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SKAMANIA CO. WASH  
BY *State of WA*

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*P. Laury*  
AUDITOR

126232

GARY H. OLSON BOOK 159 PAGE 527

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SKAMANIA

THE STATE OF WASHINGTON,

Petitioner,

vs.

SAM G. MELONAS and RITA MELONAS,  
husband and wife; and SKAMANIA  
COUNTY,

Respondents.

No. 96-2-00093-2

LIS PENDENS

TO WHOM IT MAY CONCERN:

An action affecting the title to real property has been commenced in the Superior Court of Skamania County, State of Washington, and is now pending in said court. Said property is more particularly described as follows:

ORIGINAL

LIS PENDENS  
Page 1

ATTORNEY GENERAL OF WASHINGTON  
Transportation & Public Construction Division  
905 Plum Street, Building 3  
PO Box 40113  
Olympia, WA 98504-0113  
(360) 753-6128

By \_\_\_\_\_  
Advised Dir \_\_\_\_\_  
Directed \_\_\_\_\_  
Filed \_\_\_\_\_  
Noted \_\_\_\_\_

2-7-1-1- 2800, 2801, 2900, 2901  
3100, 3200, 3300, 3400

2-7-1-1- 4200, 4201, 4202, 4203

SINGLE  
(amended)

Parcel No. 4-06251

INTERESTED PARTIES: Sam G. MELONAS and Rita MELONAS, his wife;  
Katherine G. MELONAS;  
BRIX MARITIME CO., a Delaware corporation, formerly known  
as Knappton Corporation;  
Joseph OGLE and Patty OGLE, his wife;  
Tom COPINE and Kathy COPINE, his wife;  
Doug HATTENBAUER and Mary Lee HATTENBAUER, his wife;  
Jack MIDLAND and Lisa MIDLAND, his wife;  
Dave MEYER and Nancy MEYER, his wife;  
Frank COX and Linda COX, his wife;  
Don KINNEY and Mary KINNEY, his wife;  
Cindy KREPS and John Doe KREPS, her husband;  
Dan ABEYTA and Jane Doe ABEYTA, his wife;  
Robert BOLLES and Marilyn BOLLES, his wife;  
Amy MANNING and John Doe MANNING, her husband;  
Valilia Melonas STENBURG and John Doe STENBURG, her husband;  
Richard WATTS and Jane Doe WATTS, his wife;  
Steve ROWE and Jane Doe ROWE, his wife;  
Rhonda GOODMAN and John Doe GOODMAN, her husband;  
Darin McLEMORE and Jane Doe McLEMORE, his wife;  
Tim WATERS and Jane Doe WATERS, his wife;  
Deana WALLACE and John Doe WALLACE, her husband;  
Hazel SKAAR and John Doe SKAAR, her husband;  
Butch SKAAR and Jane Doe SKAAR;  
Bill THOMPSON and Jane Doe THOMPSON, his wife;  
Kris NELSON and J. Doe NELSON, spouse;  
Jeff STEWART and Jane Doe STEWART, his wife;  
Brien STRODE and Jane Doe STRODE, his wife;  
Allen NELSON and Jane Doe NELSON, his wife;  
Steve FOSTER and Jane Doe FOSTER, his wife; and  
Cary ARBUCKLE and Jane Doe ARBUCKLE, his wife.

SR14, Stevenson  
Vicinity

4/15/96



DESCRIPTION:

Parcel "A":

That part of the following-described Tract "X" described as:

BEGINNING AT A POINT opposite Highway Engineer's Station (hereinafter referred to as HES) FS 11+40.11 on the FS Line Survey of SR14, Stevenson Vicinity, and 30 feet Southeasterly therefrom;

Thence Northeasterly parallel with said FS Line Survey to a point opposite HES FS 19+17.86 thereon, which point is on the Northeasterly boundary of said Tract "X";

Thence Northwesterly along said Northeasterly boundary to a point opposite said HES and 25 feet Northwesterly therefrom;

Thence Southwesterly parallel with said FS Line Survey to a point opposite HES FS 18+50 thereon;

