



200504210033

Skagit County Auditor

4/21/2005 Page 1 of 12 10:40AM

Return To:

Kathleen Anderson, Civil Assistant
Skagit County Sheriff's Office
600 South Third Street
Mount Vernon, WA 98273

Date: April 19, 2005

Skagit County Superior Court No: 04-2-00459-7

Document Title(s):

1. Order of Sale

Grantor(s) -- Last Name, First Name, Middle Initial (Defendant):

1. Posey, James M.
2. Posey-Sullivan, Darla C.

Grantee(s) -- Last Name, First Name, Middle Initial (Plaintiff):

1. NORTHWEST FARM CREDIT SERVICES, FLCA
- 2.

Legal Description:

See legal description on "Exhibit A" of attached Order of Sale.

Assessor's Parcel/Tax ID Numbers:

Tax Account No. 350314-4-001-0001	P34323
Tax Account No. 350314-0-011-0007	P34279
Tax Account No. 350314-1-002-0006	P34294
Tax Account No. 350314-1-002-0105	P34295
Tax Account No. 350314-1-008-0000	P34305
Tax Account No. 350314-1-008-0109	P34306
Tax Account No. 350314-1-009-0009	P34307

SKAGIT COUNTY SUPERIOR COURT, STATE OF WASHINGTON

NORTHWEST FARM CREDIT SERVICES, FLCA,
a corporation,

Plaintiff,

vs.

JAMES M. POSEY, also known as MATT POSEY, and DARLA C. POSEY, also known as DARLA C. SULLIVAN-POSEY, husband and wife, and their marital community; LYLE E. BLANK and KAROLYN L. BLANK, husband and wife, and their marital community; ERROL HANSON FUNDING, INC., a corporation; LAND TITLE COMPANY OF SKAGIT COUNTY, a corporation; RAYMOND DOYAL HOOVER and JANE DOE HOOVER, husband and wife, and their marital community; COASTLINE TRACTOR; PACIFICO PAPERS, INC., a corporation; BURL FOX and JANE DOE FOX, husband and wife, and their marital community; CREDIT UNION RECOVERY SERVICES; WILBUR ELLIS COMPANY; and OCCUPANTS NUMBERS 1 through 20,

Defendants.

Cause No.: **04-2-00459-7**

**SHERIFF'S NOTICE OF EXECUTION
OF REAL PROPERTY**

Notice is hereby given that under and by virtue of an Order of Sale issued out of the Superior Court of the State of Washington, for the County of Skagit, of which the annexed writ is a true copy, I have this day levied upon all the rights, title, claim and interest of JAMES M. POSEY, also known as MATT POSEY, and DARLA C. POSEY, also known as DARLA C. SULLIVAN-POSEY, husband and wife, and their marital community defendants or either of them, of, in, and to the following described real estate, standing on the records of Skagit County in the names of: JAMES M. POSEY, also known as MATT POSEY, and DARLA C. POSEY, also known as DARLA C. SULLIVAN-POSEY, husband and wife, and their marital community and particularly described as follows:



PARCEL A:

The Northeast 1/4 of the Northeast 1/4, EXCEPT the North 62 rods thereof, and part of the Southeast 1/4 of the Northeast 1/4, described as follows:

Beginning at the Northeast corner of said Southeast 1/4 of the Northeast 1/4; thence South on the East line of said Southeast 1/4 of the Northeast 1/4, 20 rods; thence West to the West line of said Southeast 1/4 of the Northeast 1/4; thence North to the Northwest corner of said Southeast 1/4 of the Northeast 1/4; thence East to the point of beginning, all in Section 14, Township 35 North, Range 3 East, W.M.;

EXCEPT the North 130 feet of the East 130 feet of the South 496 feet of the following described tract:

The Northeast 1/4 of the Northeast 1/4 and the North 20 rods of the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 35 North, Range 3 East, W.M.,

ALSO EXCEPT the East 30 feet of said tract conveyed to Skagit County for road purposes by deed recorded May 5, 1898, under Auditor's File No. 28466.

Situate in the County of Skagit, State of Washington.

PARCEL B:

Also, the East 1/2 of the Southeast 1/4 of the Northeast 1/4, EXCEPT the North 330 feet thereof and the East 1/2 of the North 330 feet of the Northeast 1/4 of the Southeast 1/4 of Section 14, Township 35 North, Range 3 East, W.M., EXCEPT the East 150 feet of the North 280 feet of said portion of said Southeast 1/4 of the Northeast 1/4 lying West of the County road running along the East side of said subdivision, ALSO EXCEPT the East 30 feet of said tract conveyed to Skagit County for road purposes by deed recorded May 5, 1898, under Auditor's File No. 28466.

