



201307160046

Skagit County Auditor

\$93.00

7/16/2013 Page

1 of

12 12:47PM

Return To:

Skagit County Sheriff's Office  
Civil Division  
600 South Third Street  
Mount Vernon, WA 98273

Date: July 16, 2013

Skagit County Superior Court No: 12-2-00732-5

Document Title:

1. Sheriff's Levy - Notice of Execution Upon Real Property

Grantor(s) -- Last Name, First Name, Middle Initial (Defendant):

1. The Unknown Heirs And Assigns Of Mack McEuen And Kathryn A. McEuen
2. The Unknown Devisees Of Mack McEuen And Kathryn A. McEuen
3. All Other Persons Or Parties Unknown Claiming Any Right, Title, Estate, Lien, Or Interest In The Real Property Commonly Known As 904 35th Street, Anacortes, Washington 98221

Grantee(s) -- Last Name, First Name, Middle Initial (Plaintiff):

1. GMAC Mortgage, LLC

Legal Description:

LOTS 19 AND 20, BLOCK 7, "BEALE'S MAPLE-GROVE ADDITION TO THE CITY OF ANACORTES", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 19, RECORDS OF SKAGIT COUNTY, WASHINGTON. SITUATE IN THE CITY OF ANACORTES, COUNTY SKAGIT OF WASHINGTON.

Assessor's Parcel/Tax ID Number:

P56619 / 3775-007-020-0008

**SUPERIOR COURT OF THE STATE OF WASHINGTON, COUNTY OF SKAGIT**

**GMAC MORTGAGE, LLC, ITS SUCCESSORS  
AND/OR ASSIGNS,**

Plaintiff,

vs.

**THE UNKNOWN HEIRS AND ASSIGNS OF MACK  
MCEUEN AND KATHRYN A. MCEUEN; THE  
UNKNOWN DEVISEES OF MACK MCEUEN AND  
KATHRYN A. MCEUEN; AND ALSO ALL OTHER  
PERSONS OR PARTIES UNKNOWN CLAIMING  
ANY RIGHT, TITLE, ESTATE, LIEN, OR INTEREST  
IN THE REAL PROPERTY COMMONLY KNOWN  
AS 904 35TH STREET, ANACORTES,  
WASHINGTON 98221,**

Defendants.

Cause No.: **12-2-00732-5**

**SHERIFF'S NOTICE OF EXECUTION  
UPON REAL PROPERTY**

To the Auditor of Skagit County, State of Washington, and to whom it may concern, Greetings:

Under and by virtue of a writ of execution issued out of the Superior Court of the State of Washington, for the County of Skagit, on the 14th day of June 2013, by the Clerk thereof, a true copy of said writ being hereto attached and made a part hereof, to me as Sheriff, directed and delivered, I do hereby levy upon and attach all of the right, title and interest of the defendants THE UNKNOWN HEIRS AND ASSIGNS OF MACK MCEUEN AND KATHRYN A. MCEUEN; THE UNKNOWN DEVISEES OF MACK MCEUEN AND KATHRYN A. MCEUEN; AND ALSO ALL OTHER PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, ESTATE, LIEN, OR INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 904 35TH STREET, ANACORTES, WASHINGTON 98221,, in said writ of execution named, in and to the real estate, situated in Skagit County, State of Washington, bounded and described as follow, to-wit:

Assessor's Parcel/Tax ID Number: P56619 / 3775-007-020-0008

LOTS 19 AND 20, BLOCK 7, "BEALE'S MAPLE-GROVE ADDITION TO THE CITY OF ANACORTES", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 19, RECORDS OF SKAGIT COUNTY, WASHINGTON. SITUATE IN THE CITY OF ANACORTES, COUNTY SKAGIT OF WASHINGTON.

Also commonly known as 904 35TH ST., ANACORTES, WA 98221.

Given under my hand this 16th day of July 2013.

