



201008300140

Skagit County Auditor

8/30/2010 Page 1 of 5 3:58PM

Document Title: Judgment

Reference Number: 200406210184

Grantor(s):

☐ additional grantor names on page ____

1. Alexander McLaren

2.

Grantee(s):

☐ additional grantee names on page ____

1. J. Phillip Rhodes

2.

Abbreviated legal description:

☐ full legal on page(s) ____

n/a Lot 2 of Survey recorded under
Auditor's file number 200406210184

Assessor Parcel / Tax ID Number:

☐ additional tax parcel number(s) on page ____

n/a P121822

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2010 MAR 11 AM 9:15

SUPERIOR COURT OF THE STATE OF WASHINGTON, SKAGIT COUNTY

J. Phillip Rhodes

Plaintiff

v.

Alexander McLaren,

Defendant

No. 07-2-00019-7

JUDGMENT FOR PLAINTIFF

JUDGMENT SUMMARY

JUDGMENT CREDITOR:	J. Phillip Rhodes
ATTORNEYS FOR JUDGMENT CREDITOR:	Alan R. Souders & John P. Livingston
JUDGMENT DEBTORS:	Alexander McLaren
PRINCIPAL AMOUNT OF JUDGMENT:	\$ 32,900.00
PREJUDGMENT INTEREST at 12%:	\$ none
ATTORNEY FEES:	\$ to be determined separately
COSTS OF ACTION:	\$ to be determined separately
TOTAL JUDGMENT – Principal only:	\$ 32,900.00
POSTJUDGMENT INTEREST RATE:	12%

Judgment for Plaintiff - 1

109 00485 6 ✓

Law Office of Alan R. Souders
913 Seventh Street
Anacortes, Washington 98221
360-299-3060

ORIGINAL



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1
2 THIS MATTER was tried by the Court without a jury in sessions of August 12th and
3 13th, and November 3rd, 4th, 24th, and 25th, 2008, the Honorable David Needy
4 presiding. Plaintiffs and Defendants appeared personally and through their attorneys
5 of record, Alan R. Souders and John P. Livingston for the Plaintiff and Richard J.
6 Hughes for the Defendant.
7

8
9 The Court received the evidence and testimony offered by the parties, considered the
10 pleadings filed in the action and heard the oral argument of the parties' counsel. At the
11 outset of the trial, upon motion of the Defendant, the Court determined that the
12 contract at issue between the parties did not require the complete removal of a certain
13 house from the Defendant's property. In the course of trial the Court determined that
14 any damages for trespass would be governed by the contract between the parties.
15 The Court further found that no express or implied easement existed in favor of the
16 Plaintiff across the Defendant's property. At the conclusion of trial, the Court rendered
17 an oral decision in favor of the Plaintiff on the matter of breach of contract but denied
18 Plaintiff's claim for nuisance. The Court has made and entered findings of fact and
19 conclusions of law on March 11, 2010.
20
21
22

23 Consistent with its findings and conclusions, the Court enters Judgment as follows:
24
25

26 ***Judgment for Plaintiff - 2***

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(1) Plaintiff is entitled to damages of \$32,900.00 for Defendant's breach of the contract involved in this action.

(2) As the prevailing party, Plaintiff is entitled to payment of his taxable costs, and to attorney fees, ^{on} ~~subject to possible offset~~ in accordance with the contract between the parties, in an amount to be determined separately and included in a supplemental judgment.

(3) Other provisions:

Done this 1st day of March, 2010.

David Needy
David Needy, Judge

Respectfully submitted:

Alan R. Souders
Alan R. Souders, WSBA No. 26192
Attorney for Plaintiff

Approved as to Form:

Richard W. [Signature] #22892
Attorney for Defendant

Judgment for Plaintiff - 3

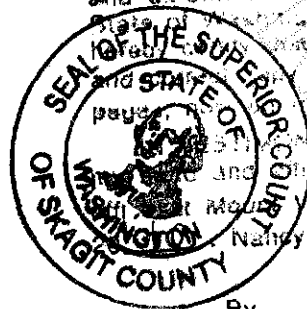
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State of Washington, } ss.
County of Skagit

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
certify that the foregoing instrument is a true
and correct copy of the original, consisting of 3
pages.



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
certify that the foregoing instrument is a true
and correct copy of the original, consisting of 3
pages.

By W. O. O. O.
Deputy Clerk



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