Situate in the County of Skagit, State of Washington.

PARCEL C:

The West 1/2 of the Southeast 1/4 of the Northeast 1/4, EXCEPT the North 330 feet thereof, and that portion of the West 1/2 of the North 330 feet of the Northeast 1/4 of the Southeast 1/4, lying Easterly of the State Highway, all in Section 14, Township 35 North, Range 3 East, W.M., EXCEPT that portion of the North 330 feet of the Northeast 1/4 of the Southeast 1/4 of Section 14, Township 35 North, Range 3 East, W.M., lying Northeasterly of the State Highway, described as follows:

Beginning at the intersection of the South line of said North 330 feet of said Northeast 1/4 of the Southeast 1/4 with the East line of said State Highway; thence East along said South line a distance of 350 feet; thence North 160 feet; thence West parallel with said South line of the said North 330 feet to the East line of said State Highway; thence Southeasterly along said Northeasterly line to the point of beginning.

Situate in the County of Skagit, State of Washington.



PARCEL D:

That portion of the Southwest 1/4 of the Northeast 1/4 of Section 14, Township 35 North, Range 3 East, W.M., described as follows:

Beginning at a point on the East line of said subdivision that is 330 feet North of the Southeast corner thereof;
thence West to the East line of the State Highway;
thence Southeasterly along said East line of the highway to the East line of said subdivision;
thence North to the point of beginning.

Situate in the County of Skagit, State of Washington.

PARCEL E:

That portion of the North 330 feet of the Northeast 1/4 of the Southeast 1/4 of Section 14, Township 35 North, Range 3 East, W.M., lying Northeasterly of the State Highway, described as follows:

Beginning at the intersection of the South line of said North 330 feet of said Northeast 1/4 of the Southeast 1/4 with the East line of said State Highway;
thence East along said South line a distance of 350 feet;
thence North 160 feet;
thence West parallel with said South line of the said North 330 feet to the East line of said State Highway;
thence Southeasterly along said Northeasterly line to the point of beginning.

Situate in the County of Skagit, State of Washington.

Tax Account No. 350314-4-001-0001	P34323
Tax Account No. 350314-0-011-0007	P34279
Tax Account No. 350314-1-002-0006	P34294
Tax Account No. 350314-1-002-0105	P34295
Tax Account No. 350314-1-008-0000	P34305
Tax Account No. 350314-1-008-0109	P34306
Tax Account No. 350314-1-009-0009	P34307

All situate in the County of Skagit, Washington.

All water and water rights used upon or appurtenant to said property, however evidenced.

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith, and including all rents, issues, profits, buildings and improvements thereon and in all tenements, hereditaments, rights, privileges, easements, rights of way and appurtenances, (including without limitation private roads, grazing privileges, water rights, ditches and conduits and rights of way therefor, all plumbing, lighting, heating, cooling, ventilating, elevating, and irrigating apparatus and other equipment and fixtures, now or hereafter belonging to or used in connection therewith), all of which is hereinafter called the "Property."



Said property also subject to:

A. Terms and Conditions of Special Use Permit recorded March 29, 1989 under Auditor's File No. 8903290022.

B. Easement in favor of Blanchard Edison Water Association to install and maintain only a water line from Ershig Road to the East side of the Andy and Annette Iverson property, dated October 1, 1991 and recorded October 14, 1991 under Auditor's File No. 9110140029. Note: the exact location of this easement is not described.

C. Agricultural Classification: The lands described herein have been classified as farm and agricultural as disclosed by notices recorded November 5, 1971 and February 4, 1972, under Auditor's File Nos. 760170 and 763805, respectively, and are subject to the provisions of RCW 84.34 which include the requirement of a continuation of restricted use in order to continue the present assessment rate. A change in use can cause an increased assessment rate for present and past years. Any sale or transfer of all or a portion of said property requires execution of a Notice of Compliance form attached to the excise tax affidavit.

Any sale or transfer of all or a portion of said property requires execution of a Notice of Compliance form by the new owner and submission and approval by the Skagit County Assessor is required before recording. The Assessor may take up to 15 calendar days to approve, deny or withdraw.

