



201106280024
Skagit County Auditor

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Document Title:

Lis Pendens

Reference Number : Skagit County Cause No. 11-2-01298-3

Grantor(s):

additional grantor names on page ___

1. John N. Yeager
2. Kathryn M. Yeager

Grantee(s):

additional grantee names on page ___

1. Skagit County
- 2.

Abbreviated legal description:

full legal on page(s) ___

TAX 48 TR IN SW1/4 SE1/4 DAF: BEGIN ON S LI OF SD SW1/4 SE1/4, 121.6 FT E OF S1/4 POST OF SD SEC; TH N 21-34- W, 253 FT ALG CNTR LI OF CO RD; TH E 241 FT PLW S LI OF SW1/4 SE1/4; TH N 46-21 E, 150.6 FT; TH E 526.9 FT PLW S LI OF SD SW1/4 SE1/4; TH N 42- E, 401 FT; M/L TO N LI OF S 19 AC OF SW1/4 SE1/4P TH E 122 FT, M/L TO E LI OF SW1/4 SE1/4; TH S TO ITS SE COR; TH W 1193 FT TPOB. EXC S 10 FT THOF TO CO FRO RD PURPOSES & PTN THOF LY W OF E LI OF BLODGETT CO RD

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page ___

P28179

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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. [Parcel P28179]

No. **11 2 01298 3**

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

SKAGIT COUNTY PROSECUTING ATTORNEY
805 S. 3RD ST. - Courthouse Annex



201106280024

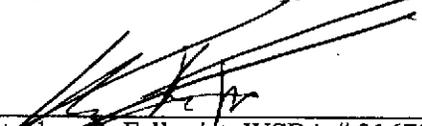
Skagit County Auditor

51151870.1

ORIGINAL

1 DATED this 27th day of June, 2011.

2 Richard A. Weyrich
3 Skagit County Prosecuting Attorney, and

4 
5 _____
6 Stephen R. Fallquist, WSBA # 31678
7 William W. Honea, WSBA #33528
8 Attorneys for Skagit County
9 E-mail: stephenf@co.skagit.wa.us
10 willh@co.skagit.wa.us

11 Courthouse Annex, 605 South Third
12 Mount Vernon, WA 98273

13 Phone: (360) 336-9460

14 Fax: (360) 336-4947

15 and

16 FOSTER PEPPER PLLC

17 P. Stephen DiJulio, WSBA #7139

18 Special Deputy Prosecuting Attorneys

19 E-mail: DiJup@foster.com

20 1111 Third Avenue, Ste. 3400

21 Seattle, WA 98101

22 Tel: 206.447-8971

23 Fax: 206.749-1927



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LIS PENDENS - 2

51351870.1

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**

[Parcel P28179]



201106280024

Skagit County Auditor

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Schedule "A-1"

135909-0

DESCRIPTION:

PARCEL "A":

A tract of land in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 29, Township 34 North, Range 4 East, W.M., said tract beginning on the South line of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, 121.6 feet East of the South $\frac{1}{4}$ post of said Section 29;

thence North $21^{\circ}34'$ West, 253 feet along the centerline of County road as now traveled;

thence East 241 feet parallel with the South line of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$;

thence North $46^{\circ}21'$ East, 150.6 feet;

thence East 526.9 feet parallel with the South line of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$;

thence North 42° East, 401 feet, more or less, to the North line of the South 19 acres of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$;

thence East 123 feet, more or less, to the East line of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$;

thence South to its Southeast corner;

thence West 1,193 feet to the point of beginning.

EXCEPT the South 10 feet thereof conveyed to Skagit County for road purposes by deed dated November 14, 1938 and recorded March 31, 1939, under Auditor's File No. 311429, in Volume 176 of Deeds, page 537, records of Skagit County, Washington, AND EXCEPT that portion thereof lying West of the East line of the Blodgett County road.

ALSO EXCEPT that portion conveyed to Skagit County for road purposes by deed dated January 17, 1969, under Auditor's File No. 722547, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

A tract of land in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 29, Township 34 North, Range 4 East, W.M., the place of beginning of which is recorded from the South line of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, 121.6 feet East of the South quarter post of said Section 29;

thence North $21^{\circ}34'$ West 253 feet along the centerline of the County road as traveled on June 6, 1953;

thence East 195 feet parallel with the South line of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, which is the point of beginning of the description of said tract;

thence East 46 feet parallel with the South line of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$;

thence North $46^{\circ}21'$ East, 150.6 feet;

thence West $33^{\circ}39'$ South 186 feet to the point of beginning.

Situate in the County of Skagit, State of Washington.