Will Reichardt, Sheriff

By:

*Carolyn K. Vandenheuvel*  
Carolyn K. Vandenheuvel, Civil Assistant

13-0515 - McEuen - Notice of Execution.dot



1 of 1

Skagit County Auditor

7/16/2013 Page

2 of

\$83.00

12 12:47PM

FILED

SKAGIT COUNTY SUPERIOR COURT

NANCY K. SCOTT  
SKAGIT COUNTY CLERK

12-2-00732-5

Time  
03:02 PM

Acct. Date  
06/14/2013

Recpt. Date  
06/14/2013

Docket-Code  
#FFRF

Tran-Code  
1110

Receipt/Item #  
2013-01-10862/01  
Cashier: CTD

Paid By: Pite Duncan, LLP  
Transaction Amount:  
\$20.00

SKAGIT COUNTY, WASH  
**FILED**

JUN 14 2013

NANCY K. SCOTT, CO. CLERK  
Deputy

**SUPERIOR COURT OF WASHINGTON  
COUNTY OF SKAGIT**

GMAC MORTGAGE, LLC, ITS  
SUCCESSORS AND/OR ASSIGNS,

Plaintiff,

v.

THE UNKNOWN HEIRS AND ASSIGNS  
OF MACK MCEUEN AND KATHRYN A.  
MCEUEN; THE UNKNOWN DEVISEES  
OF MACK MCEUEN AND KATHRYN A.  
MCEUEN; AND ALSO ALL OTHER  
PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, ESTATE,  
LIEN, OR INTEREST IN THE REAL  
PROPERTY COMMONLY KNOWN AS  
904 35<sup>TH</sup> STREET, ANACORTES,  
WASHINGTON 98221,

Defendant(s).

Case No. 12-2-00732-5

WRIT OF EXECUTION

RECEIVED  
13 JUL -1 PM 4:01  
WILL REICHAARDT, SHERIFF

TO SKAGIT COUNTY SHERIFF'S DEPARTMENT:

On June 3, 2013, Plaintiff GMAC MORTGAGE, LLC, ITS SUCCESSORS AND/OR ASSIGNS obtained a Default Judgment in the Superior Court of Washington, County of Skagit, against The Unknown Heirs and Assigns of Mack Mceuen and Kathryn A. Mceuen; The Unknown Devisees of Mack Mceuen and Kathryn A. Mceuen; and Also All Other Persons or Parties Unknown Claiming Any Right, Title, Estate, Lien, or Interest in the Real Property Commonly Known as 904 35<sup>th</sup> Street, Anacortes, Washington 98221. A true and correct copy of the Default Judgment is attached hereto as Exhibit A and incorporated by reference herein.

WRIT OF EXECUTION  
Page 1  
3749487.wpd

13-9-00 1014-1  
**DUPLICATE ORIGINAL**



201307160046

Skagit County Auditor

\$83.00

7/16/2013 Page

3 of

12 12:47PM

1 It is ordered, adjudged, and decreed that the land and premises located at 904 35<sup>th</sup>  
2 Street, Anacortes, WA 98221 and legally described as follows:

3 LOTS 19 AND 20, BLOCK 7, "BEALE'S MAPLE-GROVE ADDITION TO THE  
4 CITY OF ANACORTES", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS,  
5 PAGE 19, RECORDS OF SKAGIT COUNTY, WASHINGTON. SITUATE IN THE  
6 CITY OF ANACORTES, COUNTY SKAGIT OF WASHINGTON

7 referred to in the Default Judgment, be sold at public auction, as particularly set out in said  
8 Judgment.

9 The total amount due and owing on the Judgment through June 3, 2013, is ~~\$208,817.63~~ <sup>208,447.61</sup>  
10 consisting of the following: the judgment amount of \$203,675.04; \$2,239.20 awarded for  
11 attorneys' fees; \$2,533.37 awarded for litigation costs; plus post-judgment interest accruing  
12 after June 3, 2013, at the rate of 5.875% per annum, of \$26.43 (\$370.02 x per diem 14 days),  
13 ; pursuant to paragraph 4 of the Judgment, post-judgment amounts advanced for attorneys' fees  
14 of \$1365.00, and costs for publication and Sheriff's fees of an unknown amount.

