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11/30/2021 12:08 PM Pages: 1 of 10 Fees: \$212.50
Skagit County Auditor


After recording return to:

Skagit County Public Works
Attn: Torey Nelson
1800 Continental Place
Mount Vernon WA 98273

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

2021-5452

NOV 30 2021

Amount Paid \$ 0
Skagit Co. Treasurer
By  Deputy

Document Title: Stipulation and Order Regarding Disposition of Proceeds of
Condemnation and Reduction of Redemption Amount

Reference Number: Skagit County Superior Court Case No. 99-2-01482-3

Grantor(s):

Daniel H. and Carol Miller, husband and wife
Skagit State Bank
Andrew Visser and Gertrude Visser, husband and wife
Valley Farms, Inc.

Grantee(s):

Skagit County

Abbreviated legal description: Ptn Tract 2 SP 27-81; 20-35-4 E W.M.

Full legal on Exhibit B, Page 9

Assessor Parcel / Tax ID Number: Parcel No. P119956/350420-1-004-0200

I, MELISSA BEATON, Clerk of the Superior Court of the State of Washington, for Skagit County, do hereby certify that this is a true copy of the original now on file in my office. Dated 7/13/2021



MELISSA BEATON, County Clerk

By: [Signature]
Deputy Clerk

SKAGIT COUNTY, WASH.
FILED

JAN - 4 2023

PHYLLIS COBLE MCKEEHEN, CO. CLERK
By: [Signature] Deputy

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 improvement of Cook Road from Green Road east to the Sedro-Woolley city limits, as contemplated by Skagit County Resolution Nos. 17592, 17600, 17617, 17618, 17619, 17629, 17631, 17633 and 17634.

No. 99-2-01482-3

STIPULATION AND ORDER
REGARDING DISPOSITION OF
PROCEEDS OF CONDEMNATION AND
REDUCTION OF REDEMPTION
AMOUNT

1. STIPULATION

Skagit County ("County"), Daniel H. and Carol Miller, husband and wife ("Millers"), Skagit State Bank, Andrew Visser and Gertrude Visser, husband and wife ("Vissers") and Valley Farms, Inc. ("Valley") hereby stipulate as follows:

1.1 The Millers currently hold a Sheriff's Sale purchase interest in the property which is more fully described on Exhibit A, attached to this Stipulation and Order (the "Property");

1.2 Skagit State Bank financed the Millers' purchase of their interest in the Property. To secure that financing, Skagit State Bank has a security interest in the Millers' possessory interest in the Property (the "Note");

1.3 The Millers purchased the Property at a Sheriff's Sale conducted on September 17, 1999. The Sheriff's Sale was conducted under two separate Orders of Sale/Writs of Execution. One Order of Sale/Writ of Execution named Andrew Visser and Gertrude Visser as judgment debtors and the second Order of Sale/Writ of Execution named Valley Farms, Inc. as judgment debtor.

STIPULATION AND ORDER ON DISPOSITION OF
CONDEMNATION PROCEEDS AND REDUCTION OF
REDEMPTION AMOUNT - 1

FOSTER PEPPER & SHEFELMAN PLLC
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SEATTLE, WASHINGTON 98101-3299
206-447-4400

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1.4 Pursuant to the Sheriff's Certificate of Sale, the property sold at the Sheriff's Sale on September 17, 1999 is subject to redemption. The Parties acknowledge that the Vissers, Valley Farms, Inc. and others hold a redemption interest in the Property.

1.5 The County has filed a Petition in Condemnation in this Action to acquire by eminent domain part of the Property (the "Condemnation Action"). In the Condemnation Action, the County seeks to take that portion of the Property described more fully on Exhibit B, attached to this Stipulation and Order (the "Acquired Parcel").

1.6 The Millers and the County have reached an agreement as to the amount to be paid by the County for the Acquired Parcel. This Stipulation and Order authorizes the transfer of the amounts to be paid for the Acquired Parcel, and orders that payment for the Acquired Parcel will reduce the redemption amounts necessary to redeem the Property.

1.7 Upon execution of this Stipulation and Order, the County will pay the sum of \$57,700 as just compensation for the Acquired Parcel.

1.8 The Millers, the County and Skagit State Bank agree that the full amount of \$57,700 paid by the County will be paid directly to Skagit State Bank, and that Skagit State Bank will reduce the principal on the Millers' Note to Skagit State Bank by that amount, after deducting interest and other charges consistent with the terms of that Note.

1.9 The County, the Millers, Skagit State Bank, the Vissers and Valley Farms, Inc. agree that any redemption interest currently held in the Property will be reduced by the amount paid by the County to Skagit State Bank and that this same amount will be credited against the future redemption value of any other party holding a redemption interest in the Property. The Millers agree to provide any party seeking to redeem the Property with a copy of this Stipulation and Order.

