



201008110071
Skagit County Auditor

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AFTER RECORDING RETURN TO:

Bishop, White, Marshall & Weibel, P.S.

720 Olive Way, Suite 1301

Seattle, WA 98101

ATTN: Ana I. Todakonzie

Name of File and File No. U.S. Bank v. Hoy, 488.090481.2

Document Title(s):

Amended Default Judgment and Decree of Foreclosure Against Defendants

Reference Number(s) of Document assigned or released:

N/A

Plaintiff:

U.S. Bank National Association

Defendants:

Donald Kirk Hoy and Jane Doe Hoy; JPMorgan Chase Bank fka Washington Mutual Bank; John and Jane Does, Occupants of the Premises

Abbreviated Legal Description as follows:

Ptn. Sections 17, 18, 19 and 20, Township 35, Range 7; (aka Lot 1 Short Plat No. PL-04-0479)

Assessor's Property Tax Parcel/Account Number:

350720-2-004-0000 (P43065) & 350719-1-001-0008 (P43029)

ORIGINAL

2010 JUL 21 PM 1:59

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

U.S. BANK NATIONAL ASSOCIATION
ND,

Plaintiff,

vs.

DONALD KIRK HOY AND JANE DOE
HOY; JPMORGAN CHASE BANK FKA
WASHINGTON MUTUAL BANK; AND
JOHN AND JANE DOES, OCCUPANTS OF
THE PREMISES,

Defendants.

Case No. 09-2-02033-0

AMENDED
DEFAULT JUDGMENT AND
DECREE OF FORECLOSURE
AGAINST DEFENDANTS

[CLERK'S ACTION REQUIRED]

I. JUDGMENT SUMMARY

Judgment Creditor:

U.S. BANK NATIONAL ASSOCIATION
ND

Attorneys for Judgment Creditor:

ANNETTE COOK AND BISHOP, WHITE,
MARSHALL & WEIBEL, P.S.

Judgment Debtors:

DEFAULT JUDGMENT AND DECREE OF
FORECLOSURE OF THE DEED OF
TRUST for security instrument number
200704160141; real property of 37227 S.
Skagit Hwy, Sedro Woolley, WA 98284

Principal Judgment Amount:

\$313,000.00

Interest to 6/1/2010
(per diem \$50.59)

\$27,700.56

Late Charges to 6/10:

\$1,385.10

AMENDED DEFAULT JUDGMENT AND
DECREE OF FORECLOSURE 1

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1 Attorney's Fees: \$4,415.10
2 Other Recoverable Amounts
3 (corporate advances for taxes
and insurance): \$5,773.60

4 TOTAL JUDGMENT AMOUNT: \$ \$352,274.36

5 Post judgment interest shall accrue at the rate of 5.90% per annum on the total
6 judgment.

7 Plaintiff's Motion for presentation of default judgment and decree of foreclosure
8 against the real property, JPMorgan Chase Bank fka Washington Mutual Bank; and John
9 and Jane Does, Occupants of the Premises, came on for hearing on this date before the
10 undersigned judge/court commissioner of this court. The Court, having reviewed the
11 motion for default judgment and decree of foreclosure and the materials filed in support
12 thereof, and the records and pleadings on file herein, and being fully advised, hereby

13 FINDS that the allegations of the complaint are true; that no genuine issue exists as
14 to any material fact and that Plaintiff is entitled to judgment as a matter of law; that no just
15 reason exists for delay and that judgment should be entered in favor of Plaintiff forthwith as
16 more particularly hereinafter set forth. It is therefore,

17 ORDERED, ADJUDGED AND DECREED, as follows:

18 1. That no just reason exists for delay in the entry of judgment in favor of
19 Plaintiff as prayed for in the complaint and that it is hereby expressly directed that
20 judgment be entered in favor of Plaintiff as hereinafter more particularly set forth;

21 2. That the Plaintiff U.S. Bank National Association, ND (hereinafter called
22 "U.S. Bank") have and recover judgment against the real property above-described in the
23 principal sum of \$313,000.00, together with interest at 5.90% per annum from date of default
24 to date of entry of this judgment; the further sum of \$1,106.04 for title search; the sum
25

AMENDED DEFAULT JUDGMENT AND
DECREE OF FORECLOSURE 2

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1 attorney's fees of \$2,000.00 as well as prior foreclosure fees and costs of \$2,412.04, or such
2 greater sum as the court may find reasonable in the event this action be contested; late
3 charges for \$1,385.10 and lender advances for \$5,773.60; and Plaintiff's costs and
4 disbursements herein to be taxed. Such judgment shall bear interest at 5.90% per annum until
5 paid.

