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09/08/2025 03:18 PM Pages: 1 of 4 Fees: \$306.50
Skagit County Auditor

RECORDING COVER SHEET

Title of Document: Judgment

Grantors: Brian D. and Kimberly D. ORESTAD

Grantees: Marvin R. and Alice L. ORESTAD

Address of Property; 33180 HAMILTON CEMETERY ROAD, SEDRO WOOLLEY,
WA 98284

Brief Legal Description: (TITLE ELIMINATION AF#9310130114 FOR MANUFACTURED
HOME 1981 SILVERWOOD 24X60 VIN#AB7SC1423OR) PTN N1/2 SW1/4 SW1/4,
SECTION 10, TOWNSHIP 35 NORTH, RANGE 6 EAST, W.M. AKA TR B S/P 50-
81 AF#8109210028. SURVEY AF#202202230104

Parcel No.: **P40966**

25-2-00114-29
OR 39
Order
19424022



FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2025 AUG 21 AM 10:55

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 9-8-25



MELISSA BEATON, County Clerk

By: *Becki Savoia*
Deputy Clerk

BECKI SAVOIA

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

Marvin R. and Alice L. ORESTAD,
Plaintiffs,

v.

Brian D. and Kimberly D. ORESTAD,
Defendants.

NO. 25-2-00114-29

order granting summary
JUDGMENT FOR PLAINTIFFS *in part,*
denying in part.

3

COMES NOW THE COURT and, having reviewed the records and files herein, specifically,

1. An agreement between the Plaintiffs and Defendants dated March 2, 2023, recorded under Skagit County recording number 202303020030 attached to the Complaint;
2. The amortization Schedule attached to the Complaint;
3. The Declaration of Marvin R. Orestad filed herein;
4. The Declaration of Brian D. Orestad filed herein; and

now hereby FINDS that:

1. Plaintiffs served a Complaint upon Defendants alleging breach of contract and conversion as follows:
 - a. Kimberly D. Orestad was served on August 26th, 2024, by the Skagit County Sheriff; and
 - b. Brian D. Orestad accepted service of process on October 11th, 2024.

JUDGMENT FOR PLAINTIFFS

JOSEPH D. BOWEN
Attorney at Law, P.S.
401 S. Second Street
Mount Vernon, WA 98273
360.226.6655 226.2382 FAX

2. Defendants defaulted on a Promissory Note on October 1st, 2022; at which time the principal balance due was \$74,557.00.

3. Defendant Kimberly D. Orestad converted personal property belonging to the Plaintiffs, which was cash in the sum of \$40,000 and personal property with a fair market value of \$14,345.00.

4. Interest on the Promissory Note is established at ¹² per cent per annum. *by statute.*

5. Defendants were a marital community at all times pertinent to this action.

WHEREFORE the Court CONCLUDES that,

6. There is no issue of material fact as to whether Defendants breached the subject Promissory Note by failing to make payments when due on October 1st, 2022; damaging Plaintiffs;

6.a There is an issue of material fact as to whether Defendants breached the subject Promissory Note by failing to make payments when due on October 1st, 2022; damaging Plaintiffs;

7. There is no issue of material fact as to whether Defendants converted the sum of \$40,000 on March 19th, 2022, further damaging Plaintiffs;

7.b There is an issue of material fact as to whether Defendants converted the sum of \$40,000 on March 19th, 2022, further damaging Plaintiffs;

8. There is ~~no~~ issue of material fact as to whether Defendants converted personal property belonging to the Plaintiffs with a fair market value of \$14,345.00.

8.b. There is an issue of material fact as to whether Defendants converted personal property belonging to the Plaintiffs with a fair market value of \$14,345.00.

NOW THEREFORE the Court ORDERS, ADJUDGES, AND DECREES that

9. Judgment is entered jointly and severally against Defendants:

in the sum of \$74,557.00 for default of a Promissory Note.

judgment on Plaintiffs' claim for \$74,557.00 due for Defendant's default of a Promissory Note is *set at 12% per annum, per RCW 4.56.110(6).*

in the sum of \$40,000 for conversion of cash belonging to Plaintiffs.

judgment on Plaintiffs' claim for \$40,000 for conversion of cash is

1 reserved;

2 [] in the sum of \$34,557.00 for conversion of personal property
3 belonging to Plaintiffs.

4 [] judgment on Plaintiffs' claim for \$34,557.00 for conversion of
5 personal property is reserved;

6 10. Interest on said judgment shall accrue as follows:

7 ~~(1) 12% per annum on the sum of \$40,000.00 from March 19th, 2022,~~

8 * (2) 12% per annum on the sum of \$74,557.00 from October 1st, 2022;

9 DONE IN OPEN COURT this 21 day of Aug., 2025.

10 The Hon.

11 

12 Judge/Commissioner

13 Presented by:

14 Copy received:

15 Kimberly Orestad 

16 Via Zoom
17 Joseph D. Bowen, WSBA #17631
18 Attorney for Plaintiffs

19 
20 Defendant *pro se*

21 Copy received:

22 Brian Orestad:

23 
24 Defendant *pro se*

25 * 11. issues of conversion of \$40,000⁰⁰ and
26 personal property are to be adjudicated
at trial.