

201203230028
Skagit County Auditor

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~~201203220080
Skagit County Auditor~~

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When recorded return to:

Craig Sjostrom
1204 Cleveland Ave.
Mount Vernon, Washington 98273

** RE-RECORDED TO
CORRECT LEGAL DESCRIPTION **

AMENDED NOTICE OF TRUSTEE'S SALE

RCW 61.24

Grantor: Craig Sjostrom, Successor Trustee

Grantees: Richard Johnson

Legal Description: ptn C.W. Griest's Plat of Grassmere

Assessor's Property Tax Parcel or Account Nos.: P107889; P107890; P107891; P107892; P70962; P70985; P36414; P36413 and P36417.

Reference Nos of Documents Assigned or Released: 200707270008; 200912080047

201010280110

TO: Richard Johnson
5763 Honeysuckle Lane
Marblemount, WA 98267

Grantor

AND TO:

United States of America
Dept. of the Treasury- Internal Revenue Service

Claimant under Federal tax lien
Amount: \$105,222.68 plus interest & penalties
AFN: 200902200005 recorded Feb. 20th, 2009
ID No.: xxx-xx-7318
Serial No. 515785809

Town of Concrete
P.O. Box 39
Concrete, WA 98237

Judgment creditor
Amount: \$6,305.12 plus interest
Cause no.: 10-2-00136-2
Judgment no.: 10-9-01891-1
Judgment dated September 15th, 2010

1. NOTICE IS HEREBY GIVEN that the undersigned Successor Trustee will on April 27th, 2012, at the hour of 10:00am, at the front entrance of the Skagit County Courthouse, 205 Kincaid St., Mount Vernon, Skagit County, Washington, sell at public auction to the highest and best bidder, payable at the time of sale, the following described real property, situated in Skagit County, Washington, to wit:

See attached Exhibit A

The Assessor's tax parcel numbers for the subject property are P107889; P107890; P107891; P107892; P70962; P70985; P36414; P36413 and P36417.

Which is commonly known as 44872 SR 20, Concrete, WA 98237, and which is subject to a Deed of Trust dated the 20th day of July, 2007, recorded on the 27th day of July, 2007, under Auditor's File No. 200707270008, records of Skagit County, Wash., as modified by instrument dated November 16th, 2009, recorded on December 8th, 2009 under Auditor's File No. 200912080047, records of Skagit County, Wash., from Richard Johnson, as Grantor, to Land Title Co., as Trustee, to secure an obligation in favor of The W. A. Yuill & S.C. Yuill Trust dated March 31st, 1996, as Beneficiary. The undersigned has been appointed Successor Trustee, per instrument dated February 17th, 2012 and recorded under Auditor's File No. 2011202270163, records of Skagit County, Wash.

2. No action commenced by the Beneficiary of the Deed of Trust or the Beneficiary's successor 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.

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

a. Non-monetary defaults:

Failure to pay the real property taxes on the property when due.

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

- i. Failure to make interest-only payments per the promissory note from November 16th, 2009, to July 27th, 2010, in the total amount of: \$35,366.56
- ii. Failure to pay principal amount owed, due July 27th, 2010, in the amount of \$402,621.12
- iii. Interest at the per diem rate of \$144.00 on the total amount due from July 27th, 2010 to date \$14,688.00

TOTAL DELINQUENT PAYMENTS: \$452, 675.68

4. The principal sum owing on the obligation secured by the Deed of Trust is \$402,621.12, together with interest as provided in the note or other instrument secured from July 27th, 2010 and such other charges, costs and fees as are due under the note or other instrument secured, and as are provided by statute.



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5. The above described real property will be sold to satisfy the expense of sale and 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 April 27th, 2012. The defaults referred to in Paragraph 3 must be cured by April 16th, 2012 to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time on or before April 27th, 2012, the defaults as set forth in paragraph 3 are cured and the Trustee's fees and costs are paid. The sale may be terminated any time after April 16th, 2012, 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.
6. A written notice of default was transmitted by the Beneficiary or Trustee to the Borrower or Grantor or the Grantor's successor in interest at the following addresses:

Richard Johnson
5763 Honeysuckle Lane
Marblemount, WA 98267

by both first class and certified mail on September 16th, 2010, proof of which is in the possession of the Trustee; and 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.

7. 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.
8. 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.
9. 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.
10. **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 who are not tenants. After the 20th day following the sale the purchaser has the right to evict 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.
11. The Trustee makes no representations or warranties concerning what interest in the real property described above is being sold. The Deed of Trust lien foreclosed may not be a first lien position or there may be other prior encumbrances of title. The Trustee is not required to provide title information concerning this property. Any person interested in this foreclosure is encouraged to make his or her own investigation concerning the ownership of the property and the position on title of the Deed of Trust being foreclosed. Any person interested in the foreclosure is also



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encouraged to consult an attorney, as the Trustee will not provide legal advice concerning the foreclosure. The Trustee does not provide information concerning the location of the debtors nor concerning the condition of the property. No representation or warranties are made concerning the physical condition of the property or whether there are any environmental or hazardous waste liabilities or problems connected with this property. Any person desiring title information, information concerning the physical condition of the property, information concerning any hazardous waste or environmental issues or other information about the real property being foreclosed must obtain all such information independently.

12. **FAIR DEBT COLLECTION PRACTICE ACT NOTICE**

Any information obtained from the debtor will be used for the purpose of collecting the debt.