6
7 3. That certain deed of trust (hereinafter called "security instrument") dated
8 April 11, 2007, encumbering the following described real property in Skagit County,
9 Washington:

10 Lot 1, Short Plat #PL-04-0479, approved August 11, 2004, recorded on August
11 11, 2004, under Skagit County Auditor's File No. 200408110097; being a
12 portion of Sections 17, 18, 19 and 20, Township 35 North, Range 7 East, W.M.

13 Commonly known as: 37227 S Skagit Hwy, Sedro Woolley, WA 98284,

14 which security instrument was recorded in the office of the Auditor/Recorder of Skagit
15 County, Washington on April 16, 2007, under Auditor's File No. 200704160141, is hereby
16 adjudged and decreed to be a valid, subsisting, first, prior and paramount lien upon the real
17 property above-described, prior and superior to any and all right, title, interest, lien or
18 estate of the defendants, or any of them, or of anyone claiming by, through or under them
19 in and to said real property, securing the payment of the judgment herein rendered; that
20 said security instrument be, and the same is hereby foreclosed and the real property therein
21 described is hereby ordered to be sold by the Sheriff of Skagit County, Washington, in the
22 manner provided by law for deed of trust foreclosures and in accordance with the practices
23 of this Court; that the proceeds of such sale shall be applied toward the payment of the
24 judgment rendered herein in favor of the Plaintiff, interest accruing on said judgment,
25 together with any costs and increased costs of sale and any advances that Plaintiff may be

AMENDED DEFAULT JUDGMENT AND
DECREE OF FORECLOSURE 3

BISHOP, WHITE, MARSHALL & WEIBEL, P.S.

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1 required after the entry of judgment to make for the payment of taxes, assessments, other
2 items constituting liens on the property, insurance, and/or repairs for the protection or
3 preservation of the property; that the Plaintiff be, and it is hereby, permitted to become a
4 bidder and purchaser at such sale; that the purchaser at such sale shall be entitled to
5 immediate possession of the property subject only to such rights of redemption and rights
6 of possession during the redemption period as are provided by law; that the defendants and
7 any and all persons claiming by, through or under them, be, and the same are hereby,
8 forever barred and foreclosed from any and all right, title, interest, lien or estate in and to
9 the said real property above-described, or any part thereof save only such rights of
10 redemption as are provided by law; that any and all persons acquiring any right, title,
11 interest, lien or estate in and to the real property described above, or any part thereof,
12 subsequent to April 11, 2007, the date of Plaintiff's security instrument, which was
13 foreclosed herein be, and they are hereby foreclosed by any such right, title, interest, lien
14 or estate as against Plaintiff in this action or any successor thereto save only for such rights
15 of redemption as are provided by law; that all right, title and interest in and to any policy
16 of hazard insurance insuring the said premises shall pass to the purchaser at such Sheriff's
17 Sale at the time of such sale.
18

19 4. That the period of redemption from such Sheriff's Sale shall be fixed at (12)
20 twelve months next ensuing after sale;
21

22 DONE IN OPEN COURT this 21 day of July, 2010

23 C. Ben Pardo
24 Judge/Court Commissioner
25

AMENDED DEFAULT JUDGMENT AND
DECREE OF FORECLOSURE 4

BISHOP, WHITE, MARSHALL & WEIBEL, P.S.
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1 Presented by:

2 BISHOP, WHITE, MARSHALL
3 & WEIBEL, P.S.

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5 Annette Cook, WSBA#31450
6 Attorneys for Plaintiff
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AMENDED DEFAULT JUDGMENT AND
DECREE OF FORECLOSURE 5

BISHOP, WHITE, MARSHALL & WEIBEL, P.S.

720 OLIVE WAY, SUITE 1301

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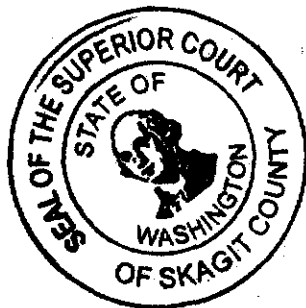
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State of Washington, } ss.
County of Skagit

I, Nancy K. Scott, County Clerk of Skagit
County and ex-officio Clerk of the Superior Court
of the State of Washington, for the County of Skagit,
do hereby certify that the foregoing instrument is a
true and correct copy of the original, consisting of
5 pages, now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set
my hand and affixed the Seal of said Court at my
office at Mount Vernon this 9 day of Aug
20 10 Nancy K. Scott, County Clerk.

By [Signature] Deputy Clerk



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