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EXHIBIT "A"

P28179

Right of Way Acquisition

Acquisition Description

All that portion of that parcel of land as described in Statutory Warranty Deed Recorded in Volume 713 at Pages 174 and 175, under Auditor's File number 8787000023, Records of Skagit County, State of Washington, described as follows:

Beginning at a point 1.44 feet left of Highway Engineer's Station (hereinafter referred to as HES) 24+97.23 on the Anderson/LaVenture Road (Cedardale Rd. to Blackburn Rd.) Right of Way and Easement Plan when measured at right angles from the Anderson/LaVenture centerline said point being the southwest corner of said Parcel; thence easterly along the South line of said Parcel to a point 40.00 feet right of HES 32+89.16 said point being a point of a non-tangent curvature; thence leaving said South line northeasterly along the arc of an 840.00 foot radius curve left (the radius point of which bears $N02^{\circ}01'19''W$) through a central angle of $23^{\circ}48'01''$, a distance of 348.93 feet more or less to a point 40.00 feet right of HES 36+21.47 said point being on the east line of said Parcel; thence northerly along said east line to a point 40.00 feet left of HES 36+66.98 said point being a point of nontangent curvature; thence southwesterly along the arc of a 760.00 foot radius curve right (the radius of which bears North $29^{\circ}04'53''$ West) through a central angle of $29^{\circ}58'08''$, a distance of 397.52 feet to a point of tangency said point being 40.00 feet left of HES 32+48.54; thence southwesterly to a point 40.00 feet left of HES 25+10.47; thence northwesterly to a point on the west line of said Parcel said point being 61.18 feet left of HES 24+76.81 more or less; thence southeasterly along said west line to the Point of Beginning.

Containing 75,326 square feet, more or less.



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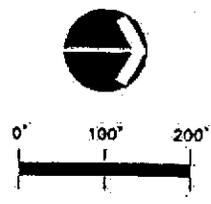
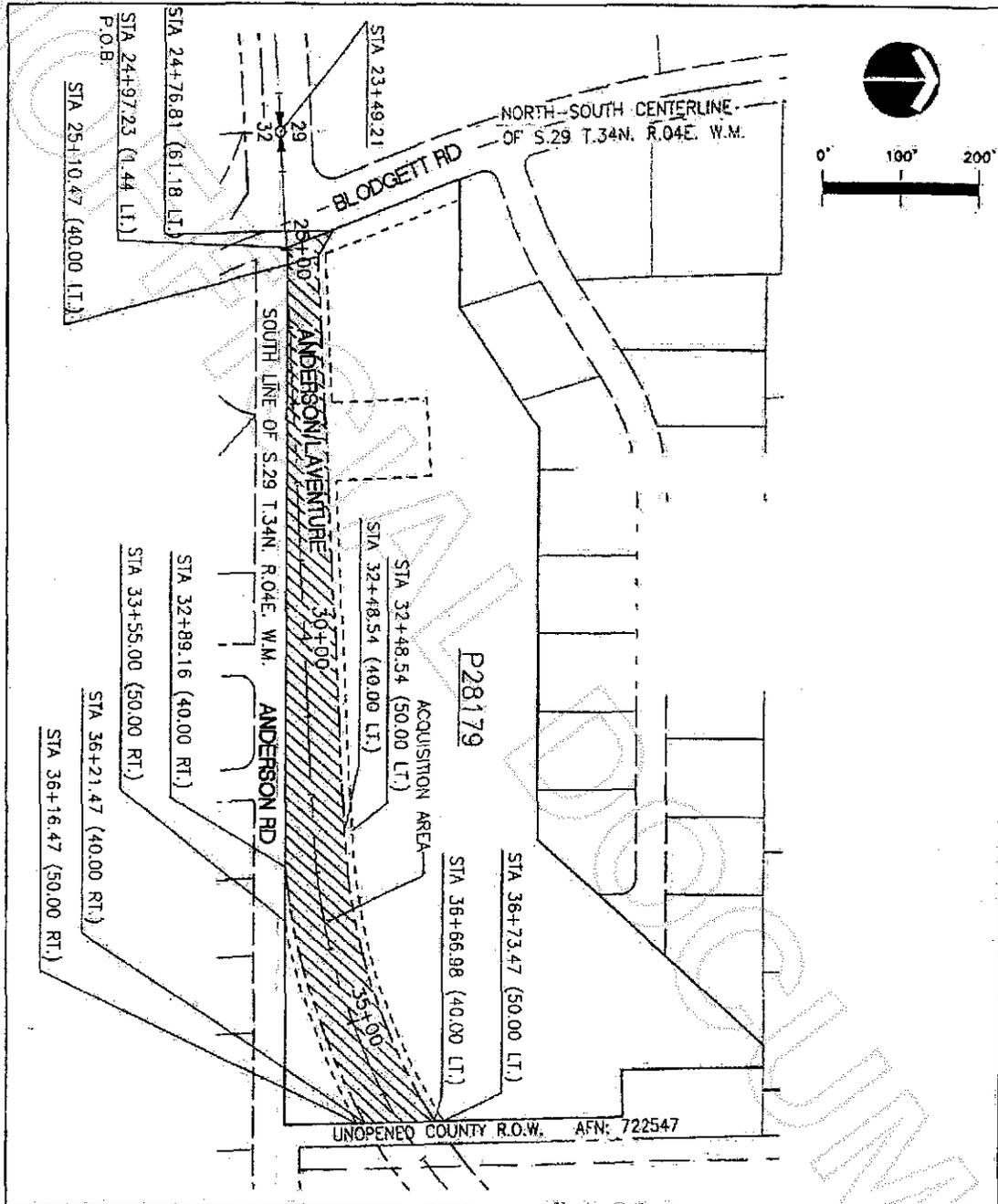


