



201609080031

Skagit County Auditor

\$78.00

9/8/2016 Page

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6 12:06PM

**After Recording, Return to:**  
**Vonnie McElligott**  
**Northwest Trustee Services, INC.**  
**P.O. Box 997**  
**Bellevue, WA 98009-0997**

**File No.:** 7372.23026  
**Trustee:** Northwest Trustee Services, Inc.  
**Grantors:** David Eernisse, as his separate estate  
**Grantee:** Bayview Loan Servicing, LLC  
**Ref to DOT Auditor File No.:** 200312090090  
**Tax Parcel ID No.:** P37372, P77358 and P77360  
**Abbreviated Legal:** Ptn. Lots 18 and 19, Trowbridge Addition; and Section 24, Township 35 North, Range 4 East; Ptns. SW-SW, Skagit CO., WA

**1ST AM**

**Notice of Trustee's Sale**

Pursuant to the Revised Code of Washington 61.24, et seq.

8632674

**THIS NOTICE IS THE FINAL STEP BEFORE THE FORECLOSURE SALE OF YOUR HOME**

You have only 20 DAYS from the recording date of this notice to pursue mediation.

**DO NOT DELAY. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW** to assess your situation and refer you to mediation if you are eligible and it may help you save your home. See below for safe sources of help.

**SEEKING ASSISTANCE**

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission Telephone: Toll-free: 1-877-894-HOME (1-877-894-4663). Web site:

[http://www.dfi.wa.gov/consumers/homeownership/post\\_purchase\\_counselors\\_foreclosure.htm](http://www.dfi.wa.gov/consumers/homeownership/post_purchase_counselors_foreclosure.htm)

The United States Department of Housing and Urban Development Telephone: Toll-free: 1-800-569-4287. Web site:

<http://www.hud.gov/offices/hsg/sfh/hcc/fc/index.cfm?webListAction=search&searchstate=WA&filterSvc=dfc>

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys Telephone: Toll-free: 1-800-606-4819. Web site: <http://nwjustice.org/what-clear>.

I.

On **January 13, 2017**, at 10:00 AM. inside the main lobby of the Skagit County Courthouse, 205 West Kincaid Street in the City of Mount Vernon, State of Washington, the undersigned Trustee (subject to any conditions imposed by the Trustee) will sell at public auction to the highest and best bidder, payable at time of sale, the following described real property "Property", situated in the County(ies) of Skagit, State of Washington:

That portion of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 24, Township 35 North, Range 4 East, W.M., described as follows: Beginning at a point which is 218 feet West and 569 feet North of the Southeast corner of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section; thence North 50 feet, more or less, to the South line of "TROWBRIDGE ADDITION TO THE TOWN OF SEDRO-WOOLLEY," as per plat recorded in Volume 3 of Plats, page 33, records of Skagit County, Washington; thence West 178 feet, more or less, to the East line of the tract conveyed to Walter Brown and Lulah Brown, his wife, by deed recorded May 16, 1911, in Volume 82 of Deeds, page 432, records of Skagit County, Washington; thence South along the said East line of the tract conveyed to the said Walter Brown and Lulah Brown, his wife, to a point due West of the point of beginning; thence East 178 feet, more or less, to the point of beginning. ALSO, TOGETHER WITH that portion of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 24, Township 35 North, Range 4 East, W.M., described as follows: Beginning at a point on the East line of the said Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , being 618 feet North of the Southeast corner thereof, said point also being the Northeast corner of a tract conveyed to L.L. Merrill by deed recorded May 25, 1909 in Volume 77 of Deeds, page 284, records of Skagit County, Washington, under File No. 73841; thence West along the North line of the said Merrill Tract a distance of 218 feet, more or less, to the Northeast corner of a tract conveyed to Jennie Voigt by deed recorded July 9th, 1907 in Volume 69 of Deeds, page 617, records of Skagit County, Washington, under Auditor's File No. 63040, said point also being the Northwest corner of the said Merrill Tract; thence continuing West along the North line of the said Voigt Tract a distance of 218 feet, more or less, to the Northeast corner of a tract conveyed to Joseph Doucette by deed recorded November 16th, 1906 in Volume 67 of Deeds, page 514, records of Skagit County, Washington, under File No. 59625, said point also being the Northwest corner of the said Voigt Tract; thence Northerly along the Northerly extension of the Westerly line of the said Voigt Tract (being also the Northerly extension of the Easterly line of the said Doucette Tract) to the North line of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the said Section 24; thence Easterly along the North line of the said Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  to the Northeast corner thereof; thence South along the East line thereof to the point of beginning. Situated in Skagit County, Washington. NOTE: The legal description above, and the property encumbered by that Deed of Trust recorded under Skagit County Auditor's File No. 200312090090, was amended by Skagit County Superior Court Cause No. 14-2-00254-1, Default Judgment, filed July 24, 2014. The legal description was amended as follows: PARCEL "A": The South 12 feet of Tracts 18 and 19, "TROWBRIDGE ADDITION TO THE TOWN OF SEDRO WOOLLEY", as per plat recorded in Volume 3 of Plats, page 33, records of Skagit County, Washington. PARCEL "B": That portion of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 24, Township 35 North, Range 4 East, W.M., described as follows: Beginning at a point

