

1 FILED FOR RECORD AT THE
2 REQUEST OF/RETURN TO:

3 Megan O. Masonholder
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7 Mount Vernon, WA 98273



201810120053

10/12/2018 11:40 AM Pages: 1 of 6 Fees: \$104.00
Skagit County Auditor

7 **Document Title:**

Default Judgment and Decree of Foreclosure

8 **Grantors:**

9 KELLY O. CALAVAN and
10 SHANNON M. CALAVAN

11 **Grantee:**

12 CITY OF SEDRO-WOOLLEY, a Washington
13 municipal corporation

14 **Additional Grantor(s) on page(s):**

15 **Additional Grantee(s) on page(s):**

16 **Abbreviated Legal:**

17 Lot 6 and Ptn. of Lot 7, "Plat of Bingham Place
18 2nd Add'n."

19 **Additional Legal on page(s):**

20 3

21 **Assessor's Tax Parcel No.:**

22 4525-000-007-0001(P83791)
23
24
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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 10-12-18

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SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2018 OCT 12 AM 9:39



MAVIS E. BETZ, County Clerk

By: _____
Deputy Clerk

SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

<p>CITY OF SEDRO-WOOLLEY, a Washington) municipal corporation,) Plaintiff,) vs.) KELLY O. CALAVAN and SHANNON M.) CALAVAN, husband and wife, and the) marital community composed thereof;) KRISTI COY; ALL CITY FENCE) COMPANY, INC., PROFIT SHARING) TRUST; DEUTSCHE BANK NATIONAL) TRUST COMPANY AS TRUSTEE FOR) MORGAN STANLEY, ABS CAPITAL I) INC., TRUST 2006-WMC2,) Defendants,)</p>	<p>Case No.: 18-2-00805-29) ORDER OF DEFAULT, DEFAULT) JUDGMENT, AND DECREE OF) FORECLOSURE AS TO DEFENDANTS:) KELLY O. CALAVAN and) SHANNON M. CALAVAN) KRISTI COY) DEUTSCHE BANK NATIONAL TRUST) COMPANY AS TRUSTEE FOR MORGAN) STANLEY, ABS CAPITAL I INC., TRUST) 2006-WMC2) <i>(Clerk's Action Required)</i>)</p>
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Having examined the records and files of this case, including Plaintiff's Motion for Default, Default Judgment, and Decree of Foreclosure and the supporting Declaration of Megan Masonholder, attorney of record for Plaintiff City of Sedro-Woolley, and finding said Motion to be well taken, the undersigned Judge/Commissioner of the above-entitled court now makes the following Judgment, Decree, and Order:

ORDER OF DEFAULT, DEFAULT JUDGMENT,
AND DECREE OF FORECLOSURE AS TO
CERTAIN DEFENDANTS - 1

ORIGINAL

Skagit Law Group, PLLC

Post Office Box 336 / 227 Freeway Drive, Suite B
Mount Vernon, Washington 98273
Telephone: 360.336.1000 - Facsimile: 360.336.6690

I. DEFAULT

Defendants KELLY O. CALAVAN and SHANNON M. CALAVAN, KRISTI COY, and DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR MORGAN STANLEY, ABS CAPITAL I INC., TRUST 2006-WMC2 are hereby declared to be in default in the above-captioned action, and therefore judgment shall be entered in favor of Plaintiff as follows.

II. JUDGMENT SUMMARY—MONETARY AND AS TO REAL PROPERTY

Judgment Creditor:	CITY OF SEDRO-WOOLLEY, a Washington municipal corporation
Judgment Debtors:	KELLY O. CALAVAN and SHANNON M. CALAVAN husband and wife, and the marital community composed thereof, jointly and severally
Real property subject to this action:	Lot 6 and Ptn. Of Lot 7, "Plat of Bingham Place 2 nd Add'n." Situat in the County of Skagit, State of Washington. The real property is identified by Skagit County Assessor's Tax Account Number 4525-000-007-0001 (P83791)
Principal Judgment Amount:	\$7,744.17
Late Charges:	\$527.07
Interest as of July 1, 2018	\$316.82
Interest Rate after Judgment:	12% per annum on principal, late fees, attorney's fees, costs, and other recovery amounts from date judgment is entered until fully paid
Attorney's Fees:	\$4,192.50
Costs:	\$2,319.04
Other Recovery Amounts:	\$0.00
Attorney for Judgment Creditors:	Megan Masonholder of Skagit Law Group, PLLC
Attorney for Judgment Debtors:	None

III. JUDGMENT

3.1 Judgment shall be entered in favor of the Plaintiff, the CITY OF SEDRO-WOOLLEY, against the Defendants, KELLY O. CALAVAN and SHANNON M. CALAVAN, husband and wife and the marital community composed thereof, ("Defendants CALAVAN"),

1 jointly and severally, and against the real property legally described herein, in the total amount
2 of \$15,069.60, including: the principal amount of \$7,744.17; together with accrued interest
3 thereon in the amount of \$316.82 as of September 1, 2018; late fees in the amount of \$527.07;
4 together with attorney's fees in the amount of \$4,192.50; and together with Plaintiff's costs and
5 disbursements in the amount of \$2,289.04; and

6 3.2 Plaintiff's judgment as to late fees, other recovery amounts, attorney's fees, and
7 costs shall bear interest at the rate of 12% per annum from the date of judgment until paid in full.

