

Return Address:

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Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)**Document Title(s)** (or transactions contained therein): (all areas applicable to your document must be filled in)

1. Stipulated Judgment and Decree of 2. _____
Appropriation
 3. _____ 4. _____

Reference Number(s) of Documents assigned or released:

Additional reference #'s on page _____ of document

Grantor(s) Exactly as name(s) appear on document

1. JRW Investments, LLC, a limited liability company
 2. Skagit County, a Washington municipal corporation

Additional names on page _____ of document.

Grantee(s) Exactly as name(s) appear on document

1. City of Burlington, a Washington municipal corporation
 2. _____

Additional names on page _____ of document.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)BURLINGTON BSP 1-00, LOT 5, ACRES 1.42Additional legal is on page 10 of document.**Assessor's Property Tax Parcel/Account Number**☐ Assessor Tax # not yet assigned8026-000-005-0000, P116513

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

"I am signing below and paying an additional \$50 recording fee (as provided in RCW 36.18.010 and referred to as an emergency nonstandard document), because this document does not meet margin and formatting requirements. Furthermore, I hereby understand that the recording process may cover up or otherwise obscure some part of the text of the original document as a result of this request."

Signature of Requesting Party

Note to submitter: Do not sign above nor pay additional \$50 fee if the document meets margin/formatting requirements

21-2-00545-29
JO 58
Judgment
19351114



FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2025 AUG -8 PM 4:00

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 8-12-2025



MELISSA BEATON, County Clerk

By: Deanna Mallchok
Deputy Clerk

DEANNA MALLCHOK

Via Ex Parte the Clerk
Note Date: August 8, 2025
Moving Party: Petitioner
Without Oral Argument

SUPERIOR COURT OF WASHINGTON
FOR SKAGIT COUNTY

CITY OF BURLINGTON, a Washington
municipal corporation,

Petitioner,

vs.

JRW INVESTMENTS, LLC, a limited liability
company; SKAGIT COUNTY, a Washington
municipal corporation; ALL UNKNOWN
OWNERS and UNKNOWN TENANTS,

Respondents.

Case No: 21-2-00545-29

STIPULATED JUDGMENT AND DECREE
OF APPROPRIATION

Tax Parcel No. 8026-000-005-0000,
P116513

(CLERK'S ACTION REQUIRED)

JUDGMENT SUMMARY—JUDGMENT AFFECTING TITLE

- | | |
|---|---|
| 1. Abbreviated Legal Description of Property | BURLINGTON BSP 1-00, LOT 5, ACRES 1.42 |
| 2. Judgment Debtor (Petitioner) | City of Burlington |
| 3. Judgment Creditor (Respondent) | JRW Investments, LLC, a Washington limited liability company |
| 4. Just Compensation/ Principal Judgment Amount | \$700,000.00 |
| 5. Costs and Fees | Each party to bear its own costs and expert and attorney fees |

STIPULATED JUDGMENT AND DECREE OF
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ORIGINAL

6. Prejudgment / Post Judgment Interest All interest, if any, is included in the Just Compensation/Principal Judgment Amount.

STIPULATION

THIS MATTER having come before the Court upon the Petition of the City of Burlington (the "City"), seeking:

- 1) A determination of just compensation to be paid in money for the taking and appropriation of the subject property;
- 2) A judgment and decree of the Court providing for payment of the just compensation so determined;
- 3) A decree of appropriation appropriating certain property rights, title, and interests to the subject property in the City; and

The City, and Respondents JRW Investments, LLC ("JRW") and Skagit County, through their undersigned attorneys hereby stipulate to the following Facts and consent to entry of the following Stipulated Judgment and Decree of Appropriation.

FACTS

1. On September 17, 2021, the City filed a Petition in Eminent Domain in this case, which is on file in this action and is incorporated here by this reference (the "Petition") (Dkt. No. 1).

2. JRW holds a fee simple ownership interest in real property identified as Skagit County Tax Parcel No. 8026-000-005-0000, P116513 ("Parcel").

3. With this condemnation action, Petitioner seeks to condemn certain property rights, title, and interest to the subject property, as part of Petitioner's East-West Connector roadway project, consisting of the development of a new roadway connecting S. Walnut Street with S. Burlington Boulevard and street improvements (the "Project"), in Skagit County, Washington, as contemplated in Petitioner's Ordinance No. 1902 (the "Ordinance").

