

COPY



201409240016

Skagit County Auditor

\$78.00

9/24/2014 Page

1 of

7 11:30AM

AFTER RECORDING RETURN TO:

Bishop, Marshall & Weibel, P.S.

720 Olive Way, Suite 1201

Seattle, WA 98101

ATTN: SANDY SISA-AT

Name of File and File No.

1452.1315272/Roque

LAND TITLE OF SKAGIT COUNTY

145808-F

Document Title(s):

Amended Default Judgment and Decree of Foreclosure

Reference Number(s) of Document assigned or released:

NA

Plaintiff:

WASHINGTON FEDERAL, FKA WASHINGTON FEDERAL SAVINGS

Defendants:

ERNESTO E. ROQUE, SR. AND NORMA S. ROQUE; HUSBAND AND WIFE; MERRICK BANK CORPORATION; FIA CARD SERVICES, N.A.; JOHN AND JANE DOES, I THROUGH V, OCCUPANTS OF THE SUBJECT REAL PROPERTY, AND ALL OTHER PERSONS OR PARTIES UNKNOWN, CLAIMING ANY RIGHT, TITLE, INTEREST, LIEN OR ESTATE IN THE PROPERTY HEREIN DESCRIBED

Abbreviated Legal Description as follows:

THAT PORTION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 33 NORTH, RANGE 4 EAST, W.M.

Assessor's Property Tax Parcel/Account Numbers:

P16295

SKAGIT COUNTY, WASH
FILED

AUG 27 2014

NANCY K. SCOTT, CO. CLERK
Deputy

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

WASHINGTON FEDERAL, FKA
WASHINGTON FEDERAL SAVINGS,

Plaintiff,

vs.

ERNESTO E. ROQUE, SR. AND NORMA S.
ROQUE; HUSBAND AND WIFE; FIA
CARD SERVICES; MERRICK BANK
CORPORATION; JOHN AND JANE DOES,
I THROUGH V, OCCUPANTS OF THE
SUBJECT REAL PROPERTY, AND ALL
OTHER PERSONS OR PARTIES
UNKNOWN, CLAIMING ANY RIGHT,
TITLE, INTEREST, LIEN OR ESTATE IN
THE PROPERTY HEREIN DESCRIBED,

Defendants.

Case No. 13-2-01060-0

AMENDED DEFAULT JUDGMENT
AND DECREE OF FORECLOSURE

JUDGMENT SUMMARY

Judgment Creditor:

Washington Federal, fka
Washington Federal Savings

Attorneys for Judgment Creditor:

William L. Bishop, of Bishop,
Marshall & Weibel, P.S.

Judgment Debtor(s):

Ernesto E. Roque, Sr. and Norma
R. Roque, Husband and Wife

Attorneys for Judgment Debtor(s):
AMENDED DEFAULT JUDGMENT FOR
DECREE OF FORECLOSURE

COPY N/A
BISHOP, MARSHALL & WEIBEL, P.S.

720 Olive Way, Suite 1201

Seattle, WA 98101

(206) 622-5306 Fax: (206) 622-0354



201409240016

1	Principal Judgment Amount:	\$188,520.08
2	Interest from 11/1/2012 to 2/6/2014	\$18,763.64
3	Per diem: \$41.24	
4	Interest from 2/7/14 to 6/12/14	\$5,155.00
5	Per diem: \$41.24	
6	Late Charges	\$483.65
7	Attorney' s Fees	\$2,500.00
8	Costs:	\$872.12
9	Filing Fee: \$300.00	
10	Process Service Fee: \$374.50	
11	Recording Fee: \$149.00	
12	Express Delivery Fee: \$18.62	
13	Filing Fee, Judgment: \$30.00	
14	Other Recoverable Amounts:	\$760.76
15	Title Report: \$735.76	
16	Property Inspection: \$25.00	
17	Escrow Advances	\$1,666.34
18	TOTAL JUDGMENT	\$218,721.59