Thence Southwesterly to a point opposite HES FS 18+42.86 on said FS Line Survey and 30 feet Northwesterly therefrom;

Thence Southwesterly parallel with said FS Line Survey to a point opposite HES FS 18+00 thereon;

Thence Northwesterly to a point opposite said HES and 35 feet Northwesterly therefrom;

Thence Southwesterly parallel with said FS Line Survey to a point opposite HES FS 15+00 thereon;

Thence Southeasterly to a point opposite said HES and 30 feet Northwesterly therefrom;

Thence Southwesterly parallel with said FS Line Survey to a point opposite HES FS 13+40.29 thereon;

Thence Northwesterly to a point opposite HES 143+91.08 on the SR14 Line Survey of said Highway and 50 feet Southeasterly therefrom;

Thence along said SR14 right of way line, as it existed prior to February 23, 1996, to the POINT OF BEGINNING.

TOGETHER WITH the temporary right, permit, license and easement to use and occupy the following-described lands, to be designated Parcels "B", "C" and "D", for the purpose of constructing highway facilities and operating all necessary machinery and equipment thereon, at any and all times from the date hereof until completion of construction; after completion of construction, all rights of easement shall be extinguished.

Parcel "B":

That part of said Tract "X" described as:

BEGINNING AT A POINT opposite HES FS 13+12.64 on said FS Line Survey and 30 feet Southeasterly therefrom;

Thence Northeasterly parallel with said FS Line Survey to a point opposite HES FS 15+74.50 thereon;

Thence Southeasterly to a point opposite said HES and 40 feet Southeasterly therefrom;

SR14, Stevenson  
Vicinity

4/15/96

BOOK 159 PAGE 530

Thence Southwesterly to a point opposite HES FS 14+00 on said FS Line Survey and 40 feet Southeasterly therefrom;

Thence Southwesterly to the POINT OF BEGINNING.

Parcel "C":

That part of said Tract "X" described as:

BEGINNING AT A POINT opposite HES FS 14+50 on said FS Line Survey and 30 feet Northwesterly therefrom;

Thence Northwesterly to a point opposite said HES and 50 feet Northwesterly therefrom;

Thence Northeasterly to a point opposite HES FS 15+74.50 on said FS Line Survey and 60 feet Northwesterly therefrom;

Thence Northeasterly parallel with said FS Line Survey to a point opposite HES FS 18+00 thereon;

Thence Easterly to a point opposite HES FS 18+42.86 on said FS Line Survey and 30 feet Northwesterly therefrom;

Thence Southwesterly parallel with said FS Line Survey to a point opposite HES FS 18+00 thereon;

Thence Northwesterly to a point opposite said HES and 35 feet Northwesterly therefrom;

Thence Southwesterly parallel with said FS Line Survey to a point opposite HES FS 15+00 thereon;

Thence Southeasterly to a point opposite said HES and 30 feet Northwesterly therefrom;

Thence Southwesterly parallel with said FS Line Survey to the POINT OF BEGINNING.

Parcel "D":

That part of said Tract "X" described as:

BEGINNING AT A POINT opposite HES FS 16+75 on said FS Line Survey and 30 feet Southeasterly therefrom;

Thence Southeasterly to a point opposite HES FS 17+00 on said FS Line Survey and 60 feet Southeasterly therefrom;

Thence Northeasterly parallel with said FS Line Survey to a point opposite HES 18+25 thereon;

Thence Northeasterly to a point opposite HES FS 19+17.86 on said FS Line Survey and 30 feet Southeasterly therefrom;

Thence Southwesterly parallel with said FS Line Survey to the POINT OF BEGINNING.