EXHIBIT B
PROPERTY I.D. NUMBER: P28179
RIGHT-OF-WAY ACQUISITION
 Portion of Sec. 29, T.34 N., R.04 E., W.M.
 SKAGIT County, Washington

otak
 10250 NE Polaris Drive
 Suite 400
 Kirkland, Washington 98033
 Phone: (425) 825-4446
 FAX: (425) 827-8577
 Internet: WWW.otak.com
 Incorporated



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 Skagit County Auditor

EXHIBIT "A"

P28179

Temporary Construction Easement

TCE Description

All that portion of that parcel of land as described in Statutory Warranty Deed Recorded in Volume 713 at Pages 174 and 175, under Auditor's File number 8787000023, Records of Skagit County, State of Washington, described as follows:

Beginning at a point 230.36 feet left of Highway Engineer's Station (hereinafter referred to as HES) 24+21.97 on the Anderson/LaVenture Road (Cedardale Rd. to Blackburn Rd.) Right of Way and Easement Plan when measured at right angles from the Anderson/LaVenture centerline said point being the northwest corner of said Parcel; thence easterly along the north line of said Parcel to a point 228.81 feet left of HES 24+48.56 said point being a point of non-tangent curvature; thence leaving said north line southeasterly along the arc of a 1,855.00 foot radius curve left (the radius point of which bears N73°22'07"E) through a central angle of 01°21'30", a distance of 43.98' to a point of tangency said point being 186.91 feet left of HES 24+61.92; thence southeasterly to a point 50.00 feet left of HES 25+07.05; thence easterly to a point 50.00 feet left of HES 27+00; thence northerly to a point 175.00 feet left of HES 27+00; thence easterly to a point 175.00 feet left of HES 28+00; thence southerly to a point 50.00 feet left of HES 28+00; thence easterly to a point 50.00 feet left of HES 32+48.54 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 30°26'02", a distance of 398.38 feet more or less to a point 50.00 feet left of HES 36+73.47 said point being on the east line of said Parcel; thence southerly along the east line of said parcel to a point 40.00 feet left of HES 36+66.98 said point being a point of nontangent curvature; thence southwesterly along the arc of a 760.00 foot curve right (the radius of which bears North 29°04'53" West) through a central angle of 29°58'08", a distance of 397.52 feet to a point of tangency said point being 40.00 feet left of HES 32+48.54; thence southwesterly to a point 40.00 feet left of HES 25+10.47; thence northwesterly to a point on the west line of said Parcel said point being 61.18 feet left of HES 24+76.81 more or less; thence northwesterly along said west line to a point of curve right of a 1,880.00 foot radius curve said point being 179.04 feet left of HES 24+38.19; thence continuing along said west line northwesterly along the arc of said curve, through a central angle of 01°38'26", a distance of 53.83 feet to the Point of Beginning.

TOGETHER WITH

A tract of land beginning at a point 40.00 feet right of HES 32+89.16 said point being on the south line of said parcel; thence easterly along the south line of said parcel to a point 50.00 feet right of HES 33+55.00 said point being a point of nontangent curvature; thence northeasterly along the arc of a 850.00 foot curve left (the radius of which bears N06°44'16"W) through a central angle of 18°43'35", a distance of 277.81 feet more or less to a point 50.00 feet right of HES 36+16.47 said point being on the East line of said Parcel; thence northerly along said East line to a point 40.00 feet right of HES 36+21.47 said point being a point of non tangent curvature; thence southwesterly along the arc of a 840.00 foot curve right (the radius of which bears N25°49'20"W) through a central angle of 23°48'01", a distance of 348.93 feet more or less to the point of beginning.