4. Specifically, with this condemnation action, the City is acquiring a permanent taking of the Parcel in fee simple absolute, as legally described in Exhibit 1 hereto. Exhibit 1 is

STIPULATED JUDGMENT AND DECREE OF
APPROPRIATION – 2

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1 incorporated here by this reference and the real property and real property interests described in
2 Exhibit 1 are hereinafter collectively referred to as the "Condemned Property."

3 5. On October 15, 2021, Findings of Fact, Conclusions of Law, and Order and
4 Judgment Adjudicating Public Use and Necessity were entered in this case, which are incorporated
5 here by this reference (Dkt. No. 16).

6 6. On November 10, 2021, Stipulation for and Order Granting Immediate Possession
7 and Use was entered in this case, which is incorporated here by this reference (Dkt. No. 19).

8 7. On November 10, 2021, Petitioner deposited Two-Hundred Eighty-Eight
9 Thousand, and No/100 Dollars (\$288,000.00) ("Possession and Use Deposit") with the Court
10 pursuant to the Stipulation for and Order Granting Immediate Possession and Use (Dkt. No. 20).
11 On October 31, 2022, Petitioner deposited an additional Fifty-Six Thousand, and No/100 Dollars
12 (\$56,000.00) ("Supplemental Deposit") with the Court (Dkt. No. 23). In total, Petitioner has
13 deposited Three-Hundred Forty-Four Thousand, and No/ 00 Dollars (\$344,000.00) with the Court
14 for the possession and use of the Condemned Property.

15 8. The City and JRW have agreed through settlement, that the total Just
16 Compensation/Principal Judgment Amount to be paid for the City's taking of the Condemned
17 Property is **Seven-Hundred Thousand and No/100 Dollars (\$700,000.00)**. This amount includes
18 all compensation owed by the City to JRW based on the appropriation of the Condemned Property,
19 including all claims of reimbursement, as well as all considerations of interest and of expert and
20 attorney's fees and costs.

21 9. Therefore, and after consideration of both the Possession and Use Deposit and
22 Supplemental Deposit, in order to satisfy the monetary requirements of the Stipulated Judgment
23 and Decree of Appropriation. Petitioner shall deposit into the Court's registry the sum of **Three-**
24 **Hundred Fifty-Six Thousand, and No/100 Dollars (\$356,000.00)** ("Additional Deposit").

25 10. No property taxes are owed on the Parcel as of the date of filing.
26

STIPULATED JUDGMENT AND DECREE OF
APPROPRIATION – 3

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1 Stipulated and Agreed to this 5th day of August, 2025 Stipulated and Agreed to this 5th day of August, 2025

2 NOSSAMAN LLP

3 CARMICHAEL CLARK, PS

4 By: Matthew R. Hansen

4 By: Robert A. Carmichael

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10 Attorneys for Petitioner City of Burlington

10 Attorneys for Respondent JRW Investments LLC

11 RICHARD A. WEYRICH
12 SKAGIT COUNTY PROSECUTING ATTORNEY

13 By: Stephen R. Falkner 8/14/25

14 Stephen R. Falkner, WSBA # 31678
15 Senior Deputy Prosecuting Attorney
16 Civil Division
17 605 S. Third St.
18 Mount Vernon, WA 98273
19 Tel: 306-416-1600

18 stephenf@co.skagit.wa.us

19 Attorneys for Respondent Skagit County

20 **JUDGMENT AND DECREE OF APPROPRIATION**

21 NOW, THEREFORE, in accordance with the parties' stipulation and agreement, it is
22 hereby ORDERED, ADJUDGED, AND DECREED as follows:

23 1. That the sum of Seven-Hundred Thousand and No/100 Dollars (\$700,000.00)
24 represents the total Just Compensation/Principal Judgment Amount to be paid for the City's taking
25 of the Condemned Property, as legally described and listed above in Paragraph 4. This amount
26 includes all compensation owed by the City to JRW based on the appropriation of the Condemned

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1 Property, including any damage to the remainder, all claims of reimbursement, and costs-to-cure,
2 as well as all considerations of interest and of expert and attorney's fees and costs.

3 2. That Petitioner's Possession and Use Deposit and Supplemental Deposit represents
4 partial payment of the Just Compensation amount. After consideration of the Possession and Use
5 Deposit, the Additional Deposit of Three-Hundred Fifty-Six Thousand, and No/100 Dollars
6 (\$356,000.00) remains due and owing.

