



200010300029

, Skagit County Auditor

10/30/2000 Page 1 of 6 10:47:54AM

RETURN TO:

Patrick M. Hayden
Attorney at Law
P. O. Box 454
Sedro-Woolley, WA 98284

ORIGINAL

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

Stipulation and Agreed Judgment

REFERENCE NUMBER(S) OF OTHER RELATED DOCUMENTS:

Lis Pendens, Skagit County Auditor's File No. 200002010106

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

- 1. Wadsworth, Dean K.**
- 2. Wiggers, Keith L. and Wiggers, Janice K., husband and wife**
- 3. Custom Pumping, Inc., a Washington corporation**

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

- 1. Wadsworth, Dean K.**
- 2. Wiggers, Keith L. and Wiggers, Jancie K., husband and wife**
- 3. Custom Pumping, Inc., a Washington corporation**

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

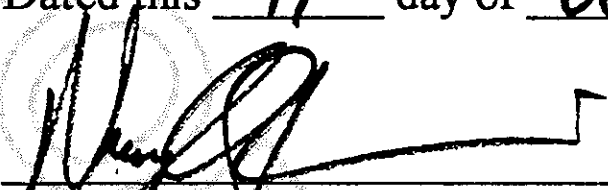
Lots 3 & 4, Short Plat 96-031, approved September 8, 1999, recorded September 9, 1999, under Auditor's File No. 199909090091, and being a portion of the NE ¼ of the SW ¼ and of Government Lot 3 of Section 7, Township 35N, Range 5 E., W.M., situated in Skagit County, Washington.

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

Lot 3: P115750 / 350507-3-002-0400
Lot 4: P38639 / 350507-3-002-0009

1 3. The parties hereby waive entry of Findings of Fact and Conclusions of Law, and consent to
2 entry of the sub-attached judgment without presentation.

3 Dated this 17 day of October, 2000.

4 
5 NANCY C. IVARINEN, WSBA # 21512
6 Law Office of David L. Day
7 Attorney for Defendants

8  
9 PATRICK M. HAYDEN, WSBA # 11061
10 Attorney for Plaintiff

11 II. JUDGMENT

12 This matter coming on before the undersigned judge/commissioner of the above-entitled
13 court on the foregoing stipulation, the Plaintiff being represented by Patrick M. Hayden and the
14 Defendants being represented by Nancy C. Ivarinen of the Law Office of David L. Day, and the
15 court having reviewed the files and records herein, and being fully advised in the premises, now
16 therefore

17 IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

18 1. Plaintiff Dean K. Wadsworth is hereby awarded all right, title and interest in the
19 following described real property:

20 The South 15 feet of Lots 3 and 4, Short Plat No. 96-031, approved September 8, 1999,
21 recorded September 9, 1999 under Auditor's File No. 199909090091, and being a portion
22 of the NE ¼ of the SW ¼ and of Government Lot 3 of Section 7, Township 35 N., Range
23 5 E., W. M., situated in Skagit County, Washington.

24 All right, title, and interest in and to the above-described real property is hereby quieted
25 in Plaintiff Dean K. Wadsworth. Said real property shall be combined with adjoining property of
26 Dean K. Wadsworth, and shall not constitute a separate building lot without compliance with the
27 applicable ordinances of Skagit County regarding the subdivision of real property.

28 2. Dean K. Wadsworth is hereby awarded a permanent easement for a well-head
protection zone on that portion of Lot 4 Short Plat No. 96-031, retained by Defendant, measured
100 feet in radius from Wadsworth's existing well located on adjacent property, as the same is
now situated. The Defendants shall not use the area within the wellhead protection zone for
septic purposes or other purpose inconsistent with or prohibited in a wellhead protection zone.
This easement shall terminate if the well is intentionally abandoned by Plaintiff.



PATRICK M. HAYDEN

LAWYER

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P. O. BOX 454
SEDRO-WOOLLEY, WASHINGTON 98284
(360) 855-1811

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3. Dean K. Wadsworth is hereby awarded a temporary easement for any part of his existing drain-field as the same is situated on that portion of Lot 4 retained by Defendants, which easement shall terminate two (2) years from the date of this judgment.

4. That portion of the South 15 feet of Lot 3 described above, awarded to Dean K. Wadsworth shall be subject to a permanent wellhead protection easement for the existing well on Lot 3, reserved to Defendants, measured 100 feet from the existing well located on Lot 3, as the same is now situated. The Plaintiff shall not use the area within this wellhead protection easement for septic purposes or other purpose inconsistent with or prohibited in a wellhead protection zone, except for grazing of livestock. This easement shall terminate if the well is intentionally abandoned by Defendant.

5. Defendant Custom Pumping, Inc. shall relocate the existing barbed wire fence to the North boundary of the real property described in II (1) above within 60 days. Dean K. Wadsworth shall pay one-half of any out-of-pocket cost for this work actually incurred by Custom Pumping, Inc., not to exceed \$300.00. The fence shall be owned in common by Dean K. Wadsworth and Custom Pumping, Inc., and shall be rebuilt to the same or better condition as now exists; provided, that the end-bracing shall be built to the design specified by Dean K. Wadsworth, and the barbed wire shall be located on the South side of the fence. Either party may add additional wire or posts to the fence.

6. Each and all of the Defendants above-named, and all persons claiming under the Defendants, or any of them, subsequent to the filing of the Notice of Pendency of this action on February 1, 2000 under Skagit County Auditor's File No. 200002010106 are hereby forever barred from having or asserting any right, title, estate, lien, or interest in the property, or any party thereof, adverse to the award to Plaintiff as set forth herein.

7. The rights and interests awarded herein shall inure to the heirs, devisees, assigns and successors of the parties, and may be enforced by specific performance, as well as any other relief, legal or equitable, available to the parties.

8. Each party shall pay their own costs and attorney fees herein. The remaining claims and counterclaims of the parties are dismissed with prejudice.

Dated this 25 day of [Signature], 2000.

[Signature]

Judge/Commissioner



1 Presented by: *DRW*

2 *[Signature]*
3 PATRICK M. HAYDEN, WSBA # 11061
4 Attorney for Plaintiff

5 Approved for Entry;
6 Notice of Presentation Waived:

7 *[Signature]*
8 NANCY C. IVARINEN, WSBA # 21512
9 Of the Law Office of David L. Day
10 Attorney for Defendants
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, Skagit County Auditor

UNOFFICIAL DOCUMENT

State of Washington, }
County of Skagit } ss.

I, Phyllis Coole-McKeehan, County Clerk of Skagit
County and ex-officio Clerk of the Superior Court
of the State of Washington for the County of Skagit,
do hereby certify that the foregoing instrument is a
true and correct copy of the original, consisting of
4 pages now on file in my office.

TESTIMONY WHEREOF, I have hereunto set
my hand and official seal of office at Skagit
County, Washington, this 26th day of October
2000.

By Bernice J. Watson
Deputy Clerk



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, Skagit County Auditor