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BOOK 223 PAGE 854

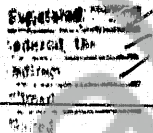
FILED FOR RECORD
SKAMAMIA CO. WASH
BY O. Foster

MAY 6 12 11 PM '02

U. O. Foster
AUDITOR

J. MICHAEL GARVISON

Return Address:

P. Foster
2011 ST JOHNS BLVD
VANCOUVER WA 98661

Document Title(s) or transactions contained herein:

JUDGEMENT

GRANTOR(S) (Last name, first name, middle initial)

W. D. TRUITT

☐ Additional names on page _____ of document.

GRANTEE(S) (Last name, first name, middle initial)

JEROME & GLORIA DEGRASSE

☐ Additional names on page _____ of document.

LEGAL DESCRIPTION (Abbreviated: i.e., Lot, Block, Plat or Section, Township, Range, Quarter/Quarter)

N/A

☐ Complete legal on page _____ of document.

REFERENCE NUMBER(S) of Documents assigned or released:

N/A

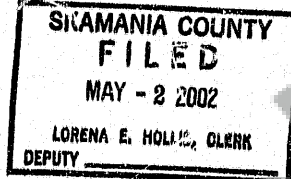
☐ Additional numbers on page _____ of document.

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER

N/A

☐ Property Tax Parcel ID is not yet assigned☐ Additional parcel numbers on page _____ of document.

The Auditor/Recorder will rely on the information provided on the form. The Staff will not read the document to verify the accuracy or completeness of the indexing information.



SUPERIOR COURT OF WASHINGTON FOR SKAMANIA COUNTY

GEORGE & GLORIA DEGROOTE
dba CARSON VALLEY MOBILE PARK

Plaintiff,

and

MR W.D. TRUITT
MS W.D. TRUITT
and all persons occupying
32 Rodgers Street, Sp#20R,
Carson, WA 98610
Defendants

NO. 02 2 00049 7

JUDGMENT,
FINDINGS OF FACT
& CONCLUSIONS OF
LAW, & ORDER
OF DEFAULT

02-9-00057-3

JUDGMENT SUMMARY PURSUANT TO RCW 4.64.030

Plaintiff:	GEORGE & GLORIA DEGROOTE dba CARSON VALLEY MOBILE PARK
Attorney for Plaintiff:	PHILIP A. FOSTER
Judgment Debtor(s):	MR W.D. TRUITT MS W.D. TRUITT
Attorney for Debtor(s):	none
Date of Judgment:	The 2 day of May, 2002.
Principal Amount:	\$150, plus \$10.00 in late fees.
Interest to Judgment Date:	none
Post-Judgement Interest Rate:	12% per annum
Filing Fee:	\$110.00
Service Fee (3-day Notice):	\$0.00
Service Fee (Sum. & Cpt.):	\$60.00
Attorneys Fee:	\$450.00
Others Costs: Writ Fee	\$20.00
Others Costs: Sheriff:	\$57.50

FINDINGS OF FACT, CONCLUSIONS
OF LAW, JUDGMENT, & ORDER OF DEFAULT - 1

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360-696-1800

TOTAL:

\$857.50

THIS MATTER having come on regularly for hearing before the Court on the ____ day of May, 2002, Defendants having previously been served (on April 22, 2002) with an Eviction Summons and Complaint more than six (6) days prior to such hearing regarding the question of an Unlawful Detainer at the property described in the Complaint as 32 Rodgers Street, Sp#20R, Carson, WA 98610, which property is located in SKAMANIA County, State of Washington, Plaintiff appearing through PHILIP A. FOSTER, attorney at law, and by GEORGE DEGROOTE, agent for the Plaintiff, the Defendants ~~not~~ appearing, and the Court having examined the parties and witnesses present, considered the evidence, and being fully advised in the premises, now makes the following:

ORDER OF DEFAULT

The Defendants are in default and such default is hereby entered.

FINDINGS OF FACT

I.

Pursuant to a written Lease Agreement dated April 4, 1997, the premises located at 32 Rodgers Street, Sp#20R, Carson, WA 98610, which property is located in SKAMANIA County, State of Washington, were rented to Defendants by Plaintiff.

II.

Defendants took possession of the described premises immediately after the leasehold interest commenced and the premises have been in continuous possession of Defendants since

FINDINGS OF FACT, CONCLUSIONS
OF LAW, JUDGMENT, & ORDER OF DEFAULT - 2

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1 that time.

