

When recorded return to:

MICHAEL A. WINSLOW
Attorney at Law
1204 Cleveland Avenue
Mount Vernon, Washington 98273



201409100011

Skagit County Auditor

9/10/2014 Page

1 of

9 9:08AM

\$80.00

FINDINGS AND ORDER QUIETING TITLE

GRANTOR: Orville R. Morgan and Lorna Morgan, husband and wife,
and their heirs at law.

GRANTEE: Jeanne T. Mitchell

LEGAL DESCRIPTION:

Lots 11 through 14, Block 39, FIRST ADDITION TO THE TOWN OF SEDRO,
according to the plat thereof recorded in Volume 3 of Plats, page 29, records of Skagit
County, Washington. Situate in the County of Skagit, State of Washington.

ASSESSOR'S PROPERTY TAX

PARCEL OR ACCOUNT NO. P75770 / 4150-039-014-0002

REFERENCE NOS OF DOCUMENTS

ASSIGNED OR RELEASED: None.

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY WA

2014 SEP 10 AM 8:58

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6 IN THE SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

7
8 **JEANNE T. MITCHELL**, a married
woman as to her separate estate,

9 Plaintiff;

10 v.

11 **ORVILLE R. MORGAN** and **LORNA**
12 **MORGAN**, husband and wife, and their
unknown heirs,

13 Defendants.
14

No: 14-2-01188-4

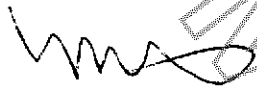
ORDER OF DEFAULT

15
16 THIS MATTER came on before the undersigned Judge/Court Commissioner this
17 date pursuant to the motion of the Plaintiffs. The Court finds that the Defendants were
18 properly served with process, that venue lies within Skagit County and that the Defendants
19 have failed to appear, answer or otherwise defend in accordance with applicable law, now,
therefore, it is hereby

20 ORDERED, ADJUDGED and DECREED as follows:

21 Default is hereby entered against the named Defendants.

22 DATED: September 10, 2014.

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24
25 
JUDGE/COURT COMMISSIONER

26
27 MICHAEL A. WINSLOW
Attorney at Law, Inc., P.S.
1204 Cleveland Avenue
Mount Vernon WA 98273
(360) 336-3321

28 Order of Default - 1 - 52
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ORIGINAL

1 Presented by:

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3 MICHAEL A. WINSLOW, WSBA #13901
4 Attorney for Plaintiff

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9/10/2014 Page 3 of 9 9:08AM

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Attorney at Law, Inc., P.S.
1204 Cleveland Avenue
Mount Vernon WA 98273
(360) 336-3321

UNOFFICIAL DOCUMENT

UNOFFICIAL DOCUMENT

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 2 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 10 day of Sept, 20 14. Nancy K. Scott, County Clerk.

By *Nancy K. Scott*
Deputy Clerk



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woman as to her separate estate,

9 Plaintiff;

10 v.

11 **ORVILLE R. MORGAN** and **LORNA**
12 **MORGAN**, husband and wife, and their
unknown heirs,

13 Defendants.
14

No: 14-2-01188-4

**FINDINGS OF FACT AND
CONCLUSIONS OF LAW ON
QUIET TITLE**

15 THIS MATTER came on before the undersigned Judge/Court Commissioner on the
16 date set forth below, following entry of an Order of Default against the Defendants named
17 herein. The Court makes the following findings of fact based on the Affidavit of Plaintiff's
18 attorney, Michael A. Winslow. In view of the foregoing, the Court now enters the
19 following findings of fact:

20 **I. Finding of Fact**

21 **1. PARTIES**

22 1.1. Plaintiff. The Plaintiff herein is Jeanne T. Mitchell

23 1.2. Defendants. The Defendants herein are Orville R. Morgan and Lorna
24 Morgan, husband and wife, and their unknown heirs.
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27 Findings of Fact and Conclusions of Law on
28 Quiet Title - 1 of 4

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MICHAEL A. WINSLOW
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1204 Cleveland Avenue
Mount Vernon WA 98273
360-3321



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ORIGINAL

1 **2. VENUE AND DESCRIPTION OF PROPERTY**

2 2.1 Property subject to this action is situated in Skagit County, Washington

3 2.2 The legal description of the property is:

4 Lots 11 through 14, Block 39, FIRST ADDITION TO THE TOWN OF
5 SEDRO, according to the plat thereof recorded in Volume 3 of Plats, page
6 29, records of Skagit County, Washington. Situate in the County of
7 Skagit, State of Washington.