19 Post judgment interest shall accrue at the rate of 7.875 % per annum on the total
20 judgment.

21 THIS MATTER came on Plaintiff, Washington Federal, fka Washington Federal
22 Savings's Motion for Default Judgment and for Decree of Foreclosure against Defendants
23 and the real property below described on this date before the undersigned Judge/Court
24 Commissioner. The Court having reviewed the Plaintiff's Motion, Affidavit of Mary
25 Tomlinson and Declaration of Counsel filed in support thereof, and the records and
pleadings on file herein, and being fully advised, hereby

AMENDED DEFAULT JUDGMENT FOR
DECREE OF FORECLOSURE

BISHOP, MARSHALL & WEIBEL, P.S.
720 Olive Way, Suite 1201
Seattle, WA 98101
(206) 622-5306 Fax: (206) 622-0354



1 FINDS that the allegations of the Complaint are true; that no genuine issue exists as
2 to any material fact and that Plaintiff is entitled to judgment as a matter of law; that no just
3 reason exists for delay and that judgment should be entered in favor of Plaintiff forthwith
4 as more particularly herein set forth. It is therefore,

5 ORDERED, ADJUDGED AND DECREED as follows:

6 1. That Plaintiff Washington Federal, fka Washington Federal Savings is
7 awarded judgment against the Defendants Ernesto E. Roque, Sr. and Norma R. Roque,
8 Husband and Wife, individually and as a marital community, and against the real property
9 described below in the principal sum of \$188,520.08 together with interest at 7.875% per
10 annum from date of default to date of entry of this judgment; late charges in the amount of
11 \$483.65; the sum of \$735.76 paid for title search, reasonable attorney's fees in the amount
12 of \$2,500.00; and Plaintiff's costs and disbursement herein to be taxed. Said judgment
13 shall bear interest at 7.875% per annum until paid.
14

15 2. That the certain Deed of Trust (hereinafter called "security instrument")
16 executed and delivered by the Defendants Ernesto E. Roque, Sr. and Norma R. Roque,
17 Husband and Wife, under date October 26, 2006, in favor of Washington Federal Savings;
18 encumbering the property legally described as follows:

19 THAT PORTION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE
20 NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 33 NORTH, RANGE 4 EAST,
W.M., DESCRIBED AS FOLLOWS:

21 BEGINNING AT A POINT WHICH IS 60 FEET SOUTH AND 360 FEET
22 WEST OF THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE
23 WEST ALONG A LINE WHICH IS 60 FEET SOUTH OF AND PARALLEL
24 TO THE NORTH LINE OF SAID SOUTH 1/2 OF THE SOUTHEAST 1/4 OF
THE NORTHWEST 1/4 TO THE EAST LINE OF THE COUNTY ROAD;

25 AMENDED DEFAULT JUDGMENT FOR



201409240016

BISHOP, MARSHALL & WEIBEL, P.S.

720 Olive Way, Suite 1201

Seattle, WA 98101

(206) 622-5306 Fax: (206) 622-0354

1 THENCE SOUTHWESTERLY ALONG THE EASTERLY LINE OF SAID
2 COUNTY ROAD TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF
3 SAID SECTION;

4 THENCE EAST ALONG SAID SOUTH LINE TO A POINT 534 FEET WEST
5 OF THE SOUTHEAST CORNER OF SAID NORTHWEST 1/4;
6 THENCE NORTHEASTERLY TO THE POINT OF BEGINNING.

7 TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS,
8 EGRESS, AND UTILITIES OVER AND ACROSS THE 60 FOOT STRIP OF
9 LAND LYING ADJACENT TO THE NORTH LINE OF THE ABOVE
10 DESCRIBED PREMISES.

