

Return Address:

Skamania County
Attn: Civil Department
Box 790
Stevenson, WA 98648
Cause#: 09 2 00159-8
Please print or type information

Document Title(s): (or transactions contained therein)

1. **Writ of Execution**
2. **Final Order and Judgment and Decree of Foreclosure**
- 3.
- 4.

Grantor(s): (Last name first, then first name and initials)

1. **David Almond and Pamela Almond, husband and wife**
- 2.
- 3.
- 4.
5. Additional names on page _____ of document.

Grantee(s): (Last names first, then first name and initials)

1. **David L. Berry**
- 2.
- 3.
- 4.

5. Additional names on page _____ of document.

Legal Description: (abbreviated: i.e. lot, block, plat, or section, township, range)

A tract of land in the Northeast Quarter of Section 29, Township 2 North, Range 5 East, of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Lot 2 of the Berry-Brundidge Short Plat, Recorded in Short Plat 2005157544, Skamania County, Washington. Together with that Easement shown as Berry Lane on the Recorded Short Plat.

Additional legal description is on page _____ of document.

Assessor's Property Tax Parcel or Account Number at the time of recording:

02052900010200

Reference Number(s) of Documents assigned or released.

Additional references on page _____ of document.

The Honorable E. Thomas Reynolds

RECEIVED

JAN 07 2010
10:00 A.M.
SIC/ MANIA COUNTY
SHERIFFS OFFICE

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF SKAMANIA

DAVID L. BERRY, a married man as his
separate estate,

Plaintiff,

No. 09-2-00159-8

vs.

WRIT OF EXECUTION

DAVID ALMOND and PAMELA
ALMOND, husband and wife,

Defendants.

THE STATE OF WASHINGTON to the Sheriff of Clark County, Greetings:

YOU ARE COMMANDED to satisfy the judgment and order entered herein by
selling the real property legally described in the Final Order, Judgment, and Decree of
Foreclosure.

The Judgment was entered in the Superior Court for the County of Skamania County
in favor of Plaintiff David L. Berry on December 3, 2009 as follows:

WHEREAS, David L. Berry (hereinafter referred to as "Judgment Creditor")
recovered judgment against DAVID ALMOND and PAMELA ALMOND, husband and
wife, (hereinafter referred to as "Judgment Debtors") in the Superior Court of Skamania
County, State of Washington, on the 3rd day of December, 2009, for the sum of \$323,206.66,
cost of suit, taxed at \$1,369.80 and attorney's fees of \$4,453.57, interest on judgment,

WRIT OF EXECUTION - 1

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
Vancouvercenter, 700 Washington Street,
Suite 701, Vancouver, WA 98660
Telephone 360.694.7551 Fax 360.693.5574

1 attorney's fees, and costs at the rate of 12% per annum from December 3, 2009.

2 WHEREAS, the Superior Court of Skamania County further ordered that the
3 Judgment Debtors' interest in the Real Property is foreclosed and that the Real Property
4 herein described is ordered to be sold by the Sheriff of Skamania County, Washington, in the
5 manner provided by law, and the proceeds applied towards the Judgment, interest, attorney's
6 fees, costs, and increased costs incurred in selling the Real Property.

7 The Real Property is legally described as follows:

8 "A tract of land in the Northeast Quarter of Section 29,
9 Township 2 North, Range 5 East, of the Willamette Meridian,
10 in the County of Skamania, State of Washington, described as
11 follows:

12 Lot 2 of the Berry-Brundidge Short Plat, Recorded in Short
13 Plat 2005157544, Skamania County, Washington. Together
14 with that Easement shown as Berry Lane on the recorded Short
15 Plat."

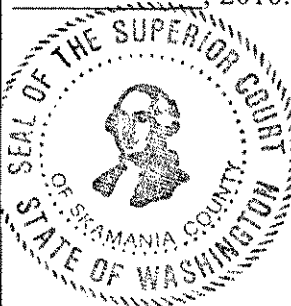
16 THEREFORE, in the name of the State of Washington, you are hereby commanded
17 forthwith to take this Writ to and to sell the Real Property to make the amount of said
18 judgment, interest and increased interest, costs and increased costs, out of the Real Property,
19 and make return of writ within sixty days from the date hereof.

