



200409230102

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

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 August 13, 2004 as document #200408130070, against the following described premises situated in Skagit County, Washington, to wit:

The West 195 feet of the following described tract:

Beginning at a point on the North line of Section 18, Township 35 North, Range 11 East, W.M., 658 feet West of the Northeast corner of said Section 18;

Thence West along the North line of said Section 18, 464.5 feet;

Thence at right angles South 464.5 feet;

Thence at right angles East 464.5 feet;

Thence at right angles North 464.5 feet to the point of beginning, all in Government Lot 2, Section 18, Township 35 North, Range 11 East, W.M.,

EXCEPT that portion conveyed to the State of Washington for highway purposes by deed recorded under Auditor's File No. 377306.

PROPERTY ADDRESS: 60816 Cascade River Road, Marblemount, WA 98267
TAX ID #35118-0-003-0003 & 35118-0-003-0102 PARCEL # P46141 & P46142

The owner/reputed owner of which is:

Richard E. Quinn, PO Box 94, Marblemount, WA 98267.

The alleged Skagit County Code violations committed by the above party were as follows:

- 1) SCC 14.16.320 – Storage of unlicensed/inoperable vehicles without the required Hearing Examiners Special Use Permit.
- 2) SCC 14.16.320(2)(c) – Recreational vehicles on site being used as a primitive campground.

SETTLEMENT AGREEMENT

RICHARD E. QUINN and NETTIE M. QUINN, ("Violator"), and Skagit County, a municipal corporation, ("the County") hereby agree as follows:

On November 3, 2003, the Skagit County Planning and Permit Center issued and served on Violator a 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 August 13, 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 \$1,250.00, 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.

In consideration for this reduction in the amount of civil penalties, Violator agrees

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to pay the remaining balance of \$1,250.00 in payments at the rate of \$50 per month on the 15th day of each month, beginning October 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.

Violator also agrees to correct or abate to the reasonable satisfaction of Skagit County by November 30, 2004, the following public nuisances:

1. SCC 14.16.320 – Storage of unlicensed/inoperable vehicles without the required Hearing Examiner's Special Use Permit.
2. SCC 14.16.320(2)(C) – Recreational vehicles on-site being used as a primitive campground.

The County and Violator also agree that if the above-listed public nuisance(s) are corrected or abated to the satisfaction of Skagit County by said deadline, the above-listed total settlement shall also be reduced by 50%, and thereafter Violator shall be given credit for payments actually made under this Settlement Agreement.

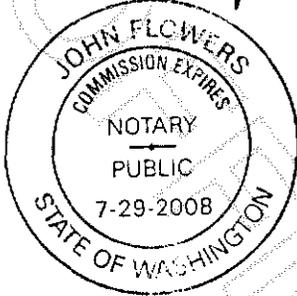
As security for the performance of this Settlement Agreement by Violator, the County shall record an Amended Public Nuisance Lien on subject property.

Violator also agrees that if any of the above-listed payments is over 30 days late, Violator shall be given credit for payments actually made under this Settlement Agreement, the new 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 balance of said civil penalties, foreclose on said special assessment



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

Dated: Sept. 22, 2004



John Flowers
Notary Public
My commission expires: 7.29.8
JOHN FLOWERS
(Printed name)



ATTACHMENT A



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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

CERTIFIED MAIL

November 3, 2003

NOTICE AND ORDER TO ABATE

Richard E Quinn
PO Box 94
Marblemount WA 98267

CASE NUMBER: CE02-0350

SUBJECT: Property located at 60816 Cascade River Road Marblemount

DESCRIPTION: Assessor's Account Number: 351118-0-003-0102 Parcel 46142
351118-0-003-0003 Parcel 46141

Pursuant to Title's 14 and 15 of the Skagit County Code (SCC), Matt Kaufman, Skagit County Health Department conducted a site visit on November 25, 2002. A Notice of Violation was mailed certified on December 18, 2002, signed for received on December 20, 2002. Mr. Quinn contacted Carolyn Spies Code Compliance Officer on December 20, 2002 requesting an extension until April 1, 2003. Mr. Quinn contacted Carolyn Spies on March 20, 2003 requesting an extension until May 1, 2003, a call on April 30, 2003 noted Mr. Quinn will be finished shortly. A site visit on October 3, 2003 noted recreational vehicles; bus and junk vehicles remained on site.

The violation(s) noted are as follows:

1. 14.16.320(nn)SCC Storage of unlicensed/inoperable vehicles without the benefit of a Hearing Examiners Special Use permit. (see attached)
2. 14.16.320(2)(c)SCC Recreational vehicles on site being used as a primitive campground. (see definition).
3. 12.16.180SCC A large accumulation of solid waste (including junk, trash and unlicensed/inoperable vehicles) has been established and is a harborage for vectors.



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

1. Apply for and submit the necessary documents and fees for a Hearing Examiners Special Use Permit (if applicable) by November 18, 2003 to maintain the unlicensed/inoperable vehicles on the property.

-OR-

2. Remove all unlicensed/inoperable vehicles by November 18, 2003.
3. Commence clean up of junk and solid waste immediately, to be completed by November 18, 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 there required compliance date. 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.

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.



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Notice and Order to Abate
CE02-0350 Richard E Quinn
November 3, 2003
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If you have any questions regarding this notice, please contact the undersigned at (360) 336-9410.

Sincerely,



Carolyn Spies
Code Compliance Officer



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ATTACHMENT B

UNOFFICIAL DOCUMENT



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



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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:

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PROPERTY ADDRESS: 60816 Cascade River Road, Marblemount, WA 98267

TAX ID # 35118-0-003-0003 & 35118-0-003-0102 PARCEL NOS. P46141 & P46142

The public nuisance is briefly described as follows:

- 1) SCC 14.16.320 – Storage of unlicensed/inoperable vehicles without the required Hearing Examiners Special Use Permit.
- 2) SCC 14.16.320(2)(C) – Recreational vehicles on site being used as a primitive campground.

The owner/reputed owner of which is Richard E. Quinn, PO Box 94, Marblemount, WA 98267.



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