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10/06/2023 09:06 AM Pages: 1 of 6 Fees: \$208.50  
Skagit County Auditor

Return To:

Skagit County Sheriff's Office  
Civil Division  
600 South Third Street  
Mount Vernon, WA 98273

Date: October 6, 2023

Skagit County Superior Court No: 23-2-00223-29

Document Title:

1. Sheriff's Levy - Notice of Execution Upon Real Property

Grantor(s) -- Last Name, First Name, Middle Initial (Defendant):

1. MCDONALD, MITCHELL W.

Grantee(s) -- Last Name, First Name, Middle Initial (Plaintiff):

1. LAKE TYEE, a Washington nonprofit corporation

Legal Description:

LOT C-34, LAKE TYEE DIVISION NO. II AS PER PLAT RECORDED IN  
VOLUME 11 OF PLATS, PAGES 15 THROUGH 24, INCLUSIVE, RECORDS  
OF SKAGIT COUNTY, WASHINGTON.

Assessor's Parcel/Tax ID Number:

P78992 / 4229-003-034-0001

**SUPERIOR COURT OF THE STATE OF WASHINGTON, COUNTY OF SKAGIT**

**LAKE TYEE, a Washington nonprofit corporation,**

Plaintiff,

vs.

**MITCHELL W. MCDONALD,**

Defendant.

Cause No.: **23-2-00223-29**

**SHERIFF'S NOTICE OF EXECUTION  
UPON REAL PROPERTY**

**ORIGINAL**

To the Auditor of Skagit County, State of Washington, and to whom it may concern, Greetings:

Under and by virtue of a writ of execution issued out of the Superior Court of the State of Washington, for the County of Skagit, on the 22nd day of September 2023, by the Clerk thereof, a true copy of said writ being hereto attached and made a part hereof, to me as Sheriff, directed and delivered, I do hereby levy upon and attach all of the right, title and interest of the defendant MITCHELL W. MCDONALD, in said writ of execution named, in and to the real estate, situated in Skagit County, State of Washington, bounded and described as follow, to-wit:

Assessor's Parcel/Tax ID Number: P78992 / 4229-003-034-0001

LOT C-34, LAKE TYEE DIVISION NO. II AS PER PLAT RECORDED IN VOLUME 11 OF PLATS, PAGES 15 THROUGH 24, INCLUSIVE, RECORDS OF SKAGIT COUNTY, WASHINGTON.

Also commonly known as 44737 Nika Kena Trail, Concrete, WA 98237.

Given under my hand this 6th day of October 2023.

Don McDermott, Sheriff

By:   
Melinda Larsen, Civil Assistant

FILED  
SKAGIT COUNTY CLERK  
SKAGIT COUNTY, WA  
2023 SEP 22 PM 1:03

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

LAKE TYEE, a Washington nonprofit  
corporation,

Plaintiff,

v.

MITCHELL W. MCDONALD,

Defendant.

No. 23-2-00223-29

WRIT OF EXECUTION ON REAL  
PROPERTY

**THE STATE OF WASHINGTON: TO THE SHERIFF OF SKAGIT COUNTY,**

**YOU ARE COMMANDED:**

To take this Writ, along with the attached copies of the exemption statutes, and levy upon, seize, and take into possession and execution, the nonexempt real property of the Defendant/Judgment Debtor named above, in your county, sufficient to execute and to satisfy the judgment, interest, and increased interest and costs, to sell that property according to law, and to make return of this Writ within sixty (60) days to the clerk who issued it, on the basis of the following-described judgment. IF RETURN OF WRIT IS NOT

WRIT OF EXECUTION ON REAL PROPERTY - 1

**ORIGINAL**

**CSD** | ATTORNEYS  
AT LAW

1500 Railroad Avenue, Bellingham, WA 98225  
tel 360.671.1796 • fax 360.671.3781

1 POSSIBLE WITHIN SIXTY (60) DAYS, THE RETURN ON THIS WRIT SHALL BE  
2 AUTOMATICALLY EXTENDED FOR AN ADDITIONAL THIRTY (30) DAYS.

3 On September 5, 2023, the Plaintiff/Judgment Creditor was awarded a default  
4 judgment against the Defendant/Judgment Debtor in the Superior Court of Skagit County,  
5 Washington under Cause Number 23-2-00223-29. The amount owing and due on this  
6 judgment is the following:

- 7 (a) Judgment/Principal: \$18,778.03
- 8 (b) Attorneys' Fees: \$4,944.00
- 9 (c) Costs: \$1,426.44
- 10 (d) Total Amount Due: \$25,148.47, plus interest at 12% per annum

11 and increased costs and attorneys' fees in connection with this Writ and sale.

12 The real property to be executed upon is legally described as follows:

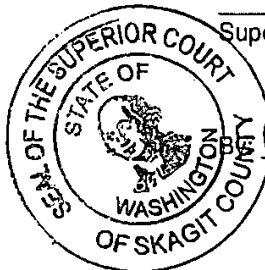
13 LOT C-34, LAKE TYEE DIVISION NO. II AS PER PLAT RECORDED IN  
14 VOLUME 11 OF PLATS, PAGES 15 THROUGH 24, INCLUSIVE,  
15 RECORDS OF SKAGIT COUNTY, WASHINGTON.