11 SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

12 commonly known as: 20274 E. Stackpole Rd., Mount Vernon, WA 98274, which Deed of
13 Trust was recorded in the office of the Auditor/Recorder of Skagit County, Washington on
14 October 31, 2006, under Auditor's File No. 200610310130, is hereby adjudged and decreed
15 to be a valid, subsisting, first, prior and paramount lien upon the real property above-
16 described, prior and superior to any and all right, title, interest, lien or estate of the
17 Defendants, or any of them, or of anyone claiming by, through or under them in and to said
18 real property, securing instrument by, and the same is hereby foreclosed and the real
19 property therein described is hereby ordered to be sold by the Sheriff of Skagit County,
20 Washington, in the manner provided by law for mortgage/Deed of Trust foreclosures and
21 in accordance with the practice of this Court; that the proceeds of such sale should be
22 applied toward the payment of the judgment rendered herein in favor of Plaintiff together
23 with interest, any costs and increased costs or sale; any advances that plaintiff may be
24 required to pay after the entry of judgment herein for taxes, assessment, other items
25 constituting liens against the property, insurance and/or repairs for the protection of the
property;

AMENDED DEFAULT JUDGMENT FOR

BISHOP, MARSHALL & WEIBEL, P.S.

720 Olive Way, Suite 1201

Seattle, WA 98101

(206) 622-5306 Fax: (206) 622-0354



201409240016

Skagit County Auditor

\$78.00

9/24/2014 Page

5 of

7 11:30AM

1 3. That if the proceeds of the foreclosure sale are insufficient to pay said
2 judgment, interest, advances and costs of sale in full, that Plaintiff have a judgment for any
3 deficiency against Defendants Ernesto E. Roque, Sr. and Norma R. Roque, Husband and
4 Wife, individually and against their marital community; and that said judgment shall bear
5 interest at 7.875%;

6 4. That the Plaintiff be and it is hereby permitted to become a bidder and
7 purchaser at such sale;

8 5. That the purchaser at such sale shall be entitled to the sole and immediate
9 possession of said real property subject only to such rights or redemption and rights of
10 possession during the redemption period as are provided by law;

11 6. That the Defendants, and any and all persons claiming by, through or under
12 them be, and the same are hereby, forever barred and foreclosed from any and all right,
13 title, interest, lien or estate in and to said real property, or any part thereof, save only such
14 rights or redemption as are provided by law;

15 7. That any and all persons acquiring any right, title interest, lien or estate in
16 and to the real property above-described, or any part thereof, subsequent to October 26,
17 2006, the date of the Plaintiff's security interest which was foreclosed herein be, and they
18 are hereby foreclosed of any such right, title, interest, lien or estate as against the Plaintiff
19 in this action or any successor thereto; that all right, title and interest in and to any policy
20 of hazard insurance insuring the said premises shall pass to the purchaser at such sheriff's
21 sale at the time of such sale;
22
23
24

25 AMENDED DEFAULT JUDGMENT FOR

BISHOP, MARSHALL & WEIBEL, P.S.

720 Olive Way, Suite 1201

Seattle, WA 98101

(206) 622-5306 Fax: (206) 622-0354



1 8. That the period of redemption from such sheriff's sale be, and the same is
2 hereby, fixed at twelve (12) months next ensuing after said sale.

3 9. That if any surplus remains from the proceeds of said sale after payment of
4 Plaintiff's judgment, costs, attorney's fees, interest, increased costs and increased interest,
5 and any advances that Plaintiff may be required to make subsequent to the entry of
6 judgment for taxes, insurance and protection and preservation of the property, the same be
7 deposited in the registry of this Court for later determination between claimants subordinate
8 to Plaintiff.

9
10 DONE IN OPEN COURT this day of **AUG 27 2014**, 2014.

11
12 **SUSAN K. COOK**

13 Judge/Court Commissioner

14 Presented by:

15 BISHOP, MARSHALL & WEIBEL, P.S.

16
17
18 By: Justin Jastrzebski

19 William L. Bishop, WSBA #2412
20 David A Weibel, WSBA #24031
21 Justin T. Jastrzebski, WSBA #46680
22 Attorneys for Plaintiff



201409240016

Skagit County Auditor

\$78.00

9/24/2014 Page

7 of

7 11:30AM

AMENDED DEFAULT JUDGMENT FOR
DECREE OF FORECLOSURE - 6

BISHOP, MARSHALL & WEIBEL, P.S.
720 Olive Way, Suite 1201
Seattle, WA 98101
(206) 622-5306 Fax: (206) 622-0354