

FILED FOR RECORD
SKAMANIA CO. WASH
BY *Herb Hamblen*

SEP 16 4 56 PM '96

P. Lowry
AUDITOR

GARY M. OLSON IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON

SKAMANIA COUNTY
FILED

AUG 29 1996

LORENA E. HULLIS, CLERK
DEPUTY

126239

FOR THE COUNTY OF SKAMANIA

BOOK 159 PAGE 562

In Re BELLE CENTRE CONGREGATIONAL
CHURCH AND CEMETERY ASSOCIATION,
a dissolved domestic nonprofit
corporation;

No. 96-2-00046-1

CHRISTINE O. GREGOIRE, Attorney
General of the State of Washington,

~~PROPOSED~~
ORDER GRANTING
SUMMARY JUDGMENT,
AND JUDGMENT

Petitioner.

THIS MATTER came on for hearing in open court on August 29, 1996, on Petitioner's Motion for Summary Judgment. Petitioner was represented by Assistant Attorney General Jeffrey T. Even. The Skamania County Cemetery District was represented by counsel from the firm of Knapp, O'Dell and Lewis. The Court heard argument and considered all of the pleadings, papers, and documents of record in this matter.

Based upon the foregoing,

THE COURT FINDS:

1. This case presents no genuine issue of material fact, and that petitioner is entitled to judgment as a matter of law. Summary judgment is therefore GRANTED.

2. This Court may exercise jurisdiction pursuant to RCW 24.03.265 to liquidate the assets of the Belle Centre Congregational Church and Cemetery Association, a nonprofit corporation that was administratively dissolved by the Office of

REAL ESTATE EXCISE TAX
18309

SEP 17 1996

ATTORNEY GENERAL OF WASHINGTON
1125 Washington Street S.E.
P.O. Box 40600
Olympia, WA 98504-0600
(360) 753-6200

ORDER AND JUDGMENT -1

PAID *exempt*
14/2/96
SKAMANIA COUNTY TREASURER

Deposited
Indexed, Dir
Indirect
Filed
Noted

Gary M. Olson, Skamania County Auditor
Date 9/14/26 Filed 9/15/96

1 the Secretary of State on July 1, 1982. The only known asset of
2 that corporation was real property known as the Belle Centre
3 Cemetery.

4 3. This Court has determined that, as a matter of both law
5 and equity, that the assets of the Belle Centre Congregational
6 Church and Cemetery Association should be liquidated by entering
7 judgment quieting title in the real property in favor of the
8 Skamania County Cemetery District, subject only to the
9 reversionary interest stated in the deed from Laura S. Fitzgerald
10 to the Belle Centre Congregational Church and Cemetery
11 Association, dated July 8, 1907, and recorded by the Skamania
12 County Auditor at Book L of Deeds, Page 40, and only to the extent
13 that reversionary interest may be applicable pursuant to RCW
14 68.24.080.

15 IT IS THEREFORE HEREBY ORDERED, ADJUDGED, AND DECREED as
16 follows:

17 1. Judgment is hereby entered quieting title to the real
18 property known as the Belle Centre Cemetery, described more fully
19 below, in favor of the Skamania County Cemetery District:

20 A tract of land located in the northeast quarter of the
21 northwest quarter of Section 8, Township 1 North, Range
22 5 East of the Willamette Meridian, Skamania County
Washington, described as follows:

23 Commencing at a point 1,008 feet west of the quarter
24 section corner on the north line of the said section 8;
25 thence south 30 degrees east 199.8 feet; thence east
26 252.5 feet; thence north 173 feet; thence west 351 feet
to the point of beginning.

//

2. The Skamania County Cemetery District is directed to record a copy of this judgment with the Skamania County Auditor pursuant to RCW 65.04.070, and to pay the required fee for that purpose. Upon so recording, this judgment shall quiet title in favor of the district, except as provided in paragraph (3) above.

3. This Order shall constitute final judgment in this action.

DONE IN OPEN COURT this 29th day of August, 1996.

~~Judge of the Superior Court~~

Presented by:

CHRISTINE O. GREGOIRE
Attorney General

JFFREY T. EVEN, WSBA # 20367
Assistant Attorney General
Attorneys for Petitioner

Copy received; approved as to form;
Notice of presentation waived:

KNAPP, O'DELL AND LEWIS

By: P. A. Lewis

ATTORNEY GENERAL OF WASHINGTON
1125 Washington Street S.E.
P.O. Box 40100
Olympia, WA 98504-0100
(360) 753-6200

ORDER AND JUDGMENT -3

State of Washington } ss
County of Skamania }

I, Lorena E. Hollis, County Clerk of the Superior Court of Skamania County, Washington, DO HEREBY CERTIFY that the instrument, consisting of 3 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 Stevenson, Washington
this date: 8-29-76

LORENA E. HOLLIS, County Clerk

BY Jay Ford Deputy