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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KITSAP

In Re The Trustee's Sale of the Real
Property Of:

JR SAMPSON, LLC,

Tax Account No. 4577-000-036-0003

NO. 16-2-00745-9

**MOTION AND AFFIDAVIT IN
SUPPORT OF
DISBURSEMENT OF
SURPLUS FUNDS**

COMES NOW Landscaping by Pat Boring by and through its attorneys, DAVIES
PEARSON, P.C. and moves the court for an order directing the Clerk of the Court to
disburse, according to RCW 61.24.080, the total amount of \$3,315.79 to Landscaping by
Pat Boring.

**MOTION AND AFFIDAVIT IN SUPPORT OF
DISBURSEMENT OF SURPLUS FUNDS**

Page 1 of 3

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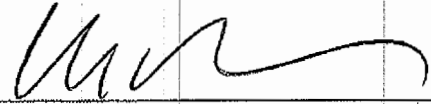
DAVIES PEARSON, P.C.
ATTORNEYS AT LAW
920 FAWCETT -- P.O. BOX 1657
TACOMA, WASHINGTON 98401
TELEPHONE (253) 620-1500
TOLL-FREE (800) 439-1112
FAX (253) 572-3052

COPY

1 THIS MOTION is based upon the files and records herein and upon the subjoined
2 affidavit.

3 DATED this 3rd day of May, 2016.

4 DAVIES PEARSON, P.C.

5 

6 Christopher J. Marston, WSBA# 30571
7 Attorney for Landscaping by Pat Boring

8 STATE OF WASHINGTON)
9) ss
10 COUNTY OF PIERCE)

11 The undersigned, being first duly sworn upon oath, deposes and says:

12 That he is the attorney for Landscaping by Pat Boring. On or about September
13 17, 2015, Landscaping by Pat Boring recorded a lien (Kitsap County Auditor Number
14 201509170167) against the real property, which was subject to the Trustee's Sale
15 referenced in the Notice of Deposit of Surplus Funds. Attached hereto as *Exhibit "A"* is
16 a true and correct copy of the recorded lien.

17
18 The principal amount of the lien in the amount of \$1,650.00 remains unpaid.
19 Currently, including interest in the amount of \$163.34, costs in the amount of \$163.90,
20 and attorney fees in the amount of \$1,338.00, the total amount due and owing is
21 \$3,315.79.

22
23 MOTION AND AFFIDAVIT IN SUPPORT OF
24 DISBURSEMENT OF SURPLUS FUNDS

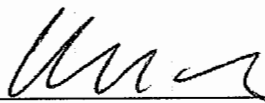
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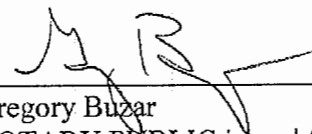
According to RCW 61.24.080, subject to any claimants that may have priority to the attached lien, Landscaping by Pat Boring would respectfully request that the Court enter an order directing the Clerk of the Court to disburse the aforementioned amount to it. A proposed order is attached hereto as **Exhibit B**.

DATED this 3rd day of May, 2016 at Tacoma, Washington.



Christopher J. Marston, WSBA # 30571

SIGNED AND SWORN to before me this 3rd day of May, 2016, by Christopher J. Marston.



Gregory Buzar
NOTARY PUBLIC in and for the State of
Washington, residing at Fox Island.
My commission expires 1/30/2018



MOTION AND AFFIDAVIT IN SUPPORT OF
DISBURSEMENT OF SURPLUS FUNDS

Page 3 of 3
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Name and Mailing Address

Christopher J. Marston

P.O. Box 1657

Tacoma, WA 98401

MARTSON CHRISTOPHER

201509170167

Lien Rec Fee: \$ 75.00

09/17/2015 04:11 PM

Dolores Gilmore, Kitsap Co Auditor

Page: 1 of 4



The Recorder is required to use only the information you provide on this cover sheet to index the document.

Type or print legibly.

Document Title(s): Claim of Lien

Auditor's File Number of Document (s) Referenced: _____

Grantor(s) person(s) that conveys, sells or grants interest in property: _____

JR Sampson Company

Grantee(s) person that buys, receives or to whom conveyance of property is made: _____

Landscaping by Pat Boring

Abbreviated Legal Description:

- Quarter, Quarter, Section, Township, Range (and Government lot # if applicable); OR
- Plat/Condo Name, lot or unit number, building or block number; OR
- Short Plat, Large Lot number, lot number and auditor file number

Lot 36, Manchester Acre Tracts, Vol. 3, Page 97

Assessor's 14 digit Tax Parcel Number: _____

4577-000-036-0003

04/25/14

WHEN RECORDED RETURN TO:

Christopher J. Marston, Esq.
920 Fawcett Avenue, PO Box 1657
Tacoma, WA 98401

Landscaping by Pat Boring,

Claimant,

CLAIM OF LIEN

vs.

JR Sampson Company,

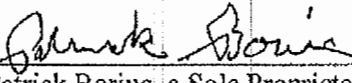
Respondent.

NOTICE IS HEREBY GIVEN that the party named below claims a lien pursuant to Chapter 60.04 RCW. In support of this lien, the following information is submitted:

1. Name of Lien Claimant: Landscaping by Pat Boring
7517 Grange Street West
Lakewood, WA 98499
253-475-5883
2. Date on which the claimant began to perform labor, provide professional services, supply material or equipment or the date on which employee contributions became due: February 27, 2015
3. Name of person indebted to the claimant: JR Sampson Company, 4040 Orchard St., #208, Fircrest, WA 98466
4. Description of the property against which a lien is claimed:
2234 Virginia Avenue E, Port Orchard, Washington
(Tax Parcel No. 4577-000-036-0003)

5. Name of the owner or reputed owner: JR Sampson, LLC, 3800 Bridgeport Way W, Tacoma, WA 98466
6. The last date on which labor was performed; professional services were furnished; contributions to an employee benefit plan were due; or material or equipment was furnished: July 9, 2015
7. Principal amount for which the lien is claimed is: \$1,650.55, plus Interest, Attorney Fees, and Costs
8. If the claimant is the assignee of this claim so state here: Not Applicable

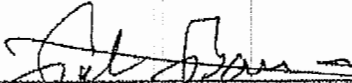
Landscaping by Pat Boring
 7517 Grange Street West
 Lakewood, WA 98499
 253-475-5883



 Patrick Boring, a Sole Proprietor

STATE OF WASHINGTON)
)ss.
 County of Pierce)

Pat Boring, being sworn, says: I am the claimant above named; I have read or heard the foregoing claim, read and know the contents thereof, and believe the same to be true and correct and that the claim of lien is not frivolous and is made with reasonable cause, and is not clearly excessive under penalty of perjury.



 Patrick Boring, a Sole Proprietor

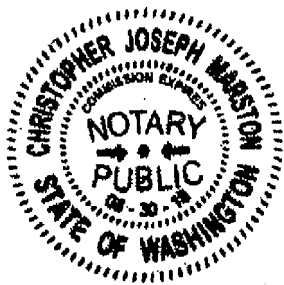
STATE OF WASHINGTON)

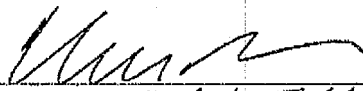
)ss.

County of Pierce)

I certify that I know or have satisfactory evidence that Patrick Boring is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the sole proprietor of Landscaping by Pat Boring, a sole proprietorship, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this 17th of September, 2015.




Print Name: Christopher J. Maston
NOTARY PUBLIC in and for the
State of Washington,
Residing in Long Hall, Washington
My Commission Expires: 8-30-18