

AFTER RECORDING RETURN TO:

Name William R. Allen

Address 504 East Fairhaven, Suite 201

City, State, Zip Burlington, WA 98233



200005090112  
Kathy Hill, Skagit County Auditor  
5/9/2000 Page 1 of 6 4:02:23PM

LAND TITLE COMPANY OF SKAGIT COUNTY

P-92304

Abbrev. Leg. Ptn. Tract 7, Plate 18, LACONNER TIDELANDS; and ptn. Tract 2, LACONNER  
Tax Parcel Nos. 4129-018-007-0003; 4129-018-007-0002; 4129-024-000-0004  
Grantor: Allen, William, Trustee  
Grantee: Dybfest, Tore and Dianna

**NOTICE OF TRUSTEE'S SALE  
Pursuant to Chapter 61.24  
of the Revised Code of Washington**

**I.**

NOTICE IS HEREBY GIVEN that William R. Allen, Successor Trustee, will on August 18, 2000, at the hour of 10 o'clock A.M. on the steps of the main entrance to the Skagit County Courthouse, 205 West Kincaid Street, Mount Vernon, Washington, sell at public auction to the highest bidder, payable at the time of sale, the following described property, situated in the County of Skagit, State of Washington:

For legal description see EXHIBIT A, attached hereto and incorporated herein.

(commonly known as 512 South First Street, LaConner, WA 98257

which is subject to that certain Deed of Trust, dated February 1, 1996, recorded February 2, 1996, under Auditor's File Number 9602020072, records of Skagit County, Washington, from Tore Dybfest and Dianna L. Dybfest, husband and wife, as Grantor(s), to Land Title Company, as Trustee, to secure an obligation in favor of Skagit State Bank, as Beneficiary.

**II.**

No action commenced by the Beneficiary of the Deed of Trust is now pending to seek satisfaction of the obligation in any Court by reason of the Borrower's or Grantor's default on the obligation secured by the Deed of Trust.

**III.**

The defaults for which this foreclosure is made are as follows:

Failure to pay when due the following amounts which are now in arrears:

Monthly installments of interest at the rate of 9.5% per annum, due on 5th of each month, December 5, 1999, through April 5, 2000	\$	33,232.47
Monthly installment of \$8,200.00, due on May 5, 2000		8,200.00
Late Charges of \$100.00 per month, December, 1999, through April, 2000		500.00
Unreimbursed expenses of beneficiary for labor/materials		1,878.77
Real property taxes due, not including any penalty and interest due for years 1997-2000		<u>37,704.55</u>
Sub-Total of amount in arrears:	\$	81,515.79

*Trustee's estimated fees and costs:*

Title report for foreclosure purposes (estimated)	\$	2,120.00
Service/posting, postage & recording fees (estimated)		200.00
Copies/messenger/fax fees (estimated)		25.00
Trustee's fees and costs (estimated)		<u>1,200.00</u>
Sub-Total of amount of charges, costs & fees:	\$	3,545.00

Failure to pay real property taxes and provide proof of insurance coverage. For the real property taxes, you must provide proof of payment to Skagit County.

You must provide proof of adequate fire and casualty insurance on any improvements, as evidenced by a certificate of insurance.

**IV.**

The sum owing on the obligation secured by the Deed of Trust is :  
Principal \$800,464.00, together with interest as provided in the note or other instrument secured from October 5, 1999, and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.



V.

The above described property will be sold to satisfy the expense of sale and the obligation secured by the Deed of Trust as provided by statute. The sale will be made without warranty, express or implied, regarding title, possession, or encumbrances on August 18, 2000. The defaults referred to in Paragraph III must be cured by August 7, 2000 (11 days before the sale) to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time on or before August 7, 2000 (11 days before the sale), the defaults as set forth in Paragraph III are cured and the Trustee's costs and fees are paid. The sale may be terminated any time after August 7, 2000 (11 days before the sale) and before the sale by the Borrower or Grantor, any Guarantor, or the holder of any recorded junior lien or encumbrance paying the entire principal and interest secured by the Deed of Trust, plus costs, fees, and advances, if any, made pursuant to the terms of the obligation and/or Deed of Trust, and curing all other defaults.