AND THE FOLLOWING DESCRIBED WATER MEMBERSHIP:

Water membership and rights in the Blanchard-Edison Water Association, evidenced by stock certificate No. 428 for 1 membership issued to James H. Posey and Betty L. Posey, as evidenced by document entitled Certificate of Water Membership issued on August 8, 1995.

Also commonly known as 8539 Chuckanut Drive, Bow WA 98232.

Given under my hand this 19th day of April, 2005.

RICK GRIMSTEAD, SHERIFF
SKAGIT COUNTY, WASHINGTON

By:

Kathleen M. Anderson
Kathleen M. Anderson
Civil Assistant

CP05-0574

05-0574 - Posey - Notice of Execution.doc



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Skagit County Auditor

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RICK GRIMSTEAD, SHERIFF

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

NORTHWEST FARM CREDIT SERVICES,)
FLCA, a corporation,)

Plaintiff,)

vs.)

NO. 04-2-00459-7

JAMES M. POSEY, also known as MATT)
POSEY, and DARLA C. POSEY, also known)
as DARLA C. SULLIVAN-POSEY, husband)
and wife, and their marital community; LYLE)
E. BLANK and KAROLYN L. BLANK,)
husband and wife, and their marital community;)
ERROL HANSON FUNDING, INC., a)
corporation; LAND TITLE COMPANY OF)
SKAGIT COUNTY, a corporation;)
RAYMOND DOYAL HOOVER and JANE)
DOE HOOVER, husband and wife, and their)
marital community; COASTLINE TRACTOR;)
PACIFICO PAPERS, INC., a corporation;)
BURL FOX and JANE DOE FOX, husband)
and wife, and their marital community;)
CREDIT UNION RECOVERY SERVICES;)
WILBUR ELLIS COMPANY; and)
OCCUPANTS NUMBERS 1 through 20,)

ORDER OF SALE

Defendants.)



200504210033

Skagit County Auditor

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ORDER OF SALE - 1
POSEY.ORD/0214912

LAW OFFICES OF
WEED, GRAAFSTRA AND
BENSON, INC., P.S.
21 AVENUE A
SNOHOMISH, WA 98290-2962
(360) 568-3119; FAX (360) 568-4437

1 THE STATE OF WASHINGTON TO THE SHERIFF OF SKAGIT COUNTY,
2 GREETINGS:

3 WHEREAS, Northwest Farm Credit Services, FLCA recovered judgment against
4 James M. Posey, also known as Matt Posey, and Darla C. Posey, also known as Darla C.
5 Sullivan-Posey, husband and wife, and their marital community, jointly and severally, and
6 the mortgaged premises and security interest in water membership and rights in the
7 Blanchard-Edison Water Association stock certificate No. 428 for 1 membership issued to
8 James H. Posey and Betty L. Posey, as described in Exhibit A in the Superior Court of
9 Skagit County, State of Washington, on the 14th day of October, 2004, for the sum of One
10 Hundred Forty Seven Thousand, Nine Hundred Sixty Five and 91/100 dollars
11 (\$147,965.91) with interest at the rate of 9.45% per annum on the amount of \$147,965.91
12 from October 14, 2004, and on which there is now due and owing One Hundred Forty
13 Seven Thousand, Nine Hundred Sixty Five and 91/100 dollars (\$147,965.91), not
14 including post judgment interest and costs.

15 WHEREAS, the said judgment is a judgment of foreclosure of a certain mortgage,
16 deed-of-trust, security agreement or lien and fixtures and security interest in water
17 membership and rights in the Blanchard-Edison Water Association stock certificate No.
18 428 for 1 membership issued to James H. Posey and Betty L. Posey, as described in Exhibit
19 A in which the sale or delivery is ordered of the following described property and water
20 rights, situate, lying and being in the County of Skagit, State of Washington, to-wit:

21 SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

22 ASSESSOR'S PARCEL NUMBERS: 350314-4-001-0001 P34323
23 350314-0-011-0007 P34279
24 350314-1-002-0006 P34294
25 350314-1-002-0105 P34295
26 350314-1-008-0000 P34305
27 350314-1-008-0109 P34306
350314-1-009-0009 P34307

AND WHEREAS, the above named judgment debtors and each of them and all
persons claiming by, through or under them, are forever barred and foreclosed of all right,

ORDER OF SALE - 2
POSEY.ORD/0214912



LAW OFFICES OF
WEED, GRAAFSTRA AND
BENSON, INC., P.S.
21 AVENUE A
SNOHOMISH, WA 98290-2962
(360) 568-3119; FAX (360) 568-4437

1 title and interest in and to the above described property, and of all rights of redemption
2 therein, except as provided by law.

