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3 Craig E. Cammock  
4 Law Office of Craig E. Cammock  
5 P. O. Box 836/415 Pine Street  
6 Mount Vernon, WA 98273



200309100038

Skagit County Auditor

9/10/2003 Page

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7 8:55AM

7 **Document Title:**

AMENDED LIS PENDENS

8 **Grantor(s):**

9 ALAN E. HOVENDEN and GERALDINE  
10 HOVENDEN, husband and wife;  
11 MICHAEL D. YEATES and VICTORIA S.  
12 YEATES, husband and wife;  
13 JOHN DOE JENSEN and AMY LOUISE  
14 JENSEN, husband and wife;  
15 JAMES COMPANY, L.L.C., a Washington  
16 limited liability company;  
17 NORTHWEST HEAVY EQUIPMENT REPAIR,  
18 INC., a Washington corporation;  
19 NATIONAL ASSOC. OF CREDIT  
20 MANAGEMENT, a Washington corporation;  
21 GARRISON ENGINEERING CORPORATION,  
22 a Washington corporation; and  
23 DALE A. BROWN and JANE DOE BROWN,  
24 husband and wife, and as a marital community of  
25 them composed.

16 **Grantee (s):**

17 LILLIAN P. AVERY, a single woman;  
18 LILLIAN P. AVERY, as personal representative  
19 of the ESTATE OF CLYDE H. AVERY

18 **Additional Grantor(s) on page(s):**

19 **Additional Grantee(s) on page(s):**

20 **Abbreviated Legal:**

21 Lots 1, 2, 3, and 4, SP No. 99-0031, being a ptn of  
22 N.E. ¼ of N.E. ¼ of 24-36-3 E.W.M., and a ptn of  
23 Gov. Lots 1, 2, and the S.E. ¼ of N.W. ¼ of  
24 19-36-4, E.W.M;

22 **Additional Legal on page(s):**

23 **Assessor's Tax Parcel No's:**

24 Ptn of Gov. Lot 1, Gov. Lot 2, N.E. ¼ of  
25 N.W. ¼ and S.E. ¼ of N.W. ¼, 19-36-4, E.W.M.  
Attached as "Amended Exhibit A"  
P49458, P118655, P115712, P118654, P118653,  
P115715

25 RECORDING COVER SHEET - 1

Law Office of Craig E. Cammock, Inc., P.S.  
415 Pine Street - P.O. Box 836  
Mount Vernon, Washington 98273  
360-336-1000; fax 360-336-2094

1  
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6  
7 SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

8 LILLIAN P. AVERY, a single woman, and )  
9 LILLIAN P. AVERY, as personal )  
10 representative of the Estate of CLYDE H. )  
11 AVERY, )

12 Plaintiff, )

13 vs. )

14 ALAN E. HOVENDEN and GERALDINE )  
15 HOVENDEN, individually and as a marital )  
16 community of them composed; MICHAEL D. )  
17 YEATES and VICTORIA S. YEATES, )  
18 individually and as a marital community of )  
19 them composed; JOHN DOE JENSEN and )  
20 AMY LOUISE JENSEN, individually and as a )  
21 marital community of them composed; and )  
22 JAMES COMPANY, L.L.C., a Washington )  
23 limited liability company; NORTHWEST )  
24 HEAVY EQUIPMENT REPAIR, INC., a )  
25 Washington corporation; NATIONAL )  
ASSOC. OF CREDIT MANAGEMENT, a )  
Washington corporation; GARRISON )  
ENGINEERING CORPORATION, a )  
Washington corporation; and DALE A. )  
BROWN and JANE DOE BROWN, husband )  
and wife, and as a marital community of them )  
composed, )

Defendants. )

Case No.: 03 2 01282 6

AMENDED LIS PENDENS

AMENDED LIS PENDENS - 1

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415 Pine Street - P.O. Box 836  
Mount Vernon, WA 98273



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1 NOTICE IS HEREBY GIVEN that LILLIAN P. AVERY, a single woman, and  
2 LILLIAN P. AVERY, as personal representative of the ESTATE OF CLYDE H. AVERY,  
3 Plaintiff in the above-captioned lawsuit, has commenced an action against the above-named  
4 Defendants in the Superior Court for Skagit County by filing a Summons, Complaint, and  
5 Amended Complaint for Fraud and Fraudulent Transfer. This is notice of pendency of said  
6 action. The names of the parties to said action are set forth above. The object of the action is  
7 to make a determination as to fraud and a fraudulent transfer of real property and to establish  
8 Plaintiff's lien on the lands and premises hereinafter described against the claim of the  
9 Defendants and any of them, and to bar the Defendants and each of them from having or  
10 asserting any right, title, estate, lien, or interest in or to said lands and premises adverse to  
11 Plaintiff's interests therein.


