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Skagit County Auditor

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Document Title:

DECREE AND JUDGMENT

Reference Number :

Grantor(s):

☐ additional grantor names on page ____.

1. HANSEN, FRANK

2. HANSEN, BARBARA

Grantee(s):

☐ additional grantee names on page ____.

1. PETERSEN, WALTER

2. PETERSEN, FRANCES

Abbreviated legal description:

☐ full legal on page(s) ____.

PTN LT 4 SP 91-049 VOL 10 PG 199

Assessor Parcel / Tax ID Number:

☐ additional tax parcel number(s) on page ____.

P83433

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA
2009 JUL -9 PM 1:57

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

WALTER J. PETERSEN and FRANCES L.
PETERSEN, Trustees of the Petersen Family
Trust,

Plaintiffs,

v.

FRANK MORRIS HANSEN and BARBARA
~~ANNE~~ HANSEN, Trustees for the Hansen
Family Trust, *ANNE*

Defendants.

No. 09-2-004741

**STIPULATION FOR ENTRY OF A
DECREE AND JUDGMENT OF
APPROPRIATION AND ADVERSE
POSSESSION**

COME NOW the parties, Plaintiffs Walter J. Petersen and Frances L. Petersen, as
Trustees of the Petersen Family Trust, (hereinafter "Petersen") and Defendants Frank Morris
Hansen and Barbara ~~Ann E.~~ Hansen, as Trustees for the Hansen Family Trust, (hereinafter
"Hansen") and hereby stipulate as follows:

1. In accordance with the Complaint filed in Skagit County Superior Court in
February 2009, Cause Number 09-2-00474-1, in the above-entitled action, the Plaintiffs
Petersen request entry of a decree of adverse possession of the driveway adjoining their

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1 residential property on Fidalgo Island, Skagit County, Anacortes, Washington, more
2 particularly described in the map attached hereto as Exhibit A, and the legal description of the
3 disputed property attached hereto as Exhibit B.

4
5 2. The Plaintiffs Petersen, are the owners of two parcels improved with a single-
6 family residence with a street address of 11517 Coronado Dr., Anacortes, Skagit County,
7 Washington 98221. The legal description of the single-family residential property improved
8 with a residence is described in the petition as Parcel A, attached hereto as Exhibit C.

9 3. The Defendants Hansen are owners of an adjoining parcel situated in Skagit
10 County, Washington, particularly described in Exhibit D, which is attached hereto and made a
11 part of this Stipulation hereof.

12
13 4. The Plaintiffs Petersen and the Defendants Hansen have agreed to stipulate that
14 the disputed property described in Exhibits A and B, which consists of the Petersen's asphalt
15 driveway and the adjoining landscaping, planting and garden and sprinkler system to the north
16 of the driveway have been utilized as access since 1996 when the Plaintiffs Petersen acquired
17 the property.

18
19 5. The parties, the Plaintiffs Petersen and Defendants Hansen, hereby stipulate that
20 the Petersens have at all times, since 1996, used and utilized the disputed area previously
21 described, consisting of approximately 5,573 square feet, as their own property, and have
22 acquired said property by adverse possession by their open, notorious and continuous use of
23 said property.
24

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1 surveyed by Schemmer Engineering, be and the same is hereby declared to be adversely
2 possessed by the Petersens, and title is hereby declared by decree to be in the Plaintiffs
3 Petersen's ownership.

4 It is FURTHER ORDERED, ADJUDGED AND DECREED: that this Decree conveys
5 all right, title, and interest in the asphalt driveway and adjoining landscaping as illustrated in
6 Exhibits A and B, consisting of approximately 5,573 square feet, to be in fee simple ownership
7 in the Plaintiffs Petersen Family Trust.
8

9 DONE IN OPEN COURT this 9 day of July 2009.

10
11 Dave Needy
12 JUDGE/COURT COMMISSIONER

13 **Presented by:**

14 WILLIAMS & WILLIAMS PSC
15 OF COUNSEL

16 By: Richard W. Pierson
17 Richard W. Pierson, WSBA 3884
18 Attorneys for Plaintiffs Petersen

19 ////

20 ////

21 ////



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22
23
24
25 STIPULATION FOR ENTRY OF A DECREE AND
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WILLIAMS & WILLIAMS PSC
18806 BOTHELL WAY NE • BOTHELL, WA 98011
PHONE: (425) 486-8138 • FACSIMILE: (425) 485-8449
EMAIL: WILLIAMSPSC@WILLIAMSPSC.COM

6. As a consequence, the parties, Plaintiffs Petersen and Defendants Hansen, hereby stipulate to the entry of the following judgment and decree of adverse possession.

