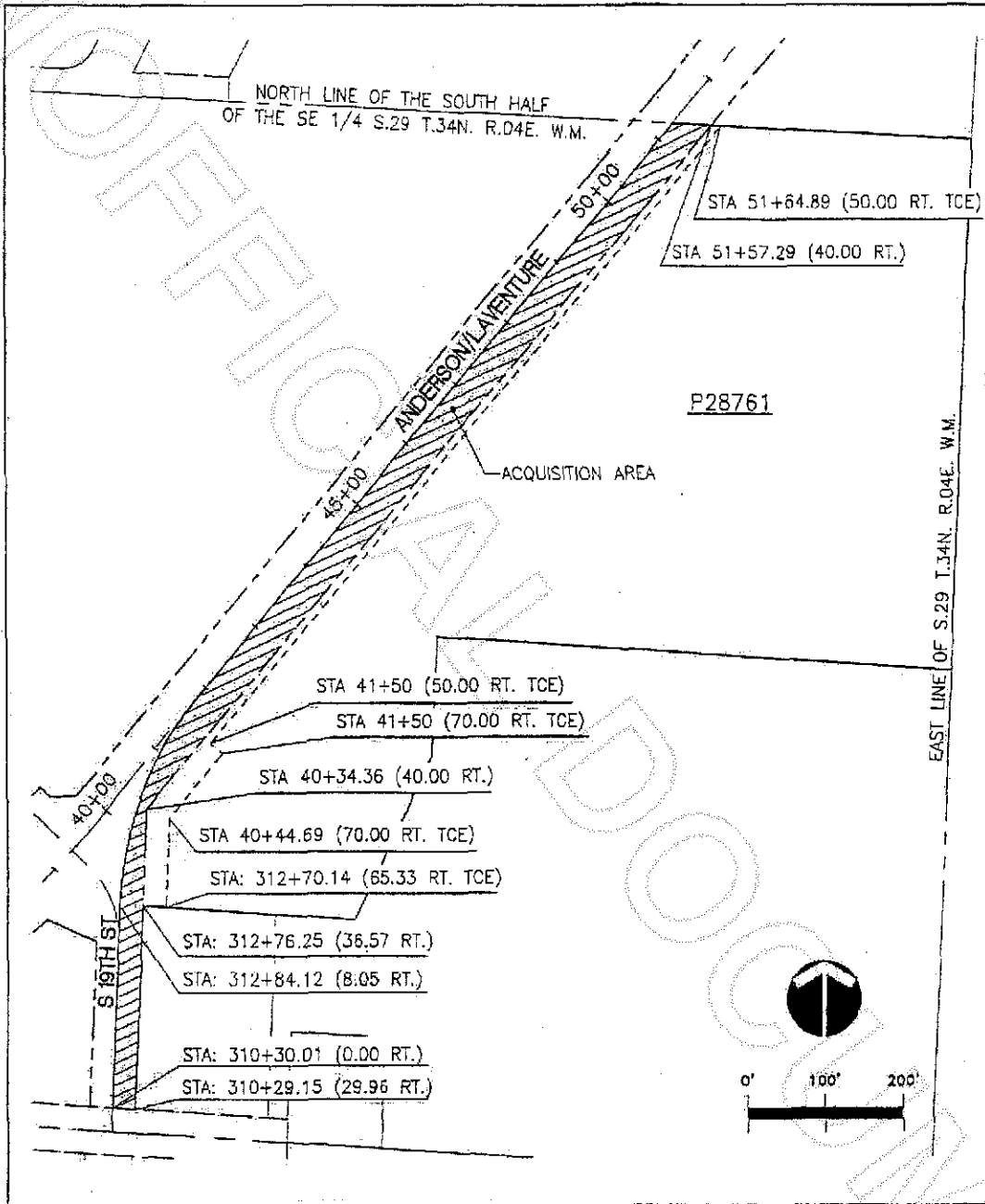


EXHIBIT B
 PROPERTY I.D. NUMBER: P28761
 RIGHT-OF-WAY ACQUISITION
 Portion of Sec. 29, T.34 N., R.04 E., W.M.
 SKAGIT County, Washington

otak
 10290 NE Pointe Drive
 Suite 485
 Kirkland, Washington 98033
 Phone: (425) 822-1448
 FAX: (425) 827-9577
 Internet: WWW.OTAK.COM
 Incorporated



201106270063
 Skagit County Auditor

EXHIBIT "A"

P28761

Temporary Construction Easement

TCE Description

All that portion of that parcel of land as described in Real Estate Contract Recorded under Auditor's File number 9807100117, Records of Skagit County, State of Washington, described as follows:

Beginning at a point 40.00 feet right of Highway Engineer's Station (hereinafter referred to as HES) 51+57.29 on the Anderson/LaVenture Road (Cedardale Rd. to Blackburn Rd.) Right of Way and Easement Plan when measured at right angles from Anderson/LaVenture centerline said point being on the North line of said Parcel; thence southwesterly to a point 40.00 feet right of HES 40+34.36; thence southerly to an angle point in the property line of said parcel said point being 36.57 feet right of HES 312+76.25 when measured at right angles from S. 19th Street centerline of said plan set; thence easterly along said parcel line to a point 65.33 feet right of HES 312+70.14; thence leaving said parcel line northerly to a point 70.00 feet right of HES 40+44.69 when measured at right angles from Anderson/LaVenture centerline of said plan set; thence northeasterly to a point 70.00 feet right of HES 41+50; thence northwesterly to a point 50.00 feet right of HES 41+50; thence northeasterly to a point 50.00 feet right of HES 51+64.89 said point being on the North line of said Parcel; thence westerly along said North line to the Point of Beginning.

