



201810170121

10/17/2018 02:12 PM Pages: 1 of 8 Fees: \$106.00
Skagit County Auditor

AFTER RECORDING MAIL TO:
Wesley Long and Cory Long
2807 Patten Place W
Seattle, WA 98119

POOR ORIGINAL

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

20184611
OCT 17 2018

Amount Paid \$ 8,193.⁰⁰
Skagit Co. Treasurer
By *[Signature]* Deputy

GUARDIAN NORTHWEST TITLE CO.

116250

TRUSTEE'S QUITCLAIM DEED

GRANTOR MICHAEL P. KLEIN, as duly appointed BANKRUPTCY TRUSTEE of the Bankruptcy Estate of Richard S. Eskola, Bankruptcy Case No. 18-12571, pending in the United States Bankruptcy Court for the Western District of Washington (the "Estate"), pursuant to the Order Approving Sale Free and Clear of Liens Regarding 18288 S West View Road, Mount Vernon, WA 98274, entered on October 11, 2018 (the "Order"), for and in consideration of Ten (\$10.00) Dollars, and other good and valuable consideration in hand paid, do hereby **CONVEY AND QUIT CLAIM** to **GRANTEES WESLEY O. LONG and CORY J. LONG, husband and wife**, all of the Estate's interest in the following described real estate, situated in the County of Skagit, State of Washington, together with all after acquired title of the grantor(s) therein:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A ON PAGE 3, AND INCORPORATED HEREIN BY THIS REFERENCE.

Assessor's Property Tax No: P74690, 4135-042-029-0009
Abbreviated Legal: Ptn. Lot 29, Block 42, Montborne

Said interest is subject to any and all easements, covenants, restrictions, reservations, conditions, rights of way and zoning and other ordinances and laws, if any, enforceable at law or in equity.

The conveyance of the real property herein is made pursuant to the terms of the Order referenced above, a copy of which is attached hereto as Exhibit B and incorporated herein by this reference, and is made free and clear of all liens, interests and encumbrances, which shall no

EXHIBIT A - Legal Description**Parcel A:**

Lot 29, Block 42, "PLAT OF THE TOWN OF MONTBORNE, SKAGIT COUNTY, WASHINGTON," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, and that part of vacated Lakeside Boulevard adjacent to the Westerly side of said premises, as has reverted to said premises by process of law,

EXCEPT from said premises that portion conveyed to Skagit County for road purposes by deed recorded July 14, 1941, under Auditor's File No. 341750, described as follows:

A strip of land 40 feet in width running in a Northwesterly and Southeasterly direction across Block 42, 'PLAT OF THE TOWN OF MONTBORNE', said 40 foot strip of land parallel to and adjoining the Northern Pacific Railroad right of way.

Situate in the County of Skagit, State of Washington.

Parcel B:

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne", as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Richard S. Eskola by deed recorded March 29, 1990 under Auditor's File No. 9003290041.

Form 22P
Skagit Right-to-Manage Disclosure
Rev. 10/14
Page 1 of 1

**SKAGIT COUNTY
RIGHT-TO-MANAGE
NATURAL RESOURCE LANDS DISCLOSURE**

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Northwest Multiple Listing Service
ALL RIGHTS RESERVED

The following is part of the Purchase and Sale Agreement dated September 24, 2018

between Wesley Long Cory Jane Vilders Long ("Buyer")
Buyer Buyer

and Trustee for Eskola ("Seller")
Seller Seller

concerning 18288 S West View Road Mount Vernon WA 98274 (the "Property")
Address City State Zip

Buyer is aware that the Property may be subject to the Skagit County Right-to-Manage Natural Resource Lands Disclosure, Skagit County Code section 14.38, which states:

This disclosure applies to parcels designated or within 1 mile of designated agricultural - land or designated or within 1/4 mile of rural resource, forest or mineral resource lands of long-term commercial significance in Skagit County. A variety of Natural Resource Land commercial activities occur or may occur in the area that may not be compatible with non-resource uses and may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals; or from spraying, pruning, harvesting or mineral extraction with associated activities, which occasionally generates traffic, dust, smoke, noise, and odor. Skagit County has established natural resource management operations as a priority use on designated Natural Resource Lands, and area residents should be prepared to accept such incompatibilities, inconveniences or discomfort from normal, necessary Natural Resource Land operations when performed in compliance with Best Management Practices and local, State, and Federal law.

