



200509140136
Skagit County Auditor

9/14/2005 Page 1 of 6 1:32PM

Return Address:

Bruce Fine
AIKEN & FINE, P.S.
2131 Second Avenue
Seattle, WA 98121

DOCUMENT TITLE(S): Order of Default and Judgment
Reference numbers of related documents: Deed of Trust #2010203067 (Whatcom County Auditor); Deed of Trust #200102270080 (Skagit County Auditor)
Debtor(s): 1. Theron E. Wing and Mary D. Wing, husband and wife
Creditor(s): 1. Bel Air & Briney
Legal Description: Whatcom: Unit No. 27, Golden Tides Condominium Skagit: Ptn Lot 5, Lots 6-10, Blk 1, Martin & Bailey's Add. And Ptn Gov. Lot 4 & Ptn SW 1/4 of NW 1/4, 4-34-5 E W.M.
Assessor's Property Tax Parcel Account Numbers: Whatcom: 400130 089285 0026 Skagit: 340504-2-001-0006 3950-001-006-0006 3950-001-010-0000
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.

05 SEP 19 11:11:12

CLERK OF SUPERIOR COURT
COUNTY OF WHATCOM

BY *[Signature]*

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

BEL AIR & BRINEY, a general partnership

Plaintiff,

vs.

THERON E. WING and MARY D. WING,
husband and wife, City of Mount Vernon,

Defendants.

NO. 05 2 00998 1

JUDGMENT AND DECREE OF
FORECLOSURE; ORDER ON
PLAINTIFF'S MOTION FOR SALE
REQUIREMENTS
[AGREED]

JUDGMENT SUMMARY

Judgment Creditor:	BEL AIR & BRINEY, a general partnership
Attorney for Judgment Creditor:	Bruce Fine of Aiken & Fine, P.S.
Judgment Debtors:	THERON E. WING and MARY D. WING, husband and wife
Principal Judgment Amount:	\$ 284,679.86
Interest to August 19, 2005:	\$ 139,936.96
Attorney Fees:	\$ 2500.00
Costs:	\$ 270.00
Other Recovery Amounts:	
Title Report	\$ 1,480.00

Principal judgment amount shall bear interest at 24% per annum from August 19, 2005. Attorney's fees, costs and other recovery amounts shall bear interest at 24% per annum from judgment date.

AIKEN & FINE, P.S.
Attorneys at Law
2131 Second Avenue



1 THIS MATTER having come on regularly and the court having reviewed Plaintiff's Motion for
2 Summary Judgment, the Declaration of Nick Briney, and the Declaration of Counsel; and the court having
3 reviewed the Defendant's concurrent Motion for Order Setting Hearing for Setting Upset Price, Requiring
4 Sale in Parcels, and Imposing Sale Requirements, and the Court being fully advised, now, therefore, it is
5 hereby ORDERED

6 1. that Judgment is hereby awarded in favor of Plaintiff, BEL AIR & BRINEY, a general partnership,
7 against Defendants, THERON E. WING and MARY D. WING, husband and wife, individually and their
8 marital community, jointly and severally, in the sum of \$284,679.86, plus interest to August 19, 2005, in the
9 sum of \$139,936.96, court costs in the sum of \$270.00, cost of title report in the sum of \$1480.00, and
10 reasonable attorney's fees in the sum of \$2500.00; and it is further

11 2. that Plaintiff's Deed of Trust dated February 20, 2001, executed by Defendants THERON E.
12 WING and MARY D. WING, husband and wife, as grantor and recorded under Whatcom County Auditor's
13 File No. 2010203067 and under Skagit County Auditor's File No. 200102270080 is a valid first position
14 security interest in the real property hereafter described, that Plaintiff's Deed of Trust is hereby foreclosed
15 as a mortgage, and shall be sold in the manner provided by law extinguishing the interests of Defendants,
16 and all who have any interest by, through or under them, save only the statutory right of redemption, and that
17 a judgment for the deficiency survive the sale. The real property encumbered by Plaintiff's Deed of Trust
18 and to which this order applies is described as follows:

