

FILED FOR RECORD AT THE
REQUEST OF/RETURN TO:
Craig E. Cammock
Skagit Law Group, PLLC
P.O. Box 336 / 227 Freeway Drive, Suite B
Mount Vernon, WA 98273



201403040021

Skagit County Auditor \$80.00
3/4/2014 Page 1 of 9 10:47AM

Document Title: Stipulated Order Granting Summary Judgment
and Decree of Foreclosure

Grantors: JAMES O. WATTS and MARGUERITE J. WATTS,
husband and wife, individually, and the marital
community of them composed;
BENEFICIAL WASHINGTON, INC., d/b/a
BENEFICIAL MORTGAGE CO. OF WASHINGTON,
a Delaware corporation;
STATE OF WASHINGTON

Grantee: MARJORIE J. WADE, as personal representative of
the ESTATE OF ROBERT F. WADE, deceased

Additional Grantor(s) on page(s):
Additional Grantee(s) on page(s):

Abbreviated Legal: Lot 17, Sahlbom Annex

Additional Legal on page(s): Page 2 of the attached

Assessor's Tax Parcel No.: P106890 / 4631-000-017-0006

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SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

MARJORIE J. WADE, as Personal Representative of the ESTATE OF ROBERT F. WADE, Deceased, Plaintiff,

vs.

JAMES O. WATTS and MARGUERITE J. WATTS, husband and wife, individually, and the marital community of them composed, BENEFICIAL WASHINGTON, INC., d/b/a BENEFICIAL MORTGAGE CO. OF WASHINGTON, a Delaware corporation, CITY OF BURLINGTON, a municipal corporation, STATE OF WASHINGTON, and ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, ESTATE, LIEN OR INTEREST IN THE REAL ESTATE DESCRIBED IN THE COMPLAINT, Defendants.

Case No.: 13-2-00583-5

STIPULATED ORDER GRANTING SUMMARY JUDGMENT AND DECREE OF FORECLOSURE

(clerk's action required)

OK OK

JUDGMENT SUMMARY

| | |
|----------------------------|--|
| Judgment Creditor: | MARJORIE J. WADE, as Personal Representative of the ESTATE OF ROBERT F. WADE, Deceased |
| Judgment Debtors: | JAMES O. WATTS and MARGUERITE J. WATTS, husband and wife, individually, and the marital community of them composed |
| Principal Judgment Amount: | \$249,557.84 |

STIPULATED ORDER GRANTING SUMMARY JUDGMENT AND DECREE OF FORECLOSURE - 1

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1 Interest (as of 1-2-2014): \$29,895.08
2 Attorney's Fees: \$12,687.50
3 Costs: \$1,917.91
4 Interest Rate after Judgment: 12% per annum from 2-6-2014 until fully paid
5 Other Recovery Amounts: \$

6 Attorney for Judgment Creditor: Craig E. Cammock
7 Skagit Law Group, PLLC
8 P. O. Box 336
9 227 Freeway Drive, Suite B
10 Mount Vernon, WA 98273

11 Address for Judgment Debtors: 1095 Crystal Court
12 Burlington, WA 98233

13 Real property subject to this action:

14 Lot 17, "PLAT OF SAHLBOM ANNEX," as per plat recorded in Volume 15 of Plats,
15 pages 179 and 180, records of Skagit County, Washington. Situate in the County of
16 Skagit, State of Washington.

17 The real property is identified by Skagit County Assessor's tax account number 4631-
18 000-017-0006 and parcel number P106890.

19 COMES NOW the Plaintiff, MARJORIE J. WADE, as Personal Representative of the
20 ESTATE OF ROBERT F. WADE, Deceased, by and through her attorney, Craig Cammock of
21 Skagit Law Group, PLLC and the Defendants, James O. Watts and Marguerite J. Watts,
22 husband and wife, individually, and the marital community of them composed, pro se, all of
23 whom hereby stipulate to entry of this order.

24 The court, having reviewed the records and files herein, and considered the pleadings
25 filed in this action, including the Affidavit of Marjorie J. Wade and the Affidavit Regarding
Fees and Costs.

Based on the stipulation of the parties hereto, the court finds that there are no genuine
issues of material fact and that Plaintiff is entitled to foreclose on its beneficial interest in the

STIPULATED ORDER GRANTING SUMMARY
JUDGMENT AND DECREE OF FORECLOSURE - 2

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1 real property which is subject to this action, which real property is described in paragraph 3
2 below. The court also finds that the Deed of Trust and Real Estate Mortgages held by the
3 Plaintiff are valid encumbrances on that real property and subject to foreclosure in this action.
4 The court has also entered orders of default against defendants BENEFICIAL WASHINGTON,
5 INC., d/b/a BENEFICIAL MORTGAGE CO. OF WASHINGTON, a Delaware corporation,
6 and the STATE OF WASHINGTON.

