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SKAMANIA CO WASH
BY Skamania Co

AUG 15 12 23 PM '94
O. Laury
AUDITOR
GARY M. OLSON

120278

FORM OF CLAIM FOR DAMAGES

TO THE BOARD OF COUNTY COMMISSIONERS of Skamania County, Washington:

PLEASE TAKE NOTICE that in accordance with Chapter 36.45 of the Revised Code of Washington, ^{we} ANNA FIASCA + DANIEL GUNDERSEN

hereby present you with my claim for damages against the County of Skamania, State of Washington, with the information required to be given by RCW 36.45.020 as follows:

1. That the injury for which I claim damages against the County of Skamania, State of Washington, occurred on or about the 12th day of November 1993.

2. That the place of injury was County Court house

3. That the location and description of the defect which caused the injury are Judge's verdict in court that county had
improperly conducted tax sale at which
we in good faith, purchased property

4. That the injury is described as follows: AS result of county's
negligence we have had to incur thousands
of dollars of debt for legal + settlement fees to preserve our
right to the property.

5. That the amount of damages claimed is as follows: Legal fees: 3500 Settlement costs: 25,000

6. That the actual residence of the claimants at the time of presenting and filing this claim is 204 Indian Cabin Rd
Home Valley WA 98648

7. That the actual residence of the claimant for a period of six months immediately prior to the time that this claim accrued was Same

DATED: 12 August 1994

[Signature]
ANNA FIASCA
(Claimant)

NOTE: Personal Property (Car, etc.) damages are to be accompanied by estimated repair costs. Additional information required by Nos 2-4 of this form may be attached on the back of this Claim for Damages.

Thursday, August 11, 1994

To: Skamania County Commissioners

Re: support of claim for damages as result of improper tax deed

After many years of trying to obtain directly with no success, Anna Fiasca and Daniel Gundersen purchased land adjoining the Gundersen/St. Martin Family homestead in Home Valley at a county tax sale in January 1993. We were given a deed stating the county had done everything according to state law and we took possession. We built a road to access a small cabin we have on the adjoining land and got a Federal grant to begin improving the condition of the land which had been clear cut and seriously misused by a previous logger/owner. We had a professional forester's plan drawn up and submitted to the assessor's office. Since I am underemployed, the grant represents income and a job to me.

Some months later we found out the county was being taken to court by a previous owner who claimed he had not been notified of the tax sale. (He had in the past made up back taxes to avoid tax foreclosure.) We thought the county would defend itself and us. However, Mr. Leick was not really concerned. In fact he told the defendants' attorney he didn't really care what happened and did not seem interested in making a case for the county or us. (It is a matter of court record to that effect.) Since he wasn't showing up in court for the proceedings, the other party's lawyer suggested we find someone to be our advocate since the prosecutor wasn't helping. We contacted Mr. Udall who clearly felt it would be the obligation of the county to pay for costs connected with defending its actions. Mr. Udall filled in for Mr. Leick at all the court proceedings while he was away on vacation or business. Mr. Leick did make one appearance in court out of the six or seven mandated.

In late August of last year the judge determined the county to be at fault and ordered an official motion to that effect to be instated November 12, 1993. Such action would injure us even more since this land is so integral to our homestead and future plans. It represents employment and income to us and is something we're deeply committed to restoring and improving for our children and their families. So we asked if the county wouldn't appeal the decision. Again, Mr. Leick, who was preparing for retirement, was luke-warm at best. Feeling like there was no one to turn to for support, we found another attorney in Tacoma who handled appeals regularly. After reviewing the case, he thought it a real gamble to over-turn the verdict and thought the thousands of dollars necessary to fight might be better spent in pursuing the county to pay for damages and negotiating a settlement with the people trying to get the tax sale set aside. We did finally reach an agreement with the investors, who live in Olympia, to pay an additional \$25,000 and they would rescind their action.

The cost or damage to us from the county's mistake is considerable and the money we don't have and never considered having to spend

What is best for the county is what is best for who the county is: its individual citizens. Please support our claim.

Rena Jansen

SKAMANIA COUNTY AUDITOR
GARY M. OLSON

19140

Date: 08/15/1994 12:23

Type: CLAIM FOR DAMAGES

Receipt#: 39427

Amount: \$.00

Input by: PL

From: SKAMANIA COUNTY

Memo: \$28,600 RE: TREASURER'S TAX SALE OF REAL ESTATE

Auditor file#: 120278

Return to: SKAMANIA COUNTY

Grantor:

SKAMANIA COUNTY

19141

SKAMANIA COUNTY

19142

Grantee:

GUNDERSEN, DANIEL ETAL

FIASCA, ANNA ETAL

Parcel:

03-08-22-3-0-0700-00

03-08-22-3-0-0700-00

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SKAMANIA CO. WASH
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DATED: 12 August 1994

[Signature]
(Claimant) *Anna Fiasca*

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Registered ☒
Indexed, Cir ☒
Indirect ☒
Filed ☐
Mailed ☐

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The cost or damage to us from the county's mistake is considerable and represents money we don't have and never considered having to spend

on the purchase. Together with the legal fees so far it amounts to almost \$30,000. This would of course be covered through the errors and omissions insurance the county carries so the county itself would not lose out. But there would be loss of a more serious nature if the county didn't finally come to the support of its residents and pay the claim. The judge determined the county made a mistake. It would only aggravate the wound if it didn't try to heal and make it right for those affected.

What is best for the county is what is best for who the county is: its individual citizens. Please support our claim.



Anna Flasco