TRACT "X":

PARCEL I

A Tract of land in the Northeast Quarter of Section 1, Township 2 North, Range 7 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Commencing at a point where the North line of Section 1, Township 2 North, Range 7 East of the Willamette Meridian, intersects the West line of the Henry Shepard D.L.C.; thence South along the D.L.C. line 887.4 feet; thence West 278.3 feet to a point on the Southerly Right of Way line of State Road No. 8, and the True Point of Beginning; thence South  $48^{\circ} 20'$  East 73.4 feet; thence South  $41^{\circ} 40'$  West 60 feet; thence North  $48^{\circ} 20'$  West 72 feet; thence Northeasterly along the Southerly line of the said Right of Way for State Road No. 8 to the Point of Beginning.

PARCEL II

A Tract of land lying within the boundaries of the Daniel Baughman D.L.C. and Government Lots 6 and 9 in Section 1, Township 2 North, Range 7 East of the Willamette Meridian, in the County of Skamania State of Washington; more particularly described as follows:

A Tract of land lying Easterly of the center of the channel of Rock Creek, and southerly of the boundary line of State Highway No. 8 as presently located and established, and Northerly of the Spokane, Portland and Seattle Railway Company's right of way, and Westerly of the following described line; Commencing at a point on the Southerly line of the said State Highway right of way 1027.2 feet South as measured along the West line of the Henry Shepard D.L.C. and due west 385.7 feet from the intersection of the North line of Section 1, Township 2 North, Range 7 East of the Willamette Meridian with the West line of said Henry Shepard D.L.C.; thence South  $58^{\circ} 45'$  East to intersection with the Northerly right of way line of the said Spokane, Portland and Seattle Railway Company's right of way.

EXCEPTING flowage easement, navigation rights on Rock Creek, Spokane, Portland and Seattle Railway Company's right of way and easement for drainage ditch and pipe line.

PARCEL III

A Tract of land in Section 1, Township 2 North, Range 7 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Beginning at a point on the South line of Second Street in the Town of Stevenson 160 feet North  $89^{\circ} 06'$  West of the Point of intersection of the South line of said street with the West line of the Henry Shepard D.L.C.; thence South 259 feet; thence West 50 feet; thence South 18.6 feet; thence North  $89^{\circ} 06'$  West 90 feet; thence North 25 feet; thence North  $89^{\circ} 06'$  West 10 feet; thence North 142.6 feet; thence East 50 feet; thence North 110 feet to Second Street; thence South  $89^{\circ} 06'$  East 100 feet to the Point of Beginning;

EXCEPT right of way for Primary State Highway No. 8;

AND EXCEPT that portion thereof lying Northerly of said Primary State Highway No. 8.

BOOK 159 PAGE 532

PARCEL IV

All that portion of the following described real property lying on the Southerly side of State highway No. 8 as the same is now located, established and constructed, to-wit:

commencing at a point on the South line of Second Street 60 feet West of the intersection of said street line with the West line of the Shepard Donation Land Claim in Section 1, Township 2 North, Range 7 East of the Willamette Meridian, in the County of Skamania State of Washington; thence south 276 feet; thence West 100 feet; thence North 276 feet; thence East 100 feet.

PARCEL V

Commencing at a point where the North line of Section 1, Township 2 North, Range 7 East of the Willamette Meridian, in the County of Skamania, State of Washington, intersects the West line of the Henry Shepard D.L.C.; thence South along the D.L.C. line 887.4 feet; thence West 287.3 feet, to the point on the Southerly line of the right of way of State Road No. 8; thence South 48° 20' East 73.4 feet; thence South 41° 40' West 80 feet to the True Point of Beginning; thence from said Point of Beginning North 46° 20' West 72.0 feet to the Southerly right of way line of said State Highway No. 8; thence Southwesterly along the Southerly line of said State Highway No. 8 a distance of 60 feet; thence South 48° 20' East a distance of 73.4 feet; thence North easterly in a straight line to the Point of Beginning.

