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

THE CITY OF SHORELINE, a municipal  
corporation

Plaintiff,

v.

RODOLFO P. PATRON

Defendant.

NO. 21-2-12761-1 SEA

~~PROPOSED~~ ORDER  
GRANTING CITY OF  
SHORELINE'S MOTION  
FOR ENTRY OF ORDER OF  
JUDGMENT BY DEFAULT,  
WARRANT OF  
ABATEMENT, CIVIL  
PENALTIES, STATUTORY  
FEES AND COSTS, AND  
ABATEMENT COSTS

(Clerk's Action Required)

THIS MATTER came before the undersigned Court upon Plaintiff City of Shoreline's Motion for Order of Judgment by Default, Warrant of Abatement, Civil Penalties, Statutory Fees and Costs, and Abatement Costs. The Court having fully considered:

1. Plaintiff City of Shoreline's Complaint for Abatement and Civil Penalties with supporting declaration and exhibits;

ORDER GRANTING CITY MOTION FOR  
ENTRY OF ORDER OF JUDGMENT BY  
DEFAULT, WARRANT OF ABATEMENT,  
CIVIL PENALTIES, STATUTORY FEES  
AND COSTS, AND ABATEMENT COSTS -1

**SHORELINE CITY  
ATTORNEY'S OFFICE**

17500 MIDVALE AVENUE N.  
SHORELINE, WA 98133-4921  
(206) 801-2223

1 2. Plaintiff City of Shoreline’s Motion for Order of Judgment by Default, Warrant  
2 of Abatement, Civil Penalties, Statutory Fees and Costs, and Abatement Costs  
3 with supporting declaration and exhibit;  
4

5 3. \_\_\_\_\_

6 and the pleadings on file in this case, and otherwise being fully advised on the matter,

7 THE COURT FINDS that:

- 8 1. Defendant Rodolfo P. Patron is the property owner of record for property located  
9 at 16238 10<sup>th</sup> Avenue NE, Shoreline, King County, Washington, King County  
10 Parcel No. 343250-1435, legally described as follows: Lot 314, Block “J”,  
11 Home Gardens, according to the plat thereof recorded in Volume 29 of Plats,  
12 Page 25, in King County, Washington (hereinafter “Property”).  
13
- 14 2. The Defendant is subject to a Notice of Violation and Order to Correct, issued  
15 July 3, 2018, declaring the Property to be a public nuisance. The Defendant is  
16 subject to a Notice of Determination of Chronic Public Nuisance, issued August  
17 24, 2021, declaring the Property to be a chronic public nuisance. Both Notices  
18 ordered the Defendant to bring the Property into compliance with the Shoreline  
19 Municipal Code (“SMC”). Defendant did not appeal the Notices and, therefore,  
20 these Notices became a final determination as to the condition of the Property  
21 as a public nuisance and Defendant’s responsibility regarding the public  
22 nuisance.  
23

1 3. On September 24, 2021, the City filed a Complaint for Abatement of Chronic  
2 Public Nuisance and Civil Penalties. On October 20, 2021, the Court issued an  
3 Order of Default.

4  
5 4. Certain public nuisances described in the Notice of Violation and Order to  
6 Correct and Notice of Determination of Chronic Public Nuisance have not been  
7 fully corrected by the Defendant and the only remedy available to the City for  
8 the betterment of the community is a Warrant of Abatement with penalties and  
9 costs.

10 **I. ORDER**

11 Based on the foregoing Findings, it is hereby ORDERED, ADJUDGED, and  
12 DECREED that the City of Shoreline's Motion for Order of Judgment by Default, Warrant  
13 of Abatement, Civil Penalties, Statutory Fees and Costs and Abatement Costs is  
14 GRANTED; and

15  
16 1. Defendant, Rodolfo P. Patron is the responsible party for the public nuisances  
17 occurring on the Property located at 16238 10<sup>th</sup> Avenue NE, Shoreline, King  
18 County, Washington, King County Parcel No. 343250-1435. The Property is a  
19 Chronic Nuisance Property as provided in SMC Chapter 9.30.

20  
21 2. Defendant shall, within thirty (30) calendar days from the date of this Order,  
22 bring the Property into compliance with applicable sections of the Shoreline  
23 Municipal Code as follows:

