

Return Address:



201612160199

Skagit County Auditor

\$47.00

12/16/2016 Page

1 of

15 3:58PM

Document Title:

Divorce Decree

Reference Number (if applicable):

Grantor(s):

☐ additional grantor names on page ____.

1) Andrea Larue

2)

Grantee(s):

☐ additional grantee names on page ____.

1) William Larue

2)

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

20165692

DEC 16 2016

Amount Paid \$
Skagit Co. Treasurer
By *hum* Deputy

Abbreviated Legal Description:

☐ full legal on page(s) ____.

Lts 16 + 17 E 1/2 Lt 18, B1K 10
Kellogg and fords Add to Anacortes

Assessor Parcel /Tax ID Number:

☐ additional parcel numbers on page ____.

P57746

STATE OF WASHINGTON)
COUNTY OF ISLAND) ss

I, Debra Van Pelt, Clerk of Island County and ex-officio clerk
of the Superior Court, do hereby certify that this instrument
consisting of 9 page(s), is a full, true and correct copy of the
original now on file in my office. WITNESS my hand and official
seal this 15th day of December, 2016.

FILED
DEBRA VAN PELT
ISLAND COUNTY CLERK

2016 OCT 10 AM 10:41

DEBRA VAN PELT

Deputy

Coupeville, Washington

SUPERIOR COURT OF WASHINGTON, COUNTY OF ISLAND

In re the Marriage of:

Petitioner: WILLIAM L. LARUE

And Respondent: ANDREW M. LARUE

No. 15-3-00179-3

- ☒ Final Divorce Order (Dissolution Decree) (DCD)
☐ Final Legal Separation Order (Decree) (DCLGSP)
☐ Invalid Marriage Order (Annulment Decree) (DCINMG)
☐ Valid Marriage Order (Decree) (DCVMO)
☐ Clerk's action required: 1, 2, 6, 13, 14, 16

Final ☒ Divorce Order ☐ Legal Separation Order
☐ Invalid Marriage Order ☐ Valid Marriage Order

1. Money Judgment Summary

- ☒ No money judgment is ordered.
☐ Summarize any money judgments from sections 6 or 14 in the table below.

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
Money Judgment (section 6)			\$	\$
Fees and Costs (section 14)			\$	\$
Other amounts (describe):			\$	\$

Yearly Interest Rate: % (12% unless otherwise listed)

Lawyer (name): represents (name):

Lawyer (name): represents (name):

1 **2. Summary of Real Property Judgment** (land or home)

2 ☒ No real property judgment is ordered

3 ☐ Summarize any real property judgment from section 7 in the table below.

Grantor's name (person giving property)	Grantee's name (person getting property)	Real Property (fill in at least one)	
		Assessor's property tax parcel or account number:	Legal description of property awarded (lot/block/plat/section, township, range, county, state)

11

Lawyer (name):	represents (name):
Lawyer (name):	represents (name):

12

13 ➤ **The court has made Findings and Conclusions in this case and now Orders:**

14 **3. Marriage**

15 ☒ This marriage is dissolved. The Petitioner and Respondent are divorced.

16 ☐ The Petitioner and Respondent are granted a Legal Separation.

17 ☐ This marriage is invalid (annulled).

18 ☐ This marriage is valid (not annulled).

19 **4. Name Changes**

20 ☒ Neither spouse asked to change his/her name.

21 ☐ The Petitioner's name is changed to (new name):

22 first

middle

last

23 ☐ The Respondent's name is changed to (new name):

24 first

middle

last

25 **5. Separation Contract**

☒ There is no enforceable separation contract.

☐ The spouses must comply with the terms of the separation contract signed on .
(date): . This contract is (check one):

☐ attached as an Exhibit and made part of this Order.

- ☐ not filed with the court and is incorporated by reference. (RCW 26.09.070(5))
☐ filed with the court as a separate document and is incorporated by reference.

