

After recording return document to:  
SKAGIT COUNTY  
PLANNING AND PERMIT CENTER  
200 West Washington Street  
Mount Vernon, WA 98273



200401160015  
Skagit County Auditor

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### AMENDED CLAIM OF SPECIAL ASSESSMENT LIEN

NOTICE IS HEREBY GIVEN that Skagit County hereby amends its special assessment lien for civil penalties under Skagit County Code Chapter 14.44, which was recorded on October 8, 2003, as document #200310080094, against the following described premises situated in Skagit County, Washington, to wit:

CASCADE RIVER PARK NO. 3 LT 35 – Washed by Flood,  
commonly known as 63415 Diablo Place, Marblemount,  
Washington

PROPERTY ADDRESS: 63415 Diablo Place, Marblemount, WA 98267  
TAX ID # 3873-000-035-0007 PARCEL # P63908

The owner/reputed owner of which is Mary Z. Omarra, 41425 Lower Finney Creek Road, Sedro Woolley, WA 98284.

Said amended lien is claimed as security for performance of that certain settlement agreement dated November 10, 2003, in the reduced sums described in said settlement agreement, a copy of which is attached and incorporated by reference.

I hereby declare under penalty of perjury under the laws of the State of Washington that I believe that the amount of the lien and the violations alleged are just, true and correct.

Dated: January 15, 2004

SKAGIT COUNTY  
PLANNING AND PERMIT CENTER

BY

Carolyn Spies

Carolyn Spies  
Code Enforcement Officer

STATE OF WASHINGTON

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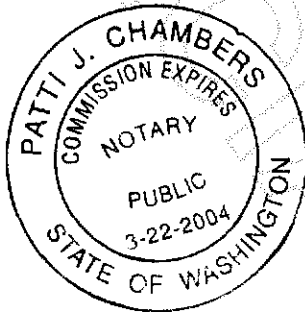
) ss

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COUNTY OF SKAGIT

I certify that I know of have satisfactory evidence that Carolyn Spies is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged that he/she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: January 15, 2004



*Patti J. Chambers*

Notary Public

Residing in Mount Vernon

My Commission expires: 3/22/04

Patti J. Chambers

(Printed Name)



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Skagit County Auditor

## **SETTLEMENT AGREEMENT**

Mary Z. O'Marra, an individual, and Timothy O'Marra, an individual, (collectively, "Violators"), and Skagit County, a municipal corporation, ("the County") hereby agree as follows:

On September 11, 2001, the Skagit County Planning and Permit Center issued and served on Violators a Notice And Order To Abate Public Nuisance, a true and correct copy of which is attached hereto as Exhibit "A" and incorporated by reference herein; and

Violators did not correct or abate said public nuisance to the reasonable satisfaction of Skagit County; and

On October 8, 2003, Skagit County recorded a Special Assessment Lien against said real property, a copy of which is attached hereto as Exhibit "B" and incorporated by reference herein; and

Violators and the County desire to settle this dispute on the following terms and conditions:

Skagit County agrees to reduce said civil penalties to the total sum of \$5,000, provided Violators fully perform Violators' obligations under this Settlement Agreement.

Upon the full performance of Violators' obligations under this Settlement Agreement, Skagit County also agrees to release said special assessment lien.

In consideration for this reduction in the amount of civil penalties, Violators agree

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to pay the remaining balance of \$ 5,000 in payments at the rate of \$100 per month on the 10th day of each month, beginning December 10, 2003, until the remaining balance is paid in full. Said payments shall be paid to "Skagit County Planning and Permit Center", and post-marked or delivered to 200 W. Washington Street, Mount Vernon, WA 98273.

Violators also agree to correct or abate to the reasonable satisfaction of Skagit County by March 1, 2004 the following public nuisance: Building addition constructed without a permit.

1. Violators agree to apply for and submit a completed building permit as required by Skagit county Code by December 1, 2003, and obtain the permit by June 1, 2004;

OR

2. Remove all unpermitted structures by December 1, 2003.

Violators also agree that if the above-listed public nuisances are not corrected or abated to the satisfaction of Skagit County by said deadline or any of the above-listed payments is over 30 days late, the above-listed total settlement amount shall be doubled, and thereafter Violators shall be given credit for payments actually made under this Settlement Agreement, the new increased balance of said civil penalties shall all be due and payable immediately, and shall bear interest at the rate of 12% per annum from the date the late/missed payment was due, and Skagit County may exercise all remedies available to it to collect the new increased balance of said civil penalties, foreclose on said Special Assessment Lien, obtain a court order for the foreclosure sale of said real

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property and an attachment of wages, if any, of Violators

Dated: November 10, 2003.

