

FILED FOR RECORD AT THE
REQUEST OF/RETURN TO:
Craig E. Cammock
Skagit Law Group, PLLC
P.O. Box 336 / 227 Freeway Drive, Suite B
Mount Vernon, WA 98273



201107260060
Skagit County Auditor

7/26/2011 Page 1 of 8 3:09PM

Document Title: ORDER Authorizing Warrant of Abatement,
Demolition, Removal and Disposal, Removal and
Disposal, REAL PROPERTY LIEN, and
JUDGMENT FOR SUM CERTAIN

Grantors: MARILYN R. GUNTHER and
JOHN DOE GUNTHER, wife and husband,
individually, and the marital community
composed thereof

Grantees: CITY OF MOUNT VERNON, a municipal
corporation of the State of Washington

Additional Grantor(s) on page(s):
Additional Grantee(s) on page(s):
Abbreviated Legal: ptn N1/2 of SW¹/₄ of NE¹/₄ of NE¹/₄, 29-34-4E W.M.
Additional Legal on page(s): 4
Assessor's Tax Parcel No.: 340429-1-008-0003 / P28553

FILED
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SKAGIT COUNTY, WA

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SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

CITY OF MOUNT VERNON, a municipal corporation of the State of Washington,

Plaintiff,

vs.

MARILYN R. GUNTHER and JOHN DOE GUNTHER, wife and husband, individually, and the marital community composed thereof; and MARY A. THORENE and JOHN DOE THORENE, wife and husband, individually, and the marital community composed thereof,

Defendants.

Case No.: 08-2-02332-2

ORDER AUTHORIZING WARRANT OF ABATEMENT, DEMOLITION, REMOVAL, AND DISPOSAL, REAL PROPERTY LIEN, AND JUDGMENT FOR SUM CERTAIN

THIS MATTER having come on regularly for hearing before the undersigned Judge/Commissioner of the above-entitled court, and the court being fully advised in the premises, now makes the following order and judgment:

I. JUDGMENT SUMMARY

Judgment Creditor:
Judgment Debtors:

CITY OF MOUNT VERNON
MARILYN R. GUNTHER and JOHN DOE GUNTHER, wife and husband, individually, and the marital community composed thereof

Real Property:

The real property which is the subject of this cause of action is legally described as:

ORDER, JUDGMENT AND LIEN - 1

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43

Abbreviated: ptn N1/2 of SW ¼ of NE ¼ of NE ¼, 29-34-4E, W.M.

Identified by: Skagit County Assessor's parcel no. 28553/tax identification number: 340429-1-008-0003

Full legal description: page 4

Principal Judgment Amount: \$7,411.70

Interest Rate after Judgment: 12% per annum

Attorney's Fees: \$7,811.00

Costs: \$712.30

Other Recovery Amounts: \$

Attorney for Judgment Creditors: Craig E. Cammock of Skagit Law Group, PLLC
Attorney for Judgment Debtors Gunther: Pro Se:

Marilyn R. Gunther, WSBA #27797

Attorney at Law

5312 9th Avenue, N.E.

Seattle, WA 98105

Attorney for Defendants Thorene: Michael A. Winslow, WSBA #13901

Attorney at Law, Inc., P.S.

1204 Cleveland Avenue

Mount Vernon, WA 98273

II. HEARING

2.1 Date. This matter came before the court on the date set forth below.

2.2 Appearances. Plaintiff appeared by and through its counsel, Craig E.

Cammock of Skagit Law Group, PLLC. Defendants, MARILYN R. GUNTHER and JOHN

DOE GUNTHER, wife and husband, [] did appear pro se [X] did not appear

in person or by counsel. Defendants, MARY A. THORENE and JOHN DOE THORENE,

wife and husband, [X] did appear by and through their attorney, Michael A. Winslow,

[] did not appear.

2.3 Purpose. To rule on the Motion of Plaintiff for an Order authorizing demolition, removal, and disposal, and for a judgment relating to the costs thereof which shall

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1 constitute a lien on Defendant's real property, and for a judgment for attorney's fees and
2 costs.

3 **III. COURT'S FINDINGS**

4 The court considered the pleadings filed in this action and the Declaration of Craig E.
5 Cammock in support of Plaintiff's Motion.

6 Based on the argument of counsel, the pleadings and evidence presented, the court
7 finds that Plaintiff is entitled to an Order and Warrant of Abatement authorizing the
8 demolition of the house and all improvements on Defendant's real property, which property is
9 fully described in paragraph 4.1 below, including the removal and disposal of all
10 improvements and personal property of any kind located on said property and lien against the
11 real property for all costs incurred.

12 The court also finds that the Plaintiff shall have a judgment against the Defendants,
13 Marilyn R. Gunther and John Doe Gunther, wife and husband, and the marital community
14 composed thereof, in an amount equal to all costs which arise out of or relate to the Plaintiff's
15 actions relative to said demolition, removal and disposal, which judgment shall constitute a
16 lien against said real property.

17 The court also finds that the Plaintiff shall have a judgment against the Defendants,
18 Marilyn R. Gunther and John Doe Gunther, wife and husband, and the marital community
19 thereof, for attorney's fees and costs incurred in this action.