6. Money Judgment (summarized in section 1 above)

- ☒ None.
☐ The (check one): ☐ Petitioner ☐ Respondent must pay the other party (amount) \$ _____. The court grants a judgment for this amount.
The interest rate is 12% unless another amount is listed below.
☐ The interest rate is _____% because (explain): _____
☐ Other: _____

7. Real Property (land or home) (summarized in section 2 above)

- ☐ Neither spouse owns any real property.
☐ The real property is divided according to the separation contract described in 5 above.
☐ The real property is divided as listed in Exhibit _____. This Exhibit is attached and made part of this Order.
☒ The real property is divided as explained below:

Real Property Address	Tax Parcel Number	Given to which spouse as his/her separate property?
2310 2ND ST AUBURN, WASH.		<input checked="" type="checkbox"/> Petitioner <input checked="" type="checkbox"/> Respondent <i>see ex D</i>
5830 HADEN LANE AUBURN, WASH.		<input type="checkbox"/> Petitioner <input checked="" type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

- ☐ The spouse giving up ownership must sign a Quit Claim Deed and Real Estate Excise Tax Affidavit to transfer the real property to the other spouse by (date): November 30, 2016.
☐ The court does not have jurisdiction to divide real property.
☐ Other (specify): _____

8. Petitioner's Personal Property (possessions, assets or business interests of any kind)

- ☐ The personal property that Petitioner now has or controls is given to Petitioner as his/her separate property. No transfer of property between Petitioner and Respondent is required.
☐ The personal property listed as Petitioner's in the separation contract described in 5 above is given to Petitioner as his/her separate property.
☒ The personal property listed in Exhibit A is given to Petitioner as his/her separate property. This Exhibit is attached and made part of this Order.

- ☐ The personal property listed below is given to Petitioner as his/her separate property. (Include vehicles, pensions/retirement, insurance, bank accounts, furniture, businesses, etc. Do not list more than the last four digits of any account number. For vehicles, list year, make, model and VIN or license plate number.)

1.	5.
2.	6.
3.	7.
4.	8.

- ☐ The court does not have jurisdiction to divide personal property.
☐ Other (specify): _____

9. Respondent's Personal Property (possessions, assets or business interests of any kind)

- ☐ The personal property that Respondent now has or controls is given to Respondent as his/her separate property. No transfer of property between Petitioner and Respondent is required.
- ☐ The personal property listed as Respondent's in the separation contract described in 5 above is given to Respondent as his/her separate property.
- ☒ The personal property listed in Exhibit B is given to Respondent as his/her separate property. This Exhibit is attached and made part of this Order.
- ☐ The personal property listed below is given to Respondent as his/her separate property. (Include vehicles, pensions/retirement, insurance, bank accounts, furniture, businesses, etc. Do not list more than the last four digits of any account number. For vehicles, list year, make, model and VIN or license plate number.)

1.	5.
2.	6.
3.	7.
4.	8.

- ☐ The court does not have jurisdiction to divide personal property.
☐ Other (specify): _____

10. Petitioner's Debt

The Petitioner must pay all debts s/he has incurred (made) since the date of separation, unless the court makes a different order about a specific debt below. (Check one):

- ☐ The Petitioner has no debt.
- ☒ The Petitioner must pay the debts that are now in his/her name.
- ☐ The Petitioner must pay debts as required by the separation contract described in 5 above.
- ☐ The Petitioner must pay the debts listed in Exhibit _____. This Exhibit is attached and made part of this Order.
- ☐ The Petitioner must pay all debts listed below:

Debt Amount	Creditor (person or company owed this debt)	account number (last 4 digits only)
\$		
\$		
\$		
\$		

- ☐ The court does not have jurisdiction to divide debts.
☐ Other (specify): _____

11. Respondent's Debt

The Respondent must pay all debts s/he has incurred (taken on) since the date of separation, unless the court makes a different order about a specific debt below. (Check one):

- ☐ The Respondent has no debt.
☒ The Respondent must pay the debts that are now in his/her name.
☐ The Respondent must pay debts as required by the separation contract described in 5 above.
☐ The Respondent must pay the debts listed in Exhibit _____. This Exhibit is attached and made part of this Order.
☐ The Respondent must pay all debts listed below:

Debt Amount	Creditor (person or company owed this debt)	account number (last 4 digits only)
\$		
\$		
\$		
\$		

- ☐ The court does not have jurisdiction to divide debts.
☐ Other (specify): _____

12. Debt Collection (hold harmless)

- ☒ Does not apply.
☐ If one spouse fails to pay a debt as ordered above and the creditor tries to collect the debt from the other spouse, the spouse who was ordered to pay the debt must hold the other spouse harmless from any collection action about the debt. This includes reimbursing the other spouse for any of the debt he/she paid and for attorney fees or costs related to defending against the collection action.
☐ Other (specify): _____

1 **13. Spousal Support** (maintenance/alimony)

2 ☐ No spousal support is ordered.

