

Property Bond Quick Reference Guide for Attorneys

Required Forms

The Property Bond is completed on the *AO 98 - Appearance Bond Form* (2 pages), which includes a *Surety Information Sheet* (2 pages). These forms are available from the Magistrate Judge Chambers or Clerk's Office.

Draft Property Bond/Property Documents to submit for initial Magistrate Chambers Review

Submit the following documents to the appropriate Magistrate Chambers for review:

- A **draft** of the Property Bond (including the Surety Information Sheet);
- A complete legal description of each parcel of property to be used as collateral for the bond (the Assessor's abbreviated legal description will not be accepted);
- Documentation that verifies equity, liens, value, etc. of property:
 - Original Title Report prepared by Title Company; or
 - Original Affidavit signed by property owner(s) stating equity in property accompanied by:
 - A copy of the property tax statement; or
 - An original statement signed by an appraiser; or
 - If the amount of equity in the property is believed to greatly exceed the bond amount, a comparable market analysis by a reputable real estate agent.
- A **draft** Deed of Trust naming the Clerk of the U.S. District Court as Trustee and the United States as Beneficiary.

Spokane	Yakima / Richland
Magistrate Judge James A. Goeke's Chambers (509) 458-5240	Magistrate Judge Alexander C. Ekstrom's Chambers (509) 573-6670

Property Bond/Property Documents to submit for filing

Step	Action
1	Bring the following documents, along with the property owner(s) to the Clerk's Office to file the Bond. NOTE: <i>The property owner(s) must bring two pieces of personal identification, including at least one picture ID.</i> <ul style="list-style-type: none"> • The original Property Bond (with required signatures on page 2 of the Property Bond Form) and the Surety Information Sheet; • A complete legal description of each parcel of property to be used as collateral for the bond (the Assessor's abbreviated legal description will not be accepted); • Documentation that verifies equity, liens, value, etc. of property: <ul style="list-style-type: none"> ○ Original Title Report prepared by Title Company; or ○ Original Affidavit signed by property owner(s) stating equity in property accompanied by: <ul style="list-style-type: none"> ➤ A copy of the property tax statement; or

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	<ul style="list-style-type: none"> ➤ An original statement signed by an appraiser; or ➤ If the amount of equity in the property is believed to greatly exceed the bond amount, a comparable market analysis by a reputable real estate agent. <ul style="list-style-type: none"> • The <i>original recorded</i> Deed of Trust naming the Clerk of the U.S. District Court as Trustee and the United States as Beneficiary.
2	Upon review and confirmation of Property Bond package, the Deputy Clerk will obtain the two pieces of personal identification, including at least one picture ID, from the property owner(s), witness the property owner(s) signature(s) on the Surety Information Sheet, and obtain signature(s) from the property owner(s) on the Property Bond.
3	The Deputy Clerk will sign and obtain the Magistrate Judge’s signature on the Property Bond.
4	Once all of the appropriate signatures are obtained, the Property Bond will be filed by the Clerk’s Office. The original recorded Deed of Trust is retained in the Clerk’s Office vault until the conclusion of the criminal case.
5	At the conclusion of the case, Defense counsel may contact the US Attorneys Office to file a Request for Full Reconveyance. Once the Full Reconveyance is filed, Defense counsel shall present, in person and with valid government-issued photo ID, to the Divisional Clerk’s Office in custody of the Deed of Trust to obtain the original to then record with the County Auditor, and return to the property owner, thereafter.

Clerk’s Office Locations and Contact Information

Spokane	Yakima	Richland
Thomas S. Foley United States Courthouse 920 West Riverside Ave, Room 840 Spokane, WA 99201 (509) 458-3400	William O. Douglas United States Courthouse 25 South 3rd St Room 201 Yakima, WA 98901 (509) 573-6600	Richland U.S. Courthouse & Federal Building 825 Jadwin Avenue Room 174 Richland, WA 99352 (509) 943-8170