20 Herein fail not, and have you then and there this Writ.

21 WITNESS, the Honorable E. THOMPSON REYNOLDS,

22 Judge of said Superior Court, and the seal of the Court this 7 day of January
23 , 2010.

24 By Sharon K Vance, Clerk
25 Deena Munsch, Deputy Clerk
26 Execution Docket Vol. _____ Page _____



WRIT OF EXECUTION - 2

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Presented By:



Bradley W. Andersen, WSBA #20640
Phillip J. Haberthur, WSBA #38038
Attorneys for Plaintiff
David L. Berry

WRIT OF EXECUTION - 3

PDX/121199/172164/PJH/5479278.1

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Suite 701, Vancouver, WA 98660
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The Honorable E. Thompson Reynolds

**SKAMANIA COUNTY
ORIGINAL FILED**

DEC - 3 2009

Sharon K. Vance, Clerk

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF SKAMANIA

DAVID L. BERRY, a married man as his
separate estate,

Plaintiff,

vs.

DAVID ALMOND and PAMELA
ALMOND, husband and wife,

Defendants.

No. 09-2-00159-8

FINAL ORDER AND JUDGMENT
AND DECREE OF FORECLOSURE

JUDGMENT SUMMARY

Judgment Creditor:	David L. Berry
Judgment Debtor:	David Almond and Pamela Almond
Attorneys for Judgment Creditor:	Bradley W. Andersen and Phillip J. Haberthur
Attorney for Judgment Debtor:	None
Amount of Judgment:	\$323,206.66
Attorneys' Fees:	\$4,453.57
Costs:	\$1,369.80
Interest on Judgment:	12%
Total Judgment:	\$329,030.03

FINAL ORDER AND JUDGMENT AND DECREE OF
FORECLOSURE - 1

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
Vancouvercenter, 700 Washington Street,
Suite 701, Vancouver, WA 98660
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**JUDGMENT SHALL BEAR INTEREST AT THE RATE OF 12% PER ANNUM
UNTIL PAID IN FULL**

FINAL ORDER/JUDGMENT

The Court HEREBY ENTERS JUDGMENT AND ORDERS AS FOLLOWS:

1. A Money Judgment is entered in the amount of \$329,030.39 with interest to accrue at 12% per annum until paid in full.

2. Plaintiffs' interest in the Real Property (legally described below) in the Real Estate Contract dated August 30, 2005 is superior to any claim of right, title, or interest of Defendants and, to satisfy the above-describe Judgment, all persons claiming an interest through them, and Defendants' right, title, or interest in the Real Property is hereby foreclosed and the Real Property herein described is hereby ordered to be sold in whole by the Sheriff of Skamania County, Washington, in the manner provided by law, and the proceeds thereof shall be applied to the payment of the above described Judgment, interest, attorneys' fees, costs, and increased costs incurred in selling the property, and interest.

The Real Property is legally described as follows:

"A tract of land in the Northeast Quarter of Section 29, Township 2 North, Range 5 East, of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Lot 2 of the Berry-Brundidge Short Plat, Recorded in Short Plat 2005157544, Skamania County, Washington. Together with that Easement shown as Berry Lane on the recorded Short Plat."

3. Plaintiff is further awarded a deficiency judgment to the extent their Judgment and costs of sale exceed the proceeds of the Sheriff's sale; and,

4. There shall be no upset or minimum price set for the sale of the Real Property; and,

5. The redemption period shall be 12 months pursuant to RCW 6.23 *et seq.*; and,

**FINAL ORDER AND JUDGMENT AND DECREE OF
FORECLOSURE - 2**

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6. That Plaintiff be, and hereby is, granted the right to be a bidder and/or purchaser at the sale, and when the sale has been completed, the purchaser shall be entitled to immediate possession of the property; and,

7. Plaintiff shall have the right, but not the obligation, to enter the premises in order to repair, maintain, and preserve the Real Property until the date of the sale set by the Sheriff; and,

8. _____

DONE IN OPEN COURT this 3 day of December, 2009.

/s/ E. THOMPSON REYNOLDS

JUDGE

PRESENTED BY:

Bradley W. Andersen
Bradley W. Andersen, WSBA #20640
Phillip J. Haberthur, WSBA #38038
Attorneys for Plaintiff
David L. Berry

FINAL ORDER AND JUDGMENT AND DECREE OF
FORECLOSURE - 3

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