Stipulated & Agreed to this 11 day of May, 2009:

WILLIAMS & WILLIAMS PSC
OF COUNSEL

Stipulated & Agreed to this 27th day of May June, 2009:

FMH BAH

By: [Signature]
Richard W. Pierson, WSBA 3884
Attorneys for Petersens

By: Frank Morris Hansen
Frank Morris Hansen, Pro Se
Individually and on behalf of the Hansen
Family Trust, Defendant

By: [Signature]
Walter J. Petersen, Individually and on
behalf of the Petersen Family Trust,
Plaintiff

By: Barbara Jane Hansen
~~Barbara Ann E.~~ Hansen, Pro Se
Individually and on behalf of the Hansen
Family Trust, Defendant

By: [Signature]
Frances L. Petersen, Individually and on
behalf of the Petersen Family Trust,
Plaintiff

ORDER

THE COURT, having reviewed the stipulation of the parties and being familiar with the facts and circumstances herein hereby enters the following JUDGMENT AND ORDER AND DECREE OF ADVERSE POSSESSION:

The legal description contained in Exhibit A, together with the map contained on Exhibit B are specifically described as the disputed asphalt driveway and the adjoining landscaping consisting of approximately 5,573 square feet as previously described, and as

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1 STATE OF WASHINGTON)

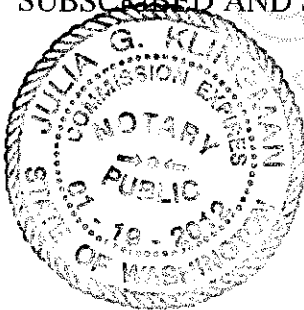
) ss

2 County of Skagit)

3 I, Walter J. Petersen, being first duly sworn on oath, deposes and says: I have read the
4 foregoing Stipulation For Entry Of A Decree And Judgment Of Appropriation And Adverse
5 Possession, know the contents, and believe them to be true.

6 Walter J. Petersen

7 SUBSCRIBED AND SWORN TO before me this 11 day of ^{may} April, 2009.



8 Julia G. Klingman
9 (Type/Print Name)

10 Notary Public in and for the State of Washington,
11 residing at Anacortes, WA.
12 My commission expires: 1-19-12.

13 STATE OF WASHINGTON)

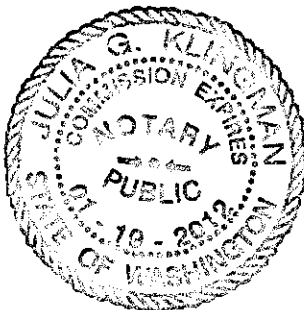
) ss

14 County of Skagit)

15 I, Frances L. Petersen, being first duly sworn on oath, deposes and says: I have read
16 the foregoing Stipulation For Entry Of A Decree And Judgment Of Appropriation And
17 Adverse Possession, know the contents, and believe them to be true.

18 Frances L. Petersen

19 SUBSCRIBED AND SWORN TO before me this 11 day of ^{may} April, 2009.



21 Julia G. Klingman
22 (Type/Print Name)

23 Notary Public in and for the State of Washington,
24 residing at Anacortes, WA.
25 My commission expires: 1-19-12.

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1 STATE OF WASHINGTON)
2 County of Skagit) ss

3 I, Frank Morris Hansen, being first duly sworn on oath, deposes and says: I have read
4 the foregoing Stipulation For Entry Of A Decree And Judgment Of Appropriation And
5 Adverse Possession, know the contents, and believe them to be true.

6 Frank Morris Hansen
Frank Morris Hansen

7 SUBSCRIBED AND SWORN TO before me this 27th day of June, 2009.

8 RICHARD W. PIERSON
9 STATE OF WASHINGTON
10 NOTARY PUBLIC

11 Richard W. Pierson
(Type/Print Name)

12 Notary Public in and for the State of Washington,
13 residing at Seattle

14 My commission expires: 11/03/12

13 STATE OF WASHINGTON)
14 County of Skagit) ss

15 I, Barbara Anne E. Hansen, being first duly sworn on oath, deposes and says: I have
16 read the foregoing Stipulation For Entry Of A Decree And Judgment Of Appropriation And
17 Adverse Possession, know the contents, and believe them to be true.