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Skagit County Auditor

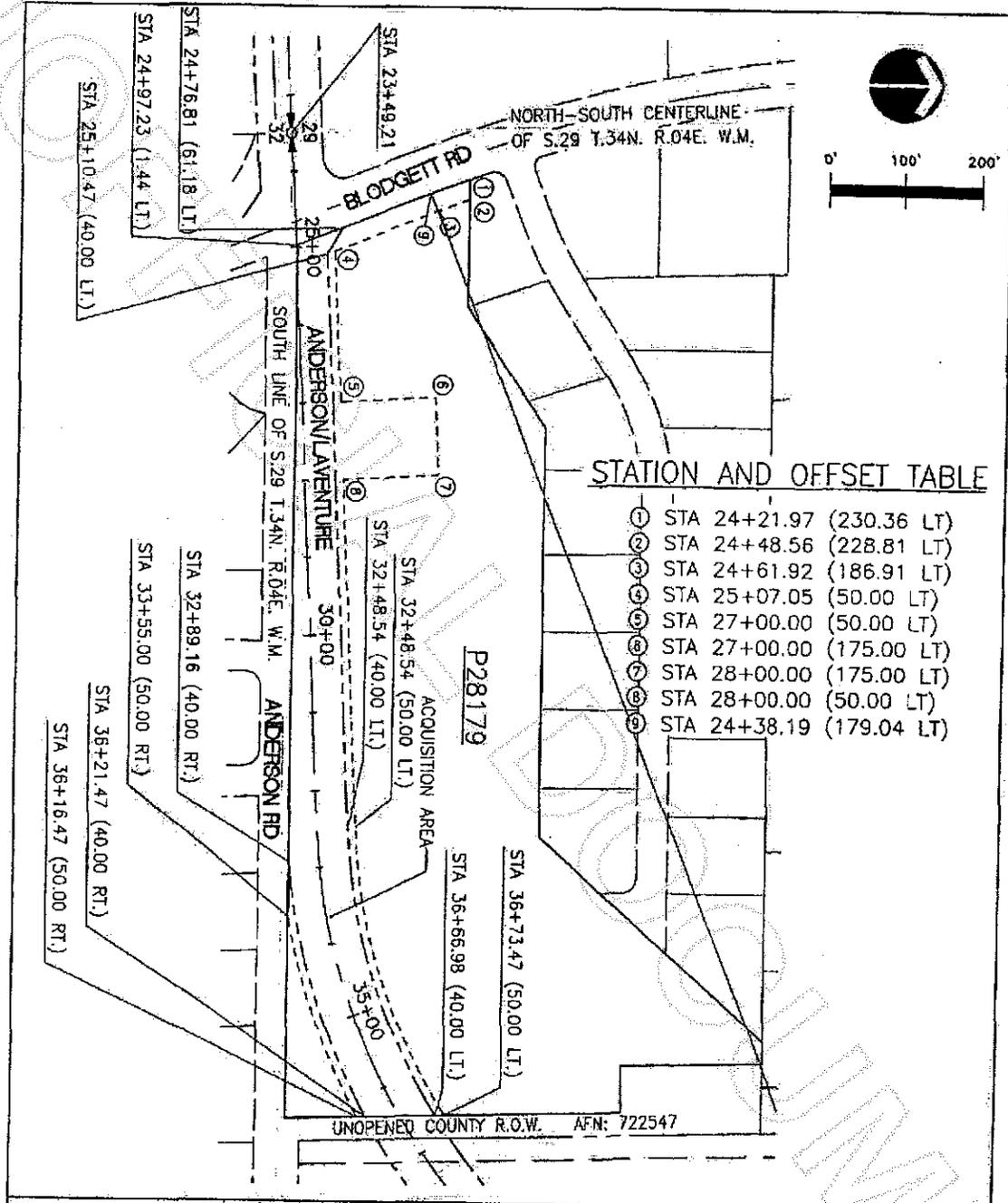


EXHIBIT B
PROPERTY I.D. NUMBER: P28179
TEMPORARY CONSTRUCTION EASEMENT
 Portion of Sec. 29, T.34 N., R.04 E., W.M.
 SKAGIT County, Washington

10230 85 Points Drive
 Suite 400
 Kirkland, Washington 98033
 Phone: (425) 822-6448
 FAX: (425) 857-8577
 Internet: WWW.Otak.COM
 Incorporated



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 Skagit County Auditor

Exhibit B

**TO
SKAGIT COUNTY PETITION FOR CONDEMNATION**

Parcel: P28179

Acct. No. 340429-0-043-0002

John N. Yaeger and Kathryn M. Yaeger, husband and wife; and PRLAP, Inc., Trustee, and Bank of America, N.A., Lender, under Deed of Trust



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Exhibit B