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201212190061  
Skagit County Auditor

12/19/2012 Page 1 of 11 1:16PM

Document Title: *Stipulated Findings of Fact,  
Conclusions of Law, Judgment and Decree  
of Appropriation*

Reference Number:  
*No. 11-2-01298-3*

Grantor(s):  additional grantor names on page \_\_\_\_

1. *SKAGIT COUNTY*
- 2.

Grantee(s):  additional grantee names on page 2

1. *John N. Yaeger*
2. *Kathleen M. Yaeger*

Abbreviated legal description:  full legal on page(s) \_\_\_\_

*SEC 29 T34 R-04*

Assessor Parcel / Tax ID Number:  additional tax parcel number(s) on page \_\_\_\_

*P28179*

UNOFFICIAL DOCUMENT

2012 DEC 14 PM 1:41

SUPERIOR COURT OF WASHINGTON 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

STIPULATED FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
JUDGMENT AND DECREE OF  
APPROPRIATION

CLERK'S ACTION REQUIRED

PROPOSED

Petitioner, Skagit County ("County"), and Respondents John N. and Kathleen M. Yaeger (a/k/a Kathy M. Yaeger, a/k/a Kathryn M. Yaeger), husband and wife ("Yaegers") stipulate as follows:

1. JUDGMENT SUMMARY

1.1 AMOUNT OF JUDGMENT

1.1.1	Total amount:	\$ 285,000
1.1.2	Previous Possession and Use Deposit	\$46,800
1.1.3	Costs	\$ - 0 -
1.1.4	Balance remaining:	\$ 238,200

*SF*  
*Per*  
*SF*  
*Per*

1.2 JUDGMENT CREDITORS. The Yaegers by Ronald G. Housh, Ronald G. Housh, P.S., 1420 Fifth Avenue, Suite 3000, Seattle, WA 98101-2393; Phone: (206) 381-1341.

1.3 JUDGMENT DEBTOR. Skagit County by Richard A. Weyrich, Stephen R. Fallquist, and William W. Honea, Skagit County Prosecuting Attorney's Office, 605 South Third Street, Mount Vernon, WA 98273; Phone: (360) 336-9460.

STIPULATED FINDINGS OF FACT, CONCLUSIONS OF  
LAW, JUDGMENT AND DECREE OF APPROPRIATION - 1

SKAGIT COUNTY PROSECUTING ATTORNEY



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ORIGINAL

1.4 JUDGMENT AMOUNT

1.4.1	Balance remaining:	\$ 238,200
1.4.2	Interest owed:	\$ -0-
1.4.3	Costs	\$ -0-
1.4.4	Total amount due from the County:	\$ 238,200

CFP  
PAG  
CFP  
PAG

1.5 COSTS. Statutory costs are waived.

1.6 LEGAL DESCRIPTION. See attached **Exhibit A** ("the Property").

1.7 SKAGIT COUNTY TAX ACCOUNT NUMBER: P28179.

**2. INTRODUCTION**

THIS MATTER came before the undersigned judge of the above-entitled court on the stipulation of the County and the Yaegers. The County is represented by Richard A. Weyrich, Skagit County Prosecuting Attorney, Stephen R. Fallquist, Deputy Prosecuting Attorney, William W. Honea, Chief Civil Deputy Prosecuting Attorney. The Yaegers are represented by Ronald G. Housh, Ronald G. Housh, P.S. The Court, having received this stipulation of the parties for entry of judgment and having been advised in the premises; NOW, THEREFORE makes and enters the following judgment ("Judgment").

**3. PUBLIC USE AND NECESSITY**

An Order on Public Use and Necessity was entered on July 15, 2011.

**4. OTHER PARTIES**

4.1 There are no other parties to this action.

4.2 No party other than Yaegers has an interest in the just compensation for the Property or in the total Judgment Amount.

**5. JUDGMENT AND APPROPRIATION**

5.1 The total just compensation to be paid by the County to the Yaegers for and in connection with the taking and damaging of the real property described in the Petition for



1 Condemnation ("Petition") and in Exhibit A attached hereto (the "Property"), together with all  
2 improvements thereon, attorney, expert/evaluation fees and interest, if any, is the amount of  
3 Two hundred eighty five thousand dollars Dollars (\$ 285,000 ),  
4 less any taxes owed to Skagit County at the time of disbursement, if any (collectively, the  
5 "Judgment Amount").