- 1 a. License an unlicensed and inoperable black Toyota Celica coupe parked on  
2 the Property, Washington State License plate number BXU3606, ~~or~~ remove  
3 the vehicle from the Property, *or lawfully store the vehicle on the*  
4 *Property.*
- 5 b. License an unlicensed and inoperable orange Mercedes coupe parked on the  
6 Property, no license plates on vehicle, ~~or~~ remove the vehicle from the  
7 Property, *or lawfully store the vehicle on the property.*
- 8 c. Discontinue the use of the Dodge Rally Sport RV, Washington Vehicle  
9 License plate number APA4339, for human habitation. Discontinue the use  
10 of any external area of the Property for human habitation, including  
11 backyard and deck.
- 12 d. License a boat trailer (license plate obscured) with boat, Washington State  
13 registration number WN 4679 JS, or remove boat and trailer from the  
14 Property. Remove the second boat trailer (license plate obscured) from the  
15 Property. *Or lawfully store the trailers on the property.*
- 16 e. Discontinue the use of the public right-of-way for vehicle storage and/or  
17 vehicle maintenance and repair.
- 18 f. Remove all refuse from the Property consisting of black plastic bags stored  
19 in various locations, including the driveway, northern side yard, and  
20 backyard deck, retail shopping carts, broken appliances and furnishings,  
21 scrap lumber, food waste, plastic storage containers, vehicle parts and tires,  
22 plastic tarps, and other discarded materials.
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3. The City of Shoreline is awarded civil penalties accrued against the Defendants under SMC 20.30.770(D) at the time of filing of this matter in the amount of \$82,000.00, reduced to \$25,000.00, statutory attorney fees of \$200 authorized by RCW 4.94.080, and filing fees of \$273.49, for a total award of \$25,473.49 if no abatement costs are incurred by the City and compliance is timely achieved.
4. Pursuant to SMC 20.30.770(E) and RCW 35.80.030(h), the City may file a lien against the Property if Defendant does not pay such penalties and costs within thirty (30) calendar days of the date of this Order.

**II. WARRANT OF ABATEMENT**

IT IS FURTHER ORDERED that a WARRANT OF ABATEMENT is ISSUED to the City of Shoreline providing:

1. The City or its contractors may enter the above-described Property and abate the public and chronic nuisances listed in Section I(2)(f) of this Order if the Defendants fail to comply with this Order. The City may, at its sole discretion, remove any of the vehicles denoted in Section I(2)(a)-(b) if the vehicles are not licensed at the time of abatement by the City. The City shall provide Defendant a minimum of seven (7) calendar days written notice prior to entering the Property, the notice shall provide the name(s) of City staff or the City's contractor that will be performing the work.
2. If the City abates the Property and sells metal, vehicles, appliances, or other items having salvage value, money collected shall be applied first to penalties

1 owed the City, then to costs of bringing this action, then to abatement costs, with  
2 any remainder refunded to the Defendant.

3  
4 3. All abatement costs, if incurred, shall be reimbursed within thirty (30) calendar  
5 days of the City's request for reimbursement. The City may file a lien to recoup  
6 its unreimbursed abatement costs against the Property pursuant to SMC  
7 20.30.770(E) and RCW 35.80.030(h).

8 4. The City is authorized to enter the Property for a period of one (1) year from the  
9 date <sup>of this order</sup> the Property is brought into compliance with the Shoreline Municipal Code,  
10 ~~whether by the Defendant or by the City, to abate any public nuisances that have~~  
11 <sup>to abate any</sup>  
12 reoccurred and to have any abatement costs reimbursed by the Defendant in the  
13 same manner as provided in Section II(3) of this Order.

### 14 III. JUDGMENT SUMMARY

15  
16 **Judgement Creditor:** City of Shoreline

17 **Attorneys for Judgment Creditor:** Margaret King  
18 Julie K. Ainsworth-Taylor  
19 City of Shoreline  
20 17500 Midvale Avenue N.  
Shoreline, WA 98133

21 **Judgment Debtor:** Rodolfo P. Patron

22 **Attorneys for Judgment Debtor:** None

23 **Property Address:** 16238 – 10<sup>th</sup> Avenue NE, Shoreline, Washington

24 **Abbreviated Legal Description:**

25  
ORDER GRANTING CITY MOTION FOR  
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DEFAULT, WARRANT OF ABATEMENT,  
CIVIL PENALTIES, STATUTORY FEES  
AND COSTS, AND ABATEMENT COSTS -6

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1  
2 Lot 314, Block "J", Home Gardens, according to the plat thereof recorded in  
3 Volume 29 of Plats, Page 25, in King County, Washington

4 **Assessor's Property Tax Parcel Number:** 343250-1435

5 **Judgment Amount**

6 **For Civil Penalties and Costs:**

**\$25,473.49**

7 **For Abatement Costs Incurred**

**Actual**

8 DONE IN OPEN COURT this 9th day of February, 2021 2

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12 \_\_\_\_\_  
13 Judge Jason Poydras

14 Presented by:

15 CITY OF SHORELINE

16 By s/Julie Ainsworth-Taylor  
17 Julie Ainsworth-Taylor, WSBA #36777  
18 Assistant City Attorney  
19 Attorney for Plaintiff City of Shoreline  
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ORDER GRANTING CITY MOTION FOR  
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