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Skagit County Auditor

WHEN RECORDED RETURN TO:

Patrick M. Hayden
PO Box 454
Sedro-Woolley, WA 98284

<p>DOCUMENT TITLE(S) Agreed Order of Settlement Dismissing all Claims</p> <p>REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED: Case No. 16-2-01426-0</p> <p>GRANTOR(S): Edward G. Bishop, as his separate property and Edward G. Bishop, as Trustee of the Barbara G. Bishop Special Needs Trust</p> <p>GRANTEE(S): Galen f. Cobbs and Carmen L. Jones</p> <p>ABBREVIATED LEGAL DESCRIPTION: Full Legal Description, page 6 Ptn W 1/2 of SW ¼, 10-35-4</p> <p>TAX PARCEL NUMBER(S): 350410-3-003-0004; P36126</p>
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I, MELISSA BEATON, 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 8-8-19

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2019 AUG -8 PM 3:57



MELISSA BEATON, County Clerk

By: *Monadic E. Gray*
Deputy Clerk

IN THE SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

EDWARD G. BISHOP, as his separate property, and EDWARD G. BISHOP as Trustee of the BARBARA G. BISHOP SPECIAL NEEDS TRUST,

Case No.: 16-2-01426-0

Plaintiff,

AGREED ORDER OF SETTLEMENT
DISMISSING ALL CLAIMS

vs.

(Clerk's Action Required: Judgment
Summary for Real Estate - No Money
Judgment)

GALEN F. COBBS and CARMEN L. JONES, as their separate property and as husband and wife if married; STERLING SAVINGS BANK, dba STERLING BANK, and "MERS" MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,

Defendant.

I. JUDGMENT SUMMARY FOR REAL ESTATE

A. JUDGMENT CREDITOR/GRANTEE (REAL ESTATE ONLY): GALEN F.

COBBS and CARMEN L. JONES, as their separate property and as husband and wife if married; STERLING SAVINGS BANK, dba STERLING BANK, and "MERS" MORTGAGE ELECTRONIC REGISTRATON SYSTEMS, INC.

B. JUDGMENT DEBTOR/GRANTOR (REAL ESTATE ONLY): EDWARD G.

BISHOP, as his separate property, and EDWARD G. BISHOP as Trustee of the BARBARA G. BISHOP SPECIAL NEEDS TRUST

C. ABV. LEGAL DESCRIPTION: (COBBS/JONES): Ptn W 1/2 of SW 1/4 of Sec.

10, Twp 35 N. R 4 E. W.M.; Situated in Skagit County, Washington.

D. TAX PARCEL NO.: 350410-3-003-0004 (P36126)

AGREED ORDER OF SETTLEMENT, ETC. - 1

Patrick M. Hayden
Law Office
PO Box 454 / 109 Warner Street
Sedro-Woolley, WA 98284
Tel 360.855.1811

1 **E. ATTORNEY FOR PLAINTIFF:** Patrick M. Hayden, PO Box 454, Sedro-Woolley,
2 WA. 98284

3 **F. ATTORNEY FOR DEFENDANT COBBS AND JONES:** David A. Namba, Robey
4 Namba PS, 1414 F Street, Bellingham, WA. 98225.

5 **G. ATTORNEY FOR DEFENDANTS "MERS" MORTGAGE ELCTRONIC**
6 **REGISTRATION SYSTEMS, INC. and UMPQUA BANK as Successor to STERLING**
7 **SAVINGS BANK, DBA STERLING BANK:** Janis G. White, Fidelity National Law Group,
8 701 - 5th Avenue, Suite 2710, Seattle, WA. 98104.

8 **II. JUDGEMENT**

9 THIS MATTER coming on before the undersigned judge of the above-entitled court on
10 the date indicated, the Plaintiff being represented by Patrick M. Hayden, the Defendants Cobbs
11 and Jones being represented by David A. Namba of Robey Namba, Defendant Umpqua Bank, as
12 successor to Sterling Bank, and MERS, both being represented by Janis G. White of Fidelity
13 National Law Group, and the court being fully advised in the premises, and the parties having
14 resolved this case by agreement and stipulating to entry of this order as part of their settlement,
15 now therefore,

16 IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

17 1. The claims of Plaintiffs, including the claim for a prescriptive or implied easement
18 over the real property of Defendants (Defendants' real property being legally described on the
19 attached *Schedule C*,) are hereby dismissed with prejudice.