6 5.2 The County has previously paid to the Registry of the Court pursuant to the  
7 Possession and Use Agreement the amount of Forty Six Thousand Eight Hundred Dollars  
8 (\$46,800). The total balance due from the County is  
9 Two hundred thirty eight thousand two hundred Dollars (\$ 238,200 ).

10 5.3 Upon entry of this Judgment and payment of Judgment Amount under Section  
11 6.1, the County shall have all right, title and interest in the Property, and all of the Respondent's  
12 interest in the Property will be extinguished.

13 **6. JUST COMPENSATION**

14 6.1 Within thirty (30) days of entry of this Judgment, the County shall pay into the  
15 court registry the Judgment Amount as payment in full of just compensation and costs for the  
16 Property. Interest at the statutory rate shall accrue on and after the thirty-first (31st) day  
17 following entry of the Judgment, on the Judgment Amount until paid.

18 6.2 The parties agree to the disbursement by the Court's check, less taxes, if any,  
19 and the Clerk is hereby directed to make payment of the entire Judgment Amount to the  
20 Yaegers as follows: payment shall be made payable to and mailed to Respondents John N. and  
21 Kathleen M. Yaeger c/o Ronald G. Housh, Ronald G. Housh, P.S., 1420 Fifth Avenue, Suite  
22 3000, Seattle, WA 98101-2393.

23 **7. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

24 Sections 3 through 6 above shall be and hereby are adopted as and made the Findings of  
25 Fact and Conclusions of Law. Now, therefore, in accordance with the foregoing Findings of  
26 Fact and Conclusions of Law, it is hereby ordered, adjudged and decreed as follows.

STIPULATED FINDINGS OF FACT, CONCLUSIONS OF  
LAW, JUDGMENT AND DECREE OF APPROPRIATION - 3

SKAGIT COUNTY PROSECUTING ATTORNEY  
605 S. 3<sup>RD</sup> ST. - Courthouse Annex



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1 **8. JUDGMENT**

2 8.1 Sections 3 through 7 above are incorporated herein by this reference.

3 8.2 Upon entry of this Judgment and payment as set forth in Section 6.1 above, the  
4 County shall have all right, title and interest in the Property as described in the Petition and in  
5 Exhibit A attached hereto, and all of the Respondent's interest in the Property will be  
6 extinguished.

7 8.3 The total Judgment Amount to be paid by the County to the Yaegers, as  
8 payment in full of just compensation, is Two hundred eighty five thousand Dollars  
9 (\$ 285,000). The total balance due from the County is  
10 Two hundred thirty eight thousand two hundred Dollars (\$ 238,200). *SRF*  
*MS*

11 8.4 The Clerk shall issue no "certified abstract of judgment" contained in the  
12 execution docket, otherwise denominated by the Clerk "transcript of judgment docket," the sole  
13 and only purpose of which is presentation for payment. The sole method of payment shall be  
14 through the court registry.

15 8.5 Costs are waived as to all parties.

16 SO ORDERED this 14 day of December, 2012.

17  
18 *C. Ben Pugh*  
19 JUDGE / COURT COMMISSIONER

21 RICHARD A. WEYRICH  
22 Skagit County Prosecuting Attorney

23 *[Signature]* 12/13/12  
24 Stephen R. Fallquist, WSBA No. 31678  
25 William W. Honea, WSBA No. 33528, and

21 Stipulated to and Approved for Entry by:

22 Ronald G. Housh, P.S.

23 *[Signature]*  
24 Ronald G. Housh, WSBA No. 7658  
25 Attorney for Respondents



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°01'19"W) through a central angle of 23°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°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 southeasterly along said west line to the Point of Beginning.

Containing 75,326 square feet, more or less.