16 SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

17 ASSESSOR TAX PARCEL NO. P78992

18 WITNESS the Honorable BRIAN L. STILES, Judge of the Superior  
19 Court, and the seal thereof this 22 day of September, 2023.

20  
21 MELISSA BEATON  
22 Superior Court Clerk



23 Jessica Browning  
24 Deputy Clerk **JESSICA BROWNING**  
25 Judgment Recording No.: 202309130050

WRIT OF EXECUTION ON REAL PROPERTY - 2

**CSD** | ATTORNEYS  
AT LAW

1500 Railroad Avenue, Bellingham, WA 98225  
tel 360.671.1796 • fax 360.671.3781

**AS REQUIRED BY RCW 6.17.130 COPIES OF THE FOLLOWING STATUTES ARE HEREBY SERVED OR MAILED UPON THE JUDGMENT DEBTOR(S): REAL PROPERTY RCWS 6.13.010, 6.13.030, 6.13.040**

6.13.010 (1) The homestead consists of real or personal property that the owner or a dependent of the owner uses as a residence. In the case of a dwelling house or mobile home, the homestead consists of the dwelling house or the mobile home in which the owner resides or intends to reside, with appurtenant buildings, and the land on which the same are situated and by which the same are surrounded, or improved or unimproved land, regardless of area, owned with the intention of placing a house or mobile home thereon and residing thereon. A mobile home may be exempted under this chapter whether or not it is permanently affixed to the underlying land and whether or not the mobile home is placed upon a lot owned by the mobile home owner or a dependent of the owner. Property included in the homestead must be actually intended or used as the principal home for the owner.

(2) As used in this chapter: (a) "Owner" includes but is not limited to a purchaser under a deed of trust, mortgage, or real estate contract. (b) "Net value" means market value less all liens and encumbrances senior to the judgment being executed upon and not including the judgment being executed upon. (c) "Forced sale" includes any sale of homestead property in a bankruptcy proceeding under Title 11 of the United States Code. The reinvestment provisions of RCW 6.13.070 do not apply to the proceeds. (d) "Dependent" has the meaning given in Title 11 U.S.C. Sec. 522(a)(1).

[ 2021 c 290 § 2 ]

6.13.030 (1) The homestead exemption amount is the greater of: (a) \$125,000; (b) The county median sale price of a single-family home in the preceding calendar year; or (c) Where the homestead is subject to execution, attachment, or seizure by or under any legal process whatever to satisfy a judgment in favor of any state for failure to pay that state's income tax on benefits received while a resident of the state of Washington from a pension or other retirement plan, no dollar limit.

(2) In determining the county median sale price of a single-family home in the preceding year, a court shall use data from the Washington center

for real estate research or, if the Washington center no longer provides the data, a successor entity designated by the office of financial management.

[ 2021 c 290 § 3 ]

6.13.040 (1) Property described in RCW 6.13.010 constitutes a homestead and is automatically protected by the exemption described in RCW 6.13.070 from and after the time the real or personal property is occupied as a principal residence by the owner or, if the homestead is unimproved or improved land that is not yet occupied as a homestead, from and after the declaration or declarations required by the following subsections are filed for record or, if the homestead is a mobile home not yet occupied as a homestead and located on land not owned by the owner of the mobile home, from and after delivery of a declaration as prescribed in RCW 6.15.060(3)(c) or, if the homestead is any other personal property, from and after the delivery of a declaration as prescribed in RCW 6.15.060(3)(d).

(2) An owner who selects a homestead from unimproved or improved land that is not yet occupied as a homestead must execute a declaration of homestead and file the same for record in the office of the recording officer in the county in which the land is located. However, if the owner also owns another parcel of property on which the owner presently resides or in which the owner claims a homestead, the owner must also execute a declaration of abandonment of homestead on that other property and file the same for record with the recording officer in the county in which the land is located.

(3) The declaration of homestead must contain: (a) A statement that the person making it is residing on the premises or intends to reside thereon and claims them as a homestead; (b) A legal description of the premises; and (c) An estimate of their actual cash value.

(4) The declaration of abandonment must contain: (a) A statement that premises occupied as a residence or claimed as a homestead no longer constitute the owner's homestead; (b) A legal description of the premises; and (c) A statement of the date of abandonment.

(5) The declaration of homestead and declaration of abandonment of homestead must be acknowledged in the same manner as a grant of real property is acknowledged.

[ 1993 c 200 § 3 ]

**AS REQUIRED BY RCW 6.17.130 COPIES OF THE FOLLOWING STATUTES ARE HEREBY SERVED OR MAILED UPON THE JUDGMENT DEBTOR(S): REAL PROPERTY RCWS 6.13.010, 6.13.030, 6.13.040**

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[1993 c 200 § 3]