1.10 The parties stipulate that the County's obligation to pay the \$57,700 for the acquisition of the Acquired Parcel will not arise until a hearing is held in that case on January 4, 2000.

STIPULATION AND ORDER ON DISPOSITION OF
CONDEMNATION PROCEEDS AND REDUCTION OF
REDEMPTION AMOUNT - 2

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206-447-4400

1.11 Upon payment by the County to Skagit State Bank as contemplated in this Stipulation and Order, all right, title and interest in the Acquired Parcel shall vest in the County without the necessity of any further order of this Court.

So Stipulated:

Thomas I. Verge
Skagit County Prosecuting Attorney

Hilary A. Thomas
Hilary A. Thomas, WSBA # 22007
Deputy Prosecuting Attorney, and
FOSTER PEPPER & SHEFELMAN PLLC
P. Stephen DiJulio, WSBA # 7139
Steven G. Jones, WSBA #19334
Special Deputy Prosecuting Attorneys

Daniel H. Miller
Daniel H. Miller, Individually and
on behalf of the marital community of Daniel H. and Carol
Miller, husband and wife

Carol Miller
Carol Miller, Individually and
on behalf of the marital community of Daniel H. and Carol
Miller, husband and wife

Skagit State Bank

James E. Bisnor
By: JAMES E. BISNOR
Its: CO CEO & PRESIDENT

Andrew Visser
Andrew Visser, Individually and
on behalf of the marital community of Andrew and
Gertrude Visser, husband and wife

STIPULATION AND ORDER ON DISPOSITION OF
CONDEMNATION PROCEEDS AND REDUCTION OF
REDEMPTION AMOUNT - 3

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1
2 Gertrude Visser
3 Gertrude Visser, Individually and
4 on behalf of the marital community of Andrew and
Gertrude Visser, husband and wife
5 Valley Farms, Inc.

6
7 & Andrew Visser
By: _____
8 Its: Andrew Visser
9 Pres.

2. ORDER

10 Based on the Stipulation of the Parties, the Court enters the following Order:

11 1. The Court held a hearing in this matter on January 4, 1999. During that hearing, the
12 Court was presented with this Stipulation and Order. Consistent with the foregoing Stipulation, the
13 Court orders as follows:

14 2. The County will pay the sum of \$57,700 as just compensation for the Acquired Parcel.

15 3. The amount paid by the County for the Acquired Parcel shall be paid directly to Skagit
16 State Bank, which in turn will reduce the Millers' liability on the Note to Skagit State Bank in the
17 amount paid.

18 4. Upon payment of this sum, the County shall be deemed to have acquired all rights, title
19 and interest in the Acquired Parcel by condemnation and that title in fee simply absolute in the
20 Acquired Parcel shall thereby vest in the County without the need of further order of this Court.

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STIPULATION AND ORDER ON DISPOSITION OF
CONDEMNATION PROCEEDS AND REDUCTION OF
REDEMPTION AMOUNT - 4

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5. The redemption amounts of the Vissers, Valley Farms, Inc. and Skagit State Bank shall be reduced by the amount of \$57,700, without further order of this Court.


IT IS SO ORDERED

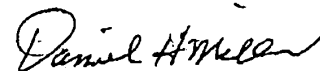
Done in open court this 4th day of January, 2000.

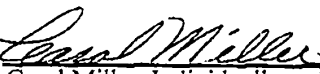

Superior Court Judge

Jointly submitted by; Notice of presentation waived:


Thomas I. Verge
Skagit County Prosecuting Attorney


Hilary A. Thomas, WSBA # 22007
Deputy Prosecuting Attorney, and
FOSTER PEPPER & SHEFELMAN PLLC
P. Stephen DiJulio, WSBA # 7139
Steven G. Jones, WSBA #19334
Special Deputy Prosecuting Attorneys


Daniel H. Miller, Individually and
on behalf of the marital community of Daniel H. and Carol
Miller, husband and wife


Carol Miller, Individually and
on behalf of the marital community of Daniel H. and Carol
Miller, husband and wife

Skagit State Bank


By: JAMES E. BISHOP
Its: CO CEO & PRESIDENT

STIPULATION AND ORDER ON DISPOSITION OF
CONDEMNATION PROCEEDS AND REDUCTION OF
REDEMPTION AMOUNT - 5

FOSTER PEPPER & SHEFELMAN PLLC
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206-447-4400

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3 Andrew Visser
4 Andrew Visser, Individually and
5 on behalf of the marital community of Andrew and
6 Gertrude Visser, husband and wife

7 Gertrude Visser
8 Gertrude Visser, Individually and
9 on behalf of the marital community of Andrew and
10 Gertrude Visser, husband and wife