15 In the name of the State of Washington, you are hereby commanded and required to  
16 proceed to notice for sale and to sell the Subject Property, which is more particularly described  
17 in the Notice of Sale, and apply the proceeds of said sale as in said Judgment and Decree  
18 directed, and to make and file your report of such sale with the Clerk of this Court, and do all  
19 things according to the terms and requirements of said Judgment, and the provisions of  
20 Washington Law.

21 No redemption period applies to the sale of the Subject Property in accordance with  
22 RCW 61.12.093 because Plaintiff waived all deficiency rights related to the Subject Property,  
23 the Subject Loan is more than six (6) months in default, and the Subject Property has been  
24 abandoned by the Borrower and unoccupied for more than six (6) months.

25 ///

26 ///

27 ///

28

WRIT OF EXECUTION

Page 2  
3749487.wpd



201307160046

Skagit County Auditor  
7/16/2013 Page

4 of 12 12:47PM

\$83.00

Pete Duncan, LLP  
9311 SE 36th Street, Suite 100  
Mercer Island, WA 98040  
Tel: (425) 644-6471  
Fax: (206) 232-2655

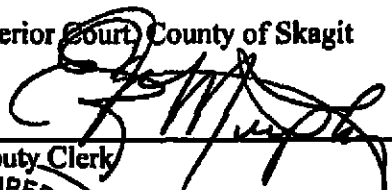
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WITNESS my hand and official seal this        Day of       

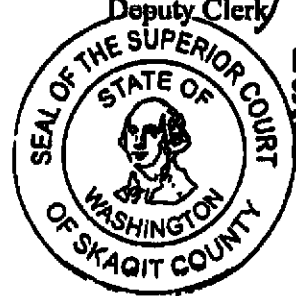
JUN 14 2013

2013.

Superior Court County of Skagit

By: 

Deputy Clerk



NANCY K. SCOTT  
SKAGIT COUNTY CLERK  
205 W. KINCAID, RM 103  
MOUNT VERNON, WA 98273

OK



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**EXHIBIT "A"**

OK



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Skagit County Auditor

\$83.00

7/16/2013 Page

8 of

12 12:47PM

SKAGIT COUNTY, WASH  
**FILED**

JUN 03 2013

NANCY K. SCOTT, CO. CLERK  
Deputy

**SUPERIOR COURT OF WASHINGTON  
COUNTY OF SKAGIT**

GMAC MORTGAGE, LLC ITS  
SUCCESSORS AND/OR ASSIGNS,

Plaintiff,

v.

THE UNKNOWN HEIRS AND ASSIGNS  
OF MACK MCEUEN AND KATHRYN A.  
MCEUEN; THE UNKNOWN DEVISEES  
OF MACK MCEUEN AND KATHRYN A.  
MCEUEN; AND ALSO ALL OTHER  
PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, ESTATE,  
LIEN, OR INTEREST IN THE REAL  
PROPERTY COMMONLY KNOWN AS 904  
35<sup>TH</sup> STREET, ANACORTES,  
WASHINGTON 98221,

Defendant(s).

Case No. 12-2-00732-5

**JUDGMENT**

**JUDGMENT SUMMARY**

**REAL PROPERTY JUDGMENT SUMMARY:**

☐ Does not apply. ☒ Real Property Judgment Summary is set forth below:

LOTS 19 AND 20, BLOCK 7, "BEALE'S MAPLE-GROVE ADDITION  
TO THE CITY OF ANACORTES", AS PER PLAT RECORDED IN  
VOLUME 2 OF PLATS, PAGE 19, RECORDS OF SKAGIT COUNTY,  
WASHINGTON.

JUDGMENT  
Page 1  
3605870

Pete Duncan, L.L.P.  
9311 SE 36th Street, Suite 100  
Mercer Island, WA 98040  
Tel: (425) 644-6471  
Fax: (206) 232-2635

**COPY**



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Skagit County Auditor

\$83.00

7/16/2013 Page

7 of

12 12:47PM

SITUATE IN THE CITY OF ANACORTES, COUNTY OF SKAGIT,  
STATE OF WASHINGTON.