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UNINCORPORATED DOCUMENT

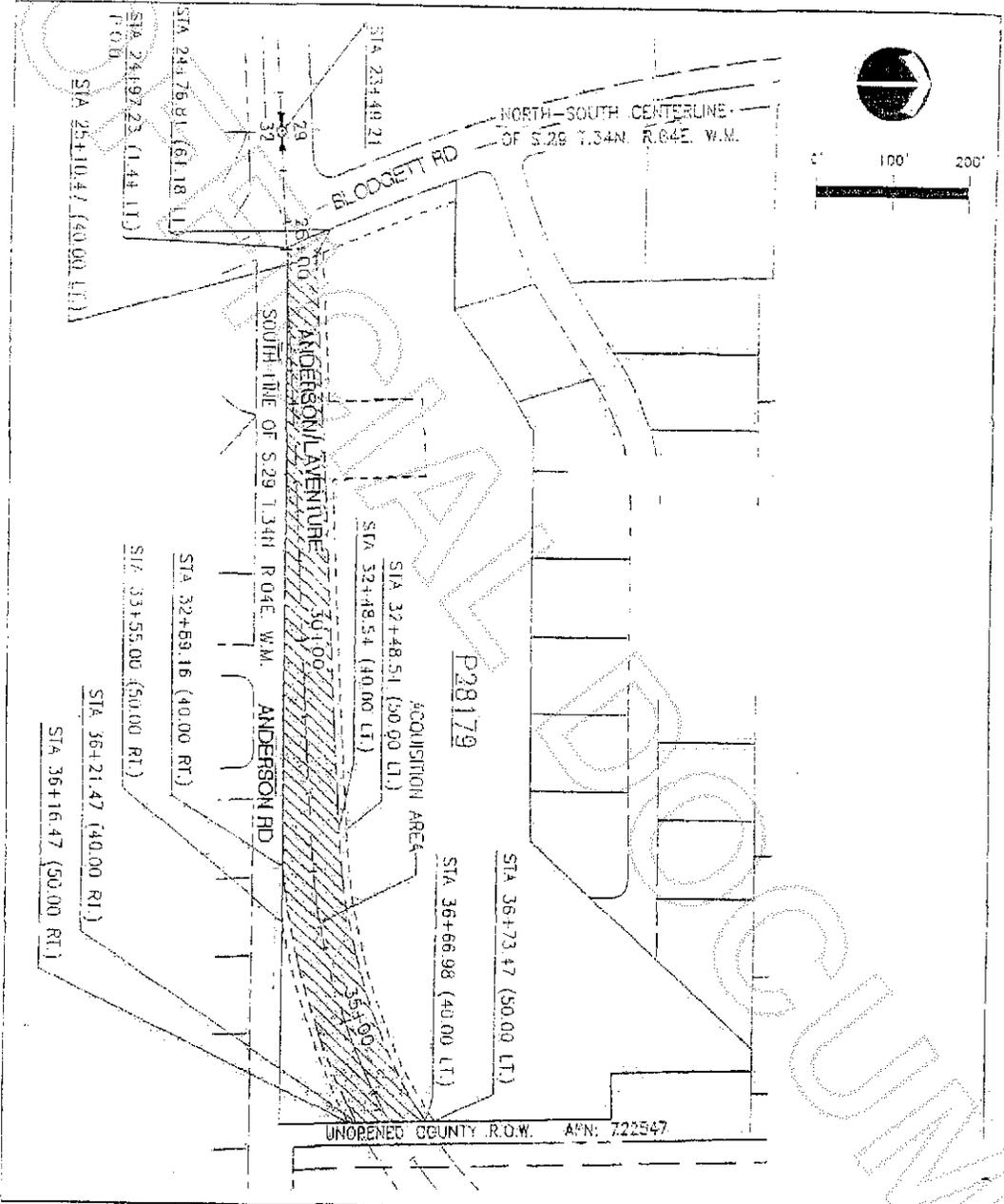


EXHIBIT B  
 PROPERTY I.D. NUMBER: P28179  
 RIGHT-OF-WAY ACQUISITION  
 Portion of Sec. 29, T.34 N., R.04 E., W.M.  
 SKAGIT County, Washington

**OLAK**  
 10230 NE Paine Blvd.  
 Suite 400  
 Kirkland, Washington 98033  
 Phone: (425) 825-4440  
 Fax: (425) 825-1897  
 Internet: WFF.Olak.CWA  
 Incorporated



201212190061  
 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 230.56 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°38'20"; a distance of 55.85 feet to the Point of Beginning.