7 Based upon the above stipulation and findings, IT IS ORDERED:

8 1. That the Plaintiff, MARJORIE J. WADE, as Personal Representative of the
9 ESTATE OF ROBERT F. WADE, Deceased, is hereby awarded judgment against the
10 Defendants, JAMES O. WATTS and MARGUERITE J. WATTS, husband and wife,
11 individually, and the marital community composed thereof, and against the real property legally
12 described in paragraph 3 below, in the amount of \$249,557.84, together with accrued interest
13 thereon in the amount of \$29,895.08 as of January 2, 2014 and together with interest at a rate of
14 12% from and after January 2, 2014, together with any other additional advances, together with
15 attorney's fees in the amount of \$12,687.50, and together with Plaintiff's costs and
16 disbursements in the amount of \$1,917.91; and

17 2. That Plaintiff's total judgment against said Defendants shall bear interest at the
18 rate of 12% per annum from the date of judgment until paid in full; and

19 3. That Plaintiff's Deed of Trust, which Deed of Trust was recorded on
20 February 28, 1997 with the Auditor of Skagit County, Washington under File No. 9702280056
21 ("Deed of Trust), is hereby adjudged and decreed to be a valid, first, and paramount lien upon
22 the real property, and the whole thereof, superior to any and all right, title, claim, interest, lien,
23 or estate of the Defendants, JAMES O. WATTS and MARGUERITE J. WATTS, husband and
24

25 STIPULATED ORDER GRANTING SUMMARY
JUDGMENT AND DECREE OF FORECLOSURE - 3

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1 wife, individually, and the marital community composed thereof, or of anyone claiming by,
2 through, or under them, subsequent to the execution of Plaintiff's Deed of Trust, (except for the
3 Defendant City of Burlington's sewer liens if any remain outstanding as of the date of this
4 judgment), in and to the real property which is legally described as follows securing the
5 payment of the judgment:

6
7 Lot 17, "PLAT OF SAHLBOM ANNEX," as per plat recorded in
8 Volume 15 of Plats, pages 179 and 180, records of Skagit County,
9 Washington.

10 Situate in the County of Skagit, State of Washington,

11 The real property is identified by Skagit County Assessor's parcel number P106890 and
12 tax identification number 4631-000-017-0006.

13 4. That the Plaintiff's Deed of Trust is hereby foreclosed and said real property
14 shall be sold by the Sheriff of Skagit County, Washington, in the manner provided by law for
15 foreclosures and in accordance with the practice of this court; and

16 5. That the proceeds of such sale shall be applied toward the payment of the
17 judgment, interest, attorneys' fees, costs, and increased costs and interest; and

18 6. That Plaintiff is permitted to become bidder and purchaser at such sale and may
19 credit bid all or any portion of the amount owed to Plaintiff without requirement of depositing
20 cash or other funds in the amount of such credit bid; and

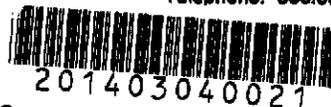
21 7. That none of the Defendants or any person claiming by, through, or under them
22 is entitled to possession of the premises after the sale and that the purchaser at such sale shall
23 be adjudged entitled to the sole and exclusive possession thereof, together with rents, issues,
24 and profits arising therefrom; and

25 STIPULATED ORDER GRANTING SUMMARY
JUDGMENT AND DECREE OF FORECLOSURE - 4

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1 8. That the purchaser at such sale shall be forthwith let into immediate possession
2 of the real property identified in paragraph 3 above; and

3 9. In the event Plaintiff is the purchaser at said sale, and in the event Plaintiff is
4 entitled to possession of said premises and the same is not surrendered to Plaintiff, a Writ of
5 Restitution shall be issued forthwith, and the Sheriff of Skagit County, Washington, shall
6 deliver possession of said premises (including fixtures) to Plaintiff; and

7 10. That Plaintiff has not waived its right to a deficiency judgment. Plaintiff and
8 Defendants JAMES O. WATTS and MARGUERITE J. WATTS, husband and wife,
9 individually, and the marital community composed thereof have agreed with Plaintiff that a
10 deficiency judgment should enter for the agreed amount of \$40,000.00 regardless of the sale
11 price of the property at the Sheriff's sale. Therefore, the Plaintiff is hereby awarded a
12 deficiency judgment in the amount of \$40,000.00 regardless of the sale price of the property at
13 the Sheriff's sale. Plaintiff shall have the unconditional right to entry of a separate deficiency
14 judgment in the amount of \$40,000.00 at any time after the Sheriff's sale upon request by
15 Plaintiff; and

