

145234

BOOK 226 PAGE 391

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SKAMANDIA CO. WASH
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U. Foster
AUDITOR

J. MICHAEL GARVISON

Please Print or Type Information.

Document Title(s) or transactions contained therein:

1. JUDGEMENT, AMENDED
2. _____
3. _____
4. _____

GRANTOR(S) (Last name, first, then first name and initials)

1. W. D. TRUETT
2. _____
3. _____
4. _____

☐ Additional Names on Page _____ of Document.

GRANTEE(S) (Last name, first, then first name and initials)

1. GEORGE NEGROTE
2. GLORIA NEGROTE
3. _____
4. _____

☐ 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.

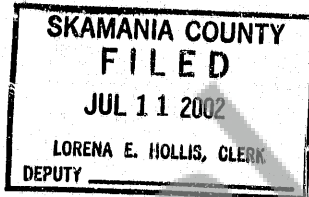
REFERENCE NUMBER(S) Of Document assigned or released:

BOOK 226 PAGE 391 # 144566☐ Additional Numbers on Page _____ of Document.

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER

☐ 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

NO. 02 2 00049 7

Plaintiff,

JUDGMENT,
FINDINGS OF FACT
& CONCLUSIONS OF
LAW

and

- AMENDED

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

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 11 day of July, 2002.
Principal Amount:	\$2,279.38
Interest to Judgment Date	none
Post-Judgment Interest Rate:	12% per annum
Filing Fee:	\$110.00
Service Fee (Sum. & Cpt.):	\$60.00
Attorneys Fee:	\$1,500.00
Others Costs: Writ Fee	\$20.00
Others Costs: Sheriff:	\$35.50

AMENDED FINDINGS OF FACT, CONCLUSIONS
OF LAW, & JUDGMENT - 1

PHILIP A. FOSTER
Attorney at Law
2011 St. Johns Blvd.
Vancouver, Wa 98661
360-695 1800

1 TOTAL: \$3,969.38

2
3 THIS MATTER having come on regularly for hearing before the Court on the ____
4 day of July, 2002, Defendants having previously been served (on April 22, 2002) with an
5 Eviction Summons and Complaint more than six (6) days prior to such hearing regarding the
6 question of an Unlawful Detainer at the property described in the Complaint as 32 Rodgers
7 Street, Sp#20R, Carson, WA 98610, which property is located in SKAMANIA County, State
8 of Washington, Plaintiff appearing through PHILIP A. FOSTER, attorney at law, and by
9 GEORGE DEGROOTE, agent for the Plaintiff, the Defendants not appearing, and the Court
10 having examined the parties and witnesses present, considered the evidence, and being fully
11 advised in the premises, now makes the following:

12
13 PRIOR FINDINGS & CONCLUSIONS

14
15 The Findings of Fact, Conclusions of Law, and Judgement entered by the Court on
16 May 2, 2002 in affirmed and incorporated herein. Such Judgement allowed and authorized
17 supplementation of the Judgement if the mobile home was not removed. The sums set forth
18 in this Judgement supplement and supersede the Judgment entered on May 2, 2002.

19
20 FINDINGS OF FACT

21 I.

22 The defendants did not remove the mobile home, and have not to date removed the
23 mobile home. A reasonable period for the plaintiff to remove the home would be through the
24 end of July, 2002.

25 AMENDED FINDINGS OF FACT, CONCLUSIONS
26 OF LAW, & JUDGMENT - 2

27 PHILIP A. FOSTER
28 Attorney at Law
2011 St. Johns Blvd.
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II.

The plaintiff was accordingly required to foreclose on a landlord's lien, to obtain title so that the mobile home could be removed and/or destroyed. The landlord conducted a commercially reasonable sale of the mobile home, in conformance with applicable statutes, by a) notifying all parties of interest as shown on the title, b) publishing the sale in Skamania and Clark County, c) holding a public sale (as opposed to a private sale), and d) bidding the amount authorized under the landlord's lien foreclosure statute. The defendant's tender of \$150 was insufficient to stop such process, as it was not a tender of all sums owing to the landlord when the tender was made, and was made by signature on a check by a person not identified on the check to make same. No bidders appeared at the sale, and therefore the landlord's bid was the qualifying bid. The Department of Licensing is ordered to vest title to the mobile home in the plaintiff, as of July 3, 2002, the date of the sale. The landlord has incurred fees to conduct the foreclosure, and reasonably will incur expenses of \$1,750 for removal and/or destruction of the mobile home. Accordingly, the judgment is amended with respect to such sums, all of which were authorized under the May 2, 2002 judgment.

