

Filed for Record at Request of:

CHMELIK SITKIN & DAVIS P.S.  
1500 Railroad Avenue  
Bellingham, WA 98225  
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Skagit County Auditor  
7/10/2017 Page

\$77.00  
1 of 5 2:58PM

**DOCUMENT TITLE:**

DEFAULT JUDGMENT

**REFERENCE NUMBER OF DOCUMENTS ASSIGNED OR RELEASED:**

N/A

**GRANTORS:**

DAVID AND TERRI L. SPELLMAN  
THE ESTATE OF BILLE E. CREEK, SR., DECEASED  
THE UNKNOWN HEIRS, DEVISEES AND LEGATEES OF BILLY E. CREEK, SR., DECEASED

Additional Grantors can be found on page 2 of document.

**GRANTEE:**

LAKE TYEE

**ABBREVIATED LEGAL DESCRIPTION:**

LOT 60, BLOCK C, DIV. III, LAKE TYEE

Additional Legal Description can be found on page 2 of document.

**TAX PARCEL ID #:**

P80090

I, MAVIS E. BETZ, Clerk of the Superior Court of the State of Washington, for Skagit County, do hereby certify that this is a true copy of the original now on file in my office. Dated 6-30-17

FILED  
SKAGIT COUNTY CLERK  
SKAGIT COUNTY, WA

2017 JUN 30 AM 9:46



MAVIS E. BETZ, County Clerk

By: *[Signature]*  
Deputy Clerk

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

LAKE TYEE, a Washington  
non-profit corporation,

Plaintiff,

vs.

DAVID SPELLMAN and TERRI L.  
SPELLMAN, husband and wife;  
THE ESTATE OF BILLY E. CREEK, SR.,  
DECEASED; AND THE UNKNOWN  
HEIRS, DEVISEES AND LEGATEES  
OF BILLY E. CREEK, SR., DECEASED,

Defendants.

No. 17-2-00323-1

DEFAULT JUDGMENT

**JUDGMENT SUMMARY**

Creditor:	Lake Tyee
Debtor:	David Spellman Terri L. Spellman
Principal Judgment:	\$2,911.62
Post-judgment Interest:	12% per annum
Attorneys' Fees:	\$2,500.00
Costs:	\$1,979.49
Attorney for Judgment Creditor:	Seth A. Woolson, WSBA #37973
Attorney for Judgment Debtor:	N/A

**CHMELIK SITKIN & DAVIS P.S.**  
ATTORNEYS AT LAW

DEFAULT JUDGMENT AND ORDER OF  
FORECLOSURE - 1

1500 Railroad Avenue Bellingham, Washington 98225  
phone 360.671.1796 • fax 360.671.3781

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3 **THIS MATTER** having come before the Court on Plaintiff's Motion for Order of  
4 Default, Default Judgment and Order of Foreclosure before the undersigned judge; and the  
5 Court having considered the evidence submitted in the records and files herein, and being  
6 duly advised in the premises;

7 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

8 1. Plaintiff is hereby awarded the principal judgment of \$2,911.62 against  
9 Defendants, David Spellman and Terri L. Spellman, jointly and severally, including pre-  
10 judgment interest on the unpaid balance.

11 2. Plaintiff is hereby awarded its attorneys' fees in the amount of \$2,500.00 and costs  
12 in the amount of \$1,979.49 against Defendants, David Spellman and Terri L. Spellman,  
13 jointly and severally.

14 3. Interest shall accrue on the unpaid judgment, attorneys' fees and costs at the rate  
15 of twelve percent (12%) per annum, until paid.

16 4. Plaintiff is hereby awarded judgment and foreclosure against the Defendants'  
17 interest in the real property (the "Property") legally described as follows:

18 LOT C-60, "LAKE TYEE DIVISION NO. III," AS PER PLAT  
19 RECORDED IN VOLUME 11 OF PLATS, PAGES 68 THROUGH 74,  
20 INCLUSIVE, RECORDS OF SKAGIT COUNTY, WASHINGTON;

21 SITUATE IN SKAGIT COUNTY, WASHINGTON;

22 TAX PARCEL NO. P80090.

23 5. Plaintiff's lien is hereby declared a valid lien against the Property. Said lien is  
24 hereby foreclosed as in the case of a mortgage in the manner provided by Washington State  
25 law, and the proceeds thereof shall be first applied to such other additional amounts for  
taxes, assessments, costs of foreclosure, interest, and the remainder to satisfy the judgment,

1 together with interest thereon from the date of judgment, plus all additional assessments and  
2 late charges that come due prior to the date of sale.

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4 6. A deficiency judgment shall be entered against Defendants, David Spellman and  
5 Terri L. Spellman, jointly and severally, for any amount of the judgment left unsatisfied.

6 7. Further levy and sales may be made under the same execution upon other  
7 property of the Defendants, David Spellman and Terri L. Spellman, including but not limited  
8 to any mobile home, trailer or improvements which may be situated on the Property.

9 8. That Plaintiff may, as an alternative to further levy and sales, remove any property  
10 from the Property, including any mobile home, trailer or improvements remaining on the  
11 Property following confirmation of sale of the underlying Property, and dispose of it in any  
12 manner that the Plaintiff sees fit, without further order from this Court.

13 9. Defendants' period of redemption is one (1) year from the date of the Sheriff's  
14 sale, and the Sheriff is hereby ordered to issue the Sheriff's deed to the purchaser at the  
15 termination of the one (1) year period, if not earlier redeemed. Nothing herein shall excuse  
16 Defendants from paying all dues and assessments owing at the time of redemption.

17 10. The purchaser is hereby entitled to immediate possession of the Property.

18 11. Plaintiff is hereby granted the right to become a bidder and purchaser at the sale.  
19 If Plaintiff is the successful bidder, it may apply the whole or any part of the judgment herein  
20 granted in lieu of cash to satisfy the bid.

21 12. The rights of all Defendants are hereby adjudged to be inferior and subordinate to  
22 the Plaintiff's judgment and are hereby foreclosed upon except for the statutory right to  
23 redemption.  
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1 13. Plaintiff is hereby awarded, pursuant to its bylaws, its attorneys' fees and costs of  
2 collection and/or foreclosure against Defendants, David Spellman and Terri L. Spellman,  
3 jointly and severally.

4 14. Plaintiff may also obtain further judgment on additional dues and assessments  
5 which may become due by submitting a subsequent affidavit to that effect.

6 **DONE IN OPEN COURT** this 90 day of June, 2017.

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9 JUDGE/COURT COMMISSIONER

10 Presented By:

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13 Seth A. Woolson, WSBA #37973  
14 CHMELIK SITKIN & DAVIS P.S.  
15 Attorney for Plaintiff  
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