7 3. That no property taxes are owed on the Parcel as of the date of filing.

8 4. That upon entry of this Stipulated Judgment and Decree of Appropriation and
9 payment into the Court registry of the Additional Deposit, Petitioner shall be deemed to have
10 appropriated the Condemned Property, with all rights and restrictions described therein, which
11 restrictions shall bind Respondent JRW and those claiming by, through, or under Respondent
12 JRW.

13 5. That entry of this Stipulated Judgment and Decree of Appropriation terminates all
14 further litigation in this matter, except for any proceedings that may be necessary to disburse the
15 Additional Deposit pursuant to RCW 8.08.60.

16 6. That a certified copy of this Stipulated Judgment and Decree of Appropriation shall
17 be filed in the Office of the Skagit County Recorder and shall be recorded by such Recorder as a
18 deed of real estate with like effect.

19 DONE IN OPEN COURT this 8th day of August, 2025.

20
21 
22 JUDGE/COMMISSIONER
23
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25
26

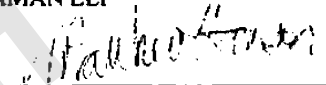
STIPULATED JUDGMENT AND DECREE OF
APPROPRIATION – 5

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1 Presented by:

2 NOSSAMAN LLP

3
4 By: 

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10 CARMICHAEL CLARK, PS

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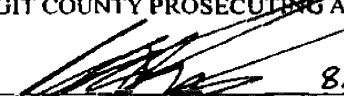
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Attorneys for Respondent JRW Investments LLC

17 RICHARD A. WEYRICH

18 SKAGIT COUNTY PROSECUTING ATTORNEY

19
20 By:  8/4/25

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Attorneys for Respondent Skagit County

26
STIPULATED JUDGMENT AND DECREE OF
APPROPRIATION – 6

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DECLARATION OF SERVICE

On August 7, 2025, I filed the foregoing document via over the counter and served the below parties as follows:

Robert A. Carmichael, WSBA # 14008 T. Gregory Greenan, WSBA # 16094 Carmichael Clark, PS 1700 D Street Bellingham, Washington 98225 bob@carmichaelclark.com tggreenan@carmichaelclark.com shelly@carmichaelclark.com <i>Attorneys for Respondent JRW Investments, LLC</i>	☐ U.S. Mail, Postage Prepaid ☐ Hand Delivered ☐ Overnight Mail ☐ Facsimile Transmission ☒ Email
Stephen Fallquist, WSBA # 31678 Skagit County Prosecuting Attorney Civil Division 605 S. Third St. Mount Vernon, Washington 98273-3867 stephenf@co.skagit.wa.us chrisao@co.skagit.wa.us <i>Attorneys for Respondent Skagit County</i>	☐ U.S. Mail, Postage Prepaid ☐ Hand Delivered ☐ Overnight Mail ☐ Facsimile Transmission ☒ Email

I declare under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.

EXECUTED this 7th day of August, 2025, in Seattle, Washington.

s/ Nancy Hedges
Nancy Hedges, Legal Secretary

STIPULATED JUDGMENT AND DECREE OF
APPROPRIATION – 7

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EXHIBIT 1

TPN 8026-000-005-0000, P116513

JRW INVESTMENTS, LLC, A WASHINGTON LIMITED LIABILITY COMPANY

Grantors' Entire Parcel:

LOT 5 OF CITY OF BURLINGTON BIDDING SITE PLAN NO. BSP NO. 1-00, APPROVED MARCH 1, 2000 AND RECORDED MARCH 3, 2000, UNDER AUDITOR'S FILE NO. 200003030001 AND BEING A PORTION OF THE NORTHWEST ¼ OF THE NORTHWEST ¼, SECTION 8, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M.

TOGETHER WITH THAT CERTAIN ACCESS AND UTILITY EASEMENT RECORDED FEBRUARY 13, 1991, UNDER AUDITOR'S FILE NO. 9102130063, AND THE AMENDMENT THERETO, RECORDED JANUARY 5, 1993, UNDER AUDITOR'S FILE NO. 9301150112, RECORDS OF SKAGIT COUNTY, WASHINGTON.

SITUATE IN THE CITY OF BURLINGTON, COUNTY OF SKAGIT, STATE OF WASHINGTON.