VI.

A written notice of default was transmitted by the Beneficiary or Trustee to the Borrower and Grantor at the following addresses:

TORE DYBFEST  
1473 COUNTRY CLUB DRIVE  
BURLINGTON WA 98233

DIANA DYBFEST  
1473 COUNTRY CLUB DRIVE  
BURLINGTON WA 98233

TORE DYBFEST  
512 SOUTH FIRST STREET  
LACONNER WA 98257

DIANA DYBFEST  
512 SOUTH FIRST STREET  
LACONNER WA 98257

FARMHOUSE INN, INC.  
1376 LACONNER WHITNEY ROAD  
MOUNT VERNON WA 98273

HARRY PLATIS  
ATTORNEY AT LAW  
4703 198TH STREET SW  
LYNNWOOD WA 98036-6725

by both first class and certified mail on March 29, 2000, proof of which is in the possession of Trustee; and the Borrower and Grantor were personally served on March 29 and 30, 2000, with said written notice of default or the written notice of default was posted in a conspicuous place on the real property described in Paragraph I above, and the Trustee has proof of such notice or posting.

VII.



The Trustee whose name and address are set forth below will provide in writing to anyone requesting it, a statement of all costs and fees due at any time prior to the sale.

**VIII.**

The effect of the sale will be to deprive the Grantor and all those who hold by, through or under the Grantor of all their interest in the above described property.

**IX.**

Anyone having any objection to the sale on any grounds whatsoever will be afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the sale pursuant to RCW 61.24.130. Failure to bring such a lawsuit may result in a waiver of any proper grounds for invalidating the Trustee's sale.

**X.**

**NOTICE TO OCCUPANTS OR TENANTS**

The purchaser at the trustee's sale is entitled to possession of the property on the 20th day following the sale, as against the grantor under the deed of trust (the owner) and anyone having an interest junior to the deed of trust, including occupants and tenants. After the 20th day following the sale the purchaser has the right to evict occupants and tenants by summary proceedings under the unlawful detainer act, Chapter 59.12 RCW.

This notice is an attempt to collect a debt and any information obtained will be used for that purpose.

Dated this 20 day of May, 2000.



William R. Allen, Successor Trustee  
504 East Fairhaven, Suite 201  
Burlington, WA 98233

Phone (360) 755-2264  
FAX (360) 755-9029



STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that William R. Allen is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Dated May 9, 2000.

*Donna Hernley*

Typed/printed notary name Donna Hernley  
Residing at Anacortes  
My appointment expires July 9, 2002



**EXHIBIT A**  
**Legal Description**

PARCEL "A":

Tract 7 of "CORRECTED SUPPLEMENT TO PLATE 18, TIDE AND SHORE LANDS OF SECTION 36, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M., LACONNER HARBOR", according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, EXCEPT the Southerly 114 feet as conveyed to Glen A. Cornwall by deed dated January 22, 1942 and recorded July 23, 1942 in Volume 186 of Deeds, page 577.

ALSO, Tract 2 of "MAP OF LACONNER, WHATCOM COUNTY, WASHN. TERRY., 1872", as per plat recorded in Volume 2 of Plats, page 49, records of Skagit County, Washington, EXCEPT that portion conveyed to the Town of LaConner by Deed dated July 20, 1915 and recorded December 2, 1942, under Auditor's File No. 358036, in Volume 187 of Deeds, page 536.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

The Southerly 114 feet of Tract 7 of "CORRECTED SUPPLEMENT TO PLATE 18, LACONNER TIDE LANDS", as per map thereof filed in the office of the Commissioner of Public Lands at Olympia, Washington, EXCEPT that portion conveyed to the Town of LaConner by deed dated July 20, 1915, filed December 2, 1942, under Auditor's File No. 358036, and recorded in Volume 187 of Deeds, page 536.

Situate in the County of Skagit, State of Washington.