Commonly referred to as: 904 35<sup>th</sup> Street, Anacortes, Washington 98221

**MONEY JUDGMENT SUMMARY**

Judgment Creditor:	GMAC Mortgage, LLC, Its Successors and/or Assigns 1100 Virginia Drive PO Box 8300 Fort Washington, PA 19034
Attorney for Judgment Creditor:	Edmund H. Lee WSBA NO. 41855 Pite Duncan, LLP 9311 SE 36 <sup>th</sup> Street Suite 100 Mercer Island, WA 98040 (206)232-2214 (206)232-2655
Judgment Debtors:	The Unknown Heirs and Assigns of Mack McEuen and Kathryn A. McEuen  904 35 <sup>th</sup> Street, Anacortes, WA 98221  The Unknown Devisees of Mack McEuen and Kathryn A. McEuen  904 35 <sup>th</sup> Street, Anacortes, WA 98221  All other persons or parties unknown claiming any right, title, estate, lien, or interest in the real property commonly known as 904 35 <sup>th</sup> Street, Anacortes, WA 98221.
Attorney for Judgment Debtors:	None Known
Judgment Amount:	\$203,675.04
Interest Rate:	5.875%
Attorney's Fees	\$2,239.20
Litigation Costs	\$2,533.37

Defendants, the Unknown Heirs and Assigns of Mack McEuen and Kathryn A. McEuen, The Unknown Devisees of Mack McEuen and Kathryn A. McEuen, and Also All Other Persons Or Parties Unknown Claiming Any Right, Title, Estate, Lien, Or Interest In The Real Property Commonly Known As 904 35<sup>th</sup> Street, Anacortes, Washington 98221 ("Defendants"), having been served with the Summons and Complaint, having failed to

JUDGMENT

Page 2  
3605870

Pite Duncan, LLP  
9311 SE 36th Street, Suite 100  
Mercer Island, WA 98040  
Tel: (425) 644-6471  
Fax: (206) 232-2655



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appear, plead, or otherwise defend this action, and default having been entered against said Defendants by the Court on September 13, 2012, and upon application by Plaintiff GMAC Mortgage, LLC, Its Successors and/or Assigns, ("Plaintiff") for the entry of judgment in accordance with the prayer of the Complaint and the Declaration of Plaintiff filed concurrently herewith, and good cause appearing, it is hereby,

**ORDERED, ADJUDGED, AND DECREED** that Plaintiff have judgment against Defendants, and is awarded as follows:

1. The Deed of Trust executed and delivered by Mack McEuen and Kathryn A. McEuen ("Borrowers") to secure repayment of the promissory note, which was recorded on November 8, 2007, in the official records of Skagit County as Instrument No. 200711080075, remains a valid encumbrance against the real property commonly known as 904 35<sup>th</sup> Street, Anacortes, WA 98221 ("Subject Property"), and legally described as follows:

LOTS 19 AND 20, BLOCK 7, "BEALE'S MAPLE-GROVE ADDITION TO THE CITY OF ANACORTES", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 19, RECORDS OF SKAGIT COUNTY, WASHINGTON.

SITUATE IN THE CITY OF ANACORTES, COUNTY OF SKAGIT, STATE OF WASHINGTON.

2. Borrowers are in default of their payment obligations under the Note and Deed of Trust, and Plaintiff is entitled to a judgment for judicial foreclosure;

3. Plaintiff is entitled to the total amount due under the Note and Deed of Trust, exclusive of attorney's fees and costs, which is as follows:

Principal.....	\$164,206.87
Accrued Interest through 11/16/2012 .....	\$27,269.75
(\$26.43 per diem)	
Escrow .....	\$7,710.57
Property Inspections .....	\$619.75
Property Preservation.....	\$2,642.92
Late Charges .....	\$402.24
Foreclosure Fees and Costs.....	\$1,576.84