2 III.

3 Defendants are delinquent in the payment of the monthly rental of \$150.00 for the
4 following months:

5 MAY 2002 - \$150.00, plus late fees per the rental agreement.

6 Thus, there is now due and owing to the Plaintiff the sum of \$150.00 as a result of the
7 failure of the Defendants to make such rental payments, plus \$10.00 in accrued late charges.

8 IV.

9 On April 4, 2002, there was served upon Defendants a Fifteen (15) Day Notice in
10 writing informing Defendants of violations of the rental agreement and RCW 59.20, and
11 notifying and requiring Defendants to cure such violations within the notice period set forth
12 in the notice, or, in the alternative, to vacate and surrender the described premises.

13 V.
14 More than Fifteen (15) days have passed since the service of such Notice, and the
15 violations have not been cured, nor have the premises been vacated and surrendered by the
16 Defendants.

17 VI.

18 Plaintiff seeks relief under RCW 59.20.080(1)(f) which states: "The requirement that
19 any tenant or occupant register as a sex offender under RCW 9A.44.130 is grounds for
20 eviction under this subsection. If criminal activity is alleged to be a basis of termination, the
21 park owner may proceed directly to an unlawful detainer action." Defendant W.D. TRUITT
22 has permitted his girlfriend, Victoria Bartlett, and her son, Geoffrey Bartlett, to occupy the
23 premises without Plaintiff's consent. Geoffrey Bartlett is a registered sex offender.
24 Defendants have failed to remove the sex offender from the park and provide proof of same,

25 FINDINGS OF FACT, CONCLUSIONS
26 OF LAW, JUDGMENT, & ORDER OF DEFAULT - 3

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1 pursuant to a letter sent by Plaintiff's attorney on March 19, 2002, and pursuant to the 15
2 Day Notice to Cure described above.

3 VII.

4 More than Six (6) days passed since the service of the Summons and Complaint upon
5 the Defendants, and no sworn statement has been filed with the Clerk of Court by the
6 Defendants stating why rent alleged due is not due and owing, nor has the rent set forth in
7 the Summons been paid to the Clerk of Court by the Defendants.

8 VIII.

9 Because this tenancy concerns a mobile home residency, the landlord additionally
10 should be awarded costs of removing the mobile home and/or destroying same, that any non-
11 judicial "closure of the landlord's lien (for up to four months of rent) be imposed and
12 approved by the Court, and that in the event of abandonment of the mobile home, that title to
13 same be vested in the landlord so that the landlord may dispose and/or move of same under
14 operation of law, and or for such other relief as may be required to obtain the physical
15 removal of the mobile home, should the tenant fail to remove same. Landlord may
16 supplement findings and judgment if such additional costs are incurred.

17 The Sheriff is directed, upon issuance of the Writ of Restitution by the Clerk of
18 Court, to execute same without requiring the landlord to move the mobile home (and the
19 landlord's option) at the time of the execution of the Writ based on any request by the tenant
20 pursuant to RCW 59.18.312 with respect to storage and/or any other matter, because such
21 statute does not apply to RCW 59.20 and mobile home leases, per RCW 59.20.040, and only
22 applies to apartment or residential leases.

23 IX.

24 The Summons and Complaint were served by a duly registered process server upon

25 FINDINGS OF FACT, CONCLUSIONS
26 OF LAW, JUDGMENT, & ORDER OF DEFAULT - 4

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Defendants on April 22, 2002.

X.

Plaintiff is duly authorized to transact business in the State of Washington, and the title to land at 32 Rodgers Street, Sp#20R, Carson, WA 98610 is held by Plaintiff.

XI.

The acts of the named Defendants were by and on behalf of and for the benefit of the marital community of MR W.D. TRUITT and MS W.D. TRUITT.

XII.

Plaintiff is entitled to reasonable attorney's fees pursuant to the terms of the lease agreement, and pursuant to the terms of RCW Chapter 59.20.

From the foregoing Findings of Fact the Court makes the following:

CONCLUSIONS OF LAW

I.

Defendants should be adjudged guilty of unlawful detainer.

II.

The Lease held by the Defendants on the premises described in the Complaint as 32 Rodgers Street, Sp#20R, Carson, WA 98610, which property is located in SKAMANIA County, Washington, should be terminated.