11 Valley Farms, Inc.

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By: Andrew Visser

Its: President

STIPULATION AND ORDER ON DISPOSITION OF
CONDEMNATION PROCEEDS AND REDUCTION OF
REDEMPTION AMOUNT - 6

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206-447-4400

PARCEL "A":

That portion of the East 1/2 of the Northeast 1/4 of Section 20, Township 35 North, Range 4 East, W.M., described as follows:

Beginning at the Northeast corner of said subdivision; thence West along the North line thereof, 882.75 feet; thence South 1,083 feet, more or less, to the Northwest corner of a tract conveyed to C.E. Meggie by Deed recorded in Volume 186 of Deeds, page 365; thence East 417 feet to the Northeast corner of said tract; thence South 1,567 feet, more or less, to the South line of the Northeast 1/4; thence East to the East section line; thence North to the point of beginning, EXCEPT roads.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the East 1/2 of the Northeast 1/4 of Section 20, Township 35 North, Range 4 East, W.M., described as follows:

Beginning 20 feet North and 53 1/2 rods West of the Southeast corner of the Northeast 1/4; thence North 1,567 feet; thence East 417 feet; thence South 1,567 feet; thence West to the point of beginning.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

The South 1/2 of the Northeast 1/4 of Section 20, Township 35 North,
Range 4 East, W.M.,

EXCEPT the West 874.5 feet thereof,

AND EXCEPT the East 882.75 feet thereof,

ALSO EXCEPT the West 20 feet of the East 445.5 feet of the Southwest
1/4 of the Northeast 1/4 of said Section for private road,

AND EXCEPT public road and drainage ditch rights of way,

ALSO EXCEPT that portion thereof described as follows:

Beginning at a point on the South line of said subdivision, 882.75 feet
West of the East 1/4 corner of said Section 20; thence North 170 feet;
thence West 150 feet; thence South 170 feet; thence East 150 feet to the
point of beginning.

Situate in the County of Skagit, State of Washington.

PARCEL "E":

Tract 2 of Skagit County Short Plat No. 27-81, Revised, approved April
30, 1981 and recorded May 15, 1981, in Volume 5 of Short Plats, page
69, under Auditor's File No. 8105150023,

EXCEPT County road along the North line thereof, said tract being a
portion of the Northeast 1/4 of Section 20, Township 35 North, Range 4
East, W.M.,

Situate in the County of Skagit, State of Washington.

17631

LEGAL DESCRIPTION

PROPERTY ID NUMBER P36958

UNO

THAT PORTION OF TRACT 2, SKAGIT COUNTY SHORT PLAT NO. 27-81, REVISED, APPROVED APRIL 30, 1981 AND RECORDED MAY 15, 1981, IN VOLUME 5 OF SHORT PLATS, PAGE 69, UNDER AUDITOR'S FILE NO. 8105150023, SAID SHORT PLAT SITUATED IN A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT 1 OF SAID SHORT PLAT; THENCE SOUTH 89°35'45" EAST ALONG THE NORTH LINE OF SAID TRACT 1, A DISTANCE OF 345.99 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 00°28'38" EAST ALONG THE EAST LINE OF SAID TRACT 1, A DISTANCE OF 198.87 FEET TO THE NORTHERLY RIGHT-OF-WAY MARGIN OF COOK ROAD; THENCE SOUTH 89°35'45" EAST ALONG SAID MARGIN 219.58 FEET TO A LINE PARALLEL WITH AND 20.00 FEET WESTERLY OF THE EAST LINE OF SAID TRACT 2; THENCE NORTH 00°28'38" WEST ALONG SAID LINE A DISTANCE OF 330.00 FEET; THENCE NORTH 89°35'45" WEST PARALLEL WITH THE NORTH LINE OF SAID TRACT 1, A DISTANCE OF 365.57 FEET TO A LINE PARALLEL WITH AND 20.00 FEET EASTERLY OF THE WESTERLY LINE OF SAID TRACT 2; THENCE SOUTH 00°28'38" EAST ALONG SAID LINE A DISTANCE OF 131.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 117,817 SQUARE FEET OR 2.70 ACRES, MORE OR LESS.

ACCESS AND UTILITY EASEMENT

THE WEST 20 FEET OF THE SOUTH 330 FEET OF TRACT 2, SKAGIT COUNTY, SHORT PLAT NO. 27-81, REVISED, APPROVED APRIL 30, 1981 AND RECORDED MAY 15, 1981, IN VOLUME 5 OF SHORT PLATS, PAGE 69, UNDER AUDITOR'S FILE NO. 8105150023, RECORDS OF SAID COUNTY.

EXHIBIT B

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