3 ☐ Spousal support must be paid as required by the separation contract described in 5
4 above. Spousal support will end when either spouse dies, or the spouse receiving
5 support gets married or registers a new domestic partnership, *unless* the separation
6 contract provides differently.

7 ☒ Spousal support must be paid as described in Exhibit C. This Exhibit is attached and
8 made part of this Order. Spousal support will end when either spouse dies, or the
9 spouse receiving support gets married or registers a new domestic partnership, *unless*
10 the Exhibit provides differently.

11 ☐ The (check one): ☐ Petitioner ☐ Respondent must pay spousal support as follows:

Amount: \$ _____ each month	Start date: _____ <i>Date 1st payment is due</i>	Payment schedule: _____ <i>Day(s) of the month each payment is due (for example, "the 5th," "weekly," or "half on the 1st and half on the 15th")</i>
--	---	---

12 **Termination:** Spousal support will end when either spouse dies, or the spouse
13 receiving support gets married or registers a new domestic partnership *unless* a
14 different date or event is provided below:

15 ☐ Date: _____

16 ☐ Other (specify): _____

17 **Make all payments to (check one):**

18 ☒ the other spouse directly by (check one):

19 ☒ mail to: _____

20 _____ *Street address or PO box* _____ *City* _____ *State* _____ *Zip*

21 ☐ direct deposit/transfer to a bank account identified by the receiving party.

22 The receiving party must notify the paying party of any address or account change.

23 ☐ the Washington State Support Registry. The Registry will forward the support to
24 the other spouse (only if child support is also ordered). (If you check this box, also
25 check the "Clerk's action required" box in the caption on page 1.) **To the Clerk:**
forward a copy of this order to WSSR.

☐ the court clerk, who will forward the support to the other spouse (only if there is **no**
child support order). (If you check this box, also check the "Clerk's action
required" box in the caption on page 1.)

☐ Other (specify): _____

☐ The spouse paying support has public (state) retirement benefits. (RCW 26.09.138)

☐ The spouse owed support may ask, without giving notice, for the other spouse's
retirement benefits to be assigned to him/her if:

- \$100 or more in spousal support is more than 15 days late, or
- The other spouse asks to take money out of his/her public retirement account.
(RCW 41.50)

☐ The Department of Retirement Systems may pay all or part of a withdrawal from a
retirement account directly to the spouse owed support. (RCW 41.50.550(3))

☐ Other (specify): _____

14. Fees and Costs (Summarize any money judgment in section 1 above.)

- ☒ Each spouse will pay his/her own fees and costs.
☐ Fees and costs must be paid as required by the separation contract described in 5 above.
☐ The court orders a money judgment for fees and costs as follows:

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
<input type="checkbox"/> lawyer fees			\$	\$
<input type="checkbox"/> guardian ad litem (GAL) fees			\$	\$
<input type="checkbox"/> court costs			\$	\$
<input type="checkbox"/> other fees and expenses (specify):			\$	\$

The interest rate is 12% unless another amount is listed below.

☐ The interest rate is _____ % because (explain): _____

☐ Other: _____

15. Protection Order

- ☒ No one requested an *Order for Protection*.
☐ **Approved** – The request for an *Order for Protection* is approved. The *Order for Protection* is filed separately.
☐ **Denied** – The request for an *Order for Protection* is denied. The *Denial Order* is filed separately.
☐ **Renewed/Changed** – The existing *Order for Protection* filed in or combined with this case is renewed or changed as described in following order, filed separately (check one):
☐ *Order on Renewal of Order for Protection*
☐ *Order Modifying/Terminating Order for Protection*
☐ Other: _____

16. Restraining Order

- ☒ No one requested a *Restraining Order*.
☐ **Approved** – The request for a *Restraining Order* is approved. The *Restraining Order* is filed separately.
☐ **Denied** – The request for a *Restraining Order* is denied.
☐ Check this box if the court previously signed a temporary *Restraining Order* and is not signing a final *Restraining Order* in this case. Also check the "Clerk's action required" box in the caption on page 1.