8 **3. FACTS SUPPORTING QUIET TITLE**

9 3.1. The Plaintiff is the lawful and sole surviving heir of Wilma D. Bergstedt,
10 whose husband, Neconer Bergstedt, preceded her in death. Wilma and Neconer Bergstedt
11 acquired title to the property described as "The South 60 feet of Lots 11 and 12 in Block 39
12 of the First Addition to the Town of Sedro" on August 20, 1969, by Statutory Warranty
13 Deed. The Bergstedts subsequently acquired the remaining portion of Lots 11 and 12 of
14 Block 39 by Statutory Warranty Deed dated January 24, 1977. The last recorded
15 conveyance of Lots 13 and 14 of the said Block was recorded May 10, 1944. However, it is
16 believed that the Bergstedts took possession of all four lots of the subject property prior to
17 actually receiving their Deed in 1969.

18 3.2. The Bergstedts paid the property taxes on all four lots for a period well in
19 excess of ten years. In 1987, attorney John Ward prepared an Affidavit of Heirship, which
20 is recorded under Skagit County Auditor File No. 8711020006, under which Wilma D.
21 Bergstedt stated that she was the surviving spouse of Neconer Bergstedt and that they were
22 the owners of all four of the subject lots. The tax records during that period show that the
23 Bergstedts paid the property taxes on all four lots.

24 3.3. The Plaintiff's predecessors in interest, Wilma D. Bergstedt and Neconer
25 Bergstedt, occupied the subject property for well in excess of the statutory period of ten
26 years. Such occupancy has been open, notorious and hostile to any claims of the

27 Findings of Fact and Conclusions of Law on
28 Quiet Title - 2 of 4

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1 Defendants named herein and their successors in interest.

2 3.4. The Defendants, Morgan, are believed to be deceased and no heirs at law
3 have been identified.

4 3.5. The Defendants herein were served by publication. More than sixty (60)
5 days have lapsed since the first date of the publication. No Answer has been filed by the
6 Defendants or any persons claiming through them. The Defendants are in default, and an
7 Order of Default has been entered in this proceeding against all of the named Defendants.

8
9 **II. Conclusions of Law**

10 In view of the foregoing, the Court now enters the following Conclusions of Law:

11 1. Orville R. Morgan and Lorna Morgan, husband and wife, are proper parties
12 to this proceeding. Their heirs at law are also proper parties to this proceeding.

13 2. Venue is proper in Skagit County.

14 3. The Plaintiff is entitled to an Order Quieting Title to the property in the
15 Plaintiff, Jeanne T. Mitchell, as successor in interest under RCW 11.04.250. The Plaintiff
16 has established that her predecessors in interest acquired the property pursuant to the
17 Doctrine of Adverse Possession and that the Defendants have no further interest in the
18 property described herein. The Defendants, Orville R. Morgan and Lorna Morgan, are
19 divested of any interest in the subject property and an Order should be entered quieting title
20 to this property as against the claims of any said Defendant.

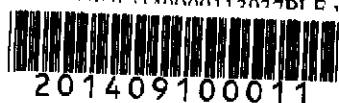
21 DATED this 10 day of September, 2014.

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24 JUDGE/COURT COMMISSIONER

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27 Findings of Fact and Conclusions of Law on
28 Quiet Title - 3 of 4

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1 Presented by:

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3 MICHAEL A. WINSLOW, WSBA #13901

4 Attorney for Plaintiff

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Findings of Fact and Conclusions of Law on
Quiet Title - 4 of 4

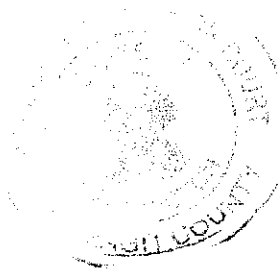
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State of Washington, }
County of Skagit } ss.

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 4 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 10 day of Sept., 2014.

Nancy K. Scott, County Clerk.
By Carla Ouse
Deputy Clerk



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