8 IV. DECREE OF FORECLOSURE

9 ON THE BASIS OF THE FOREGOING, IT IS ORDERED, ADJUDGED AND
10 DECREED:

11 4.1 That Plaintiff's liens are hereby adjudged and decreed to be valid, first, and
12 paramount municipal liens upon the real property, and the whole thereof, superior to any and all
13 right, title, claim, interest, lien, or estate of the named Defendants individually, and the marital
14 community of them composed, or of anyone claiming by, through, or under them, subsequent to
15 the execution of Plaintiff's municipal liens, in and to the real property which is legally described
16 as follows securing the payment of the judgment:

17 Lots 6 and 7, "PLAT OF BINGHAM PLACE SECOND ADDITION", as per plat
18 recorded in Volume 14 of Plats, page 103, records of Skagit County, Washington,
EXCEPT the East 20 feet of said Lot 7.

19 TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over,
20 across and under the East 20 feet of Lot 7, "PLAT OF BINGHAM PLACE SECOND
21 ADDITION", as per Plat recorded in Volume 14 of Plats, page 103, records of Skagit
County, Washington.

22 SITUATE IN THE CITY OF SEDRO WOOLLEY, COUNTY OF SKAGIT, STATE OF
23 WASHINGTON.

24 The Real Property is identified by Skagit County Assessor's Tax Account Number
25 4525-000-007-0001 and Parcel Number P83791; and

ORDER OF DEFAULT, DEFAULT JUDGMENT,
AND DECREE OF FORECLOSURE AS TO
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1 4.2 That the Plaintiff's lien is hereby foreclosed and said real property shall be sold
2 by the Sheriff of Skagit County, Washington, in the manner provided by law for foreclosures
3 and in accordance with the practice of this court; and

4 4.3 That Plaintiff is permitted to become bidder and purchaser at such sale and may
5 credit bid all or any portion of the amount owed to Plaintiff without requirement of depositing
6 cash or other funds in the amount of such credit bid; and

7 4.4 That none of the Defendants or any person claiming by, through, or under them
8 is entitled to possession of the premises after the sale and that the purchaser at such sale shall
9 be adjudged entitled to the sole and exclusive possession thereof, together with rents, issues,
10 and profits arising therefrom; and

11 4.5 In the event Plaintiff is the purchaser at said sale, and in the event Plaintiff is
12 entitled to possession of said premises and the same is not surrendered to Plaintiff, a Writ of
13 Restitution and/or Writ of Assistance shall be issued forthwith, and the Sheriff of Skagit County,
14 Washington, shall deliver possession of said premises (including fixtures) to Plaintiff; and

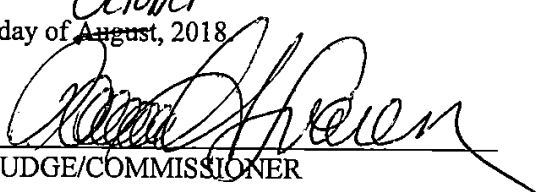
15 4.6 That Plaintiff has not waived its right to a deficiency judgment and that Plaintiff
16 be awarded a deficiency judgment to the extent that its judgment and costs of sale exceed the
17 proceeds of the sheriff's sale in addition to supplemental judgment(s) awarding such additional
18 costs and attorneys' fees as are incurred after the date of this judgment; and

19 4.7 That all right, title, estate, claim, lien, or interest of the Defendants, or any of them,
20 and all of the persons claiming by, through, or under them, or any of them, subsequent to the
21 execution of the Plaintiff's liens in and to the above described real estate, or any part thereof, is
22 inferior and subordinate to Plaintiff's real property lien and is hereby forever foreclosed (except
23 only for the statutory right of redemption allowed by law); and

24 4.8 That any and all persons acquiring any right, title, estate, claim, lien, or interest in
25 and to the real property above described, or any part thereof, and any and all persons claiming any

1 right, title, estate, claim, lien, or interest in and to the real property above described, or any part
2 thereof, subsequent to the recording of the Plaintiff's liens on June 18, 2012, April 24, 2013,
3 March 16, 2015, April 28, 2015, December 28, 2015, December 19, 2016, January 25, 2018, and
4 March 6, 2018, which are foreclosed herein, be, and they hereby are, forever foreclosed of any
5 such right, title, estate, claim, lien, or other interest as against Plaintiff in this action.

6 DONE IN OPEN COURT this 12 day of ^{October} ~~August~~, 2018

7
8 
9 JUDGE/COMMISSIONER

10 Presented by:
11 SKAGIT LAW GROUP, PLLC

12 By 
13 MEGAN O MASONHOLDER, WSBA #29495
14 Attorney for Plaintiff