

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



200404160060  
Skagit County Auditor

4/16/2004 Page 1 of 10 10:00AM

### AMENDED CLAIM OF PUBLIC NUISANCE LIEN

NOTICE IS HEREBY GIVEN that Skagit County hereby amends its public nuisance lien for civil penalties under RCW 36.32.120(10) and Skagit County Code Chapter 14.44, with a priority lien position under Skagit County Code Chapter 14.44.160(4), which was recorded on March 10, 2004, as document #200403100043, against the following described premises situated in Skagit County, Washington, to wit:

(That portion of Lot 1, Block 137, "FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH.", as per plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington, described as follows:

Beginning at the most Northerly corner of Lot 1 of said Block 137; thence south 0 degrees 19' 30" West along the East line of said Lot 1, a distance of 270.0 feet to the true point of beginning for this description; thence South 89 degrees 34' 30" West parallel with the South line of said Lot 1, a distance of 170 feet, more or less, to the Westerly line of said Lot 1; thence Southwesterly along the said Westerly line of said Lot 1 a distance of 77.5 feet, more or less, to a point on the South line of the North 345 feet of said Lot 1; thence 89 degrees 34' 30" East, a distance of 89.5 feet, more or less, to the Southwest corner of that certain tract of land conveyed to Elliott Johnson and Eileen Johnson, husband and wife, by Deed recorded under Auditor's File No. 646076, records of Skagit County, Washington; thence North 0 degrees 19' 30" East along the West line of said Johnson Tract 60 feet; thence North 89 degrees 34' 30" East along the North line of said Johnson Tract, a distance of 100.0 feet to the West line of Skagit Street; thence North 0 degrees 19' 30" East along the West line of Skagit Street, 15.0 feet to the true point of beginning.

PROPERTY ADDRESS: 11312 North Skagit Street, Burlington, Washington  
TAX ID # 4077-137-005-0203 PARCEL NO. P72363

The public nuisance is briefly described as follows:

Skagit county Code 14.02.040 Burlington UGA 17.15.030(A) – Mobile home on site being used as an additional single family dwelling.

The owner/reputed owner of which is Manuela Zepeda and Jesus Zepeda, 11312 North Skagit Street, Burlington, WA 98233.

Said amended lien is claimed as security for performance of that certain settlement agreement dated April 15, 2004, 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: April 15, 2004

SKAGIT COUNTY  
PLANNING AND PERMIT CENTER

BY Carolyn Spies  
Carolyn Spies  
Code Enforcement Officer

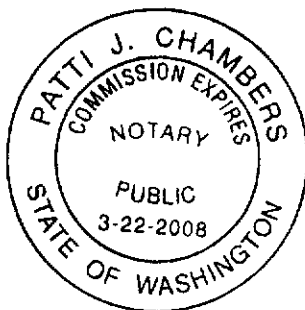
STATE OF WASHINGTON

COUNTY OF SKAGIT

)  
) ss.  
)

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 she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: April 15, 2004.



Patti J. Chambers  
(Signature)  
Patti J. Chambers  
Print Name  
My appointment expires: 3/22/08



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## **SETTLEMENT AGREEMENT**

MANUELA ZEPEDA and JESUS ZEPEDA, ("Violator"), and Skagit County, a municipal corporation, ("the County") hereby agree as follows:

On December 5, 2003, the Skagit County Planning and Permit Center issued and served on Violator an Amended Notice and Order to Abate Public Nuisance, a true and correct copy of which is attached hereto as Attachment A" and incorporated by reference herein; and

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

On March 10, 2004, Skagit County recorded a Claim of Public Nuisance Lien against said real property, a copy of which is attached hereto as Attachment B and incorporated by reference herein; and

Violator 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 \$1,000.00, provided Violator fully performs Violator's obligations under this Settlement Agreement.