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which is 218 feet West and 569 feet North of the Southeast corner of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section; thence North 50 feet, more or less, to the South line of "TROWBRIDGE ADDITION TO THE TOWN OF SEDRO WOOLLEY", as per plat recorded in Volume 3 of Plats, page 33, records of Skagit County, Washington; thence West 178 feet, more or less, to the East line of the tract conveyed to Walter Brown and Lulah Brown, his wife, by deed recorded May 16, 1911, in Volume 82 of Deeds, page 432, records of Skagit County, Washington; thence South along said East line of the tract conveyed to the said Walter Brown and Lulah Brown, his wife, to a point due West of the point of beginning; thence East 178 feet, more or less, to the point of beginning. PARCEL "C": That portion of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 24, Township 35 North, Range 4 East, W.M., described as follows: Beginning at a point on the East line of the said Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ ; being 618 feet North of the Southeast corner thereof, said point also being the Northeast corner of a tract conveyed to L.L. Merrill by deed recorded May 25, 1909 in Volume 77 of Deeds, page 284, records of Skagit County, Washington, under File No. 73841; thence West along the North line of the said Merrill tract a distance of 218 feet, more or less, to the Northeast corner of a tract conveyed to Jennie Voigt by deed recorded July 9, 1907 in Volume 69 of Deeds, page 617, records of Skagit County, Washington, under Auditor's File No. 63040, said point also being the Northwest corner of the said Merrill tract; thence continuing West along the North line of the said Voigt tract a distance of 218 feet, more or less, to the Northeast corner of a tract conveyed to Joseph Doucette by deed recorded November 16, 1906 in Volume 67 of Deeds, page 514, records of Skagit County, Washington, under File No. 59625, said point also being the Northwest corner of the said Voigt tract; thence Northerly along the Northerly extension of the Westerly line of the said Voigt tract (being also the Northerly extension of the Easterly line of the said Doucette tract) to the North line of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section 24; thence Easterly along the North line of the said Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  to the Northeast corner thereof; thence South along the East line thereof to the point of beginning. EXCEPT that portion conveyed under Auditor's File No. 201101140097. Situate in the County of Skagit, State of Washington.

Commonly known as: 1006 Rita Street  
Sedro Woolley, WA 98284-1547

which is subject to that certain Deed of Trust dated 11/28/03, recorded on 12/09/03, under Auditor's File No. 200312090090, records of Skagit County, Washington, from David Fernisse, an unmarried person, as Grantor, to PRLAP, Inc., as Trustee, to secure an obligation "Obligation" in favor of Bank of America, N.A., as Beneficiary, the beneficial interest in which was assigned by Bank of America, N.A. to Bayview Loan Servicing, LLC, under an Assignment/Successive Assignments recorded under Auditor's File No. 201606080030.

\*The Tax Parcel ID number and Abbreviated Legal Description are provided solely to comply with the recording statutes and are not intended to supplement, amend or supersede the Property's full legal description provided herein.

## 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 Grantor's or Borrower's default on the Obligation secured by the Deed of Trust.

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III.

The Beneficiary alleges default of the Deed of Trust for failure to pay the following amounts now in arrears and/or other defaults:

Amount due to reinstate as of 09/02/2016. If reinstating after this date, please contact NWTS for the exact reinstatement amount.