12 The description of the real property situated in Skagit County, Washington, affected by  
13 said action is as follows:

14 SEE ATTACHED "Amended Exhibit A"

15 Situate in the County of Skagit, State of Washington

16 All persons dealing with said real estate subsequent to the filing hereof will take subject  
17 to the rights of Plaintiff as established in this action.

18 DATED this 4<sup>th</sup> day of September, 2003.

19  
20 

21 CRAIG E. CAMMOCK, WSBA #24185  
22 Attorney for Plaintiff

23  
24  
25 AMENDED LIS PENDENS - 3

Law Office of Craig E. Cammock, Inc., P.S.  
415 Dine Street P.O. Box 926



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DESCRIPTION:

PARCEL "A":

Lot 1, Short Plat No. 99-0031, approved November 19, 2001, recorded November 20, 2000, under Auditor's File No. 200111200077, and being a portion of the Northeast ¼ of the Northeast ¼ of Section 24, Township 36 North, Range 3 East, W.M., and a portion of Government Lots 1, 2, and the Southeast ¼ of the Northwest ¼ of Section 19, Township 36 North, Range 4 East, W.M.,

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under, across and through Fox Hollow Lane, as shown on the face of said Short Plat and as contained in that certain Easement recorded November 21, 2000 under Auditor's File No. 200011210074 and as modified by instrument recorded December 2, 2002 under Auditor's File No. 200212020309.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

Lot 2, Short Plat No. 99-0031, approved November 19, 2001, recorded November 20, 2000, under Auditor's File No. 200111200077, and being a portion of the Northeast ¼ of the Northeast ¼ of Section 24, Township 36 North, Range 3 East, W.M., and a portion of Government Lots 1, 2, and the Southeast ¼ of the Northwest ¼ of Section 19, Township 36 North, Range 4 East, W.M.,

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under, across and through Fox Hollow Lane, as shown on the face of said Short Plat and as contained in that certain Easement recorded November 21, 2000 under Auditor's File No. 200011210074 and as modified by instrument recorded December 2, 2002 under Auditor's File No. 200212020309.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

Lot 3, Short Plat No. 99-0031, approved November 19, 2001, recorded November 20, 2000, under Auditor's File No. 200111200077, and being a portion of the Northeast ¼ of the Northeast ¼ of Section 24, Township 36 North, Range 3 East, W.M., and a portion of Government Lots 1, 2, and the Southeast ¼ of the Northwest ¼ of Section 19, Township 36 North, Range 4 East, W.M.,

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under, across and through Fox Hollow Lane, as shown on the face of said Short Plat and as contained in that certain Easement recorded November 21, 2000 under Auditor's File No. 200011210074 and as modified by instrument recorded December 2, 2002 under Auditor's File No. 200212020309.

ALSO TOGETHER WITH that certain 30 foot wide easement for ingress, egress and utilities over Lot 2 of said Short Plat, as shown on the face thereof.

Situate in the County of Skagit, State of Washington.



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AMENDED EXHIBIT

DESCRIPTION CONTINUED:

PARCEL "D":

Lot 4, Short Plat No. 99-0031, approved November 19, 2001, recorded November 20, 2000, under Auditor's File No. 200111200077, and being a portion of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 24, Township 36 North, Range 3 East, W.M., and a portion of Government Lots 1, 2, and the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 19, Township 36 North, Range 4 East, W.M.,

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under, across and through Fox Hollow Lane, as shown on the face of said Short Plat and as contained in that certain Easement recorded November 21, 2000 under Auditor's File No. 200011210074 and as modified by instrument recorded December 2, 2002 under Auditor's File No. 200212020309.

Situate in the County of Skagit, State of Washington.

