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order
Partial Summary Judgment

Reference Number (if applicable):

Grantor(s):

☐ additional grantor names on page ____.

- 1) Troy Strebe
- 2) _____

Grantee(s):

☐ additional grantor names on page ____.

- 1) Jim Hanson
- 2) James Hanson

Abbreviated Legal Description:

☐ full legal on page(s) ____.

PTN TRS 274 32-37 memorial Highway RS

Assessor Parcel /Tax ID Number:

☐ additional parcel numbers on page ____.

PL67467



FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2022 MAR -3 AM 8:43

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

Case No.: 21-2-00335-29

☐ CLERK'S ACTION REQUIRED

ORDER ON DEFENDANT TROY STREBE'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT

JIM HANSON

vs.

TROY STREBE

☒ Civil ☐ Criminal
☐ Domestic ☐ Other

THIS MATTER having come before this Court pursuant to Defendant Troy Strebe's Motion for Partial Summary Judgment, and the Court having heard oral argument on February 24, 2022, and reviewed the following:

1. Defendant Troy Strebe's Motion for Partial Summary Judgment;
2. Declaration of Joseph D. Bowen re: Defendant Troy Strebe's Motion for Partial Summary Judgment;
3. Amended Declaration of Joseph D. Bowen re: Defendant Troy Strebe's Motion for Partial Summary Judgment;
4. Response to Motion for Summary Judgment With Cross Motion for Summary Judgment;
5. Declaration of Mark A. Thompson in Support of Plaintiff/Counterclaim Defendant Hanson's Response to Motion for Summary Judgment with Cross Motion for Summary Judgment;
6. Declaration of James Hanson re: Occupation and Use of Property;
7. Declaration of Debra A. Yansen in Opposition to Plaintiff's Motion for Summary Judgment;
8. Defendant's Response to Plaintiff's Reply to Motion for Partial Summary Judgment; and
9. Errata and Corrected Declaration of Debra S. Yansen in Support of Defendant Troy Strebe's Motion for Partial Summary Judgment.

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 3/4/22



MELISSA BEATON, County Clerk

By: [Signature]
Deputy Clerk
RACHEL PEDRANO

The Court concludes that:

1. There is no disputed issue of material fact as to Mr. Hanson's claim for adverse possession. To defeat Defendant's Motion for Partial Summary Judgment and prove his claim for adverse possession, Mr. Hanson must show that he possessed the subject property in a manner which was (1) exclusive, (2) open and notorious, (3) hostile, and (4) actual and uninterrupted for the statutory period of ten years. *Chaplin v. Sanders*, 100 Wash.2d 853, 857-62, 676 P.2d 431 (1984). The undisputed facts do not establish that Mr. Hanson took or retained possession of the subject property in a manner that was hostile and exclusive for a period of ten years.
2. There is also no disputed issue of material fact as to Mr. Hanson's claim for Tenancy-in-Common. Mr. Hanson has not submitted evidence sufficient to establish his claim for tenancy-in-common.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant Troy Strebe's Motion for Partial Summary judgment is granted, and Plaintiff's claims for adverse possession and tenancy-in-common are dismissed.

Dated: 3/3/2022



JUDGE Elizabeth Yost Neidzowski