Monthly Payments		\$24,166.31
Late Charges		\$335.58
Lender's Fees & Costs		\$20,622.98
Total Arrearage	\$45,124.87	
Trustee's Expenses (Itemization)		
Trustee's Fee		\$950.00
Title Report		\$0.00
Statutory Mailings		\$0.00
Recording Costs		\$0.00
Postings		\$0.00
Sale Costs		\$1,071.84
Total Costs	\$2,021.84	
Total Amount Due:		\$47,146.71

Other known defaults as follows:

IV.

The sum owing on the Obligation is: Principal Balance of \$34,849.08, together with interest as provided in the note or other instrument evidencing the Obligation from 07/15/12, and such other costs and fees as are due under the Obligation, and as are provided by statute.

V.

The Property will be sold to satisfy the expense of sale and the Obligation as provided by statute. The sale will be made without representation or warranty, express or implied regarding title, possession, encumbrances or condition of the Property on January 13, 2017. The default(s) referred to in paragraph III, together with any subsequent payments, late charges, advances costs and fees thereafter due, must be cured by 01/02/17 (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 01/02/17 (11 days before the sale date), the default(s) as set forth in paragraph III, together with any subsequent payments, late charges, advances, costs and fees thereafter due, is/are cured and the Trustee's fees and costs are paid. The sale may be terminated any time after 01/02/17 (11 days before the sale date), and before the sale by the Borrower, Grantor, any Guarantor or the holder of any recorded junior lien or encumbrance paying the entire balance of 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 address(es):

NAME AND ADDRESS

David P. Eernisse aka David Eernisse  
1006 Rita Street  
Sedro Woolley, WA 98284-1547

David P. Eernisse aka David Eernisse  
4683 Aldrich Road  
Bellingham, WA 98226-9682

David P. Eernisse aka David Eernisse  
20863 Lake 16 Road  
Mount Vernon, WA 98274-7577

David P. Eernisse aka David Eernisse  
19717 Mount Bachelor Drive, #209  
Bend, OR 97702-3107

Unknown Spouse and/or Domestic Partner  
of David P. Eernisse aka David Eernisse  
1006 Rita Street  
Sedro Woolley, WA 98284-1547

Unknown Spouse and/or Domestic Partner  
of David P. Eernisse aka David Eernisse  
4683 Aldrich Road  
Bellingham, WA 98226-9682

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Unknown Spouse and/or Domestic Partner  
of David P. Eernisse aka David Eernisse  
19717 Mount Bachelor Drive, #209  
Bend, OR 97702-3107

by both first class and certified mail, return receipt requested on, proof of which is in the possession of the Trustee; and on Grantor and Borrower were personally served with said written notice of default or the written notice of default was posted on 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 are set forth below, will provide in writing to anyone requesting it a statement of all costs and trustee's 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 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 20<sup>th</sup> 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 20<sup>th</sup> 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.

The trustee's rules of auction may be accessed at [www.northwesttrustee.com](http://www.northwesttrustee.com) and are incorporated by this reference. You may also access sale status at [www.northwesttrustee.com](http://www.northwesttrustee.com) and [www.USA-Foreclosure.com](http://www.USA-Foreclosure.com).

Date Executed: 9/16/16  
Northwest Trustee Services, Inc., Trustee

By Vonnie McElligott  
Authorized Signature  
13555 SE 36<sup>TH</sup> ST. SUITE 100  
BELLEVUE, WA 98006  
Contact: Vonnie McElligott  
(425) 586-1900

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

I certify that I know or have satisfactory evidence that Vonnie McElligott is the person who appeared before me, and said person acknowledged that ~~he~~/she signed this instrument, on oath stated that ~~he~~/she was authorized to execute the instrument and acknowledged it as the Assistant Vice President of Northwest Trustee Services, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 9/16/16

NICOLE CLEVELAND  
STATE OF WASHINGTON  
NOTARY PUBLIC  
MY COMMISSION EXPIRES  
11-16-16

Nicole Cleveland  
NOTARY PUBLIC in and for the State of  
Washington, residing at Des Moines  
My commission expires 11/16/16

NORTHWEST TRUSTEE SERVICES, INC. 13555 SE 36<sup>TH</sup> ST. SUITE 100, BELLEVUE, WA 98006 PHONE  
(425) 586-1900 FAX (425) 586-1997

File No: 7372.23026  
Borrower: Eernisse, David P.

SERVING WA, OR, ID, CA, NV, AZ, MT

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