



201106280025

Skagit County Auditor

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Document Title:

Lis Pendens

Reference Number : Skagit County Cause No. 11-2-01297-5

Grantor(s):

☐ additional grantor names on page ____

1. Cedar Hills Development LLC

2.

Grantee(s):

☐ additional grantee names on page ____

1. Skagit County

2.

Abbreviated legal description:

☐ full legal on page(s) ____

THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M.; EXCEPT THE SOUTH 20 ACRES THEREOF, EXCEPT THE COUNTY ROAD ALONG THE NORTH LINE THEREOF; AND EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF THE COUNTY ROAD ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER WITH THE EAST LINE OF SAID SUBDIVISION; THENCE WEST 530 FEET; THENCE SOUTH 660 FEET; THENCE EAST 530 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER

Assessor Parcel / Tax ID Number:

☐ additional tax parcel number(s) on page ____

P28036

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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 P28036]

No. **11 2 01297 5**
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

51151878.1

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

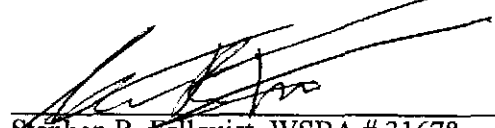


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ORIGINAL

1 DATED this 27th day of June, 2011.

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

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



25 201106280025

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LIS PENDENS - 2

51151878.1

SKAGIT COUNTY PROSECUTING ATTORNEY

605 S. 3RD ST. - Courthouse Annex

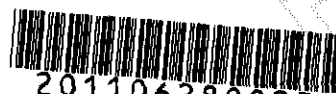
Mount Vernon, WA 98273

PHONE: (360) 336-9460

Fax: (360) 336-9497

Exhibit A

**TO
SKAGIT COUNTY PETITION FOR CONDEMNATION**



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Schedule "A-1"

135915-O

DESCRIPTION:

The West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 28, Township 34 North, Range 4 East, W.M.,

EXCEPT the South 20 acres thereof,

EXCEPT the County road along the North line thereof,

AND EXCEPT that portion thereof described as follows:

Beginning at the intersection of the South line of the County road along the North line of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ with the East line of said subdivision;

thence West 530 feet;

thence South 660 feet;

thence East 530 feet to the East line of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$;

thence North along the East line of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, 660 feet to the point of beginning,

AND ALSO EXCEPT the plats of "CEDAR HILLS NO. 1", "CEDAR HILLS, NO. 2", and "CEDAR HILLS NO. 3",

AND ALSO EXCEPT the following described tract:

Beginning at the Northwest corner of Lot 17, "PLAT OF CEDAR HILLS NO. 3", as per plat recorded in Volume 9 of Plats, pages 36 and 37, records of Skagit County, Washington;

thence North $82^{\circ}37'00''$ East, along the Northerly line of said Lot 17 and its Easterly projection, a distance of 162.41 feet to the Westerly line of Lot 18 of said plat;

thence North $07^{\circ}23'00''$ West, along said Westerly line, a distance of 50.63 feet to the Northwest corner of said Lot 18;

thence South $65^{\circ}18'08''$ West, a distance of 170.12 feet to the point of beginning,

AND ALSO EXCEPT that portion of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 28, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Southwest corner of Lot 15, "PLAT OF CEDAR HILLS NO. 3", as per plat recorded in Volume 9 of Plats, pages 36 and 37, records of Skagit County, Washington;

thence South $1^{\circ}09'15''$ West along the West line of said Southwest $\frac{1}{4}$ for a distance of 10.00 feet;

thence South $87^{\circ}40'24''$ East for a distance of 39.24 feet, more or less, to a point bearing South $65^{\circ}42'41''$ West from the Southeast corner of said Lot 15, "PLAT OF CEDAR HILLS NO. 3";

thence North $65^{\circ}42'41''$ East for a distance of 89.69 feet, more or less, to said Southeast corner of Lot 15;

thence South $78^{\circ}10'00''$ West along the Southerly line of said Lot 15 for a distance of 123.37 feet (shown as 123.35 feet on the face of said plat), more or less, to the point of beginning,



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DESCRIPTION CONTINUED:

