

1 DECLARATION IN SUPPORT OF DETERMINATION OF ABANDONED, MID-
2 FORECLOSURE, AND NUISANCE

3 **1834 S 263rd Pl**
4 **Des Moines, WA 98198**
5 **King County Parcel #788840-0370**

6 I, Kory Batterman, declare under penalty of perjury of the laws of the State of
7 Washington, that the following is true and correct to the best of my knowledge.

- 8 1. I am over that age of eighteen and am competent to testify to the matters set forth herein.
- 9 2. I am a Community Service Officer for the City of Des Moines Police Department,
10 whose responsibilities include code enforcement.
- 11 3. The City was contacted by an entity identifying itself as “Altisource”, seeking a
12 determination of whether a property located in the City of Des Moines was abandoned,
13 in mid-foreclosure, and a nuisance pursuant to RCW 7.100.030.
- 14 4. The subject property is located at **1834 S 263rd Pl, Des Moines, WA 98198**, identified
15 by King County parcel number **788840-0370**.
- 16 5. Altisource provided a Notice of Default for the property identifying Ocwen Loan
17 Servicing, LLC as the mortgage servicer, dated March 7, 2018 (**Exhibit A**).
- 18 6. Altisource represents that it is an authorized agent for Ocwen Loan Servicing, LLC.
- 19 7. In the course of my code enforcement duties, and in response to Altisource’s request, I
20 visited the property located at 1834 S 263rd Pl., Des Moines, Washington on [**date**].
- 21 8. On my visit to the property, I observed the following indications of abandonment:
- 22 a. [] The absence of furnishings and personal items consistent with residential
23 habitation (**See exhibit(s) _____**);
- 24 b. [] The gas, electric, or water utility services have been disconnected (**See
exhibit(s) _____**);

- 1 c. Statements by neighbors, passersby, delivery agents, or government
2 employees that the property is vacant (**See exhibit(s)** _____);
- 3 d. Multiple windows on the property are boarded up or closed off or are
4 smashed through, broken, or unhinged, or multiple window panes are broken and
5 unrepaired (**See exhibit(s)** _____);
- 6 e. Doors on the residence are substantially damaged, broken off, unhinged, or
7 conspicuously open (**See exhibit(s)** _____);
- 8 f. The property has been stripped of copper or other materials, or interior
9 fixtures have been removed (**See exhibit(s)** _____);
- 10 g. Law enforcement officials have received at least one report within the
11 immediately preceding six months of trespassing or vandalism or other illegal
12 activities by persons who enter unlawfully on the property (**See exhibit(s)**
13 _____);
- 14 h. The property has been declared unfit for occupancy and ordered to remain
15 vacant and unoccupied pursuant to an order issued by a municipal or county
16 authority or a court of competent jurisdiction (**See exhibit(s)** _____);
- 17 i. Construction was initiated on the property and was discontinued before
18 completion, leaving a building unsuitable for occupancy, and construction has not
19 taken place for at least six months (**See exhibit(s)** _____);
- 20 j. Newspapers, circulars, flyers, or mail has accumulated on the property or the
21 United States postal service has discontinued delivery to the property (**See**
22 **exhibit(s)** _____);
- 23 k. Rubbish, trash, debris, neglected vegetation, or natural overgrowth has
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accumulated on the property (**See exhibit(s)** _____);

l. [] Hazardous, noxious, or unhealthy substances or materials have accumulated on the property (**See exhibit(s)** _____);

m. [] Other credible evidence indicating the intent to vacate and abandon the property:

_____ (**See exhibit(s)** _____).

9. On my visit to the property, I observed the following conditions that constitute a nuisance:

- a. _____ (**See exhibit(s)** _____).
- b. _____ (**See exhibit(s)** _____).
- c. _____ (**See exhibit(s)** _____).
- d. _____ (**See exhibit(s)** _____).
- e. _____ (**See exhibit(s)** _____).
- f. _____ (**See exhibit(s)** _____).
- g. _____ (**See exhibit(s)** _____).

10. Based on the factors observed in number 8 above, I have determined that the property listed above is **abandoned**.

11. Based on the Notice of Default attached at Exhibit A, I have determined that the property listed above is **in mid-foreclosure**.

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12. Based on the conditions observed above in number 9, I have determined that the property listed above is **a nuisance**.

SIGNED this 21st day of July, 2018, in Des Moines, WA.

Kory Batterman
Community Service Officer
City of Des Moines