19 WHATCOM COUNTY PROPERTY:

20 Unit No. 27, of Golden Tides Condominium, according to the Amended Declaration thereof,
21 recorded under Auditor's File No. 1487797 and Survey Map and Plans thereof recorded in
22 Volume 4 of Condominium, Pages 129 through 131, Records of Whatcom County,
23 Washington. Situate in Whatcom County, Washington.
24
25



1 SKAGIT COUNTY PROPERTY:

2 PARCEL A:

3 The West 15 feet of Lot 5 and all of Lots 6, 7, 8, 9 and 10, Block 1, "MARTIN &
4 BAILEY'S ADDITION TO WEST MT. VERNON, SKAGIT COUNTY, WASH.", as per
5 plat recorded in Volume 1 of Plats, page 48, records of Skagit County, Washington.

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

7 PARCEL B:

8 That portion of Government Lot 4 (Northwest 1/4 of the Northwest 1/4) and of the North
9 1/2 of the Southwest 1/4 of the Northwest 1/4, Section 4, Township 34 North, Range 5 East,
10 W.M., lying Southerly and Easterly of the former 40 foot railroad right of way of Clear Lake
11 Lumber Company, (now used for road purposes) and as same existed on June 23, 1928 and
12 described in deed recorded in Volume 148 of Deeds, page 246, records of Skagit County,
13 Washington; EXCEPT any portion lying Northerly of the Southerly line of County Road as
14 conveyed to Skagit County, WA by deed recorded in Volume 144 of Deeds, page 544.

15 Situate in the County of Skagit, State of Washington.

16 3. that Orders of Sale shall issue providing for the following:

17 a. the Sheriff of Skagit County shall sell the Skagit County Property, above described, in
18 parcels, with Parcel A to be sold first and Parcel B to be sold immediately thereafter if the sale of
19 Parcel A does not generate sufficient proceeds to satisfy the judgement and costs of sale;

20 b. if the sales of the Skagit County Property do not generate sufficient proceeds to satisfy
21 the judgement and costs of sale, and the judgement is not otherwise satisfied, an order of sale shall
22 issue, not sooner than one week after the sales of the Skagit County Property, directing the Sheriff
23 of Whatcom County to sell the Whatcom County Property, above described;

24 c. publication of notice of the foregoing sales shall be in a legal newspaper in the county in
25 which the property to be sold is located.

4. that Defendant's motion for upset price proceedings is deferred and may be renoted after

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1 the foregoing sales and prior to confirmation.

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3 DATED: 8/12/05

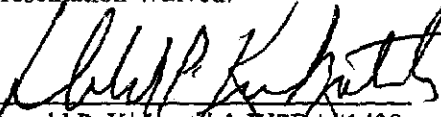
4 JUDGE

5
6 Presented by:

7 AIKEN & FINE, P.S.

8
9 
Bruce Fine, WSBA # 758
Attorney for Plaintiff

10 Approved for Entry; Notice of
11 Presentation Waived:

12 
13 Donald P. Kirkpatrick WSBA #1439
14 Attorney for Defendants/Wing

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JUDGEMENT AND RELATED ORDERS

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AIKEN & FINE, P.S.



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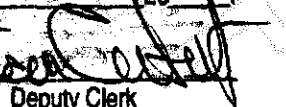
9/14/2005 Page 5 of 6 1:32PM

UNOFFICIAL DOCUMENT

State of Washington,)
County of Whatcom) SS.

I, N.F. Jackson, Jr., County Clerk of Whatcom county and ex-officio Clerk of the Superior Court of the State of Washington, for the County of Whatcom, 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, and that the undersigned has the custody thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at my office at Bellingham this 8 day of SEPT 2005.
N.F. Jackson, Jr., County Clerk


Deputy Clerk



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