20 2. The claims and counterclaims of Defendants are hereby dismissed with prejudice.

21 3. The easement over and across Defendants' real property described on the attached
22 *Schedule C*, as shown on the Boundary Line Adjustment Deed filed by Plaintiffs in Skagit
23 County Auditor's File No. 201609260090, is hereby extinguished to the extent that it encroaches
24 on Defendant's real property described on the attached *Schedule C*.

25 4. Neither Plaintiffs or Defendants shall have any right, title or interest in the real
26 property of the other, provided that this shall not affect any pre-existing easements for utility
27 services, if any.

28 5. This judgment shall bind any parties acquiring title in the effected property after
29 November 2, 2016, the recording of the Lis Pendens in Skagit County Auditor File No.
30

AGREED ORDER OF SETTLEMENT, ETC. - 2

Patrick M. Hayden
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Tel 360.855.1811

1 201611020023. The Lis Pendens is hereby merged into this judgment, and of no further force
2 and effect.

3 6. All parties shall pay their own costs and attorney fees in this matter.

4 Dated August 8, 2019

6 
7 JUDGE/COMMISSIONER

8 Presented by; Entry stipulated to:

9 

10 Patrick M. Hayden, WSBA# 11061
11 Attorney for Plaintiffs

12 Approved for Entry;
13 Notice of Presentation Waived;
14 Entry stipulated to:

15 ROBEY NAMBA, PS

17 By 
18 David A. Namba, WSBA# 29347
19 Attorney for Defendants Cobbs/Jones

20 FIDELITY NATIONAL LAW GROUP

21 By _____
22 Janis G. White, WSBA# 29158
23 Attorney for Defendant Umpqua Bank and MERS

24 Approved:

25 
26 Edward G. Bishop, personally and as trustee

1 201611020023. The Lis Pendens is hereby merged into this judgment, and of no further force
2 and effect.

3 6. All parties shall pay their own costs and attorney fees in this matter.

4 Dated _____, 2019

6 _____
7 JUDGE/COMMISSIONER

8 Presented by; Entry stipulated to:

10 _____
11 Patrick M. Hayden, WSBA # 11061
12 Attorney for Plaintiffs

13 Approved for Entry;
14 Notice of Presentation Waived;
15 Entry stipulated to:

16 ROBEEY NAMBA, PS

17
18 By _____
19 David A. Namba, WSBA# 29347
20 Attorney for Defendants Cobbs/Jones

21
22 FIDELITY NATIONAL LAW GROUP

23
24 By  _____
25 Janis G. White, WSBA# 29158
26 Attorney for Defendant Umpqua Bank and MERS

27 Approved:

28
29 _____
30 Edward G. Bishop, personally and as trustee

AGREED ORDER OF SETTLEMENT, ETC. - 3

Patrick M. Hayden
Law Office
PO Box 454 / 109 Warner Street
Sedro-Woolley, WA 98284
Tel 360.855.1511

Order No.: 112576

RE: / Cobbs

Guarantee No.: 5015853-0003815e

LITIGATION GUARANTEE

Schedule "C"
Legal Description

The land referred to herein is situated in the County of Skagit, State of Washington, and is described as follows:

That portion of the West Half of the Southwest Quarter of Section 10, Township 35 North, Range 4 East of the Willamette Meridian, described as follows:

Beginning at a point 300 feet East of the West Quarter corner of said Section;
Thence East 300 feet;
Thence due South to the North line of County Road (formerly The Fairhaven and Southern Railway right-of-way);
Thence Westerly along the North line of said County Road to a point due South of the Point of beginning;
Thence North to the point of beginning.

Situated in Skagit County, Washington.