In the case of mineral lands, application might be made for mining-related activities including extraction, washing, crushing, stockpiling, blasting, transporting and recycling of minerals. If you are adjacent to designated NR Lands, you will have setback requirements from designated NR Lands.

Seller and Buyer authorize and direct the Closing Agent to record this Disclosure with the County Auditor's office in conjunction with the deed conveying the Property.

AuthenticatION
Wesley Long 10/16/2018
Buyer 10/16/2018 12:01:18 PM PDT Date

DocuSigned by:
Michael P. Klein 10/16/2018
Seller Date

AuthenticatION
Cory Long 10/16/2018
Buyer 10/16/2018 12:03:53 PM PDT Date

Seller Date

Entered on Docket October 11, 2018

Below is the Order of the Court.




Marc Barreca
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

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UNITED STATES BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In Re:

Richard S Eskola,

Debtor.

Chapter 7

CASE NO. 18-12571

ORDER APPROVING SALE FREE AND
CLEAR OF LIENS REGARDING 18288 S
West View Road, Mount Vernon, WA 98274

THIS MATTER having come regularly set before this Court that was set for hearing upon notice and motion by Michael P. Klein, the Chapter 7 trustee in this case ("trustee"). No objections were filed with the court. Pursuant to 11 U.S.C. §363 the Court having reviewed the records files herein and the Court having determined that the trustee's proposal to sell real property commonly known as 18288 S West View Road, Mount Vernon, WA 98274 to Wesley O Long and Cory J Long for \$460,000.00 cash at closing, or such higher sum as may be negotiated to close the sale, pursuant to the terms of the Residential Real Estate Purchase and Sale Agreement with attached addendums and amendments

ORDER APPROVING SALE FREE AND CLEAR OF
LIENS REGARDING 18288 S West View Road,
Mount Vernon, WA 98274 - 1

MICHAEL P. KLEIN
Chapter 7 Trustee
330 Madison Ave. S., Suite 110
Bainbridge Island, WA 98110
(206) 842-3638

EXHIBIT B

1 (hereinafter "Purchase and Sale Agreement"), is reasonable and in the best interests of the bankruptcy
2 estate, now therefore it is

3 **ORDERED THAT:**

4
5 1. The trustee, Michael P. Klein, is hereby authorized to sell real property commonly known as
6 18288 S West View Road, Mount Vernon, WA 98274 to Wesley O Long and Cory J Long for
7 \$460,000.00 cash at closing, or such higher sum as may be negotiated to close the sale.

8 2. The trustee is authorized to execute a Trustee's Quitclaim Deed in connection with this sale,
9 as well as any other documents that are reasonably necessary to carry out and complete the sale.

10
11 3. The trustee is authorized to sell the 18288 S West View Road, Mount Vernon, WA 98274
12 property free and clear of liens, judgments, warrants, encumbrances, and interests, including the first
13 deed of trust claimant, Wells Fargo Bank, N.A.¹ (hereinafter "Wells Fargo"), its successors or assigns,
14 and the second deed of trust claimant, Puget Sound Investors, LLC² (hereinafter "Puget"), its
15 successors or assigns, and several Internal Revenue Service federal tax liens³ (hereinafter "IRS"), its
16 successors or assigns, and all of the foregoing successors or assigns, pursuant to 11 U.S.C. §§363(f)(2)
17 and (5).
18

19 To the extent that there are insufficient funds to pay the secured claim of the IRS, its successors
20 or assigns, the trustee must obtain the consent and approval of the sale in a signed writing provided by
21 the IRS, its successors or assigns, authorized agent. Any liens, judgments, warrants, encumbrances,
22 and interests that are not satisfied at the time of closing shall attach to the net proceeds (except for the
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26 ¹ The debtors' schedules list the first deed of trust holder as "Wells Fargo Hm Mortgage," but a relief from stay
motion states that the assignee beneficiary is Wells Fargo, N.A.

