

After recording return to:
James E. Haney
Ogden Murphy Wallace, PLLC
1601 Fifth Avenue, Suite 2100
Seattle WA 98101



200511210083
Skagit County Auditor

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Document Title(s)

Notice of Lis Pendens

Reference Number(s) of Related Documents

N/A

Grantor(s) (Last, First and Middle Initial)

Branko Yurkovich and Maria M. Jurkovich, husband and wife, and the marital community composed thereof; and Bear River Fisheries, L.L.C., a Washington limited liability company

Grantee(s) (Last, First and Middle Initial)

Skagit County Public Hospital District No. 2, a Washington Public Hospital District

Legal Description (abbreviated form; i.e., lot, plat or section, township, range, quarter/quarter)

Lots 5-7, Block 2 "Plat of Hensler's First Addition
See attached Exhibit A - Legal Discriptions
To the City of Anacortes, Skagit Co. Wash."
Assessor's Property Tax Parcel/Account Number at the Time of Recording:

Skagit County Parcel Nos. P57315, P57316, P57320 and P57321

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.

EXHIBIT A

LEGAL DESCRIPTIONS

Parcel A: Lots 5 - 7, Block 2, "PLAT OF HENSLER'S FIRST ADDITION TO THE CITY OF ANACORTES, SKAGIT CO., WASH.", as per plat recorded in Volume 3 of Plats, page 46, records of Skagit County, Washington.

a/k/a Skagit County Parcel No. P57315

Parcel B: Lots 8-10, Block 2, "PLAT OF HENSLER'S FIRST ADDITION TO THE CITY OF ANACORTES, SKAGIT CO., WASH.", as per plat recorded in Volume 3 of Plats, page 46, records of Skagit County, Washington.

a/k/a Skagit County Parcel No. P57316

Parcel C: Lots 8 - 10, Block 3, "PLAT OF HENSLER'S FIRST ADDITION TO THE CITY OF ANACORTES, SKAGIT CO., WASH.", as per plat recorded in Volume 3 of Plats, page 46, records of Skagit County, Washington.

a/k/a Skagit County Parcel No. P57320

Parcel D: Lots 11 and 12, Block 3, "PLAT OF HENSLER'S FIRST ADDITION TO THE CITY OF ANACORTES, SKAGIT CO., WASH.", as per plat recorded in Volume 3 of Plats, page 46, records of Skagit County, Washington.

a/k/a Skagit County Parcel No. P57321



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

9 SKAGIT COUNTY PUBLIC HOSPITAL)
10 DISTRICT NO. 2, a Washington Public Hospital)
District,)

No. 05-2-02163-5

11 Petitioner,)

NOTICE OF LIS PENDENS

12 v.)

13 BRANKO YURKOVICH and MARIA M.)
14 JURKOVICH, husband and wife, and the marital)
community composed thereof; BEAR RIVER)
15 FISHERIES, L.L.C., a Washington limited liability)
company, and all other persons or parties, known)
16 or unknown, claiming an interest in the real)
property described herein,)

17 Respondents.)
18

19
20 NOTICE IS HEREBY GIVEN that a condemnation action has been instituted seeking to
21 acquire an interest in certain property (see below) and is now pending in Superior Court of the
22 State of Washington for Skagit County, upon the petition of Skagit County Public Hospital
23 District No. 2, a Washington public hospital district, against the above named Respondents.

24 The Property is to be condemned for a public use pursuant to Resolution No. 2005-1392
25 of Skagit County Public Hospital District No. 2, as set forth in **Exhibit 1** attached hereto and
26 incorporated herein by this reference. The Hospital District initiated said action in order to

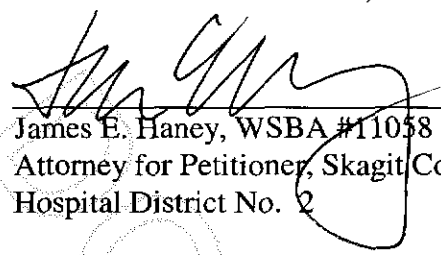


1 acquire a fee interest in the Property described for the purpose of accommodating construction of
2 a major renovation and expansion of the Petitioner's Island Hospital Campus approved by the
3 voters of Skagit County Public Hospital District No. 2 in 2004, providing for construction
4 staging and for parking during construction, and providing for the long-term parking and
5 expansion needs of Island Hospital.

6 The above named Respondents have either a legal or equitable interest in the property
7 described in **Exhibits A to Resolution 2005-1392**, attached hereto and incorporated herein by
8 this reference (the "Property"), which Property is situated in the City of Anacortes, Skagit
9 County, Washington.

