

COVER SHEET

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Fairhaven Legal Associates, P.S.
P.O. Box 526
Burlington, Washington 98233



201103090045
Skagit County Auditor

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DOCUMENT TITLE(S)

Notice of Trustee's Sale

REFERENCE NUMBER(S)

200803280147

GRANTOR(S)

- 1) Victor R. Jensen
- 2) Judith H. Jensen

GRANTEE(S)

- 1) Summit Bank
- 2) Fairhaven Legal Associates

LEGAL DESCRIPTION

O/S #91 #759984 1973 DT16 DK19 THOSE PORTIONS OF LOTS 1 AND 2 OF SHORT PLAT#90-63 DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 2 WHICH LIES SOUTH 00-00-00 EAST, 246.38 FEET FROM THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 90-00-00 EAST, 217.10 FEET; THENCE SOUTH 00-00-00 EAST, 188.42 FEET; THENCE NORTH 90-00-00 WEST, 238.12 FEET; THENCE NORTH 00-00-00 EAST, 188.42 FEET; THENCE SOUTH 90-00-00 EAST, 21.01 FEET TO THE POINT OF BEGINNING.

ASSESSORS PARCEL / TAX ID NUMBER:

350309-2-004-0009
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NOTICE OF TRUSTEE'S SALE

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 17th day of June, 2011, at the hour of 10:00 o'clock a.m. at the main entrance of the Skagit County Courthouse located at 205 W. Kincaid, 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:

That portion of Lots 1 and 2, Short Plat No. 90-63, approved and recorded January 24, 1991 in Volume 9 of Short Plats, page 306, under Auditor's File No. 9101240031, and being a portion of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 9, Township 35 North, Range 3 East, W.M., described as follows:

Beginning at a point on the East line of said Lot 2 which lies South 00°00'00" East, a distance of 246.38 feet from the Northeast corner of said Lot 2;
thence South 90°00'00" East, a distance of 217.10 feet;
thence South 00°00'00" East, a distance of 188.42 feet;
thence North 90°00'00" West, a distance of 238.12 feet;

thence North 00°00'00" East, a distance of 188.42 feet;
thence South 90°00'00" East, a distance of 21.01 feet to the point of beginning of this description;

AND TOGETHER WITH a 30 foot wide perpetual and nonexclusive easement for ingress, egress and utilities over, under and through that portion of Lot 1 of Short Plat No. 90-63 as recorded in Volume 9 of Short Plats, page 306, under Auditor's File No. 9101240031, records of Skagit County, Washington, described as follows:

Beginning at a point on the East line of Lot 2 of Short Plat No. 90-63 which lies South 00°00'00" East, a distance of 246.38 feet from the Northeast corner of said Lot 2;
thence North 90°00'00" West, a distance of 21.01 feet;
thence South 00°00'00" West, a distance of 140.58 feet to the point of beginning of this description;
thence South 83°05'42" West, a distance of 353.62 feet to the East line of Church Road;
thence South 5°38'01" east along the East line of Church Road, a distance of 30.01 feet;
thence North 83°05'42" East, a distance of 350.66 feet;
thence North 00°00'00" East, a distance of 30.22 feet to the point of beginning of this description.



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(Said parcel now New Lot 2, as reconfigured by Boundary Line Adjustment Deed recorded November 29, 2007, under Auditor's File No. 200711290072, records of Skagit County, Washington).

Situate in the County of Skagit, State of Washington.

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More commonly known as : 14127 Church Road, Bow Washington, which is subject to that certain Deed of Trust dated March 28th, 2008, recorded on March 28th, 2008, under Auditor's File No. 200803280147, records of Skagit County Washington, from Victor R. Jenson and Judith H. Jensen as Grantor(s) to Land Title Company, as Trustee, which Trustee has been succeeded by DAVID L. DAY to secure an obligation in favor of the Robert B. Cookson Trust, 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 default for which this foreclosure is made is/are as follows: For failure to pay when due the following amounts which are now in arrears (back monthly payments, interest and late charges), \$21,969.48, **plus other charges, costs and fees as set forth in the Notice of Foreclosure**, and for other than payment of money such as nonpayment of Taxes.

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal \$195,268.51, together with interest as provided in the Note and such other costs and fees as are due under the Note and Deed of Trust and as are provided by statute.

V.

The above-described real 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 the 17th day of June, 2011. The default(s) referred to in paragraph III must be cured by the 6th day of June, 2011 (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 6th day of June, 2011 (11 days before the sale date), the default(s) as set forth in paragraph III is/are cured and the Trustee's fees and costs are paid. The sale may be terminated by the Grantor anytime after the 6th day of June, 2011 (11 days before the sale date), and before the sale by the Borrower, Grantor, any Guarantor, 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 Borrower and Grantor or his successor in interest at the following addresses:

Victor R. Jensen and Judith H. Jensen
14127 Church Road
Bow, WA 98232

Suttell & Associates P.S.
1450 114th Avenue SE, Suite 240
Bellevue, WA 98004.

Vic Jensen & Sons, Inc
14127 Church Rd.
Bow, WA 98232

by both first class and certified mail on the 25th day of January, 2011, proof of which is in the possession of the Trustee; the Borrower and Grantor or his successor in interest was personally served on the 30th day of January, 2011 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 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.



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X.

NOTICE TO OCCUPANTS OR TENANTS

The purchaser at the trustee's sale is entitled to possession of the property on the twentieth 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 who are not tenants by summary proceedings under chapter 59.12 RCW. For tenant-occupied property, the purchaser shall provide a tenant with written notice in accordance with RCW 61.24.060.

DATED this 7 day of March, 2011.

David L. Day

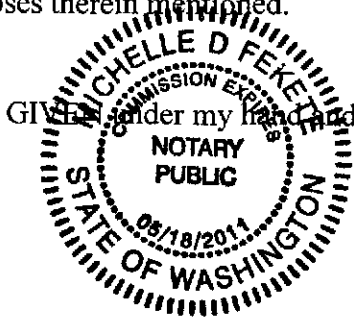
DAVID L. DAY, Successor Trustee

POB 526
Burlington, WA 98233

STATE OF WASHINGTON)
) ss:
COUNTY OF SKAGIT)

On this day personally appeared before me DAVID L. DAY to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 7th day of March, 2011.



Michelle D. Fekete

NOTARY PUBLIC for the State of Washington
My Commission Expires: 5-18-2011



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