18 Barbara Anne Hansen
19 Barbara Anne E. Hansen
Anne

20 SUBSCRIBED AND SWORN TO before me this 27th day of June, 2009.

21 RICHARD W. PIERSON
22 STATE OF WASHINGTON
23 NOTARY PUBLIC

24 Richard W. Pierson
(Type/Print Name)

25 Notary Public in and for the State of Washington,
residing at Seattle

My commission expires: 11/03/12

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1/16 CORNER

TRACT A DIV 3

LOT 17
POINTE DIV. 2

EDGE ASPHALT

GATE

GRAVEL ROAD

ASPHALT DRIVE
5573 SQ.FT.
QUIT CLAIM AREA
S 66°31'37" E 149.68
S 62°23'39" E 115.00 FT
R=265
L=21.87
d=4°43'30"

N 28°29'02" W
27.93 FT

LOT 4
THE POINTE DIV. 2
P83433

P32584

LOT 12
THE POINTE DIV. 1

EXHIBIT A



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SCHEMMER JOHNSTON PLLC

CIVIL

STRUCTURAL

SURVEYING

No. 09-013-004711

Exhibit B

QUIT CLAIM LEGAL DESCRIPTION

HANSEN FAMILY TRUST TO PETERSEN FAMILY LIVING TRUST

A PORTION OF LOT 4, SHORT PLAT 91-049 AS RECORDED IN VOLUME 10 OF SHORT PLATS, PAGE 199, RECORDS OF SKAGIT COUNTY, WASHINGTON, IN THE SOUTH WEST QUARTER OF SECTION 35, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 4, PLAT OF "THE POINTE DIVISION NUMBER 2" AS RECORDED IN VOLUME 14 OF PLATS, PAGES 50 TO 52, RECORDS OF SKAGIT COUNTY, WASHINGTON;

THENCE SOUTH $62^{\circ}23'39''$ EAST A DISTANCE OF 141.00 FEET ALONG THE NORTH LINE OF SAID LOT 4 AND SAID LINE EXTENDED;

THENCE SOUTH $28^{\circ}29'02''$ EAST A DISTANCE OF 27.93 FEET;

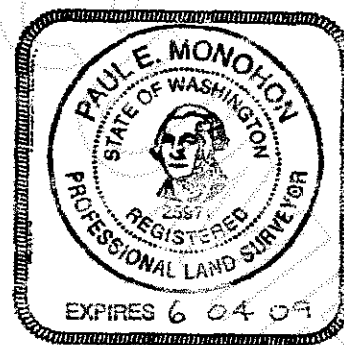
THENCE NORTH $02^{\circ}28'54''$ EAST A DISTANCE OF 61.97 FEET;

THENCE NORTH $66^{\circ}31'37''$ WEST A DISTANCE OF 149.68 FEET TO THE EASTERLY LINE OF CORONADO DRIVE;

THENCE SOUTH $04^{\circ}58'33''$ WEST A DISTANCE OF 10.00 FEET ALONG SAID EAST LINE;

THENCE ALONG A CURVE TO THE RIGHT ON SAID EAST LINE HAVING A RADIUS OF 265.00 FEET, A LENGTH OF 21.87 FEET, AND A CENTRAL ANGLE OF $04^{\circ}43'30''$ TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5573 SQUARE FEET.



JOB 09-013

4/09/09

EXHIBIT 



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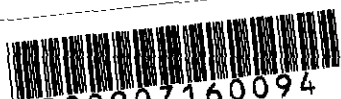
UNOFFICIAL

State of Washington, } ss.
County of Skagit

I, Nancy K. Scott, County Clerk of Skagit County
and ex-officio Clerk of the Superior Court of the
State of Washington, forthwith certify that the
hereby certified is a true and correct copy of the original, containing of 2
pages, now in my office.

IN TESTIMONY WHEREOF, I have hereunto set
my hand and seal of office at my
office at Mount Vernon, Washington, this 20th day of
November, 2009.

By  Clerk



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