10 DATED this 18th day of November, 2005.

11 OGDEN MURPHY WALLACE, P.L.L.C.

12
13 By 
14 James E. Haney, WSBA #11058
15 Attorney for Petitioner, Skagit County Public
16 Hospital District No. 2

SKAGIT COUNTY PUBLIC HOSPITAL DISTRICT NO. 2

RESOLUTION NO. 2005-1392

A Resolution of the Board of Commissioners of Skagit County Public Hospital District No. 2 providing for the acquisition, condemnation, and taking of a fee interest in four parcels of real property owned by Branko and Maria Jurkovich and located on 25th Street in the City of Anacortes in the vicinity of the Island Hospital Campus, for the purpose of constructing a major campus renovation and expansion project approved by the voters of the District in 2004 and to serve the long-term parking and expansion needs of Island Hospital.

WHEREAS, the voters of Skagit County Public Hospital District No. 2 ("the District") approved a bond issue in 2004 in order to fund a major renovation and expansion project ("the Project") at the Island Hospital Campus, and

WHEREAS, construction of the Project is scheduled to begin in mid-2006, and

WHEREAS, in order to accommodate construction of the Project, to provide for construction staging and for parking during the construction, and to provide for the long-term parking and expansion needs of Island Hospital, the Board of Commissioners has determined that four parcels of property located on 25th Street adjacent to and in the vicinity of the Island Hospital Campus, must be acquired, and

WHEREAS, the District has attempted in good faith to negotiate an acceptable voluntary purchase of the parcels with the current owners, Branko and Maria Jurkovich, but has been unable to reach agreement with the owners on a purchase price, and

WHEREAS, the Board of Commissioners has therefore determined that the District's power to condemn the four parcels under RCW 70.44.060 must be exercised,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SKAGIT COUNTY PUBLIC HOSPITAL DISTRICT NO. 2, AS FOLLOWS:


1. The Board of Commissioners hereby finds and declares that acquisition of a fee simple interest in the entirety of the four parcels of land located on 25th Street in the City of Anacortes and legally described on Exhibit A to this Resolution is necessary for a public use and purpose, namely, in order to accommodate construction of the Project, to provide for construction staging and for parking during the construction, and to provide for the long-term parking and expansion needs of Island Hospital.

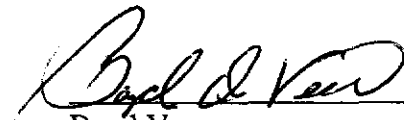
2. A fee simple interest in the entirety of the four parcels of property legally described on Exhibit A is hereby condemned, appropriated, and taken for the purposes set forth in this Resolution. Condemnation of the property is subject to the making or paying of just compensation to the owners and any other persons legally entitled to such compensation in the manner provided by law.




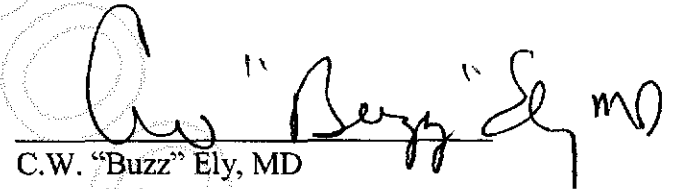
3. The District's attorneys are hereby authorized and directed to begin and prosecute the legal proceedings authorized by law to condemn, take, and appropriate the fee simple interests in the four parcels described on Exhibit A and to otherwise carry out the provisions of this Resolution.

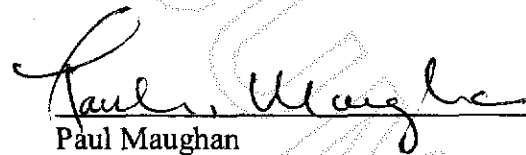
ADOPTED AND APPROVED by the Board of Commissioners of Skagit County Public Hospital District No. 2, at a regular meeting thereof this 15th day of September, 2005, the following Commissioners being present and voting:


Laurie Gere
President/Commissioner


Boyd Veer
Commissioner


Dick Harrison
Commissioner


C.W. "Buzz" Ely, MD
Commissioner


Paul Maughan
Secretary/Commissioner

I, Paul Maughan, Secretary of the Board of Commissioners of Skagit County Public Hospital District No. 2 certify that the attached copy of Resolution No. 2005-1392 is a true and correct copy of the original resolution adopted September 15, 2005, as that resolution appears on the Minute Book of the District.

DATED this 29th day of September, 2005.

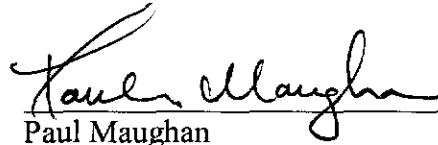

Paul Maughan
Secretary



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a/k/a Skagit County Parcel No. P57315

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a/k/a Skagit County Parcel No. P57320

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a/k/a Skagit County Parcel No. P57321



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