PARCEL VI

All that portion of Government Lot 9 of Section 1, Township 2 North, Range 7 East of the Willamette Meridian, in the County of Skamania, State of Washington, lying Southerly of State Highway No. 8 as presently located and established and Northerly of the right of way of the Spokane, Portland and Seattle Railway Company;

EXCEPTING:

1. A Tract of land conveyed to Northwestern Electric Company by deed recorded at Page 34 of Book O of Deeds, Records of Skamania County, Washington;
2. A Tract of land conveyed to Steve J. Melonas by deed recorded at Page 529 of Book U of Deeds, Records of Skamania County, Washington;
3. A Tract of land conveyed to Steve J. Melonas by deed recorded at Page 516 of Book 30 of Deeds, Records of Skamania County, Washington;
4. A Tract of land conveyed to Spiros G. Stelios and Sam G. Melonas by deed recorded at Page 337 of Book 33 of Deeds, Records of Skamania County, Washington;
5. A Tract of land conveyed to Steve J. Melonas and Mary Melonas by deed recorded at Page 338 of Book 33 of Deeds, Records of Skamania County, Washington;
6. Tracts of land conveyed to Erik Nord by deeds recorded at Page 607 of Book N of Deeds and at Page 159 of Book O of Deeds, Records of Skamania County, Washington; and
7. A Tract of land conveyed to Esson Smith by deed recorded at Page 69 of Book 37 of Deeds, Records of Skamania County, Washington.

SRL4, Stevenson  
Vicinity

4/15/96

-Page 5 of 8 pages-

LIS PENDENS Page 6



PARCEL VII

Beginning at the Northeast corner of a 2 1/2 acre tract of land heretofore deed by George Udell to A. L. Douglass, said deed being of record on Page 177, Book I of Deeds, records of Skamania County, Washington, reference to which deed is hereby made for description of the deed; thence running West 100 feet; thence South 213 feet to the railroad survey of the S.P. and S. Railway Company; thence following said survey in a Northeasterly direction, to the Point of Intersection with the west line of Henry Shepard Donation Land Claim in Section 1, Township 2 North of Range 7 East of the Willamette Meridian, in the County of Skamania, State of Washington; thence North to Place of Beginning.

PARCEL VIII

All those portions of lands described in the following deeds lying Northerly of a line that is parallel with and 100 feet Northerly of the grantor's main track (Spokane, Portland and Seattle Railway Company) centerline when measured at right angles thereto, situated in Section 1, Township 2 North, Range 7 East of the Willamette Meridian, in the City of Stevenson, Skamania County, Washington:

1. Deed dated March 23, 1906 from David Wessels and Annie Wessels, his wife to Portland and Seattle Railway Company, recorded March 27, 1906 in Book I of Deeds, at Page 529, records of said County.
2. Deed dated March 23, 1906 from A. Fleischhauer to Portland and Seattle Railway Company, recorded March 27, 1906 in Book I of Deeds, at Page 532, records of said County.
3. Deed dated August 14, 1906 from Albert L. Douglass to Portland and Seattle Railway Company, recorded August 17, 1906 in Book K of Deeds, at Page 82, records of said County.
4. Deed dated August 14, 1906 from A. C. Sly and Margaret M. Sly, his wife, to Portland and Seattle Railway Company, recorded August 17, 1906 in Book K of Deeds, at Page 83, records of said County.
5. Deed dated September 27, 1906 from George Udell to Portland and Seattle Railway Company, recorded October 6, 1906 in Book K of Deeds, at Page 145, records of said County.

PARCEL IX

A tract of land in Section 1, Township 2 North, Range 7 East, Willamette Meridian, bounded and described as follows:

BEGINNING at a point of the West line of the Henry Sheperd Donation Land Claim; 627.20 feet South of the intersection of said West line with the North line of said Section; thence Westerly a distance of 76 feet, more or less, on the arc of a 03 degree curve to the with a radius of 1,860 feet; thence South 203 feet; thence East 60 feet; thence North 251 feet, more or less, to the Point of Beginning.