3 THEREFORE, in the name of the State of Washington, you are hereby commanded
4 to levy upon, seize, take into execution and sell, or deliver possession thereof, according
5 to law, the above described property, or so much thereof as may be necessary to satisfy the
6 judgment, interest and costs, upon giving notice prescribed by law, and make return of writ
7 within sixty days from date hereof.

8 **SUSAN K. COOK**

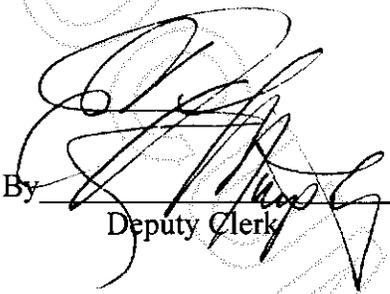
WITNESS, the Honorable ~~NANCY K. SCOTT~~ Judge of the

9 Superior Court of the State of Washington for Skagit County, and the seal of said

10 Court, this 14th day of April, 2005.

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16 George E. Benson
Attorney for Creditor

NANCY SCOTT
Clerk of the Superior Court

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20 By 
Deputy Clerk



24 200504210033
Skagit County Auditor

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26
27 ORDER OF SALE - 3
POSEY.ORD/0214912

LAW OFFICES OF
WEED, GRAAFSTRA AND
BENSON, INC., P.S.
21 AVENUE A
SNOHOMISH, WA 98290-2962
(360) 568-3119; FAX (360) 568-4437

EXHIBIT "A" --LEGAL DESCRIPTION

PARCEL A:

The Northeast 1/4 of the Northeast 1/4, EXCEPT the North 62 rods thereof, and part of the Southeast 1/4 of the Northeast 1/4, described as follows:

Beginning at the Northeast corner of said Southeast 1/4 of the Northeast 1/4; thence South on the East line of said Southeast 1/4 of the Northeast 1/4, 20 rods; thence West to the West line of said Southeast 1/4 of the Northeast 1/4; thence North to the Northwest corner of said Southeast 1/4 of the Northeast 1/4; thence East to the point of beginning, all in Section 14, Township 35 North, Range 3 East, W.M.;

EXCEPT the North 130 feet of the East 130 feet of the South 496 feet of the following described tract:

The Northeast 1/4 of the Northeast 1/4 and the North 20 rods of the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 35 North, Range 3 East, W.M.,

ALSO EXCEPT the East 30 feet of said tract conveyed to Skagit County for road purposes by deed recorded May 5, 1898, under Auditor's File No. 28466.

Situate in the County of Skagit, State of Washington.

PARCEL B:

Also, the East 1/2 of the Southeast 1/4 of the Northeast 1/4, EXCEPT the North 330 feet thereof and the East 1/2 of the North 330 feet of the Northeast 1/4 of the Southeast 1/4 of Section 14, Township 35 North, Range 3 East, W.M., EXCEPT the East 150 feet of the North 280 feet of said portion of said Southeast 1/4 of the Northeast 1/4 lying West of the County road running along the East side of said subdivision, ALSO EXCEPT the East 30 feet of said tract conveyed to Skagit County for road purposes by deed recorded May 5, 1898, under Auditor's File No. 28466.

Situate in the County of Skagit, State of Washington.

PARCEL C:

The West 1/2 of the Southeast 1/4 of the Northeast 1/4, EXCEPT the North 330 feet thereof, and that portion of the West 1/2 of the North 330 feet of the Northeast 1/4 of the Southeast 1/4, lying Easterly of the State Highway, all in Section 14, Township 35 North, Range 3 East, W.M., EXCEPT that portion of the North 330



feet of the Northeast 1/4 of the Southeast 1/4 of Section 14, Township 35 North, Range 3 East, W.M., lying Northeasterly of the State Highway, described as follows:

Beginning at the intersection of the South line of said North 330 feet of said Northeast 1/4 of the Southeast 1/4 with the East line of said State Highway;
thence East along said South line a distance of 350 feet;
thence North 160 feet;
thence West parallel with said South line of the said North 330 feet to the East line of said State Highway;
thence Southeasterly along said Northeasterly line to the point of beginning.

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PARCEL D:

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thence North to the point of beginning.

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PARCEL E:

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