

**WHEN RECORDED RETURN TO:**

McCarthy Holthus, LLP  
108 1<sup>st</sup> Ave S Ste 300  
Seattle, WA 98104



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Skagit County Auditor

**DOCUMENT TITLE(S)**

Judgment

**REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:**

Trustee's Deed 201103300140, Re-recorded 201110210046

**PLAINTIFF(S):**

Ditech Financial LLC, Federal National Mortgage Association

**DEFENDANT(S):**

Cheryl L. Trueman, Unit Owners Association of Park Lane Condominium,  
Christiana Trust, a Division of Wilmington Savings Fund Society, FSB as Trustee for the Knoxville  
2012 Trust

**ABBREVIATED LEGAL DESCRIPTION:**

Unit 3301-B (formerly shown on plats and records as "Unit D, Building 3301" and "Unit 3301-D") PARK LANE CONDOMINIUM PHASE 1 according to the Declaration thereof recorded August 23, 2005 under Auditor's File No. 200508230145, and the Amendment thereof recorded September 15, 2005 under Auditor's File No. 200509150004, and the correction survey thereof recorded April 17, 2007, under Auditor's File No. 200704120145, (amending, among other things, certain unit number designations) and map and plans thereof recorded August 23, 2005, under Auditor's File No. 200508230144, records of Skagit County, Washington being a portion of Lots C15 and C16, Maddox Creek P.U.D., Phase 3, according to the plat thereof recoded August 14, 2000, under Auditor's File No. 200008140137, records of Skagit County, Washington and the Northeast quarter of Section 28, Township 34 North, Range 4 East of the Willamette Meridian. Situated in Skagit County, Washington.

**TAX PARCEL NUMBER(S):**

P122526 (4869-000-007-0000)

FILED  
SKAGIT COUNTY CLERK  
SKAGIT COUNTY, WA

2018 OCT 26 AM 9:42

1 I, MAVIS E. BETZ, Clerk of the Superior Court of  
2 the State of Washington, for Skagit County, do  
3 hereby certify that this is a true copy of the original  
4 now on file in my office. Dated 10-26-18



MAVIS E. BETZ, County Clerk

By: Paul  
Deputy Clerk

7 IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON  
8 FOR SKAGIT COUNTY

10 DITECH FINANCIAL LLC, a Delaware Limited Liability  
11 Company, FEDERAL NATIONAL MORTGAGE  
12 ASSOCIATION, a corporation existing under the laws of  
13 the United States of America;

Case No. 17-2-00588-9

13 Plaintiff,

JUDGMENT

14 v.

15 CHERYL L. TRUEMAN, an unmarried individual; UNIT  
16 OWNERS ASSOCIATION OF PARK LANE  
17 CONDOMINIUM, a Washington Non-Profit Corporation,  
18 CHRISTIANA TRUST, A DIVISION OF  
19 WILMINGTON SAVINGS FUND SOCIETY, FSB AS  
20 TRUSTEE FOR THE KNOXVILLE 2012 TRUST

19 Defendants.

21 THIS MATTER has come before the Court on the Plaintiffs, Ditech Financial, LLC, and  
22 Federal National Mortgage Association, and defendants Cheryl L. Trueman, and Unit Owners  
23 Association of Park Lane Condominium's Stipulated Order.

24 THIS MATTER has further come before the Court on the Plaintiffs, Ditech Financial,  
25 LLC, and Federal National Mortgage Association's Motion for an Order of Default as to the  
26 remaining defendant, Christiana Trust, a Division of Wilmington Savings Fund Society, FSB as  
27 Trustee for the Knoxville 2012 Trust.

1 THIS MATTER has additionally come before the Court on the Plaintiffs, Ditech  
2 Financial, LLC, and Federal National Mortgage Association's Motion for a Judgment. This  
3 Judgment is based on the Stipulated Order among the Plaintiffs and defendants, Cheryl L.  
4 Trueman, and Unit Owners Association of Park Lane Condominium ("Stipulating Defendants").  
5 This Judgment is further based on the Order of Default as to the remaining defendant, Christiana  
6 Trust, a Division of Wilmington Savings Fund Society, FSB as Trustee for the Knoxville 2012  
7 Trust.  
8

9 The Court having reviewed the Stipulated Order as to the Stipulating defendants, and the  
10 Motion for an Order of Default and Judgment, and the Court being fully advised of the matter,

11 NOW THEREFORE:

12 IT IS ORDERED, ADJUDGED AND DECREED that:

13  
14  
15 1. This action involves the real property currently commonly known as 3301 Park  
16 Lane, Unit B, Mount Vernon, WA 98274, ("Property"), and currently legally described as:

17 UNIT 3301-B (FORMERLY SHOWN ON PLATS AND RECORDS AS "UNIT  
18 D, BUILDING 3301" AND "UNIT 3301-D"), PARK LANE CONDOMINIUM  
19 PHASE 1, ACCORDING TO THE DECLARATION THEREOF RECORDED  
20 AUGUST 23, 2005 UNDER AUDITOR'S FILE NO. 200508230145, AND THE  
21 AMENDMENT THEREOF RECORDED SEPTEMBER 15, 2005 UNDER  
22 AUDITOR'S FILE NO. 200509150004, AND THE CORRECTION SURVEY  
23 THEREOF RECORDED APRIL 17, 2007, UNDER AUDITOR'S FILE NO.  
24 200704120145, (AMENDING, AMONG OTHER THINGS, CERTAIN UNIT  
25 NUMBER DESIGNATIONS) AND MAP AND PLANS THEREOF  
26 RECORDED AUGUST 23, 2005, UNDER AUDITOR'S FILE NO.  
27 200508230144, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING A  
28 PORTION OF LOTS C15 AND C16, MADDOX CREEK P.U.D., PHASE 3,  
ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 14, 2000,  
UNDER AUDITOR'S FILE NO. 200008140137, RECORDS OF SKAGIT  
COUNTY, WASHINGTON AND THE NORTHEAST QUARTER OF  
SECTION 28, TOWNSHIP 34 NORTH, RANGE 4 EAST OF THE  
WILLAMETTE MERIDIAN, SITUATED IN SKAGIT COUNTY,  
WASHINGTON.

- 1           2.       Defendant, Cheryl L. Trueman obtained title to the Property via a Statutory  
2 Warranty Deed recorded on August 31, 2006. ("2006 Statutory Warranty Deed")
- 3           3.       The legal description of the Property as listed in the 2006 Statutory Warranty  
4 Deed is:  
5
- 6           "Unit D, Building 3301, PARK LANE CONDOMINIUM PHASE 1, according to  
7 the Declaration thereof recorded August 23, 2005, under Auditor's File No.  
8 200508230145, and the first amendment thereto recorded September 15, 10025,  
9 [sic] under Auditor's File No. 200509150004, and map and plans thereof recorded  
10 August 23, 2005, under Auditor's File No. 200508230144, records of Skagit  
11 County, Washington; being a portion of Lots C15 and C16, Maddox Creek  
12 P.U.D., Phase 3, according to the plat thereof recorded August 14, 2000, under  
13 Auditor's File No. 200008140137, records of Skagit County, Washington and the  
14 Northeast Quarter of Section 28, Township 34 North, Range 4 East of the  
15 Willamette Meridian." Situated in Skagit County, Washington."
- 16           4.       On or about August 29, 2006, Cheryl L. Trueman, executed two promissory notes  
17 and two deeds of trust in favor of originating lender, People's Bank.
- 18           5.       The first Deed of Trust recorded against the Property on August 31, 2006, with  
19 Skagit County Auditor file number 200608310160 ("Senior Deed of Trust). The legal  
20 description of the Property in the Senior Deed of Trust matches that listed in the 2006 Statutory  
21 Warranty Deed.
- 22           6.       The second Deed of Trust recorded against the Property on August 31, 2006, with  
23 Skagit County Auditor file number 200608310161 (Junior Deed of Trust).
- 24           7.       On April 12, 2007, a Correction Survey was recorded with Skagit County Auditor  
25 file number 200704120145, which changed the unit number designations, resulting in a change in  
26 the legal description of the Property. The current legal description of the Property reflecting the  
27 2007 Correction Survey is listed in paragraph "1" above.
- 28

1 8. The beneficial interest of the Senior Deed of Trust was assigned to GMAC  
2 Mortgage, LLC. An Assignment of the Senior Deed of Trust was recorded on April 30, 2010,  
3 with Skagit County Auditor file number 201004300079.

4 9. On November 9, 2010, a Notice of Trustee's Sale was recorded, wherein LSI Title  
5 Agency, Inc., scheduled a trustee sale to foreclose on the Senior Deed of Trust, on behalf of  
6 GMAC Mortgage, LLC.

7 10. The recorded chain of title does not show that an Appointment of Successor  
8 Trustee was recorded wherein LSI Title Agency, Inc., was substituted in place of the trustee  
9 named in the Senior Deed of Trust. The legal description of the Property listed in the Notice of  
10 Trustee's Sale matches the legal description listed in the Senior Deed of Trust.