16 11. That Defendants JAMES O. WATTS and MARGUERITE J. WATTS, husband
17 and wife, individually, and the marital community composed, hereby waive and forever release
18 any and all statutory, common law or other rights of redemption in the real property, including
19 but in no way limited to those arising under RCW 6.23 et seq. and that all right, title, estate,
20 claim, lien, or interest of the Defendants JAMES O. WATTS and MARGUERITE J. WATTS,
21 husband and wife, individually, and the marital community composed, or any of them, in and to
22 the above described real estate, or any part thereof, is inferior and subordinate to Plaintiff's real
23 property Deed of Trust lien and is hereby forever foreclosed

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25 STIPULATED ORDER GRANTING SUMMARY
JUDGMENT AND DECREE OF FORECLOSURE - 5

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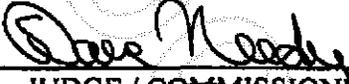


OK OK

1 12. That all right, title, estate, claim, lien, or interest of the Defendants, or any of
2 them, and all of the persons claiming by, through, or under them, or any of them, subsequent to
3 the execution of the Plaintiff's Deed of Trust in and to the above described real estate, or any
4 part thereof, is inferior and subordinate to Plaintiff's real property Deed of Trust lien and is
5 hereby forever foreclosed (except only for statutory rights of redemption allowed by law to all
6 parties other than Defendants Walts); and

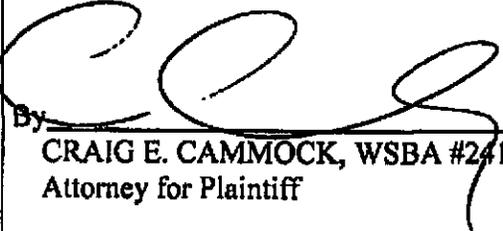
7 13. That any and all persons acquiring any right, title, estate, claim, lien, or interest
8 in and to the real property above described, or any part thereof, and any and all persons
9 claiming any right, title, estate, claim, lien, or interest in and to the real property above
10 described, or any part thereof, subsequent to the recording of the Plaintiff's Deed of Trust on
11 the 28th day of February, 1997, which is foreclosed herein, be, and they hereby are, forever
12 foreclosed of any such right, title, estate, claim, lien, or other interest as against Plaintiff in this
13 action.

14
15 DONE IN OPEN COURT this 6 day of Feb, 2014.

16
17 
18 _____
19 JUDGE / COMMISSIONER

20 Presented by:

21 SKAGIT LAW GROUP, PLLC

22 
23 By _____
24 CRAIG E. CAMMOCK, WSBA #24185
25 Attorney for Plaintiff

STIPULATED ORDER GRANTING SUMMARY
JUDGMENT AND DECREE OF FORECLOSURE - 6

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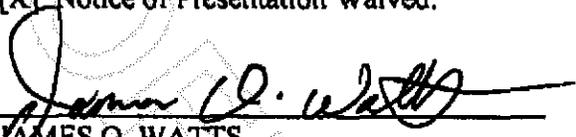
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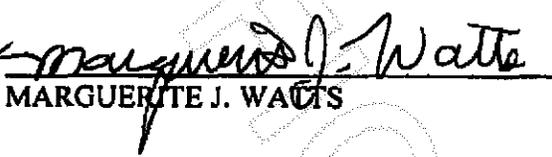
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2 [X] Copy received this 5 day of February, 2014;
3 [X] Stipulated to and approved for entry;
4 [X] Notice of Presentation Waived.

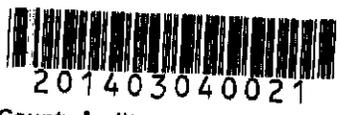
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6 JAMES O. WATTS

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8 MARGUERITE J. WATTS

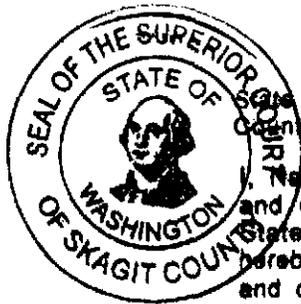
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25 STIPULATED ORDER GRANTING SUMMARY
JUDGMENT AND DECREE OF FORECLOSURE -7

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UNOFFICIAL DOCUMENT



State of Washington, } ss.
County of Skagit

I, Nancy K. Scott, 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 7 pages, now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at my office at Mount Vernon this 27 day of Feb, 2014 Nancy K. Scott, County Clerk.

By [Signature]
Deputy Clerk



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