Mary Z O'Marra  
Violator, MARY Z. O'MARRA

Timothy O'Marra  
Violator, TIMOTHY O'MARRA

SKAGIT COUNTY

BY Mary Baldwin  
Authorized Agent, Customer Service Manager  
Skagit County Planning & Permit Center

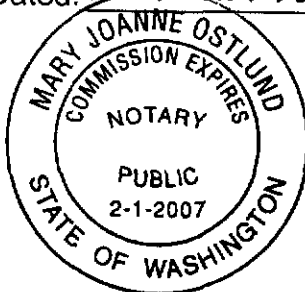
STATE OF WASHINGTON )

) ss

COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that MARY Z. O'MARRA is the person who appeared before me, and she acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: November 10, 2003



Mary Joanne Ostlund  
Notary Public  
My commission expires: 2-1-2007  
MARY JOANNE OSTLUND  
(Printed name)

STATE OF WASHINGTON )

) ss

COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that TIMOTHY O'MARRA is the

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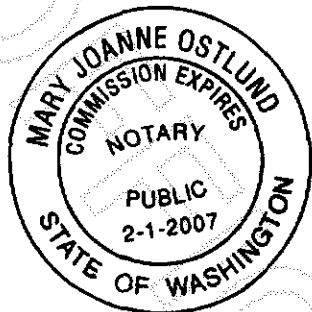
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person who appeared before me, and he acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: October 31, 2003



Mary Joanne Ostlund

Notary Public

My commission expires: 2-1-2007

MARY JOANNE OSTLUND

(Printed name)

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# PLANNING AND PERMIT CENTER

TOM KARSH, DIRECTOR

GARY R. CHRISTENSEN, AICP  
Assistant Director  
Community Planning

KENDRA SMITH, ASLA, AICP  
Assistant Director  
Community Development

COREY SCHMIDT, CBO  
Assistant Director  
Permit Center/Building Official

## NOTICE AND ORDINANCE

September 11, 2001

CERTIFIED MAIL

Tim & Mary O'Marra  
41425 Lower Finner Creed Road  
Sedro Woolley, WA 98284

**CASE NUMBER:** CE01-0067

**SUBJECT:** Property located at 63415 Diablo Place, Cascade River Park,  
Marblemount, WA

**DESCRIPTION:** Assessor's Account Number: 3873-000-035-0007, P#63908

Pursuant to Title's 14 and 15 of the Skagit County Code (SCC), and Skagit County Shoreline Management Master Program (SCSMMP). Shoreline Administrator Daniel Downs inspected the above-noted site on May 9, 2001. The investigation noted shoreline violations, and a building violation. Construction without a permit is a violation of the Uniform Building Code (UBC), 1997 Edition, as adopted by Skagit County Code, Section 15.04.020(1).

**The violation(s) noted are as follows:**

1. Addition to residence, construction on site without the required permits, review or inspections. UBC, Section 106.1. (*Approx 22 x 30'*)
2. No shoreline permit for footbridge and pulley system. 2.05 Skagit County Shoreline Management Master Program.. — *Resolved*
3. Side yard setback violation residential accessory use structure. 7.13 Skagit County Shoreline Management Master Program.

**The action(s) necessary to correct the violation(s) noted above are:**

1. Apply for a building permit as required by code within fifteen (15) days of the date of receipt of this notice, and comply, in a timely manner, with all requests made by the



Skagit County Planning and Permit Center for any and all additional information necessary to process the application.

- OR -

2. Remove all structures from the site within thirty (30) days of the date of receipt of this letter.

If you fail to comply with this notice in abating all violations as required, within the time allotted, the Director may take the necessary action to cause the corrections to be made. All costs incurred from such actions will be assessed against you and the property and filed as a lien against the property. This matter may also be referred to the Prosecution Attorney's office for further enforcement action.

NOTE: Skagit County Code, SCC 14.44.030(2), authorizes a civil penalty in the amount of one hundred dollars (\$100.00) per day be charged for each day that such violation continues after the required compliance date. Civil penalties assessed are collected as a special assessment lien and are subordinate to all other liens.

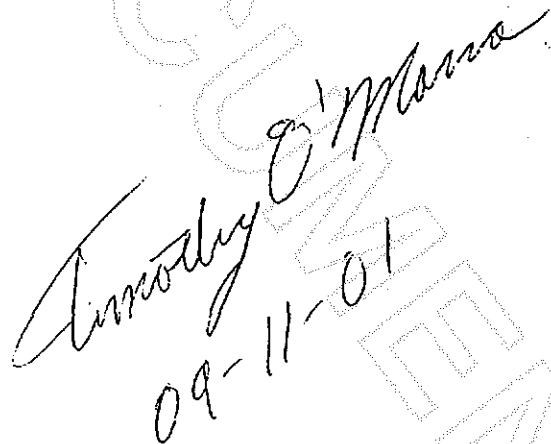
This notice and order will become final 15 days after service, unless any person aggrieved by this notice and order files a written appeal with the Skagit County Hearing Examiner pursuant to SCC, 14.44.120.

If you have any questions regarding this notice, please contact the undersigned at (360) 336-9410.

Sincerely,



Carolyn Spies  
Code Enforcement Officer



09-11-01



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Skagit County Auditor