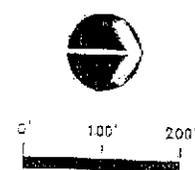
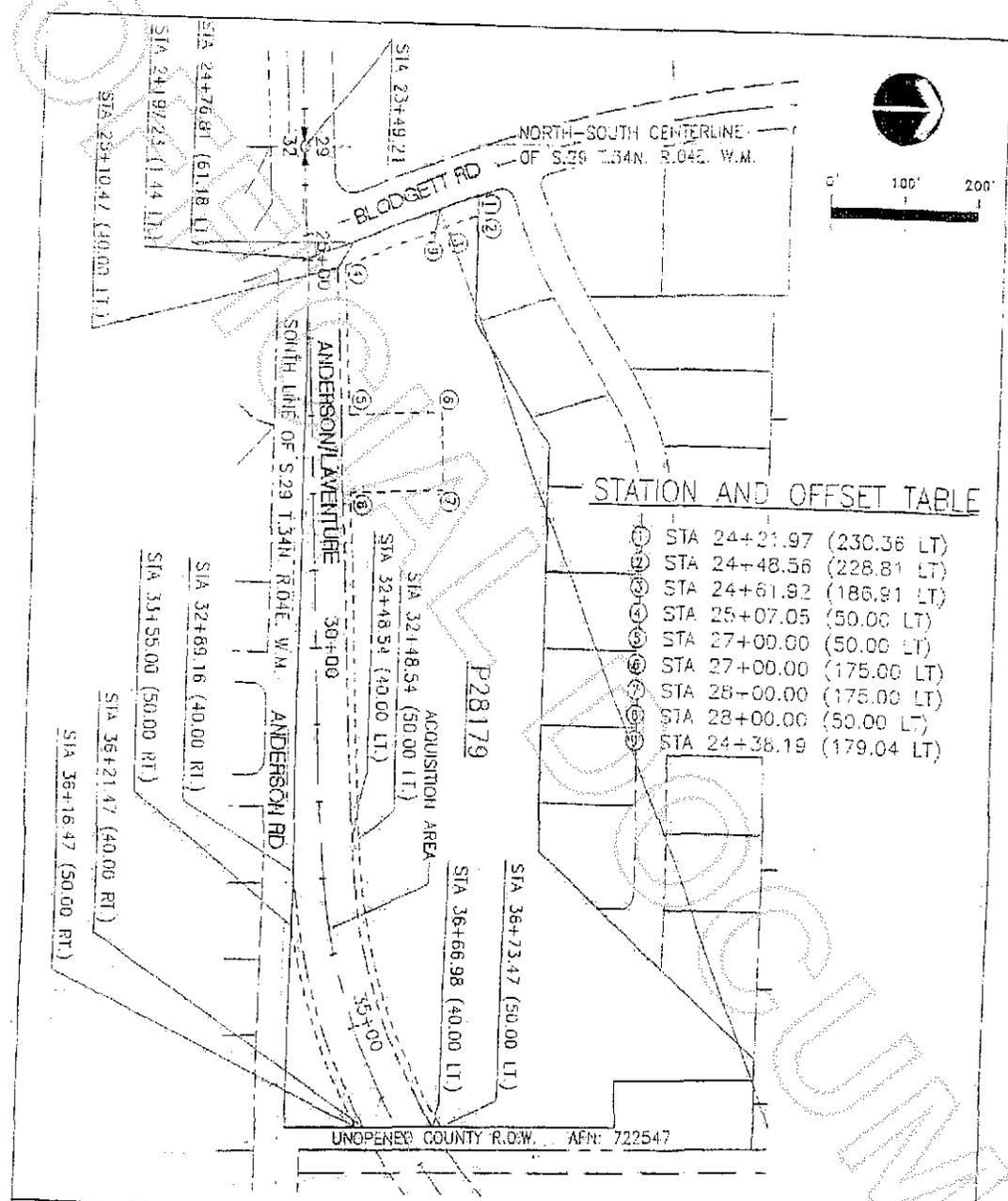
TOGETHER WITH

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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STATION AND OFFSET TABLE

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

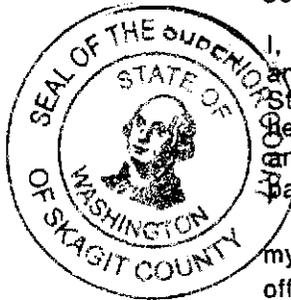
otak  
 10250 HF Pinta Drive  
 Suite 400  
 Mirland, Washington 98020  
 Phone: (425) 822-9446  
 Fax: (425) 822-8272  
 Internet: www.otak.com  
 Incorporated



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 Skagit County Auditor

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State of Washington, } ss.  
County of Skagit



I, Nancy K. Scott, County Clerk of Skagit County and ex-officio Clerk of the Superior Court of the State of Washington, for the County of Skagit, do hereby certify that the foregoing instrument is a true and correct copy of the original, consisting of 8 pages, now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at my office at Mount Vernon this 14 day of Dec, 20 12. Nancy K. Scott, County Clerk.

By [Signature]  
Deputy Clerk



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Skagit County Auditor