JUDGMENT  
Page 3  
3605870

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Tel: (425) 644-6471  
Fax: (206) 232-2655



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Suspense.....(\$753.90)

**TOTAL PRINCIPAL, INTEREST, AND EXPENSES .....\$203,675.04**

Plaintiff may add post-judgment amounts advanced for attorneys' fees and costs, for payment of property taxes, for payment of hazard insurance premiums, and for payments of costs to preserve the Subject Property to the total amount of the indebtedness due at the time of the sheriff's sale of the Subject Property;

5. Any ownership interest in the Subject Property claimed by Defendants is subject to foreclosure and extinguishment by Plaintiff;

6. The Skagit County Auditor record the judgment granting relief consistent with the foregoing in the official records of Skagit County;

7. The Deed of Trust be foreclosed; the usual judgment be made for the sale of the Subject Property according to law by the Sheriff; that Defendants and all persons claiming under any of them, after execution of the Deed of Trust, whether lien claimants or judgment creditors, claimants arising under junior mortgages or deeds of trust, purchasers, encumbrances or otherwise, be barred and foreclosed from all rights, claims, interest, or equity of redemption in the Subject Property and every part of the Subject Property when the time for redemption, if any, has elapsed; and the proceeds from the sale be applied first toward the costs of sale, then toward satisfaction of the obligation secured by Plaintiff's Deed of Trust as of the date of the sale;

8. Plaintiff, or any other party to this action, may become a purchaser at the foreclosure sale;

9. The Sheriff execute a deed to purchaser and that any such purchaser be then let into possession of the Subject Property;

10. No redemption period applies to the sale of the Subject Property in

JUDGMENT  
Page 4  
3605R70

Pite Duncan, LLP  
9311 SE 36th Street, Suite 100  
Vancouver Island, WA 98040  
Tel: (206)707-9599  
Fax: (206) 232-2655



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Skagit County Auditor

\$83.00

7/16/2013 Page

10 of

12 12:47PM

1 accordance with RCW 61.12.093 because Plaintiff waives all deficiency rights related to the  
2 Subject Property, the Subject Loan is more than six (6) months in default, and the Subject  
3 Property has been abandoned by the Borrower and unoccupied for more than six (6) months;

4 11. Plaintiff is awarded costs of suit in the amount of \$2,960.02 pursuant to  
5 RCW 4.84.010, which may be added to the outstanding obligation due and owing under the  
6 Note and Deed of Trust that is recovered from the proceeds of the sheriff's sale; and

7 12. Plaintiff is awarded reasonable attorney's fees in the amount of \$3,641.40  
8 pursuant to RCW 4.84.330, which may be added to the outstanding obligation due and  
9 owing under the Note and Deed of Trust that is recovered from the proceeds of the sheriff's  
10 sale.  
11


12 **IT IS SO ORDERED.**

13 Dated: JUN - 3 2013

**JOHN M. MEYER**

JUDGE/COURT COMMISSIONER  
OF THE SUPERIOR COURT  
OF WASHINGTON

16 Presented by:  
17 PITE DUNCAN, LLP

18   
19 Edmund H. Lee, WSBA No. 41855  
20 Tel: (206) 232-2214  
21 Fax: (206) 232-2655

22 Julia A. Phillips, WSBA No. 32735  
23 Tel: (206) 232-2752  
24 Fax: (206) 232-2655  
25 E-mail: [jphillips@piteduncan.com](mailto:jphillips@piteduncan.com)

26 Attorneys for Plaintiff  
27 GMAC Mortgage, LLC, Its Successors  
28 and/or Assigns

JUDGMENT  
Page 3  
3605870



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Skagit County Auditor

7/16/2013 Page

11 of

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Pite Duncan, LLP  
9311 SE 36th Street, Suite 100  
Mercer Island, WA 98040  
Tel: (206) 707-9599  
Fax: (206) 232-2655

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 \_\_\_\_\_ 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 \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Nancy K. Scott, County Clerk.

By \_\_\_\_\_ Deputy Clerk