BOOK 159 PAGE 534

PARCEL X

A tract of land in the Northeast Quarter of the Northeast Quarter of Section 1, Township 2 North, Range 7 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Commencing at the Southeast Corner of that tract of land conveyed to Gust J. Melonas and Catharine G. Melonas by E. Seymour Hall, as described in deed recorded at Page 378, Book 28 of Deeds, records of Skamania County, Washington, the said point of beginning being at a point on the Westerly line of Seymour Street in the Town of Stevenson, which is 30 feet Southerly from the Northwest corner of First and Seymour Streets; thence from said point of beginning in a Southerly direction along the West line of Seymour Street to the Northeast corner of the Tract of land known as "Columbus Fields Acre" description of which is given in deed from A. Fleichhaue to Portland and Seattle Railway Co., recorded in Book 1 of deeds, Page 532; thence Westerly along the North line of said Columbus Fields acre to the Northwest corner of said acre; thence North 11 feet; thence West to the West line of Shepard D.L.C.; thence North on said west line of Shepard D.L.C. to the Southwest corner of that tract of land deeded to Frank Rabenau and Amanda Rabenau by J. A. Michell and P. E. Michell, recorded in Book H of deeds, Page 639; thence East to the Point of Beginning

PARCEL XI

A Tract of land in the Northeast Quarter of the Northeast Quarter of Section 1, Township 2 North, Range 7 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Commencing at a point 30 feet South of the Northwest corner of First and Seymour Streets in the Town of Stevenson on the West side of Seymour Street; thence West to West line of Shepard D.L.C.; thence North on West line to South of Second Street; thence Easterly along South line of Second Street to the West line of Seymour Street; thence Southerly along West line of Seymour Street to place of beginning.

EXCEPT that portion conveyed to the State of Washington, by instrument recorded in Book Z, Page 494, Skamania County Deed Records.

ALSO EXCEPT that portion conveyed to Sam Melonas, by instrument recorded in Book 34, Page 16.

PARCEL XII

Commencing at the Southwesterly angle corner of that strip of land conveyed to the State of Washington by H. Seymour Hall by deed dated October 26, 1937, and recorded at Page 494, Volume Z of Deeds, Records of Skamania County, the said angle point being situated on the West line of the Shepard D.L.C., 30 feet distance Southerly measured at right angle from the center line of State Highway No. 8 in Section 1, Township 2 North, Range 7 East of the Willamette Meridian; thence from said point South 34° 30' East a distance of 50 feet; thence North 55° 30' East a distance of 40 feet; thence North 34° 30' West a distance of 50 feet to the Southerly line of Second Street; thence Westerly along the Southerly line of Second Street and State Highway No. 8 to the point of beginning.

EXCEPT that portion conveyed to the State of Washington by instrument recorded in Book Z, Page 494.

SR14, Stevenson  
Vicinity

4/15/96

LIS PENDENS Page 8

-Page 7 of 8 pages-



BOOK 159 PAGE 535

The lands being herein condemned in fee contain an area of 1.03 acres, more or less, and the lands being herein condemned for temporary easement contain an area of 0.40 acre, more or less, the specific details concerning all of which may be found within that certain map of definite location now of record and on file in the Office of the Secretary of Transportation at Olympia, Washington, bearing date of approval February 23, 1996 and revised April 12, 1996.

TOGETHER WITH the right to enter upon respondents' remaining lands, where necessary, to:

- (1) construct, reconstruct, remove and replace driveways and road approaches;

AND/OR

- (2) remove improvements, if any, located wholly or partially upon the right of way.

SR14, Stevenson  
Vicinity

4/15/96

1 The object of said action is to acquire by condemnation the lands, real estate, premises and  
2 other property and/or property rights hereinbefore described as a right-of-way for that certain state  
3 highway known as SR 14 said lands being situate, lying and being in the County of Skamania, State  
4 of Washington.

5 The name of the Petitioner and Plaintiff in said action is the State of Washington, and the  
6 names of the Respondents and Defendants in said action are:

7 SAM G. MELONAS and RITA MELONAS, husband and wife; and  
8 SKAMANIA COUNTY.

9 DATED this 11th day of September, 1996.

10 CHRISTINE O. GREGOIRE  
11 Attorney General

12 *Stephen Klasinski*  
13 STEPHEN KLASINSKI WSBA# 11419  
14 Assistant Attorney General  
15 Transportation & Public Construction  
16 Division  
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