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

AGREEMENT - 1



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Skagit County Auditor

In consideration for this reduction in the amount of civil penalties, Violator agrees to pay the remaining balance of \$1,000.00 in payments at the rate of \$~~100~~<sup>50 lbs. m<sup>2</sup></sup> per month on the 15th day of each month, beginning May 15, 2004, until the remaining balance is paid in full. Said payments shall be paid to "Skagit County Planning and Permit Center", and mailed or delivered to 200 W. Washington Street, Mount Vernon, WA 98273. J-2

Violator also agrees to correct or abate to the reasonable satisfaction of Skagit County by June 7, 2004, to the reasonable satisfaction of Skagit County the following public nuisances:

1. SCC 14.02.040 Burlington UGA 17.15.030(A) – Mobile home on site being used as an additional single family dwelling.

Violator also agrees that if any of the above-listed payments is over 30 days late, the above-listed total settlement amount shall be doubled, and thereafter Violator 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 property and an attachment of wages, if any, of Violator.

Dated: April 15, 2004.

\_\_\_\_\_  
MANUELA ZEPEDA, Violator

AGREEMENT - 2



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Skagit County Auditor

Jesus Zepeda

JESUS ZEPEDA, Violator

SKAGIT COUNTY

BY Barbara Spies

Code Enforcement Officer  
Planning & Permit Center

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that MANUELA ZEPEDA 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: \_\_\_\_\_

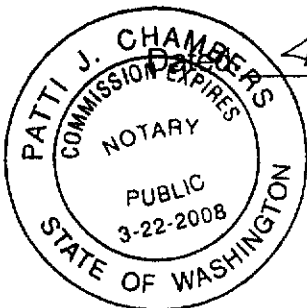
\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
(Printed name)

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that JESUS ZEPEDA is the 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.



AGREEMENT - 3

Patti J. Chambers  
Notary Public

My commission expires: 3/22/08

PATTI J. CHAMBERS  
(Printed name)



200404160060

Skagit County Auditor



# PLANNING AND PERMIT CENTER

GARY R. CHRISTENSEN, AICP  
Assistant Director  
Community Planning

KENDRA SMITH, ASLA, AICP  
Assistant Director  
Community Development

BILL DOWE, CBO  
Building Official  
Permit Center

December 5, 2003

POSTED ON SITE

## AMENDED NOTICE AND ORDER TO ABATE

Manuela Zepeda  
Jesus Zepeda  
11312 North Skagit  
Burlington WA 98233

**CASE NUMBER:** CE03-0009

**SUBJECT:** Property located at 11312 North Skagit Street Burlington

**DESCRIPTION:** Assessor's Account Number: 4077-137-005-0203 Parcel P72363

Pursuant to Title's 14 and 15 of the Skagit County Code (SCC), Carolyn Spies, Code Compliance Officer conducted a site visit on January 10, 2003. The site visit was in response to a Request for Investigation received at the Planning and Permit Center. The site visit noted a mobile home on site being used as a second dwelling, an accumulation of junk and debris, inoperable vehicles and a travel trailer on site being used for the storage of junk and debris. A Notice of Violation was mailed certified on January 24, 2003, signed for received on January 25, 2003. Manuela Zepeda contacted the Planning and Permit Center on two occasions, requesting additional time to bring violations into compliance, extensions were granted. A site visit by Carolyn Spies on August 15, 2003 noted the mobile home remains on site and four inoperable vehicles. A Notice and Order to Abate was mailed certified on September 9, 2003, signed for received on September 11, 2003. An Amended Notice and Order was mailed certified on November 3, 2003, returned unclaimed on November 24, 2003.

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

1. 17.15.030(A)UGA A mobile home has been placed on site and is being used as a single-family dwelling. (see attached)
2. 17.15.050(H)UGA Junk storage and inoperable vehicles are prohibited outdoors unless in a solid fenced yard and not visible from the street. (see attached)
3. 17.15.050(H)(2)UGA ~~A travel trailer has been placed on site and used for junk storage. (see attached)~~ **RESOLVED**



Amended Notice and Order to Abate - Posted  
CE03-0009 Manuela Zepeda Jesus Zepeda  
Page 2 of 3

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

1. A mobile home used as a dwelling (one single-family dwelling on site) is not a permitted use. Remove the mobile home by December 26, 2003.
2. Remove all junk and inoperable/unlicensed vehicles from site by December 26, 2003.

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 Prosecuting 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 their required compliance date of September 24, 2003. Civil penalties assessed are collected as a special assessment lien and are paramount to all other liens.

That means that a recorded lien for these civil penalties will also be a violation of the requirements of the typical real estate loan and Deed of Trust or Mortgage, and the lender on that loan can start foreclosure proceedings against your property. If you have any questions about that, please contact your bank or other lender on this property.