27 ² The debtor's schedules list the first deed of trust holder as "Skagit Bank," but the recorded documents and a
relief from stay motion states that the assignee beneficiary is Puget Sound Investors, LLC.

ORDER APPROVING SALE FREE AND CLEAR OF
LIENS REGARDING 18288 S West View Road,
Mount Vernon, WA 98274 - 2

MICHAEL P. KLEIN
Chapter 7 Trustee
330 Madison Ave. S., Suite 110
Bainbridge Island, WA 98110
(206) 842-3638

EXHIBIT B

1 carve-out noted in paragraph 6 below) that the trustee receives from the sale, so that the validity and/or
2 priority of same may be determined by the Bankruptcy Court at a later date. The trustee specifically
3 reserves the right to contest each encumbrance or alleged encumbrance against the subject property.

4 4. The trustee is authorized to pay through escrow a sales commission up to 6% of the sales
5 price, with such amount to be divided among RE/MAX Eastside Brokers (the trustee's broker) and the
6 other agents and/or brokers who were involved in this transaction, and the trustee is hereby further
7 authorized to pay any excise taxes that become due on the subject property, as well as the estate's share
8 of any unpaid real estate taxes that are due on the subject property, prorated to the date of closing, as
9 well as the cost of purchasing an owners title insurance policy and the estate's share of any and all other
10 customary closing costs that are necessary to carry out and complete the sale of the 18288 S West View
11 Road, Mount Vernon, WA 98274 property, and it is further ordered that the trustee is authorized to make
12 the disbursements to creditors that are described above, at the time of closing through escrow.

15 5. The buyers shall be allowed to keep or dispose of any personal property, fixtures and other
16 items left on the subject property after closing as the buyers determine is appropriate.

18 6. The \$50,000.00 carve-out pursuant to Section 506(c) of the Bankruptcy Code will be held by
19 the trustee, free and clear of any liens or interests, and shall be preserved by the trustee pending further
20 order of the court. At least one half of the carve-out shall be distributed to pre-petition unsecured
21 creditors. Calculation of the maximum trustees compensation in this case, pursuant to 11 U.S.C. §326,
22 may include the applicable percentage amount for monies disbursed as a result of this sale transaction.
23 However, such amount resulting from this transaction shall not exceed one half of the carve-out less the
24 amount of any allowed fees incurred by the trustee's attorneys in connection with this sale transaction.
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27 ³ The debtor's schedules list federal taxes owing to the Internal Revenue Service as priority and general unsecured
in the total amount of \$296,539.21, but the recorded documents list federal tax liens totaling \$215,785.19.

ORDER APPROVING SALE FREE AND CLEAR OF
LIENS REGARDING 18288 S West View Road,
Mount Vernon, WA 98274 - 3

MICHAEL P. KLEIN
Chapter 7 Trustee
330 Madison Ave. S., Suite 110
Bainbridge Island, WA 98110
(206) 842-3638

EXHIBIT B

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7. The buyers are good faith purchaser of the subject property within the meaning of 11 U.S.C. §363(m).

8. The automatic stay under Federal Rule of Bankruptcy Procedure 6004(h) shall not apply to the transaction(s) approved in this order.

9. The trustee shall hold all of the remaining proceeds from this sale in a trustee's estate bank account subject to further court order.

/// End of Order ///

Presented by:

/s/Michael P. Klein
Michael P. Klein, Chapter 7 Trustee

ORDER APPROVING SALE FREE AND CLEAR OF
LIENS REGARDING 18288 S West View Road,
Mount Vernon, WA 98274 - 4

MICHAEL P. KLEIN
Chapter 7 Trustee
330 Madison Ave. S., Suite 110
Bainbridge Island, WA 98110
(206) 842-3638

EXHIBIT B