



AFTER RECORDING MAIL TO:

Wesley Hannigan
P.O. Box 242
Washougal, WA 98671

Amended Judgment and Order: January 14, 2016

Homeowner Association Lien Subject to RCW 6.13.080 (6) CC&R's Book 127 Pg 455-462

Superior Court of Skamania County of Washington No 10-2-00115-0

Judgment Creditor: Wesley R. Hannigan
P.O. Box 242
22 Wildlife Drive
Washougal, WA, 98671

Judgment Debtor: Vit and Zdenka Novak
1041 Wildlife Drive
Washougal, WA 98671

Property Legal Description: Lot 9 Maple View Acres, according to the plat thereof, recorded in Book "B" of Plats, page 66, in the County of Skamania, State of Washington

Assessor's Property Tax Parcel Number: 01050610150800

Maple View Acres Declaration of Conditions, Covenants and Restrictions

Section 4 General Provisions

4.2 ENFORCEMENT. Should any covenant or restriction then in effect be violated, or should an attempt be made to violate any such covenant or restriction, **any person owning a lot or parcel in Maple View Acres**, or the Declarant, or its successor, may prosecute any proceedings in law or in equity to restrain or abate such violation against the responsible person. Costs, expenses and reasonable attorney fees incurred by the Maple View Acres owners **shall constitute a lien thereon.**

SKAMANIA COUNTY
FILED
JAN 14 2016
SHARON K. VANCE, CLERK
DEPUTY

SUPERIOR COURT OF WASHINGTON
COUNTY OF SKAMANIA

WESLEY R. HANNIGAN,

Plaintiff,

v.

VIT and ZDENKA NOVAK,
Husband and Wife,

Defendants.

No. 10-2-00115-0

AMENDED JUDGMENT AND
ORDER

CLERK'S ACTION REQUIRED

15-9-00179.2

I. JUDGMENT SUMMARY.

| | | |
|----|--|----------------------|
| A. | Judgment creditor | Wesley Hannigan |
| B. | Judgment debtor | Vit and Zdenka Novak |
| C. | Attorney fees | \$ 29,176.86 |
| D. | Cost of restoring easement areas | \$ 3,949.00 |
| E. | Loss of use | \$ 1,000.00 |
| F. | Surveying costs | \$ 8,883.11 |
| G. | Total judgment | \$ 43,008.97 |
| H. | Total judgment shall bear interest at a rate of 12 percent per annum. | |

II. ORDER

THIS MATTER, having come on regularly before this Court for trial, Plaintiff having been represented by his attorney of record, THOMAS J. FOLEY, Defendants Vit and Zdenka Novak having been represented *pro se* by Defendant, VIT NOVAK, the Court having considered the

AMENDED JUDGMENT AND ORDER - Page 1 of 3

THOMAS J. FOLEY
Attorney at Law
1419 Broadway
Vancouver, WA 98663
(360) 696-8990

records and files herein, the pleadings of parties, the court file and arguments of counsel, it is hereby,

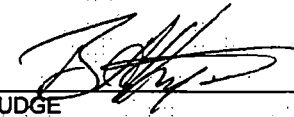
ORDERED, ADJUDGED AND DECREED:

1. Plaintiff is the owner of the 20-foot easement and is entitled to the free and unobstructed use of the 20-foot, 30-foot and 60-foot easements.
2. Defendants must cease and desist from interfering with Plaintiff's use of the 20-foot, 30-foot, and 60-foot easements.
3. Defendants are prohibited from leaving or storing their personal property, construction materials, or anything else, in the 20-foot, 30-foot, and 60-foot easement areas.
4. Defendants must cease and desist from interfering with the Plaintiff's or the Association's maintenance of the 20-foot, 30-foot, and 60-foot easements, including interfering with the trimming of trees and other vegetation encroaching upon the easements, grading or graveling upon the easements, or work to improve drainage of the roadways.
5. Defendants shall permit the reasonable encroachment of Plaintiff and his agents onto Defendants' land for purposes of restoring the 20-foot and 30-foot easement areas.
6. Defendants shall pay Plaintiff the cost of restoring the 20-foot and 30-foot easement areas.
7. Defendants shall pay Plaintiff reasonable costs for the loss of the use and enjoyment of the 20-foot easement and 30-foot easement areas and the property those easements service.
8. Defendants shall pay Plaintiff reasonable actual attorney's fees.
9. Defendants shall pay Plaintiff the costs of surveying for purposes of trial and the costs incurred in furtherance of the restoration of the easements.

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DATED: 1/14/16


JUDGE

Presented by:

Approved for Entry:

THOMAS J. FOLEY
Attorney for Plaintiff
WSBA #17054

VIT NOVAK
Pro Se Representative for Defendants

Unofficial Copy