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WASHINGTON STATE DEPARTMENT OF TRANSPORTATION
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REVIEWED BY
 SKAGIT COUNTY TREASURER
 DEPUTY Lena Thompson
 DATE 08/29/2023

GNW 19-3813

WASHINGTON STATE COUNTY RECORDER'S COVER SHEET	
Document Title(s): LIS PENDENS	
Reference Number(s) of Documents assigned or released: N/A	
Grantor(s) <i>(Petitioner's Last name, First name, Middle initial):</i>	
1. State of Washington	
Grantee(s) <i>(Respondent's Last name, First name, Middle initial):</i>	
1. Locken, Jeffrey E.	
2. Locken, Amity K.	
3. Wells Fargo Bank, N.A.	
4. Banner Bank	
5. Puget Sound Energy, Inc.	
6. Ziply Fiber Northwest LLC	
7. Wave Business Solutions, LLC	
8. Skagit County	
Legal description <i>(Abbr. Form: quarter, lot, block, plat or section, township, range):</i>	
Lot 4, LOCKEN'S ADDITION	
Parcel No. P105575, 4612-000-004-0003	
Assessor's Property Tax Parcel/Account Number(s):	
P105575 (4612-000-004-0003)	
Assigned Assistant Attorney General: Teresa M. Shill	
Case Name: <i>State of Washington v. Locken, et al.</i>	
Court: Skagit County Superior Court Case No. 22-2-00489-29	
FA No.: F-534	Project No.: A53400D Parcel No.: 1-25070

**STATE OF WASHINGTON
SKAGIT COUNTY SUPERIOR COURT**

STATE OF WASHINGTON,

Petitioner,

v.

JEFFREY E. LOCKEN and AMITY K.
LOCKEN, husband and wife; WELLS FARGO
BANK, N.A., a foreign bank corporation;
BANNER BANK, a Washington bank
corporation; PUGET SOUND ENERGY, INC.,
a Washington public utility corporation; ZIPLY
FIBER NORTHWEST LLC, a foreign limited
liability company; WAVE BUSINESS
SOLUTIONS, LLC a Washington limited
liability company; and SKAGIT COUNTY,

Respondents.

NO. 22-2-00489-29

LIS PENDENS

TO WHOM IT MAY CONCERN:

An action affecting the title to real property has been commenced in the Superior Court of Skagit County, state of Washington, and is now pending in this Court. The subject real property is that part of Skagit County Parcel Number P105575, 4612-000-004-0003, commonly known as 19510 State Route 534, Mount Vernon, WA 98274, and is more particularly described as follows:

SINGLE

Parcel Number: 1-25070

STATE VS. JEFFREY E. LOCKEN and AMITY K. LOCKEN, husband and wife
DESCRIPTION:

A temporary right and easement to use and occupy the following described lands for the purpose of placing personnel, machinery and equipment on said lands and providing a work area to perform all work necessary for the construction of a new fish passable culvert, appurtenances, and habitat enhancements including, but not limited to, possible modifications to the course and profile of the waterway, placement of large woody debris and other such enhancements ("Construction"), as well as post-construction establishment of native type vegetation including, but not limited to, planting, seeding, inspecting, monitoring, watering and weed control, together with rights of ongoing ingress and egress to accomplish said purposes ("Plant Establishment"). The temporary easement shall terminate on March 31, 2027 (the "Term").

All that portion of the hereinafter described TRACT "X" lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 28+34 on the SR 534 line survey of SR 534, UNNAMED TRIBUTARY TO CARPENTER CREEK, FISH PASSAGE – TEMPORARY EASEMENT EXHIBIT, PARCEL 1-25070 and 20 feet southerly therefrom; thence southerly to a point opposite said HES and 80 feet southerly therefrom; thence easterly, parallel with said line survey, to a point opposite HES 31+05± thereon, said point being on the easterly line of said TRACT "X"; thence northerly, along said easterly line, to a point opposite said HES and 50 feet southerly therefrom; thence northwesterly to a point opposite HES 29+26± on said line survey and 20 feet southerly therefrom, said point being on the northerly line of said TRACT "X"; thence westerly, parallel with said line survey, to the point of beginning.

SUBJECT TO the following terms and conditions:

1. Construction will be completed on or before March 31, 2024, followed by a three (3) year Plant Establishment period.
2. The Petitioner shall provide Respondent written notice no less than thirty (30) days in advance of commencement of Construction.
3. The Petitioner shall, upon completion of construction of said project described herein, remove all debris and restore the surface of the property as nearly as possible to the condition immediately prior to the petitioner's entry thereon, excepting any modifications or improvements made as part of the construction project.

TRACT "X"

Lot 4, Locken's Addition, as per plat recorded in Volume 15 of Plats, pages 114 and 115, records of Skagit County, Washington.

The lands herein condemned contain an area of 12,975 square feet, more or less, the specific details concerning all of which are to be found on that certain Exhibit Map entitled SR 534, UNNAMED TRIBUTARY TO CARPENTER CREEK, FISH PASSAGE – TEMPORARY EASEMENT EXHIBIT, PARCEL 1-25070, dated April 26, 2021.

The object of this legal action is to acquire by condemnation, the described lands, real estate, premises, other property and/or property rights being in the county of Skagit, state of Washington, for the purposes of a temporary easement to facilitate the grading of the stream channel adjacent to the State highway known as State Route (SR) 534, to add bends, meanders, and complexity through habitat features and vegetation, and the existing fish barrier, number CR2, that crosses under SR 534, will be removed and replaced with 100 percent passable structure.

The Petitioner is the State of Washington, and the Respondents are:

- Jeffrey E. Locken and Amity K. Locken;
- Wells Fargo Bank, N.A.;
- Banner Bank;
- Puget Sound Energy, Inc.;
- Ziply Fiber Northwest, LLC;
- Wave Business Solutions. LLC; and
- Skagit County.

DATED this 31st day of July 2023.

ROBERT W. FERGUSON
Attorney General



TERESA M. SHILL, WSBA #49429
MATTHEW D. HUOT, WSBA #40606
Assistant Attorneys General
Attorneys for Petitioner