

AFTER RECORDING MAIL TO:

Mervyn C. Thompson

709 South First Street

Mount Vernon, WA 98273



201306120085

Skagit County Auditor

\$78.00

6/12/2013 Page

1 of

7 1:08PM

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

20132204  
JUN 12 2013

Amount Paid \$  
Skagit Co. Treasurer

By *Mam* Deputy

Grantor:

ESTATE OF ROBERT C. DARES, deceased

Grantee:

JOANN DARES

Abbreviated

Legal Description:

SKAGIT BOWMAN'S C.S.H.W.F PLAT to ANA. W 1/2 LT 3  
ALL LTS 4 and 5 TGW PTN N 1/2 VAC ALLEY ADJ ORD =  
1746 BLK 14

Assessor's Parcel Number: P56838

**QUIT CLAIM DEED**

THE GRANTOR, ESTATE OF ROBERT C. DARES, deceased, pursuant to Court Order (Attached hereto as Exhibit A) and no monetary consideration, conveys and quit claims to the GRANTEE, JOANN DARES, the following described real estate, situated in the County of Skagit, State of Washington, together with all after acquired title of the grantor therein:

THE WEST 1/2 OF LOT 3 AND ALL OF LOTS 4 AND 5, BLOCK 14, "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT CO., WASHINGTON" AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 33, RECORDS OF SKAGIT COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF THE ADJACENT ALLEY, VACATED JULY 3, 1978, BY CITY OF ANACORTES ORDINANCE NO. 1746, AS WOULD ATTACH BY OPERATION OF LAW;

SITUATE IN THE CITY OF ANACORTES, COUNTY OF SKAGIT, STATE OF WASHINGTON.

IN WITNESS WHEREOF, the undersigned Grantors have executed this instrument this 11 day of June, 2013.

Joann Dares

JOANN DARES, as Co-Personal Representative of the Estate of Robert C. Dares,  
deceased

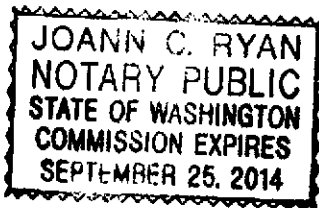
Bonnie Dares

BONNIE DARES, as Co-Personal Representative of the Estate of Robert C. Dares,  
deceased

STATE OF }  
WASHINGTON } ss.  
COUNTY OF SKAGIT }

I certify that I know or have satisfactory evidence that JOANN DARES is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Co-Personal Representative of the Estate of Robert C. Dares, deceased, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 11 day of June, 2013.



Joann C. Ryan  
JOANN C. RYAN

Printed Name

NOTARY PUBLIC in and for the State of Washington  
My Commission Expires 9-25-14

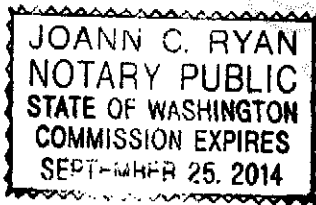


STATE OF  
WASHINGTON  
COUNTY OF SKAGIT

} SS.

I certify that I know or have satisfactory evidence that BONNIE L. DARES is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Co-Personal Representative of the Estate of Robert C. Dares, deceased, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 11 day of June, 2013.



*Joann C. Ryan*  
Printed Name

Joann C. Ryan  
NOTARY PUBLIC in and for the State of Washington

My Commission Expires 9-25-14



Below is the Order of the Court.



*Karen A. Overstreet*

Karen A. Overstreet  
U.S. Bankruptcy Judge  
(Dated as of Entered on Docket date above)

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IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON

In re	)	Chapter 13
JOANN DARES,	)	
<i>Debtor.</i>	)	Bankruptcy Case No. 11-13360
_____	)	
	)	Adv. Proc. No. 11-01905
COLUMBIA BANK,	)	
<i>Plaintiff,</i>	)	STIPULATION AND ORDER
	)	
v.	)	
	)	
JOANN DARES,	)	
<i>Defendant.</i>	)	
_____	)	

STIPULATION

**THIS STIPULATION** is entered into this 16<sup>th</sup> day of April, 2012, by and between the plaintiff Columbia Bank by counsel John Schultz and David Day, and the defendant JoAnn Dares, by counsel Steven Hathaway, Brian Hansen and Mervyn Thompson.

**WHEREAS** defendant Joann Dares executed various documents which obligated her in different capacities as borrower, co-borrower or guarantor on certain secured loans and unsecured loans obtained from Summit Bank (predecessor to Columbia Bank).

STIPULATION AND ORDER



**WHEREAS** the various loans went into default causing plaintiff Columbia Bank, as successor in interest to Summit Bank, to begin pursuing collection against defendant Joann Dares including initiating litigation in Skagit County Superior Court under cause number 10-2-02265-4.

**WHEREAS** defendant Joann Dares commenced the underlying Chapter 13 bankruptcy proceeding on March 25, 2011 which imposed the automatic stay and caused plaintiff Columbia Bank to discontinue its collection efforts on the defaulted loan obligations.

