

COVER SHEET

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'97 MAR -7 P1:55

RETURN TO:

Baird + Christopherson
325 Pine Street, Ste C
Mt. Vernon, WA 98273

9703070066

DOCUMENT TITLE(S) (or transactions contained herein):

Final judgment quieting title

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

|| ADDITIONAL REFERENCE NUMBERS ON PAGE _____ OF DOCUMENT.

GRANTOR(S) (Last name, first name and initials):

1. Skagit County
- 2.
- 3.
- 4.

|| ADDITIONAL NAMES ON PAGE _____ OF DOCUMENT.

GRANTEES(S) (Last name, first name and initials):

1. David Stewart
2. Dorothy Stewart
- 3.
- 4.

|| ADDITIONAL NAMES ON PAGE _____ OF DOCUMENT.

LEGAL DESCRIPTION (Abbreviated: Lc., lot, block, plat or quarter, quarter, section, township and range):

Lot 24, Dewey Beach Addition No. 4,
Skagit County

|| ADDITIONAL LEGAL(S) ON PAGE _____ OF DOCUMENT.

ASSESSOR'S PARCEL/TAX I.D. NUMBER: _____

|| TAX PARCEL NUMBER(S) FOR ADDITIONAL LEGAL(S) ON PAGE _____ OF DOCUMENT.

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EX 1636 PG 0634

SKAGIT COUNTY, WASH.
FILED

MAR 07 1997

PHYLLIS COOLE-McKEEKEN, CO. CLERK
By Deputy

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR SKAGIT COUNTY

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5
6 DAVID A. STEWART and DOROTHY J.)
STEWART, husband and wife,)

7 Plaintiffs,)

8 v.)

9 SKAGIT COUNTY, a Municipal Corporation,)

10 Defendant.)
11)
12)
13)

No. 97-2-00104-1

AGREED JUDGMENT QUIETING TITLE
TO A PORTION OF LEXINGTON
AVENUE IN THE PLAT OF FIDALGO
CITY

14
15 This matter having been presented in open court; plaintiffs appearing through their
16 attorney Joseph N. Barcott; defendant appearing through its attorney Paul H. Reilly; the parties
17 having agreed that judgment should be entered upon plaintiffs' claims, which are well founded in
18 fact and law; defendant having no affirmative or other defenses to plaintiffs' claims for relief;
19 and the court being otherwise fully advised in the premises;

20
21 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

22
23 1. Plaintiffs are the owners of certain real property within the original Plat of Fidalgo
24 City, said Plat being filed for record with the Skagit County Auditor in Volume 2 of Plats, pages
25 113-116, on or about November 8, 1889. By 1955 replat, these properties are now designated as
26 being situated in Dewey Beach Addition No. 4.
27

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29 AGREED JUDGMENT QUIETING TITLE
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BARCOTT & CHRISTOPHERSON
325 Pine Street, Suite C
Mount Vernon, WA 98273
(360) 336-5800

EK 1636 PG 0635

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0661 0412

1 2. The real property owned by plaintiffs abuts upon certain portions of Lexington
2 Avenue, and is more particularly described as follows:

3 Lot 26, Dewey Beach Addition No. 4, Skagit County, Washington, as
4 per Plat recorded in Volume 7 of Plats, page 50, records of Skagit
5 County, Washington.

6
7 Plus that portion of Lexington Avenue which abuts said lot 26, more particularly
8 described as:

9 That portion of unimproved Lexington Avenue as per the "Map of
10 Fidalgo City" recorded in Volume 2 of Plats, Pages 113-116, records
11 of Skagit County, lying contiguous to the Easterly line of Lot 26, "Plat
12 of Dewey Beach Addition No. 4, Skagit County, Washington" as per
13 Plat recorded in Volume 7 of Plats, Page 50, Westerly of the centerline
14 of said Lexington Avenue and Southerly of the Northeasterly
15 extension of the North line and Northerly of the Northeasterly
16 extension of the South line of said Lot 26.

17 3. None of the above described real property lies within the boundaries of any
18 incorporated town or city. The above described portion of Lexington Avenue which abuts upon
19 plaintiffs' property has never been opened or used as a public right-of-way.

20 4. According to the provisions of the laws of 1889-90, Chapter 19, Section 32, that
21 portion of Lexington Avenue abutting upon plaintiffs' property was vacated and abandoned by
22 operation of law, not having been opened or used as a public right-of-way within five years of
23 the date of the dedication and filing of said Plat, and has been and is plaintiffs' property insofar
24 as the said street abuts plaintiffs' property.

25 5. Defendant has no right, title, interest, or right of possession in or to the said portion of
26 the said right-of-way described at paragraph 2 above.
27

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29 AGREED JUDGMENT QUIETING TITLE
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1 6. Plaintiffs' prayers for relief are granted. Title to the property described in paragraph 2
2 above, specifically that portion of Lexington Avenue is quieted in plaintiffs insofar as it appears
3 on the Plat of Fidalgo City, and insofar as it abuts plaintiffs' described property.
4

5 ENTERED in open court this 7th day of March, 1997.
6

7 *Dave Needy*
8 Superior Court Judge Commissioner
9

10 Presented By:

11 By: *Joseph N. Barcott*
12 Joseph N. Barcott, WSBA #7551
13 Attorney for Plaintiffs
14

15 Copy received; approved as to
16 form and content; notice of
17 presentment waived:
18 SKAGIT COUNTY PROSECUTING ATTORNEY

19 By: *Paul H. Reilly*
20 Paul H. Reilly, Chief Civil Deputy
21 WSBA #10709 Civil Litigator
22 Attorney for Defendant
23
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OFFICIAL DOCUMENT

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97
Phyllis Gode-Monahan, County Clerk

By Michelle R. Pedersen
Deputy Clerk

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