Containing 16,982 square feet, more or less.



201106270063
Skagit County Auditor

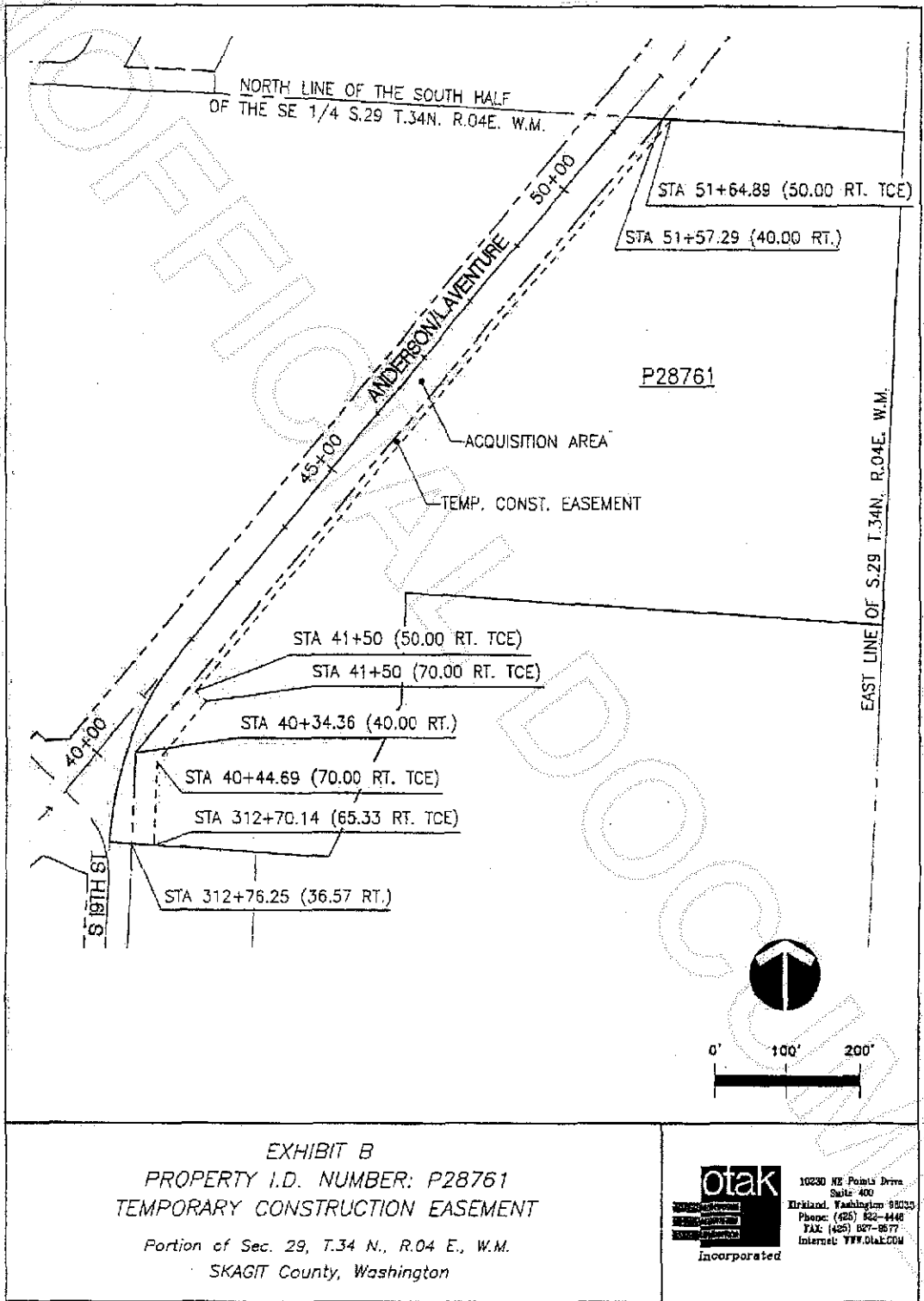


EXHIBIT B
 PROPERTY I.D. NUMBER: P28761
 TEMPORARY CONSTRUCTION EASEMENT
 Portion of Sec. 29, T.34 N., R.04 E., W.M.
 SKAGIT County, Washington

otak
 10280 NE Points Drive
 Suite 400
 Kirkland, Washington 98033
 Phone: (425) 822-4448
 FAX: (425) 827-8877
 Internet: WWW.OTAK.COM
 incorporated



201106270063
 Skagit County Auditor

Exhibit B

1. Property I.D. No. P28741
Acct. No. 340429-4-001-0004
H.J. Twomey and Marion E. Twomey

2. Property I.D. No. P28761
Acct. No. 340429-4-014-0306
Timothy B. White and Fay C. White, husband and wife
Janice Marie Harman

