

145234

BOOK 226 PAGE 391

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VANCOUVER WA 98661

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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. P. TRUETT*
2. _____
3. _____
4. _____

☐ Additional Names on Page _____ of Document.

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

1. *GEORGE DEGRADTE*
2. *GLORIA DEGRADTE*
3. _____
4. _____

☐ Additional Names on Page _____ of Document.

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

WLA

☐ Complete Legal on Page _____ of Document.

REFERENCE NUMBER(S) Of Document assigned or released:

BOOK 223 PAGE 854 # 144566

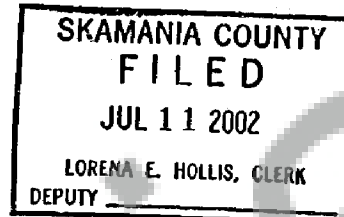
☐ Additional Numbers on Page _____ of Document.

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
- AMENDED

and

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

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27
28

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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lt Declines RB=

1 Superior Court assumes jurisdiction of all landlord-tenant disputes between the parties and
2 stays the pending small claims action, Skamania County District Court (Small Claims) cause
3 number S02-24, Truitt v. DeGroote, until further order of this Court.
4

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

6 CONCLUSIONS OF LAW

7 I.

8 Defendants should be adjudged guilty of unlawful detainer.

9 II.

10 The judgment should be amended, and the plaintiff should be awarded the sums as
11 itemized on the attached, and as identified above in the Findings of Fact.
12
13

14 JUDGMENT

15 I.

16 There is no substantial issue of material fact of the right of Plaintiff to be granted
17 relief as prayed for in the Complaint and provided for by statute and as provided for in the
18 May 2, 2002 judgment by authorization to supplement, once possession of the premises was
19 returned to plaintiff.
20

21 II.

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

24 III.

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

26 AMENDED FINDINGS OF FACT, CONCLUSIONS
27 OF LAW, & JUDGMENT - 4
28

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1 \$3,991.38, as itemized on the attached, for the rent, late charges, and other costs and fees
2 associated with this matter that Plaintiff has incurred.

3 IV.

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

10
11 DONE IN OPEN COURT this 16th day of July, 2002.

12
13 
14 JUDGE REYNOLDS

15 Presented by:

16 
17 PHILIP A. FOSTER, WSBA # 15475
18 Of Attorneys for Plaintiff

19 Consent as to entry, notice of
20 presentment waived, and approved as
21 to form and content this
22 day of July, 2002.

23 W. D. TRUITT
24 of attorneys for Defendants

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

27
28
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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

Request by - MYER, D / Records 902-4000

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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, Loren E. Hollis, County Clerk of the Superior Court of Skamania County, Washington, DO HEREBY CERTIFY that this instrument, consisting of 7 pages, is a true and correct copy of the original now on file of record in my office and, as County Clerk, have the legal custody thereof.

Signed and sealed at Skamania, Washington

this date 17-11-02
LOREN E. HOLLIS County Clerk

BY My name Deputy