10/21/2021 10:14 AM Pages: 1 of 3 Fees: \$205.50

Skagit County Auditor, WA

When Recorded Return To: Joseph D Bowen, Attorney at Law P.S. 401 S. 2nd Street Mount Vernon, WA

Grantor: SKAGIT COUNTY SUPERIOR COURT

Grantee: COOKS' CONTRACTING

Property Address: 24306 Old Day Creek Road, Sedro Woolley, WA 98284 Abbreviated Description: LOTS 10 TO 16, INCLUSIVE, AND LOT 18, 'CLEAR LAKE WATERFRONT

TRACTS, SKAGIT COUNTY, WASHINGTON

APN/Parcel ID(s): P106616

Related Document: Mechanics/Materialman's Lien Recorded at Skagit County 202101110140

See Attached.

21 – 2 – 00138 – 29 ORRL 12 Order of Release 11007165 SKAGHT COUNTY CLERK SKAGHT COUNTY, WA 2821 SFP 10 PM 2: 56

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

COOKS' CONTRACTING, LLC

Plaintiff,

NO. 21-2-00138-29

JUDGMENT AND ORDER RELEASING LIEN

PACIFIC FRAMING, LLC; Carlos W. and Doe MENENDEZ, a marital community; Juan and Doe CRUZ, a marital community;

Defendants.

COMES NOW THE COURT and, having considered the records and files herein and Plaintiff's Motion for Release of Lien and for Dismissal of Defendants Menendez and Cruz without prejudice, now hereby FINDS that,

- 1. Plaintiff served process upon Pacific Framing, LLC more than 20 days prior to consideration of this Motion;
- 2. Service has not been made upon Defendants Menendez and Cruz, nor have they appeared and/or answered;
- 3. Cook's Contracting, Inc. and Pacific Framing entered into an agreement for the improvement of residential real property;
- 4. Pacific Framing, LLC subsequently caused a Mechanics/Materialman's lien to be recorded against said real property under Skagit County Auditor's File No. 202101110140.
- 5. Defendant Pacific Framing, LLC was not a licensed or registered contractor at the time he caused this lien to be recorded;

WHEREFORE THE COURT CONCLUDES THAT

6. Plaintiff has standing to petition for release of said lien pursuant to RCW 60.04.031;

JUDGMENT AND ORDER RELEASING LIEN Page 1 of 2

ORIGINAL

JOSEPH D. BOWEN Attorney at Law, P.S. 401 S. Second Street Mount Vernon, WA 98273 (360) 336-6655; 336-2383 FAX

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v.

- 7. Said lien was frivolously filed by Pacific Framing, LLC;
- 8. Plaintiff is entitled to immediate judgment releasing said lien;
- 9. Defendants Menendez and Cruz may be dismissed without prejudice pursuant to CR 41.

NOW THEREFORE the Court ORDERS, ADJUDGES, and DECREES that

- 9. Defendants are dismissed from this action without prejudice;
- 10. the lien recorded under Skagit County Auditor's File No. 202101110140 by and in favor of Pacific Framing LLC is forthwith RELEASED and of no further force and effect;
- Plaintiff is granted leave to make further motion for Judgment awarding additional damages, attorney's fees and costs Plaintiff incurred to secure this release.

Any and all other issues presented in the Complaint are reserved for further proceedings. DONE IN OPEN COURT THIS (OTH day of SEPT The Hon.

Presented by:

JOSEPH D. BOWEN, ATTORNEY AT LAW, P.S.

Joseph D. Bowen, WSBA #17631

Attorney for Plaintiff

JUDGMENT AND ORDER RELEASING LIEN Page 2 of 2

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