

CN: 201703018170

SN: 210

PC: 5

FILED

AUG 07 2018

**Timothy W. Fitzgerald
SPOKANE COUNTY CLERK**

SUPERIOR COURT OF WASHINGTON
COUNTY OF SPOKANE

In re the Marriage of:	)	
SIRINYA SURINA,	)	No. 17-3-01817-0
	)	DECLARATION OF RESPONDENT
Petitioner,	)	AARON MICHAEL SURINA IN
and	)	OPPOSITION TO PETITIONER'S
AARON MICHAEL SURINA,	)	MOTION FOR IMMEDIATE SALE OF
	)	RESIDENCE
Respondent.	)	

Aaron Michael Surina declares under the penalty of perjury of the laws of the State of Washington that::

1. I am the Respondent in this case.
2. I am competent to testify to the matters stated herein of my own personal knowledge.
3. I own the residence which the Petitioner desires to immediately sell as my sole and separate property.
4. My ownership of the home obviously may be subject to a legal and/or equitable interest on the part of the Petitioner which must be fixed by the Court at the time of trial based upon the evidence presented at the trial.
5. On or about May 18, 2015 the Petitioner signed and delivered to me through Chicago

DECLARATION OF RESPONDENT AARON
MICHAEL SURINA IN OPPOSITION TO
PETITIONER'S MOTION FOR IMMEDIATE SALE
OF RESIDENCE - 1

RICHARD K. KUCK, PLLC
250 Northwest Blvd., Suite 104
P.O. Box 1320
Coeur d'Alene, Idaho 83816-1320
(208) 667-3600 Fax (208) 667-3379

1 Title Company of Washington a Quitclaim Deed for the stated purpose of establishing the residence
2 as my separate property. That Quitclaim Deed was made and delivered as a part of the purchase of
3 the residence. A true and correct copy of the Quitclaim Deed is attached as "Exhibit A" to this
4 Declaration.

5 5. The nature of the Petitioner's interest in the residence is one of the issues to be resolved
6 between the Petitioner and I either through settlement prior to trial or through trial.

7 6. I respectfully object to the entry of an Order compelling the sale of the residence at this
8 time for the following reasons:

9 A. We are scheduled to mediate this case on September 5, 2018 and the issues of the
10 ownership and disposition of the home are issues which should be mediated along with all other
11 issues of property and debt. Further, if we sell the home immediately all of the income which could
12 be generated by owning the home will be lost to us. The issue of the sale of the home and how best
13 to use that asset to be benefit of all of the parties should be preserved for mediation and trial.

14 B. The trial of this case is presently set for September 10, 2018, thirty days following the
15 hearing on the Petitioner's motion to sell the home. Preserving the issue of the disposition of the
16 residence until such time as we either settle the case before or through mediation or until the Court
17 is able to consider all of the evidence related to the ownership and disposition of the home at trial
18 way of approaching the issue of the home.

19 C. The residence is a potential income producing property. The mortgage on the property is
20 approximately \$1,588.00 per month which I pay pursuant to a pre-trial order entered in this case.
21 The fair rental value of the residence is approximately \$2,600.00 per month. If the Court were to
22 determine following trial that I am the sole legal owner of the real property and that the Petitioner's
23 interest is a calculation of a portion of the principle reduction of the mortgage paid with community
24 funds, then I should be able to refinance the home and pay the Petitioner the value of her interest in
25 the home and retain the home as an income producing property which should provide additional
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27 DECLARATION OF RESPONDENT AARON
28 MICHAEL SURINA IN OPPOSITION TO
PETITIONER'S MOTION FOR IMMEDIATE SALE
OF RESIDENCE - 2

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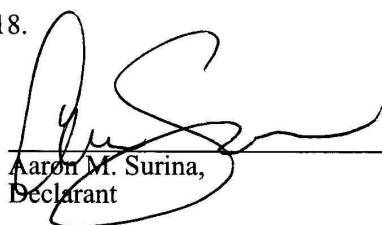
1 monthly income to the benefit of our children.

2 7. I have been following the real estate market for the South Hill of Spokane area where the
3 residence is located and I do not believe that seasonal price fluctuations will affect the value of the
4 home.

5 8. The forced sale of the home prior to the time of the September 10, 2018 trial set in this
6 matter would deprive the Court of the ability to adjudicate the disposition of the residence in a
7 manner which would allow me to retain it and pay the Petitioner the value of her interest as
8 determined at trial. Further, I would be unable to purchase another comparable residence on price
9 and interest terms as favorable as those of the current mortgage.

10 I declare under the penalty of perjury of the laws of the State of Washington that the
11 foregoing is true and correct.

12 DATED this 1st day of August 2018.

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15 Aaron M. Surina,
16 Declarant
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27 DECLARATION OF RESPONDENT AARON
28 MICHAEL SURINA IN OPPOSITION TO
PETITIONER'S MOTION FOR IMMEDIATE SALE
OF RESIDENCE - 3

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When recorded return to:
Aaron M. Surina
1616 South Rocky Ridge Drive
Spokane Valley, WA 99212

Filed for record at the request of:



CHICAGO TITLE
COMPANY OF WASHINGTON

3002 Colby Ave., Suite 200
Everett, WA 98201

Escrow No.: 500026100

58053-2

QUIT CLAIM DEED

THE GRANTOR(S)

Sirinya Surina, a married person

for and in consideration of To establish separate property in hand paid, conveys and quit claims to
Aaron M. Surina, a married man, purchasing as his separate property

the following described real estate, situated in the County of Spokane, State of Washington, together
with all after acquired title of the grantor(s) herein:

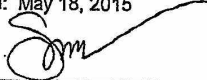
Lot 14 in Block 2, Heather Park First Addition, according to the Plat recorded in Volume 16 of
Plats, Page 41;

Situate in the City of Spokane Valley, County of Spokane, State of Washington.

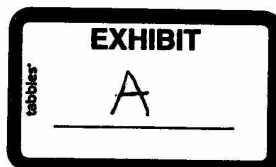
Abbreviated Legal: (Required if full legal not inserted above.)

Tax Parcel Number(s): 35261.1514

Dated: May 18, 2015



Sirinya Surina



QUIT CLAIM DEED
(continued)

State of Washington

County of Snohomish Spokane JDAHP

I certify that I know or have satisfactory evidence that

SIRINIA SURINA
(S) is/are the person(s) who appeared before me, and said person(s) acknowledged that
(he/she/they) signed this of instrument and acknowledged it to be (his/her/their) free and voluntary act
for the uses and purposes mentioned in this instrument.

Dated: 5/20/15

Julie D. Hellstrom
~~Feresse Varnes~~ Julie D. Hellstrom JDAHP
Notary Public in and for the State of Washington
Residing at: Snohomish, WA Spokane WA
My appointment expires: May 20, 2015 10/9/18 JDAHP