Appeals of this notice and order must be in writing and must be received within fifteen (15) calendar days of receipt of the notice and order. Appeals will be in accordance with SCC 14.06.

Our main goal is to obtain a prompt correction of the violation(s) and bring closure to this dispute. Otherwise, Skagit County will file a lawsuit to obtain an award of substantial damages against you and to sell the property, foreclose its lien and obtain an injunction. In such a lawsuit, it will be required to name as defendants all persons or companies with an interest in this property, including any banks or other lien holders. A foreclosure sale will require you to move out of the property.



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Skagit County Auditor

Notice and Order to Abate  
CE03-0009 Manuela Zepeda Jesus Zepeda  
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Lawsuits are time-consuming and expensive. It would be in everyone's best interests to correct these violations immediately and reach a settlement for the payment of these civil penalties and avoid the necessity of a lawsuit.

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

Sincerely,

Carolyn Spies  
Code Compliance Officer



200404160060  
Skagit County Auditor

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



200403100043  
Skagit County Auditor

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### CLAIM OF PUBLIC NUISANCE LIEN

NOTICE IS HEREBY GIVEN that Skagit County has and claims a public nuisance lien for civil penalties, with a priority lien position under RCW 36.32.120(10) and Skagit County Code Chapter 14.44.160(4), against the following described premises situated in Skagit County, Washington, to wit:

That portion of Lot 1, Block 137, "FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH.", as per plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington, described as follows:

Beginning at the most Northerly corner of Lot 1 of said Block 137; thence south 0 degrees 19' 30" West along the East line of said Lot 1, a distance of 270.0 feet to the true point of beginning for this description; thence South 89 degrees 34' 30" West parallel with the South line of said Lot 1, a distance of 170 feet, more or less, to the Westerly line of said Lot 1; thence Southwesterly along the said Westerly line of said Lot 1 a distance of 77.5 feet, more or less, to a point on the South line of the North 345 feet of said Lot 1; thence 89 degrees 34' 30" East, a distance of 89.5 feet, more or less, to the Southwest corner of that certain tract of land conveyed to Elliott Johnson and Eileen Johnson, husband and wife, by Deed recorded under Auditor's File No. 646076, records of Skagit County, Washington; thence North 0 degrees 19' 30" East along the West line of said Johnson Tract 60 feet; thence North 89 degrees 34' 30" East along the North line of said Johnson Tract, a distance of 100.0 feet to the West line of Skagit Street; thence North 0 degrees 19' 30" East along the West line of Skagit Street, 15.0 feet to the true point of beginning.

PROPERTY ADDRESS: 11312 North Skagit Street, Burlington, Washington  
TAX ID # 4077-137-005-0203 PARCEL NO. P72363

The public nuisance is briefly described as follows:

Skagit county Code 14.02.040 Burlington UGA 17.15.030(A) – Mobile home on site being used as an additional single family dwelling.

The owner/reputed owner of which is Manuela Zepeda and Jesus Zepeda, 11312 North Skagit Street, Burlington, WA 98233.



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Skagit County Auditor

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Said lien is claimed as security for the abatement of a public nuisance and civil penalties of \$100.00 per day, pursuant to County Code 14.44.030(2), for the dates of December 26, 2003, through March 4, 2004, for the sum of \$6,800 as of the date of this lien, plus any future civil penalties, interest and costs which may accrue against said premises.

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: March 9, 2004.

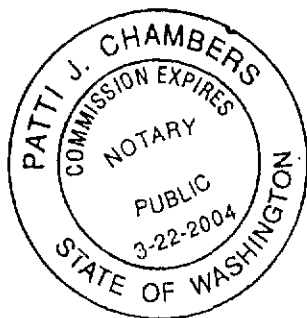
SKAGIT COUNTY  
PLANNING AND PERMIT CENTER

BY *Carolyn Spies*  
Carolyn Spies  
Code Enforcement Officer

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that Carolyn Spies is the person who appeared before me, and said person 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: March 9, 2004



*Patti J. Chambers*  
Notary Public  
Residing in Mount Vernon  
My commission expires: 3/22/04  
Patti J. Chambers  
(Printed Name)