Name of law enforcement agency where the Protected Person lived when the *Restraining Order* was issued: _____

To the Clerk: Provide a copy of this Order to the agency listed above within one court day. The law enforcement agency must remove the temporary Restraining Order from the state's database.

17. Children of the marriage

- ☒ The spouses have **no** children together who are still dependent.
☐ This court has jurisdiction over the children the spouses have together as explained in the *Findings and Conclusions* for this case.
If there are children of both spouses listed in the *Findings and Conclusions* who do not have both spouses listed on their birth certificates, the State Registrar of Vital Statistics is ordered to amend the children's birth certificates to list both spouses as parents upon receipt of a certified copy of this order and the *Findings and Conclusions*.

Note – The court does not forward this order to Vital Statistics. To amend the birth certificate, a party must provide a certified copy of this order and the *Findings and Conclusions* and pay a filing fee to the State Registrar of Vital Statistics (360-236-4347). You may order a copy of the amended birth certificate for an additional fee.

- ☐ This court does **not** have jurisdiction over the children as explained in the *Findings and Conclusions* for this case.

18. Parenting Plan

- ☒ Does not apply. The spouses have no dependent children together, or the court does not have jurisdiction over the children.
☐ The court signed the final *Parenting Plan* filed separately today or on (date): _____
☐ The guardian ad litem (GAL) is discharged.

19. Child Support

- ☒ Does not apply. The spouses have no dependent children together, or the court does not have jurisdiction over child support.
☐ **Court Order** – The court signed the final *Child Support Order* and *Worksheets* filed separately today or on (date): _____.
Tax exemptions and post-secondary (college or vocational school) support are covered in the Child Support Order.
☐ **Administrative Order** – The court is **not** issuing a child support order. There is an administrative child support order established by DSHS Division of Child Support (DCS) for the dependent children of this marriage.
DCS child support orders do not cover tax exemptions or post-secondary (college or vocational school) support. Therefore, the court orders:
☐ **Tax Exemptions** – The parties have the right to claim the children as their dependents on their tax forms as follows (*describe*): _____

For tax years when a non-custodial parent has the right to claim the children, the parents must cooperate to fill out and submit IRS Form 8332 in a timely manner.

Warning! Under federal law, the parent who claims a child as a dependent may owe a tax penalty if the child is not covered by health insurance.

- ☐ **Post-secondary (college or vocational school)** –The court orders:
- ☐ A parent may ask the court for post-secondary support at a later date, but he/she must file that request before the duty to pay child support ends.
- ☐ The parents must pay for the children's post-secondary support. The parents will make a post-secondary support plan or the court will order one.
- ☐ Post-secondary support is **not** required.
- ☐ Other (specify): _____

20. Other Orders (if any):

Ordered.

10/10/16 Alan R. Hamrick
Date Judge or Commissioner

Petitioner and Respondent or their lawyers fill out below.

This document (check any that apply):

- ☐ is an agreement of the parties.
- ☒ is presented by me.
- ☐ may be signed by the court without notice to me.

This document (check any that apply):

- ☐ is an agreement of the parties.
- ☐ is presented by me.
- ☐ may be signed by the court without notice to me.

[Signature]
Petitioner signs here or lawyer signs here
+ WSBA # 9511

Kenneth A. Manni

Print Name

Date

10/6/16

[Signature]
Respondent signs here or lawyer signs here +
+ WSBA #

Print Name

Date

The court values and awards the tangible personal property as follows. The court characterizes all of this property as community property unless otherwise indicated.