11 11. Trustee sale completed on the Senior Deed of Trust and Property, and on March  
12 30, 2011, a Trustee's Deed recorded with Skagit County Auditor file number 201103300140,  
13 where the Property was conveyed to GMAC Mortgage, LLC. The legal description of the  
14 Property listed in the Trustee's Deed matched the legal description listed in the Senior Deed of  
15 Trust.

16 12. On October 21, 2011, the Trustee's Deed was re-recorded with Skagit County  
17 Auditor file number 201110210046 to correct the legal description therein to reflect the 2007  
18 Correction Survey.

19 13. On August 24, 2011, a Statutory Warranty Deed recorded with Skagit County  
20 Auditor file number 201108240062, where GMAC Mortgage, LLC, conveyed the Property to  
21 Federal National Mortgage Association. The legal description of the Property listed therein  
22 matched the legal description listed in the Senior Deed of Trust.

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1 14. On October 21, 2011, the Statutory Warranty Deed was re-recorded with Skagit  
2 County Auditor file number 201110210047, to correct the legal description therein to reflect the  
3 2007 Correction Survey.

4 15. On June 7, 2017, A Quit Claim Deed was recorded wherein Federal National  
5 Mortgage Association conveyed the Property to Ditech Financial, LLC. Plaintiff, Ditech  
6 Financial, LLC, is the current record owner of the Property.

7 16. Defendant, Unit Owners Association of Park Lane Condominium, is a  
8 condominium association who has a Condominium Declaration recorded against the Property on  
9 August 23, 2005, with Skagit County Auditor file number 200508230145.

10 17. Defendant, Christiana Trust, a Division of Wilmington Savings Fund Society,  
11 FSB as Trustee for the Knoxville 2012 Trust, is the last assignee of record for the Junior Deed of  
12 Trust, per an Assignment recorded on February 22, 2013, with Skagit County Auditor file  
13 number 201302220096. Said defendant has not appeared in the instant action, and concurrently  
14 herewith, its default is entered.  
15

16 18. On April 14, 2017, the law firm of RCO Legal, P.S., filed the instant Complaint  
17 with causes of action for: Rescission of Invalid Trustee's Sale, Declaratory Relief re Foreclosure  
18 Sale, Quiet Title-Reformation of Legal Description, and Judicial Foreclosure.  
19

20 19. On February 8, 2018, current counsel for the Plaintiffs filed a Notice of  
21 Withdrawal and Substitution of Counsel, and became the counsel of record for the Plaintiffs.  
22

23 20. The Plaintiffs and Stipulating Defendants have entered into a Stipulated Order,  
24 filed concurrently herewith, and wish to resolve the matter with the Stipulated Order and a  
25 Judgment based thereon.

26 21. The Plaintiffs and Stipulating Defendants agree to affirm, ratify and uphold the  
27 trustee sale on the Senior Deed of Trust, evidenced by the Trustee's Deed recorded on March 30,  
28

1 2011, with Skagit County Auditor file number 201103300140, and re-recorded on October 21,  
2 2011, with Skagit County Auditor file number 201110210046. The parties acknowledge the  
3 validity and effectiveness of the trustee sale referenced herein.

4 22. The Plaintiffs and Stipulating Defendants agree and stipulate that the Trustee's  
5 Deed recorded on March 30, 2011, with Skagit County Auditor file number 201103300140, and  
6 re-recorded on October 21, 2011, with Skagit County Auditor file number 201110210046, is  
7 valid and effective, and that it terminated all right and interest of Cheryl L. Trueman in and to the  
8 Property, and any obligation of Cheryl L. Trueman under the promissory note secured by the  
9 foreclosing Senior Deed of Trust.

11 23. The Plaintiffs and Stipulating Defendants agree that title to the Property should be  
12 quieted in favor of the current owner of record, Ditech Financial, LLC, to the exclusion of all  
13 others.

14 24. This Judgment is entered based on the terms of the Stipulated Order among the  
15 Plaintiffs and the Stipulating Defendants.

17 25. This Judgment is further entered based on the Order of Default as to Christiana  
18 Trust, a Division of Wilmington Savings Fund Society, FSB as Trustee for the Knoxville 2012  
19 Trust, and corresponding to and consistent with the terms of the Stipulated Order among the  
20 Stipulating Defendants.

21 26. The parties are to bear their own attorney fees and costs.

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23  
24 DATED this 26 day of Oct, 2018

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28 ~~JUDGE/COMMISSIONER~~

1 Presented by:

2 **MCCARTHY HOLTHUS LLP**

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5 Kathy Shakibi, WSBA # 49381  
6 Attorney for Plaintiffs,  
7 Ditech Financial, LLC, and  
8 Federal National Mortgage Association

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