AND ALSO EXCEPT that portion of the West $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 28, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Southeast corner of Lot 4, "PLAT OF CEDAR HILLS NO. 3," as per plat recorded in Volume 9 of Plats, pages 36 and 37, records of Skagit County, Washington;
thence South $1^{\circ}17'17''$ West on a Southerly projection of the East line of said Lot 4 for a distance of 16.31 feet;
thence South $89^{\circ}07'00''$ West parallel with the South line of said Lot 4 for a distance of 98.00 feet to a point bearing South $1^{\circ}17'17''$ West from the Southwest corner of said Lot 4;
thence North $1^{\circ}17'17''$ East for a distance of 16.31 feet, more or less, to the Southwest corner of said Lot 4;
thence North $89^{\circ}07'00''$ East along the South line of said Lot 4 for a distance of 98.00 feet, more or less, to the point of beginning.

Situate in the County of Skagit, State of Washington.



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EXHIBIT "A"

P28036

Right of Way Acquisition

Acquisition Description

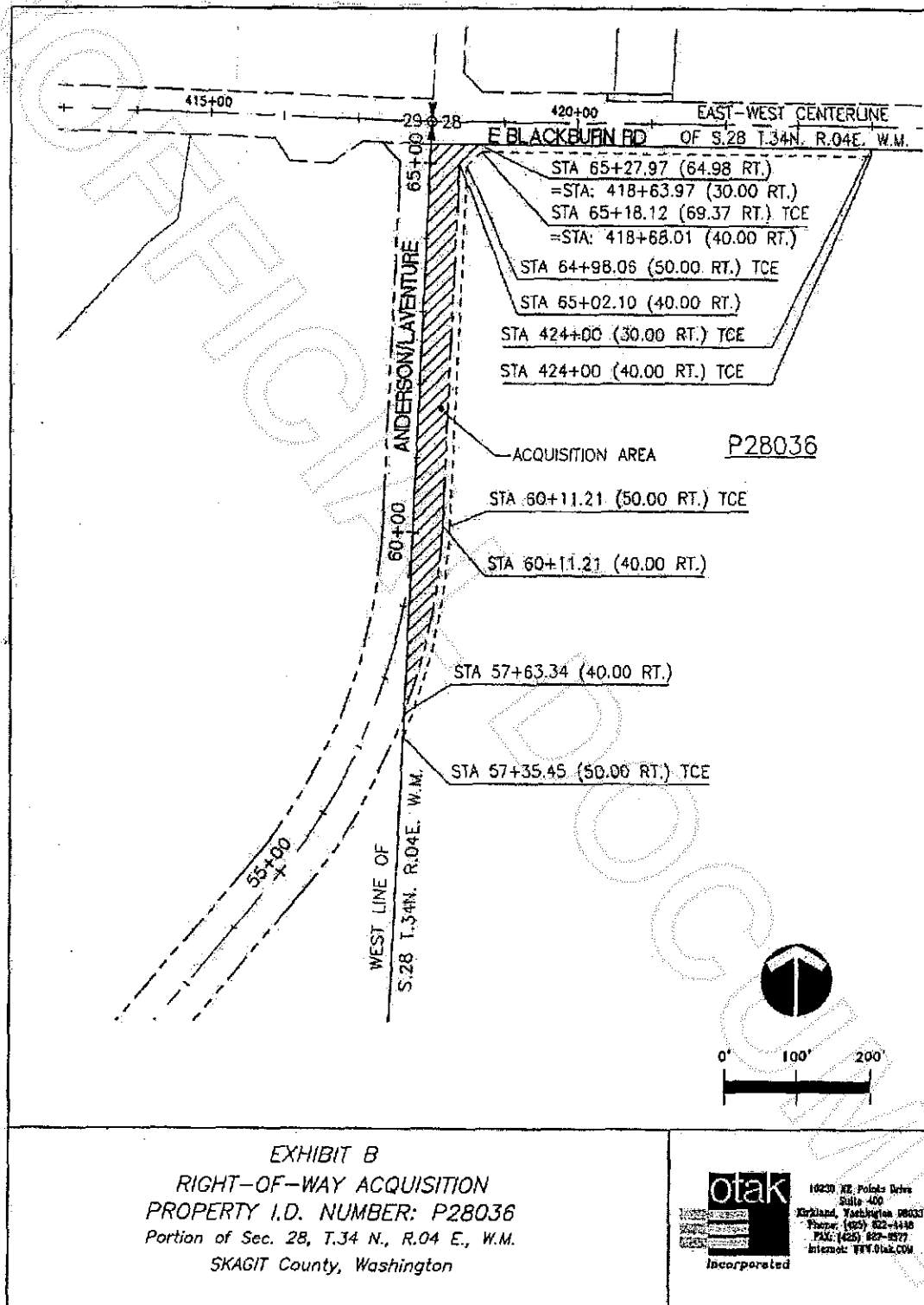
All that portion of that parcel of land as described at Page 9 of 9 of Quit Claim Deed Recorded under Auditor's File Number 200903110142, Records of Skagit County, State of Washington, lying westerly and northerly of the following described line:

Beginning at a point 64.98 feet right of Highway Engineer's Station (hereinafter referred to as HES) 65+27.97 on the Anderson/LaVenture Road (Cedardale Rd. to Blackburn Rd.) Right of Way and Easement plans when measured at right angles from the Anderson/LaVenture centerline said point being on the North line of said Parcel; thence southwesterly to a point 40.00 feet right of HES 65+02.10; thence southerly parallel to the West line of said Parcel to a point 40.00 feet right of HES 60+11.21 said point being a point of curve right of a 840.00 foot radius curve; thence leaving said parallel line along the arc of said curve right through a central angle of 17°45'10", a distance of 260.27 feet more or less to a point 40.00 feet right of HES 57+63.34 said point being on the West line of said Parcel and the terminus of herein described line.

Containing 27,783 square feet, more or less.



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EXHIBIT "A"

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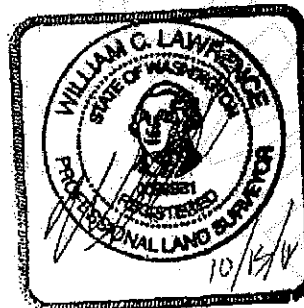
Temporary Construction Easement

TCE Description

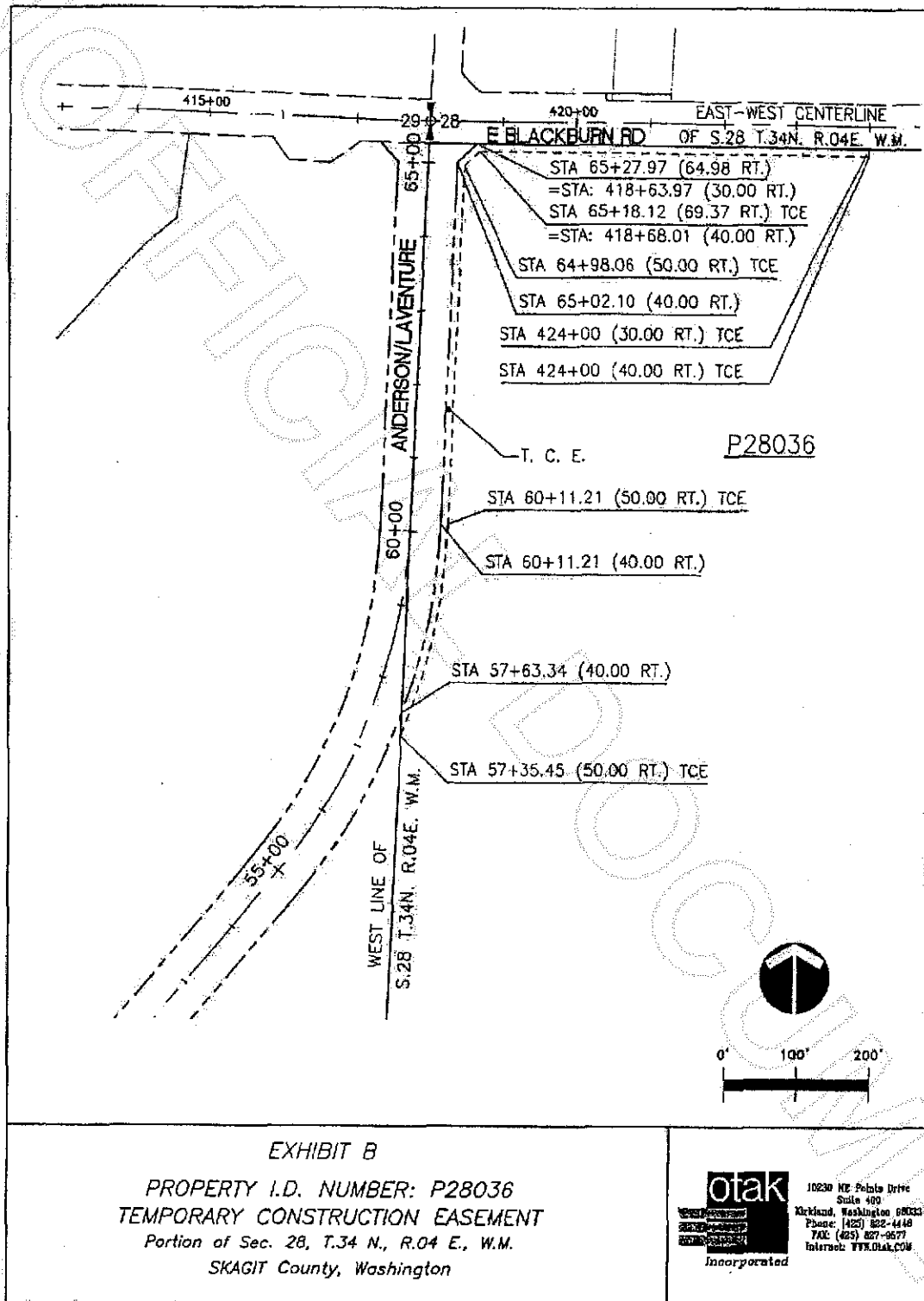
All that portion of that parcel of land as described at Page 9 of 9 of Quit Claim Deed Recorded under Auditor's File Number 200903110142, Records of Skagit County, State of Washington, more particularly described as follows:

Beginning at a point 64.98 feet right of Highway Engineer's Station (hereinafter referred to as HES) 65+27.97 on the Anderson/LaVenture Road (Cedardale Rd. to Blackburn Rd.) Right of Way and Easement plans when measured at right angles from the Anderson/LaVenture centerline said point also being 30.00 feet right of HES 418+63.97 East Blackburn Road; thence southwesterly to a