III.

Defendants should be evicted under and by virtue of an immediate Writ of Possession, to be issued herein.

IV.

FINDINGS OF FACT, CONCLUSIONS
OF LAW, JUDGMENT, & ORDER OF DEFAULT - 5

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Judgment should be entered in favor of Plaintiff and against Defendants in the sum of \$150.00 for the rent and \$10.00 in late charges due at the time of judgment; together with reasonable attorney's fees in the sum of \$450.00, and costs and disbursements in the sum of \$110.00 for filing fees, \$0.00 for service of Three (3) Day Notice to Pay Rent or Vacate, \$20.00 for a Writ issuance fee, costs of the Sheriff's return of approximately \$57.50, and \$60.00 for personal service of Summons and Complaint for Unlawful Detainer, plus costs of a bond and/or sheriff's fees, if any, required to enforce any Writ of Restitution issued in this matter, provided that Defendants be entitled to a rental credit for the balance owing of rent awarded herein for the last month of possession for any period in such month during which Plaintiff has obtained possession and re-rented the premises to a new tenant (in which event Plaintiff shall file a statement with the Court for a partial Satisfaction of Judgment for any such amount).

JUDGMENT

I.

The Clerk of Court is ordered to immediately issue a Writ of Restitution without bond, returnable ten (10) days after its date of issuance, restoring to Plaintiff possession of the property described in the Complaint as 32 Rodgers Street, Sp#20R, Carson, WA 98610, which property is located in SKAMANIA County, State of Washington.

II.

There is no substantial issue of material fact of the right of Plaintiff to be granted relief as prayed for in the Complaint and provided for by statute.

III.

Defendants are guilty of unlawful detainer and the Lease of the described premises is

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, JUDGMENT, & ORDER OF DEFAULT - 6**

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hereby terminated.

IV.

Judgment is entered in favor of Plaintiff and against Defendants in the sum of \$150.00 for the rent and \$10.00 in late charges due at the time of judgment; together with reasonable attorney's fees in the sum of \$450.00, and costs and disbursements in the sum of \$110.00 for filing fees, \$0.00 for service of Three (3) Day Notice to Pay Rent or Vacate, and \$60.00 for personal service of Summons and Complaint for Unlawful Detainer, plus costs of a bond and/or sheriff's fees, if any, required to enforce any Writ of Restitution issued in this matter, provided that Defendants be entitled to a rental credit for the balance owing of rent awarded herein for the last month of possession for any period in such month during which Plaintiff has obtained possession and re-rented the premises to a new tenant (in which event Plaintiff shall file a statement with the Court for a partial Satisfaction of Judgment for any such amount).

V.

Plaintiff is granted leave to supplement the Judgment with respect to damages to the property discovered upon a return of possession of the property to the Plaintiff, and/or for any rental, utility, garbage or other sundry charges coming due or being discovered by Plaintiff after entry of judgment and accordingly not included in this judgment, and/or for rental charges for the lease term, if any, greater than would be owing on a month to month basis, if the plaintiff is unable to re-rent the property upon substantially similar terms.

VI.

Because this tenancy concerns a mobile home residency, the landlord shall be awarded costs of removing the mobile home and/or destroying same, and the landlord's lien upon the property of the tenant (for up to four months of rent) is imposed and approved by

FINDINGS OF FACT, CONCLUSIONS
OF LAW, JUDGMENT, & ORDER OF DEFAULT - 7

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1 the Court. Landlord may supplement findings and judgment if and/or when such additional
2 costs are incurred.

3 DONE IN OPEN COURT this 2nd day of May, 2002.

4
5 
6 JUDGE REYNOLDS

7 Presented by:

8 
9 PHILIP A. FOSTER, WSBA # 15475
10 Of Attorneys for Plaintiff
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26 FINDINGS OF FACT, CONCLUSIONS
27 OF LAW, JUDGMENTS, & ORDER OF DEFAULT - 8
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State of Washington
County of Skamania

I, Lorena E. Hollis, County Clerk of the Superior Court of the State of Washington, DO HEREBY CERTIFY that this instrument, consisting of 8 page(s) is a true and correct copy of the original now on file and of record in my office, and, as County Clerk, I am the custodian thereof.

Signed and sealed at Stevenson, Washington

this date

05.16.02
LORENA E. HOLLIS, County Clerk

BY Mavis Vance Deputy