Skagit County Auditor 5/26/2009 Page 1 of 6 9:23AM udgment Document Title: Reference Number : Grantor(s): [\_] additional grantor names on page \_\_\_. · David Allan 2. [\_] additional grantee names on page\_\_ Grantee(s): · Bearrach memonagie 2. Jennifer Glyziński Abbreviated legal description: [] full legal on page(s) \_\_\_. 22-36-3 NE SW Pta [] additional tax parcel number(s) on page \_\_\_. Assessor Parcel / Tax ID Number: P123887 4 P123888

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	8	SUPERIOR COURT OF WASHINGTON, FOR SKAGIT COUNTY					
	9 10	BEARRACH McMONAGLE, a single person, and JENNIFER GLYZINSKI, a single person,	NO. 05-2-02463-4				
X	11 12	Plaintiffs, vs.	JUDGMENT				
`	13	DAVID ALLAN, as his separate estate,					
	14	and/or DAVID ALLAN and JANE DOE ALLAN, husband and wife,	æ.				
	15	Defendants.					
	16						
	17						
	18	JUDGN	MENT SUMMARY				
	19 20	<ol> <li>Cause Number: 05-2-02463-4</li> <li>Judgment Creditor(s): Bearrach N</li> <li>Judgment Debtor(s): David Allan</li> </ol>	IcMonagle and Jennifer Glyzinski				
	20	4. Principal Judgment: \$125,706					
	21	<ol> <li>Interest: Statutory rate</li> <li>Attorney's fees &amp; costs: \$73,201.4</li> </ol>	1				
	22		bear interest at the statutory rate from				
	23	8. Attorney for Judgment Creditor: Jo	hn C. Belcher				
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JUDGMENT			
Findings of Fact and Conclusions of Law having been entered, judgment			
is hereby entered as set forth below.			
1. Title is quieted in plaintiffs Bearrach McMonagle and Jennifer			
Glyzinski to the following described real property ("Plaintiffs' Property"):			
The Southeast ¼ of the Northwest ¼ of Section 22, Township 36 North, Range 3, E.W.M., situate in the County of Skagit, State of Washington.			
2. Within 30 days of entry of this judgment, defendant David Allan is			
ordered to remove fences, trailers, boats, junk and other personal property from			
Plaintiffs' Property.			
3. Within 30 days of entry of this judgment, defendant David Allan is			
ordered to move his pole barn at least 35 feet from Plaintiffs' Property.			
4. Within 30 days of entry of this judgment, defendant David Allan is			
ordered to remove the swale and drainage culvert, which are presently directing			
water onto Plaintiffs' Property.			

- 20 5. Within thirty days of entry of this judgment, defendant David Allan 21 is ordered to move his driveway off Plaintiffs' property. 22
- 6. Defendant David Allan is ordered to redesign his septic tank/drain 23
- field so it will not encroach on Plaintiffs' Property and to respect the setbacks 24
- required under applicable Skagit County codes. 25
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JUDGMENT - 2

900 DUPONT STREET, BELLINGHAM WASHINGTON 98225 TELEPHONE 360.734, 6390 FAX 360.671.0753

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LAW FIRM, PLLC

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	3	7. Defendant David Allan is ordered to allow the plaintiffs to do					
	4	restorative work on their property, including removing and burning timber/slash					
	5	piles, removing fill from the wetland, replanting/mitigating damage to the wetland					
	6	and watering/replacing vegetation planted in the wetland for five years after the					
	7	planting takes place. Plaintiffs may enter onto Defendant's Property to perform					
	8	this work, and defendant will not interfere with plaintiffs and contractors/					
	9 10	consultants hired by plaintiffs to perform this work.					
	10	8. Defendant David Allan is ordered to cease trespassing and					
****	12	encroaching upon Plaintiffs' Property and to allow the plaintiffs the quiet					
	13	enjoyment of their property.					
	14	9. Defendant's counterclaim is dismissed with prejudice.					
	15	10. Paragraphs 1 through 9 are binding upon Defendant David Allan					
	16	and all persons claiming by, through or under David Allan on or after April 23,					
	17 18	007 <sup>1</sup> with regard to the following described real property ("Defendant's					
	10	Property"):					
	20	That portion of the northeast ¼ of the southwest ¼ of section 22					
	21	township 36 north, range 3 east, W.M. described as follows:					
	22	Beginning at the center of said section 22; thence due west 80 rods to a stake on the right bank of the McElroy slough; thence south 22					
	23	<sup>4</sup> <sup>1</sup> / <sub>4</sub> degrees east a distance of 75 rods more or less, to the point of <sup>4</sup> beginning. Except that portion lying within the as built and existing					
	24						
	25						
	26						
	27	<sup>1</sup> The date of filing the Lis Pendens herein under Skagit County Auditor's No. 200704230080.					

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As recorded in Skagit County Auditor's File No. 200801060080. Tax Parcel Nos. 123887 & 123888 1. Plaintiffs are awarded judgment against David Allan in the amount of \$125,706, together with attorney's fees, costs of investigation and litigation- related expenses in the amount of \$73,201.11. DONE IN OPEN COURT thisday of1			
Tax Parcel Nos. 123887 & 123888         11.       Plaintiffs are awarded judgment against David Allan in the amount of \$125,706, together with attorney's fees, costs of investigation and litigation- related expenses in the amount of \$73,201.11.         DONE IN OPEN COURT this day of		~	
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14       Presented by:       BELCHER SWANSON LAW FIRM,         15       PLLC.         16       By       JOHN C. BELCHER, WSBA #5040         18       JOHN C. BELCHER, WSBA #5040         19       NWFUCBMEMOMMERUDDMENTax         20       Skagit County Auditor         21       Skagit County Auditor         22       Skagit County Auditor         23       Staget County Auditor         24       Staget County Auditor         25       Staget County Auditor         26       Staget County Auditor         27       Staget County Auditor         28       Staget County Auditor         29       Staget County Auditor         20       Staget County Auditor         20       Staget County Auditor         21       Staget County Auditor         22       Staget County Auditor         23       Staget County Auditor         24       Staget County Auditor         25       Staget County Auditor         26       Staget County Auditor         27       Staget County Auditor         28       Staget County Auditor         29       Staget County Auditor         20       Staget County Auditor <th></th> <th></th> <th>JUDGE</th>			JUDGE
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State of Washington, } ss.

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