

Return Address:  
Carl B. Goodwin, Jr.  
1001 Fourth Avenue #3200  
Seattle, WA 98154



201504270168

Skagit County Auditor

\$74.00

4/27/2015 Page

1 of

3 3:00PM

Please print or type information WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

**Document Title(s)** (or transactions contained therein): (all areas applicable to your document must be filled in)

1. Order Granting Defendant Carol Whipple's Motion for
3. Summary Judgment and Dismissing with Prejudice the Plaintiff's Claim to Certain Real Property in its Complaint

**Reference Number(s) of Documents assigned or released:**

Additional reference #'s on page \_\_\_\_\_ of document

**Grantor(s)** Exactly as name(s) appear on document

1. The Heye Special Needs Trust FBO Dylan Lee Sanders-Griffith
2. \_\_\_\_\_

Additional names on page \_\_\_\_\_ of document.

**Grantee(s)** Exactly as name(s) appear on document

1. Carol Whipple
2. \_\_\_\_\_

Additional names on page \_\_\_\_\_ of document.

**Legal description** (abbreviated: i.e. lot, block, plat or section, township, range)

Portion of Government Lot 3, Section 22, Township 33 North, Range 6 East, W. M.

Additional legal is on page 2/ paragraph 1, lines 12-17 of document.

**Assessor's Property Tax Parcel/Account Number** P125949 ☐ Assessor Tax # not yet assigned

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

"I am signing below and paying an additional \$50 recording fee (as provided in RCW 36.18.010 and referred to as an emergency nonstandard document), because this document does not meet margin and formatting requirements. Furthermore, I hereby understand that the recording process may cover up or otherwise obscure some part of the text of the original document as a result of this request."

\_\_\_\_\_  
Signature of Requesting Party

Note to submitter: Do not sign above nor pay additional \$50 fee if the document meets margin/formatting requirements.

1 I, MAVIS E. BETZ, Clerk of the Superior Court of  
2 the State of Washington, for Skagit County, do  
3 hereby certify that this is a true copy of the original  
4 now on file in my office. Dated 4/27/2015



MAVIS E. BETZ, County Clerk

By: [Signature]  
Deputy Clerk

FILED  
SKAGIT COUNTY CLERK  
SKAGIT COUNTY, WA

2015 JAN 29 AM 9:33

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

9 The Heye Special Needs Trust  
10 FBO Dylan Lee Sanders-Griffith  
11 dated June 28, 2001,

Plaintiff

v.

12 Richard Shorett & Kathryn L. Shorett, h/w;  
13 R. D. King & Bettie M. King, h/w; Edward A  
14 Clifford & Josephine Clifford, h/w; William  
15 P. Joslin & Mildred W. Joslin, h/w; Paul  
16 Keller-Block & Doris N. Keller-Block, h/w;  
17 Leslie W. Eastman & Virginia Eastman,  
18 h/w; and all other persons claiming any  
19 interest in or to the subject real property,

Defendants

No. 06-2-01996-5

Order Granting Defendant Carol Whipple's  
Motion for Summary Judgment and  
Dismissing with Prejudice the Plaintiff's  
Claim to Certain Real Property in its  
Complaint

20 This matter having come before the undersigned Judge of the Skagit County  
21 Superior Court to consider Defendant Carol Whipple's Motion for an Order of Summary  
22 Judgment dismissing with prejudice the Plaintiff's claim to certain real property  
23 described in its Complaint, and the Court having read said motion and the supporting  
24 declarations of Carol Whipple and John Milnor, and the response, if any, of the Plaintiff,  
25 and it appearing that Defendant Carol Whipple is entitled to the relief which she seeks,  
26 now, therefore,

I. Findings of Fact

1. The real property located southwesterly of Defendant Whipple's real property, Lot 1, Block 1, Lake Cavanaugh Subdivision, Division No. 1, as per the plat recorded in Volume 5 of Plats, page 37, records of Skagit County, Washington, and north of the southern boundary of Government Lot 3, Section 22, Township 33 North, Range 6 East, W. M., is located under the water of either Lake Cavanaugh or Lake Creek.

2. The Plaintiff cannot prove that it could or has taken possession of said real property or has acquired said real property by adverse possession.


II. Order

1. That portion of the Plaintiff's Complaint which alleges that it is in possession of and has acquired by adverse possession of "That portion of Government Lot 3, if any, in Section 22, Township 33 North, Range 6 East, W. M. lying Southwesterly of Lot 1, Block 1, Lake Cavanaugh Subdivision, Division No. 1, as per the plat recorded in Volume 5 of Plats, page 37, records of Skagit County, Washington" is hereby dismissed with prejudice.

Dated: January 29, 2015

  
Judge

Presented by:

  
Carl B. Goodwin, Jr. #6154  
Attorney for Defendant  
Carol Whipple