DATED: 3/22/12

C Sjostr

Craig Sjoström, Successor Trustee
Attorney at Law
1204 Cleveland Ave.
Mount Vernon, WA 98273

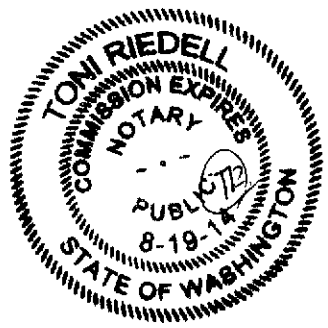
State of Washington)
)ss
County of Skagit)

I certify that I know or have satisfactory evidence that Craig Sjoström 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 in the instrument.

Dated: 3/22/12

Toni Riedell

Toni Riedell, Notary Public
Residing at: Burlington
My appointment expires 8-19-14



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EXHIBIT A

The land referred to herein is situated in the County of Skagit, State of Washington, and is described as follows:

Parcel "A":

A portion of "C.W. GRIEST'S PLAT OF GRASMERE", according to the recorded plat thereof filed in Volume 3 of Plats, at Page 94, records of Skagit County, and also being in the East 1/2 of Section 9, Township 35 North, Range 8 East, W.M., described as follows:

Beginning at the Northeast corner of Lot 3, of Block 1, of said plat; thence South along the East line of said Lot 3, and its Southerly projection to the centerline of vacated Pearl Street; thence West along the centerline of said street to its intersection with the East line of the Marginal Street along the West line of said plat; thence North along the East line of said Marginal Street to the Northwest corner of Lot 1 of said plat; thence Southeasterly along the North lines of Lots 1, 2, and 3, to the point of beginning. EXCEPT that portion of Lot 1 conveyed to Skagit County on April 14, 2003 under Auditor's File No. 200304140251. (Also known as Tract "A".)

Parcel "B":

A portion of "C.W. GRIEST'S PLAT OF GRASMERE", according to the recorded plat thereof filed in Volume 3 of Plats, at Page 94, records of Skagit County, also being in the East 1/2 of Section 9, Township 35 North, Range 8 East, W.M., described as follows:

Beginning at the Northeast corner of Lot 6, Block 1, of said plat; thence South along the East line of said Lot 6, and its Southerly projection to the centerline of vacated Pearl Street; thence West along the centerline of said street to the Southerly projection of the West line of Lot 4, of said Block 1; thence North along said West line and its projection to the Northwest corner of said Lot 4; thence Southeasterly along the North line of Lots 4, 5 and 6, to the point of beginning. (Also known as Tract "B".)

Parcel "C":

A portion of "C.W. GRIEST'S PLAT OF GRASMERE", according to the recorded plat thereof in Volume 3 of Plats, at Page 94, records of Skagit County, and also being in the East 1/2 of Section 9, Township 35 North, Range 8 East, W.M., described as follows:

Beginning at the Northeast corner of Lot 9, Block 1, of said plat; thence South along the East line of said Lot 9, and its Southerly projection to the centerline of vacated Pearl Street; thence West along the centerline of said street to the Southerly projection of the West line of Lot 7, of said Block 1; thence North along said West line and its projection to the Northwest corner of said Lot 7; thence Southeasterly along the North line of Lots 7, 8 and 9, to the point of beginning. (Also known as Tract "C".)



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Legal description is continued on next page

Parcel "D":

A portion of "C.W. GRIEST'S PLAT OF GRASMERE", according to the recorded plat thereof filed in Volume 3 of Plats, at Page 94, records of Skagit County, and being in the East 1/2 of Section 9, Township 35 North, Range 8 East, W.M., described as follows:

Beginning at the Southeast corner of Lot 13, Block 1, of said plat; thence South along the Southerly projection of the East line of said Lot 13, to the centerline of vacated Pearl Street; thence West along the centerline of said street to the Southerly projection of the West line of Lot 10, of Block 1; thence North along said West line and its projection to the Northwest corner of said Lot 10; thence Southeasterly along the North line of Lots 10, 11 and 12, to the Northeast corner of Lot 12, of Block 1; thence South along the East line of said Lot 12, to the Southeast corner thereof; thence Easterly along the South line of said Lot 13, to the point of beginning. (Also known as Tract "D".)

Parcel "E":

A portion of "C.W. GRIEST'S PLAT OF GRASMERE", according to the recorded plat thereof filed in Volume 3 of Plats, at Page 94, records of Skagit County, and also being in the East 1/2 of Section 9, Township 35 North, Range 8 East, W.M., described as follows:

All of Lots 13, 14 and 15, Block 1, of said plat, but not including in the description any portion of vacated Park Street adjoining said lots. (Also known as Tract "E".)

Parcel "F":

Lots 1 through 18, inclusive, Block 5, "C.W. GRIEST'S PLAT OF GRASMERE", according to the recorded plat thereof filed in Volume 3 of Plats, at Page 94, records of Skagit County, Washington;

TOGETHER WITH the South 1/2 of vacated Pearl Street adjoining Block 5 and the North 1/2 of vacated Pine Street adjoining Block 5, and

The West 1/2 of vacated Wesley Avenue adjoining Block 5 and the vacated alley through said Block 5, all in "C.W. GRIEST'S PLAT OF GRASMERE", according to the recorded plat thereof filed in Volume 3 of Plats, at Page 94, records of Skagit County, Washington;

TOGETHER WITH a non-exclusive easement for utilities serving Block 5 over and across that portion of vacated Pearl Street adjoining Block 4 and the East 1/2 of vacated Wesley Street adjoining Block 4 in "C.W. GRIEST'S PLAT OF GRASMERE", according to the recorded plat thereof filed in Volume 3 of Plats, at Page 94, records of Skagit County, Washington.



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