

COVER SHEET



200401070016
Skagit County Auditor

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FAIRHAVEN LEGAL ASSOCIATES, P.S.
P.O. BOX 526
BURLINGTON, WA 98233

DOCUMENT TITLE(S) (or transactions contained herein):

NOTICE OF TRUSTEE'S SALE

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED: 9508180069

() ADDITIONAL REFERENCE NUMBERS ON PAGE OF DOCUMENT.

GRANTOR(S) (Last name, first name and initials):

1. DAY, DAVID L.

2.

3.

4. () ADDITIONAL NAMES ON PAGE OF DOCUMENT.

GRANTEE(S) (Last name, first name and initials):

1. THE PUBLIC

2. LePAGE, KENNETH

3. LePAGE, MARILYN

4. () ADDITIONAL NAMES ON PAGE OF DOCUMENT

LEGAL DESCRIPTION (Abbreviated: i.e., lot, block, plat or quarter, section, township and range):

Lots 33 & 34, Blk I, Cape Horn on Skagit #2

() ADDITIONAL LEGAL(S) ON PAGE OF DOCUMENT.

ASSESSOR'S PARCEL / TAX I.D. NUMBER: 3869-009-033-0006 / 3869-009-034-0005

() TAX PARCEL NUMBER(S) FOR ADDITIONAL LEGALS(S) ON PAGE OF DOCUMENT.

NOTICE OF TRUSTEE'S SALE

RCW 61.24.040

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 9th day of April, 2004, at the hour of 10:00 o'clock a.m. at the Skagit County Courthouse, Third and Kincaid Streets, in the City of Mount Vernon, State of Washington, sell at public auction to the highest and best bidder, payable at the time of sale, the following described real property, situate in the County of Skagit, State of Washington, to-wit:

Lots 33 and 34, Block I, "CAPE HORN ON THE SKAGIT DIVISION NO. 2," as per plat recorded in Volume 9 of Plats, pages 14 through 19, inclusive, records of Skagit County, Washington

which is subject to that certain Deed of Trust dated August 15, 1995, recorded August 18, 1995, under Auditor's File No. 9508180069, records of Skagit County Washington, from KENNETH LEPAGE and MARILYN LEPAGE as Grantor(s) to FIRST AMERICAN TITLE COMPANY, as Trustee, which Trustee has been succeeded by DAVID L. DAY to secure an obligation in favor of STATE BANK OF CONCRETE.

II.

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

III.

The default for which this foreclosure is made is as follows:

Failure to pay when due the following amounts which are now in arrears: \$6,514.73 plus other charges, costs and fees as set forth in the Notice of Default, and for other than payment of money such as nonpayment of property taxes.

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal \$36,251.64 together with interest as provided in the note or other instrument secured from the 10th day of May 2003, and such other costs and fees as are due under the note or other instrument secured, and as provided by statute.

V.

The above-described real property will be sold to satisfy the expense of sale and the obligation secured by said Deed of Trust as provided by statute. Said sale will be made without warranty, express or implied, regarding title, possession, or encumbrances on the 9th day of



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April, 2004. The defaults referred to in paragraph III must be cured by the 29th day of March, 2004 (11 days before the sale date) to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time before the 29th day of March, 2004 (11 days before the sale date), the default as set forth in paragraph III is cured and the Trustee's fees and costs are paid. The sale may be terminated by the Grantor anytime after the 29th day of March, 2004 (11 days before the sale date), and before the sale by the Grantor or his successor in interest 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 Grantor or his successor in interest at the following address: POB 352, Concrete, WA 98237, by both first class and certified mail on the 20th day of November, 2003, proof of which is in the possession of the Trustee; and the Grantor or his successor in interest was personally served on the 22nd day of November, 2003 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 possession of proof of such service or posting.

VII.

The Trustee whose name and address is 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 him 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.



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