PARCEL "F":

That portion of Government Lot 1, Government Lot 2, the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 19, Township 36 North, Range 4 East, W.M. described as follows:

Beginning at a point on the South line of said Government Lot 1 which lies South  $86^{\circ}40'31''$  East, a distance of 704.65 feet from the Southwest corner thereof;  
thence North  $15^{\circ}30'27''$  East, a distance of 211.18 feet to a point on a non tangent curve to the left having a chord bearing of South  $85^{\circ}49'51''$  East and a radius of 150.27 feet;  
thence Easterly along said curve through a central angle of  $22^{\circ}40'36''$  and an arc length of 59.47 feet;  
thence North  $82^{\circ}49'51''$  East, a distance of 98.22 feet;  
thence North  $07^{\circ}10'09''$  West, a distance of 30.00 feet;  
thence North  $45^{\circ}17'49''$  East, a distance of 340.99 feet;



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DESCRIPTION CONTINUED:

thence North  $04^{\circ}46'41''$  East, a distance of 185.84 feet;  
thence South  $80^{\circ}28'24''$  East, a distance of 771.16 feet to the Westerly line of the Colony Road;  
thence South  $11^{\circ}12'06''$  West along said line of Colony Road, a distance of 286.90 feet to the point of curvature of a curve to the right having a radius of 1,115.92 feet;  
thence Southerly along said curve through a central angle of  $22^{\circ}38'00''$  and an arc length of 440.82 feet;  
thence South  $33^{\circ}50'06''$  West along said line of Colony Road, a distance of 469.10 feet to a point which lies North  $33^{\circ}50'06''$  East, a distance of 64.00 feet from the South line of the North 20 acres of that portion of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and Government Lot 2 of said Section 19 lying West of the County Road as laid out and established on November 1, 1929;  
thence North  $56^{\circ}22'22''$  West, a distance of 904.18 feet;  
thence North  $15^{\circ}30'27''$  East, a distance of 37.65 feet to the point of beginning of this description,  
TOGETHER WITH a non-exclusive easement 60 feet wide and a 45 foot radius cul-de-sac, all for ingress, egress and utilities, over, under and through the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 24, Township 36 North, Range 3 East, W.M., and Government Lot 4 of Section 18, and Township 36 North, Range 4 East, W.M., the Northwest  $\frac{1}{4}$  of Section 19, Township 36 North, Range 4 East, W.M., the centerline of which is described as follows:

Beginning at the Northwest corner of said Section 19;  
thence South  $01^{\circ}10'49''$  East along the West line thereof, a distance of 213.52 feet to Point A and the initial point of this centerline description;  
thence North  $38^{\circ}44'16''$  East a distance of 240.44 feet to the point of curvature of a curve to the right having a radius of 150.00 feet;  
thence along said curve through a central angle of  $100^{\circ}26'51''$  and an arc length of 262.97 feet;  
thence South  $41^{\circ}00'54''$  East, a distance of 71.72 feet to the point of curvature of a curve to the right having a radius of 256.03 feet;  
thence along said curve through a central angle of  $57^{\circ}06'08''$  and an arc length of 255.17 feet;  
thence South  $16^{\circ}05'14''$  West, a distance of 552.04 feet to the point of curvature of a curve to the left having a radius of 115.00 feet;  
thence along said curve through a central angle of  $118^{\circ}31'25''$  and an arc length of 237.89 feet to the point of reverse curvature with a curve to the right having a radius of 186.85 feet;  
thence along said curve through a central angle of  $61^{\circ}56'19''$  and an arc length of 201.99 feet;  
thence South  $40^{\circ}29'52''$  East, a distance of 67.47 feet to the point of curvature of a curve to the left having a radius of 150.27 feet;  
thence along said curve through a central angle of  $56^{\circ}40'17''$  and an arc length of 148.63 feet;  
thence North  $82^{\circ}49'51''$  East, a distance of 98.22 feet to the point of curvature of a curve to the right having a radius of 421.41 feet;  
thence along said curve through a central angle of  $55^{\circ}12'12''$  and an arc length of 406.02 feet;



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**DESCRIPTION CONTINUED:**

thence South  $41^{\circ}57'57''$  East, a distance of 308.43 feet to the point of curvature of a curve to the left having a radius of 200.00 feet;

thence along said curve through a central angle of  $14^{\circ}11'58''$  and an arc length of 49.57 feet;

thence South  $56^{\circ}09'54''$  East, a distance of 159.02 feet, more or less, to the centerline of Colony Road and terminus of this line description;

ALSO beginning at the above described Point A;

thence South  $38^{\circ}44'16''$  West, a distance of 318.34 feet to the point of curvature of a curve to the left having a radius of 150.00 feet;

thence along said curve through a central angle of  $26^{\circ}30'16''$  and an arc length of 69.39 feet;

thence South  $12^{\circ}13'59''$  West, a distance of 289.08 feet to the center of the above described 45 foot radius cul-de-sac and terminus of this line description.

Situate in the County of Skagit, State of Washington.



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