



200805090071

Skagit County Auditor

5/9/2008 Page

1 of

5 11:50AM

Return Address:

Mr. Michael S. Schechter
Foster Pepper PLLC
1111 Third Ave., Suite 3400
Seattle, WA 98101

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. Lis Pendens 2. _____
3. _____ 4. _____

Reference Number(s) of Documents assigned or released:

Additional reference #'s on page N/A of document

Grantor(s) (Last name, first name, initials)

- 1. Naelmaroma LLC
- 2. El Gitano Restaurant

Additional names on page 3 of document.

Grantee(s) (Last name first, then first name and initials)

- 1. City of Mount Vernon
- 2.

Additional names on page N/A of document.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)

Lot 7, Plat of Mount Vernon Acreage, as recorded in Volume 3 of Plats, Page 102, Skagit County, Washington

Additional legal is on page 4 of document.

Assessor's Property Tax Parcel/Account Number Assessor Tax # not yet assigned
P53845

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

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

Signature of Requesting Party

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SUPERIOR COURT OF WASHINGTON IN AND FOR SKAGIT COUNTY

In the Matter of the Petition of the City of Mount Vernon to acquire by condemnation certain property and property rights for the improvement of College Way and Riverside Drive, as contemplated by City of Mount Vernon Ordinance No. 3401,

No. **08 2 00765 3**

LIS PENDENS

[In re City of Mount Vernon – College Way/Riverside Drive (P53845 – Naelmaroma)]

NOTICE IS HEREBY GIVEN that an action has been instituted and is now pending in the Superior Court of the State of Washington for Skagit County, upon the Summons and Petition of the City of Mount Vernon, a municipal corporation, against the persons, firms and corporations listed in Exhibit B attached hereto.

Said action is to condemn, appropriate, take and damage certain property and property rights for a public purpose, to wit: the acquisition of interests in land for the purpose of road improvements of College Way and Riverside Drive in Mount Vernon, Washington. Said action affects title to the real estate situated in Skagit County, Washington, described in Exhibit A attached hereto.

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LIS PENDENS – 1

ORIGIN



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Skagit County Auditor

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DATED this _____ day of April, 2008.

MOUNT VERNON CITY ATTORNEY



Kevin Rogerson, WSBA #31664

and

FOSTER PEPPER PLLC
P. Stephen DiJulio, WSBA # 7139
Michael S. Schechter, WSBA # 35602
Special Assistant City Attorneys

LIS PENDENS - 2



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EXHIBIT B

Naelmaroma LLC (fee owner)

El Gitano Restaurant (tenant)

Skagit County (for general taxation purposes only)

THE IDENTIFICATION OF INTERESTS IN PROPERTY SET FORTH
PARENTHETICALLY ABOVE ARE FOR INFORMATIONAL PURPOSES ONLY; AND,
ARE NOT A REPRESENTATION OR ACKNOWLEDGMENT OF A RESPONDENT'S
SPECIFIC RIGHTS.



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Skagit County Auditor

EXHIBIT I

EXHIBIT A

LISSER & ASSOCIATES, PLLC

320 Milwaukee St, PO Box 1109, Mount Vernon WA 98273 (360) 419-7442 FAX (360) 419-0581

Description for New Road Right-of-way

June 26, 2007

That portion of the following described Tract "X", lying Westerly of the following described line:

Commencing at the Southwest corner of the Northwest 1/4 (West 1/4 corner) of Section 17, Township 34 North, Range 4 East, W.M.;

thence South 87°37'00" East along the South line of said Northwest 1/4 for a distance of 275.04 feet;

thence North 0°40'15" West for a distance of 30.00 feet, more or less, to the Southeast corner of Tract B Short Plat No. MV-26-76, approved September 10, 1976 and recorded September 23, 1976 in Volume 1 of Short Plats, page 175 under Auditor's File No. 843161;

thence continue North 0°40'15" West along the East line of said Short Plat NO. MV-26-76 for a distance of 10.00 feet, more or less, to the North line of the South 40.00 feet of said Northwest 1/4 and being the TRUE POINT OF BEGINNING of said line description;

thence North 74°32'14" West for a distance of 29.71 feet,

thence North 88°30'23" West for a distance of 158.19 feet;

thence North 44°36'10" West for a distance of 47.07 feet;

thence North 2°57'41" West for a distance of 75.83 feet;

thence North 2°57'41" West for a distance of 92.27 feet;

thence North 0°40'15" West for a distance of 37.19 feet;

thence North 89°19'45" East for a distance of 2.00 feet;

thence North 0°40'15" West for a distance of 17.65 feet;

thence North 2°51'58" West for a distance of 241.29 feet;

thence North 89°19'45" East for a distance of 2.00 feet;

thence North 2°51'58" West for a distance of 129.48 feet, more or less, to the North line of Tract 6, "PLAT OF MOUNT VERNON ACREAGE, SKAGIT COUNTY, WASH.", as per plat recorded in Volume 3 of Plats, page 102 records of Skagit County, Washington, at a point bearing North 89°19'45" East a distance of 8.80 feet from the Northwest corner of said Tract 6 and being the terminus of said line description.

Tract "X"

(Shown as description on Land Title Company Limited Liability Report Order No. 123871)

The West 179 feet of L of 7, "PLAT OF MOUNT VERNON ACREAGE, SKAGIT COUNTY, WASH.", as per plat recorded in Volume 3 of Plats, page 102, records of Skagit County, Washington. (Also known as Tract "A", Short Plat No. MV-24-76, approved September 10, 1976, recorded September 14, 1976, under Auditor's File No. 842359 in Volume 1 of Short Plats, page 168, records of Skagit County Washington.)

EXCEPT the West 10 feet as conveyed to the City of Mount Vernon, recorded August 15, 1985, under Auditor's File No. 8508150006.

SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

Area of new right-of-way = 548 sq. ft.



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