III.

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. The fees incurred by plaintiff and requested by plaintiff were occasioned by defendant's failure to remove the mobile home, and appear reasonable in amount, and accordingly are awarded as requested.

IV.

The matters alleged in the small claims complaint appear to relate to landlord-tenant issues as between the plaintiff and the defendant, about which the Superior Court had obtained jurisdiction prior to institution of such small claims matter. Accordingly, the

AMENDED FINDINGS OF FACT, CONCLUSIONS
OF LAW, & JUDGMENT - 3

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It Declines R.R.

Superior Court assumes jurisdiction of all landlord-tenant disputes between the parties and stays the pending small claims action, Skamania County District Court (Small Claims) cause number S02-24, Truitt v. DeGroote, until further order of this Court.

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 judgment should be amended, and the plaintiff should be awarded the sums as itemized on the attached, and as identified above in the Findings of Fact.

JUDGMENT

I.

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 and as provided for in the May 2, 2002 judgment by authorization to supplement, once possession of the premises was returned to plaintiff.

II.

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

III.

Judgment is entered in favor of Plaintiff and against Defendants in the sum of

AMENDED FINDINGS OF FACT, CONCLUSIONS
OF LAW, & JUDGMENT - 4

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\$3,991.38, as itemized on the attached, for the rent, late charges, and other costs and fees associated with this matter that Plaintiff has incurred.

IV.

C.S. Reckles
The matters alleged in the small claims complaint appear to relate to landlord-tenant issues as between the plaintiff and the defendant, about which the Superior Court had obtained jurisdiction prior to institution of such small claims matter. Accordingly, the Superior Court assumes jurisdiction of all landlord-tenant disputes between the parties and stays the pending small claims action, Skamania County District Court (Small Claims) cause number S02-24, Truitt v. DeGroote, until further order of this Court. *ETD*

DONE IN OPEN COURT this 16th day of July, 2002.

[Signature]
JUDGE REYNOLDS

Presented by:

[Signature]
PHILIP A. FOSTER, WSBA # 15475
Of Attorneys for Plaintiff

Consent as to entry, notice of presentment waived, and approved as to form and content this ___ day of July, 2002.

W. D. TRUITT
of attorneys for Defendants

AMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW, & JUDGMENT - 5

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Vancouver, Wa 98661
360-695-1800

DEGROOTE V. TRUITT - SUPPLEMENTAL JUDGMENT

Prior judgment	\$857.50
Less payment	-\$160.00
June Rent & late	\$160.00
July Rent	\$160.00
Other late charges	\$50.00
Removal	\$1,750.00
Lien foreclosure costs	\$700.00
	\$42.50
	\$68.48
	\$12.90
Less Sheriff - adjust	-\$22.00
Fees to supplement	\$350.00
Total	\$3,969.38

Attorneys fee - total	\$1,500.00
Filing	\$110.00
Service	\$60.00
Writ Issue	\$20.00
Principal judgment	\$2,279.38

State of Washington - Department of Licensing
IVIPS Request by - MYER, D / Records 902-4000

6/11/2002 - 3:14:08 PM

Plate number

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New Search

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Registered Owner:

OLSEN, CARL R
OLSEN, PATRICIA J
TRUITT, WILLIAM DAVID
PO BOX 215
CARSON, WA 98610-0215

Legal Owner:

Plate information:

Plate: @00953
Expires:
Issued: 12/1997
Tab #: Not available
Previous tab #: Not available
Special plate: TPO

Remarks:

Vehicle information:

Model year: 1973
Make: OLYMN
Series body: 68/14
VIN: 14477
Use Class: Mobile Home
Current odometer: E 0000000
Previous odometer:
Power: Unpowered

Title/Renewal information:

Total fees paid: \$12.75
Title #: 0008406023
Title transferred: 12/26/1997

Additional vehicle information:

Gross weight:
Scale weight:
Tonnage fees: \$0.00
Tonnage abatement:
Tonnage exp date:

EXHIBIT " A "

State of Washington
County of Skamania

} SS

I, Louise E. Hollis, County Clerk of the Superior
Court of Skamania County, Washington, DO HEREBY
CERTIFY that this instrument, consisting of 7
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 legal custodian thereof.

Signed and sealed at Clatskanie, Washington

this date 7-11-02
LOUISE E. HOLLIS County Clerk

BY [Signature] Deputy