point 40.00 feet right of HES 65+02.10; thence southerly parallel to the West line of said Parcel to a point 40.00 feet right of HES 60+11.21 said point being a point of curve right of a 840.00 foot radius curve; thence leaving said parallel line along the arc of said curve right through a central angle of $17^{\circ}45'10''$, a distance of 260.27 feet more or less to a point 40.00 feet right of HES 57+63.34 said point being on the West line of said Parcel; thence leaving said curve right southerly along the West line of said parcel to a point 50.00 feet right of HES 57+35.45 said point being a point of nontangent curvature; thence leaving said West line northerly along the arc of a 850.00 foot radius curve left (the radius point of which bears $N.67^{\circ}47'15''W.$) through a central angle of $19^{\circ}45'00''$, a distance of 293.00 feet to a point 50.00 feet right of HES 60+11.21; thence northerly to a point 50.00 feet right of HES 64+98.06; thence northeasterly to a point 69.37 feet right of HES 65+18.12 and 40.00 feet right of HES 418+68.01 East Blackburn Road; thence easterly parallel to the south margin of said East Blackburn road to a point 40.00 feet right of HES 424+00; thence north to a point on said south margin said point being 30.00 feet right of HES 424+00; thence westerly to the point of beginning.

Containing 13,317 square feet, more or less.



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Exhibit B

**TO
SKAGIT COUNTY PETITION FOR CONDEMNATION**

Parcel: [P28036]
Acct. No. 340428-3-009-0009
Cedar Hills Development LLC;
Hollace (Holley) E. Hoag,
Richard M. Hoag, and
Richard M. Hoag and Hollace E Hoag
Living Trust, and/or successors thereof.



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