20 **IV. ADJUDICATION**

21 ON THE BASIS OF THE FOREGOING, IT IS ORDERED, ADJUDGED AND
22 DECREED:

23 ORDER, JUDGMENT AND LIEN - 3

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1 WARRANT OF ABATEMENT

2 4.1 Judgment. Plaintiff, CITY OF MOUNT VERNON, is awarded judgment
3 against the Defendants, MARILYN R. GUNTHER and JOHN DOE GUNTHER, wife and
4 husband, individually, and the marital community composed thereof, in the amount of
5 \$7,411.70 representing the bid amount for the demolition of the house and all improvements,
6 including the removal and disposal of all improvements and personal property of any kind,
7 located on the real property is commonly known as 1488 South 18th Street, Mount Vernon,
8 Skagit County, Washington and more particularly described as follows:

9 That portion of the North 1/2 of the Southwest 1/4 of the Northeast
10 1/4 of the Northeast 1/4 of Section 29, Township 34 North, Range
11 4 East, W.M., described as follows:

12 Beginning at the Southwest corner of said subdivision; thence
13 North 49.5 feet, more or less, to the North line of that certain
14 tract of land as conveyed to Arthur H. Olson, et ux, by deed
15 recorded in Volume 202 of Deeds, page 239, under Auditor's
16 File No. 381825, records of said County; thence East to the East
17 line of the Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4;
18 thence South to the South line of the North 1/2 of the Southwest
19 1/4 of the Northeast 1/4 of the Northeast 1/4; thence West to point
20 of beginning EXCEPT County Road along the West line
21 thereof.

22 Situated in Skagit County, Washington.

23 Said judgment shall constitute a lien against the above-described real property.

24 Post-judgment interest shall accrue at the rate of 12% per annum until paid.

25 4.2 Judgment – Attorney's Fees and Costs. Plaintiff, CITY OF MOUNT
VERNON, is awarded judgment against the Defendants, MARILYN R. GUNTHER and
JOHN DOE GUNTHER, wife and husband, individually, and the marital community

ORDER, JUDGMENT AND LIEN - 4

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1 composed thereof, in the amount of \$8,523.30 representing attorney's fees of \$7,811.00 and
 2 costs of \$712.30. Post-judgment interest shall accrue at the rate of 12% per annum until paid.

3 **4.3 Supplemental Judgment.** Plaintiff, CITY OF MOUNT VERNON, shall be
 4 entitled to a supplemental judgment against said Defendants GUNTHER in such amount that
 5 the costs and fees relative to the demolition, removal and disposal exceed those provided for
 6 herein.

7 **4.4 Injunction.** Defendant Gunther is permanently enjoined and restrained from
 8 maintaining the nuisance conditions described in the Plaintiff's complaint on the property that
 9 is the subject of this action.

10 **4.5 Entry onto Property.** Plaintiff, CITY OF MOUNT VERNON, and its
 11 employees, contractors, subcontractors and any other persons necessary and desirable for the
 12 abatement of the nuisances on Defendant Gunther's property shall have the right to enter
 13 Defendant Gunther's real property that is the subject of this action. Such right of entry shall
 14 allow entry from time to time and for such time as is necessary to abate any and all nuisances
 15 and defects as described in the Plaintiff's complaint, to demolish the house and all
 16 improvements, including the removal and disposal of all improvements and personal property
 17 of any kind located on the property. The authorization granted to the Plaintiff shall include,
 18 but not be limited to:

- 19 A. The City soliciting bids from its small works roster, obtaining an estimate, and
- 20 hiring a contractor to conduct the demolition and removal process;
- 21 B. The contractor, hired by the City, entering the subject property and removing
- 22 all improvements and personal property of any kind, litter, salvage
- 23 materials, junk and any junk vehicles;
- 24

25 ORDER, JUDGMENT AND LIEN - 5

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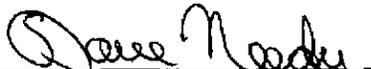


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1 C. The contractor disposing of all improvements and personal property of any
2 kind, litter, salvage materials, junk and any junk vehicles, by taking the
3 same to a disposal site selected by the contractor;

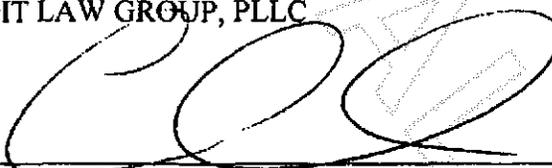
4 D. The contractor and/or City representatives, while abating the nuisance, may
5 transport any metal and other personal property items, and the City may sell
6 the metal or other items that have salvage value at the prevailing market rate
7 in the Skagit County region. In the event that the City sells any of the metal
8 or other items, the money collected will be subtracted from the amounts
9 owed by Defendant Gunther to the City.

10 DONE IN OPEN COURT this 15th day of July, 2011.

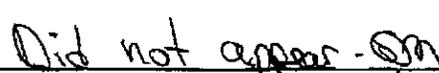
11 
12 _____
13 JUDGE/COMMISSIONER

14 Presented by:

15 SKAGIT LAW GROUP, PLLC

16 By 
17 _____
18 CRAIG E. CAMMOCK, WSBA #24185
19 Attorney for Plaintiff

20 Copy received; Approved for entry this
21 _____ day of _____,
22 2011.

23 
24 _____
25 MARILYN R. GUNTHER, WSBA #27797

Copy received; Approved for entry this
15th day of July
2011.


MICHAEL A. WINSLOW, WSBA #13901
Attorney for Defendants Thorene

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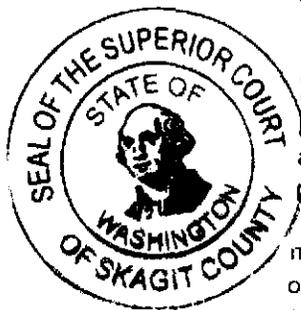
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UNOFFICIAL DOCUMENT

State of Washington, } ss.
County of Skagit



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 6 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 20 day of July, 20 11. Nancy K. Scott, County Clerk.

By 
Deputy Clerk



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