**WHEREAS** defendant Joann Dares resides at 305 5th Street, Anacortes, Washington, which was her sole and separate property until she transferred her interest in the property to her deceased husband Robert Dares by quit claim deed dated July 14, 2010 which was recorded on July 16, 2010 under Skagit County Auditors recording number 201007160031.

1 **WHEREAS** plaintiff Columbia Bank commenced the above referenced adversary  
2 proceeding for purposes of determining the liability of defendant Joann Dares on the defaulted  
3 loan obligations, to foreclose deeds of trust securing the defaulted loan obligations and to avoid  
4 the transfer to Robert Dares of the 305 5th Street, Anacortes, Washington, property.

5 **WHEREAS** plaintiff Columbia Bank and defendant Joann Dares have by a separate  
6 written agreement reached a full and complete settlement and compromise of all claims, disputes,  
7 and controversies between them concerning the personal liability of defendant Joann Dares to the  
8 defaulted loan obligations and plaintiff Columbia Bank's right to foreclose certain deeds of trust.

9 **WHEREAS** because of the settlement by separate written agreement plaintiff Columbia  
10 Bank and defendant Joann Dares stipulate and agree that all causes of action contained in the  
11 complaint concerning the defaulted loan obligations and plaintiff Columbia Bank's right to  
12 foreclose on the deeds of trust securing those defaulted loan obligations should be dismissed.

13 **WHEREAS** plaintiff Columbia Bank and defendant Joann Dares further stipulate and  
14 agree that the statutory elements of a fraudulent transfer under 11 U.S.C. § 548 are present and  
15 that the conveyance of the 305 5th Street, Anacortes, Washington, from Defendant JoAnn Dares  
16 to Robert Dares by quit claim deed dated July 14, 2010 which was recorded on July 16, 2010  
17 under Skagit County Auditors recording number 201007160031 should be avoided.



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18 Skagit County Auditor \$78.00  
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20 STIPULATION AND ORDER

STEVEN C. HATHAWAY  
3811 CONSOLIDATION AVE.  
BELLINGHAM, WA 98227  
(360) 676-0529

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Dated: 4/24/12

/s/ David L. Day  
David L. Day, WSBA# 8361, Attorney for Plaintiff

Dated: 4/23/12

/s/ John A. Shultz  
John A. Shultz, WSBA# 42542, Attorney for Plaintiff

Dated: 4/18/12

/s/ Steven C. Hathaway  
Steven C. Hathaway, WSBA# 24971, Attorney for Defendant

Dated: 4/18/12

/s/ Brian L. Hansen  
Brian L. Hansen , WSBA# 7643, Attorney for Defendant

Dated: 4/26/12

/s/ Mervyn C. Thompson  
Mervyn C. Thompson, WSBA# 26991, Attorney for Defendant

**ORDER**

**THIS MATTER** came before the Court by stipulation of counsel for plaintiff Columbia Bank and counsel for defendant Joann Dares to resolve an adversary proceeding seeking determination of the liability of defendant Joann Dares on certain defaulted loan obligations, to foreclose certain deeds of trust securing said defaulted loan obligations and to avoid the transfer of 305 5th Street, Anacortes, Washington, from defendant JoAnn Dares to Robert Dares. The Court having reviewed the order and finding that the parties have stipulated to a resolution of the adversary proceeding and the Court finding that it is a fair and reasonable resolution and is consistent with the terms of the bankruptcy code. **NOW, THEREFORE**, it is hereby

**ORDERED** that the conveyance from defendant JoAnn Dares to Robert Dares by quit claim deed dated July 14, 2010 which was recorded on July 16, 2010 under Skagit County Auditors recording number 201007160031 is hereby **VOIDED** and adjudged null and ineffective and the transfer shall be stricken from the Skagit County, Washington, Auditor records and the Skagit County, Wasington, Assessor records. It is further

**ORDERED** that all other causes of action contained in the plaintiff's complaint shall be, and hereby are, dismissed.

STIPULATION AND ORDER



/// End of Order///

Presented by:

/s/ Steven C. Hathaway

Steven C. Hathaway, WSBA# 24971  
Attorney for Defendant

Agreed, Notice of Presentment Waived:

1 /s/ Brian L. Hansen

2 Brian L. Hansen , WSBA# 7643  
3 Attorney for Defendant

4 Agreed, Notice of Presentment Waived:

5  
6 /s/ Mervyn C. Thompson

7 Mervyn C. Thompson, WSBA# 26991  
8 Attorney for Defendant

9 Agreed, Notice of Presentment Waived:

10  
11 /s/ John A. Shultz

12 John A. Shultz, WSBA# 42542  
13 Attorney for Columbia Bank

14 Agreed, Notice of Presentment Waived:

15 /s/ David L. Day

16 David L. Day, WSBA# 8361  
17 Attorney for Columbia Bank

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19 STIPULATION AND ORDER  
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