To William:

- 1994 Toyota pickup, \$2,657
- 2005 KTM EXC motorcycle, \$1,580
- Two floor jacks
- Engine hoist
- Several motorcycle helmets
- His clothing and personal effects and the dresser that, presumably, he commonly used while the parties were residing together
- Pressure washer
- Air compressor
- Riding lawn mower
- Stainless steel Coleman barbecue (smaller one)
- Platform bed with cabinet drawers
- Tools and equipment in his possession³
- 9 mm pistol in his possession
- 1978 Glasply boat, \$1,500
- 2008 Toyota Tundra pickup purchased by William after separation for \$18,000, but subject to the debt incurred by William for this purpose (William's separate property)
- All other personal property in his possession, except those items awarded to Andrea below

MOTORHOME sale proceeds \$ 1,108

TOTAL: \$6845¹⁰

PETRONOR IS AWARDER A % of his PER\$2 IN
ACCORDANCE WITH EXHIBIT "E"

To Andrea:

- 1994 Toyota Landcruiser, \$7,000
- 2000 Pleasure-Way Excel-TD RV, \$18,000
- Household furniture and furnishings, except those items awarded to William above, \$2,500
- Her clothing and personal effects
- Lawn mowers other than riding lawn mower
- Barbecue (larger one)
- Tools and equipment in her possession, including the Dremel tool³
- Rifle in her possession
- All other personal property in her possession, except those items awarded to William above

³ William testified that he does not have the Dremel tool in his possession. The court is awarding the Dremel tool to Andrea. If William does have the Dremel tool in his possession, he is ordered to return it to Andrea.

⁴ Andrea testified that she does not have the Dremel tool in her possession. In any event, it is awarded to her.

Court's Decision After Trial – page 4

- MOTORHOME sales proceeds \$ 1,108⁰⁰
- SKagit STATE BANK \$ 12,230⁰⁰
- SUB-TOTAL \$ 40,838⁰⁰
- 5830 Haddon Lane \$ 45,000⁰⁰
ANACAPIS, WASH.
- TOTAL \$ 85,838⁰⁰

Respondent is further awarded A % of Petrov's
PERS 2 IN ACCORDANCE with exhibit "E"

SPOUSAL MAINTENANCE

PETITIONER shall pay SPOUSAL MAINTENANCE AS follows

1. AMOUNTS IDENTIFIED IN COURTS TEMPORARY ORDER till distribution of family home seller proceeds, After which
2. \$ 2,000 per month for (6) six months
3. \$ 1,750 per month for (6) six months
4. \$ 1,500 per month for (18) Eighteen MONTHS After which MAINTENANCE will END.

MAINTENANCE will TERMINATE on death of either party OR REMARRIAGE / ENTRY INTO A CTR. by Respondent.

exhibit "C"

Real Property AT 2310 32ND ST
shall be Sold AND NET seller
proceeds will be distributed TO
Achieve AN equal division
of All Property as follows

A. Petroner 45%
B. Respondent 55%

For illustrative purposes only & ASSUMING NET
seller proceeds of \$100,000

	Petroner	Respondent
Property Previously Awarded	\$6845 (ex A)	\$85,838 (ex B)
Net Sale Proceeds from 2310 32 ND ST	\$79,891.15	20,172.85
TOTAL AWARD	86,736.15	106,010.85

100% of seller proceeds deposited in Cohen MANN,
Thompson MANN TRUST for distribution.

exhibit D

Petitioner's PERS 2 is Awarded to the parties as follows

William has a vested PERS 2 pension as a result of his employment with the City of Anacortes and, currently, the Town of Coupeville. It is not payable until William actually retires. This pension should be equitably divided between the parties. In consideration of the evidence produced at trial, the court will award the parties their percentages of the pension to be payable at the time of William's retirement.

The court will award each of the parties a percentage of the quasi-community and community (collectively "community") portion of the pension determined by means of the traditional methodology as outlined, generally, in *In re Marriage of Bulicek*, 59 Wn. App. 630, 800 P.2d 394 (1990) and other cases. The parties' respective percentages of the community portion of the pension will be determined by means of a fraction, the numerator of which is 252. This number is determined by adding the months the parties were together in a CIR and in the marriage before separation. Thus, there were 9 months to be included in 1994, 12 months per year from 1995 through 2014, and 3 months in 2015 before separation, for a total of 252 months.

The denominator of the fraction used to determine the parties' respective percentages of the community portion of the pension will be determined by adding the total number of months of service that William has accumulated at the time of his actual retirement. He began accruing monthly credits in June of 1984. It remains to be seen how many total months of service William will accumulate. The parties will each receive half of the number reflected by this numerator and denominator. William will receive his separate portions of the pension.

The court retains jurisdiction for purposes of entering the appropriate order dividing the pension at the time of William's actual retirement.

exhibit "E"