

FILED FOR RECORD AT THE  
REQUEST OF/RETURN TO:  
Craig E. Cammock  
Skagit Law Group, PLLC  
P.O. Box 336 / 227 Freeway Drive, Ste B  
Mount Vernon, WA 98273



**201809130046**

09/13/2018 11:28 AM Pages: 1 of 9 Fees: \$107.00  
Skagit County Auditor

**SECOND AMENDED NOTICE OF TRUSTEE'S SALE**

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Reference Nos.: 200512300162 (Deed of Trust)  
201702080016 (Appointment of Successor Trustee)  
201705040127 (Notice of Trustee's Sale)  
201801260043 (Amended Notice of Trustee's Sale)  
201803210046 (Assignment of Deed of Trust)

Grantor(s): PUGET SOUND INVESTORS, LLC, a Washington  
limited liability company;  
SKAGIT LAW GROUP, PLLC, a Washington Professional  
Limited Liability Company, Successor Trustee

Current Beneficiary of  
the Deed of Trust: PUGET SOUND INVESTORS, LLC, a Washington  
limited liability company

Grantor of the Deed of Trust: RICHARD S. ESKOLA

Current Trustee of the  
Deed of Trust: SKAGIT LAW GROUP, PLLC, a Washington  
Professional Limited Liability Company

Current Loan Mortgage  
Servicer of the Deed of Trust: None

Grantee(s): RICHARD S. ESKOLA  
THE PUBLIC

Additional Grantor(s) on page(s):  
Additional Grantee(s) on page(s):  
Abbreviated Legal: Lot 29, Blk 42, Town of Montborne  
Additional Legal on page(s): 2  
Assessor's Tax Parcel No.: 4135-042-029-0009 / P74690

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Pursuant to the Revised Code of Washington, Chapter 61.24:

I

**THIS SECOND AMENDED NOTICE OF TRUSTEE'S SALE** amends and replaces that Notice of Trustee's Sale recorded May 4, 2017 under Auditor's File No. 201705040127, records of Skagit County, Washington, and that Amended Notice of Trustee's Sale recorded January 26, 2018 under Skagit County Auditor's File Number 201801260043. Pursuant to RCW 61.24.130, the Successor Trustee is setting the Trustee's sale for **Friday, October 19, 2018, at the hour of 10:00 a.m.**, at the main entrance of the Skagit County Courthouse located at 205 W. Kincaid Street, Mount Vernon, State of Washington, and giving notice thereof.

**NOTICE IS HEREBY GIVEN** that the undersigned Trustee will on **Friday, October 19, 2018, at the hour of 10:00 a.m.**, at the entrance/front steps of the Skagit County Courthouse located at 205 W. Kincaid Street, 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, situated in the County of Skagit, State of Washington, to-wit:

Lot 29, Block 42, "PLAT OF THE TOWN OF MONTBORNE, SKAGIT COUNTY, WASHINGTON," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, and that part of vacated Lakeside Boulevard adjacent to the Westerly side of said premises, as has reverted to said premises by process of law.

EXCEPT from said premises that portion conveyed to Skagit County for road purposes by deed recorded July 14, 1941, under Auditor's File No. 341750, described as follows:

A strip of land 40 feet in width running in a Northwesterly and Southeasterly direction across Block 42, "PLAT OF THE TOWN OF MONTBORNE," said 40 foot strip of land parallel to and adjoining the Northern Pacific Railroad right of way.

Situate in Skagit County, Washington,

which is subject to that certain Deed of Trust dated December 29, 2005 and recorded December 30, 2005 under Auditor's File No. 200512300162, records of Skagit County, Washington, which Deed of Trust is from Richard S. Eskola, an unmarried man, as his separate property, as Grantor, to Land Title Company of Burlington, as Trustee, to secure an obligation in favor of SKAGIT STATE BANK, (now known as SKAGIT BANK), as Beneficiary, an Assignment of which Deed of Trust was recorded on March 21, 2018

under Auditor's File No. 201803210046, records of Skagit County, Washington, wherein Skagit Bank, as assignor, assigned all of its beneficial interest in said Deed of Trust to Puget Sound Investors, LLC, a Washington limited liability company. Skagit Law Group, PLLC, a Washington Professional Limited Liability Company, is now Trustee by reason of an Appointment of Successor Trustee recorded February 8, 2017 under Auditor's File No. 201702080016, records of Skagit County, Washington.

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(s) for which this foreclosure is made is/are as follows:

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

Debtor failed to make the final payment under the Promissory Note dated January 11, 2016, and any subsequent notes, agreements and/or amendments thereto, which final payment was due May 4, 2016.

Debtor failed to make payment of all sums owing pursuant to the terms of said Promissory Note, and any subsequent notes, agreements, and/or amendments, which includes a failure to pay late fees when due and a failure to pay accrued interest.

The following amounts are now in arrears:

Balloon payment of principal due May 4, 2016:	\$137,179.13
Miscellaneous fees advanced or incurred by the beneficiary:	\$1,400.00
Late fees owed:	\$6,886.78
Unpaid accrued interest (as of September 12, 2018):	\$83,172.84
<b>TOTAL:</b>	<b><u>\$228,638.75</u></b>

Demand having been given and no payment having been received, all principal, interest, and late fees are now due.

Other potential defaults do not involve payment to the Beneficiary. If applicable, each of these defaults must be cured. Listed below are categories of common defaults

which do not involve payment of money to the Beneficiary. Opposite each such listed default is a brief description of the action/documentation necessary to cure the default. The list does not exhaust all possible other defaults. Any defaults identified by Beneficiary or Trustee that are not listed below must also be cured.

Other Default:

Action to Cure Default:

TAXES/ASSESSMENTS	Deliver to Successor Trustee written proof that all taxes and assessments against the property are paid current.
FAILURE TO INSURE PROPERTY AGAINST HAZARD	Deliver to Successor Trustee written proof that the property is insured against hazard as required by the Deed of Trust.
LIENS	Deliver to Successor Trustee written proof that all senior liens are paid current and that no other defaults exist.
JUDGMENTS	Deliver to Successor Trustee written proof that all senior judgments are paid current and that no other defaults exist.
WASTE	Cease and desist from committing waste, repair all damage to property and maintain property as required in Deed of Trust.
UNAUTHORIZED SALE OF PROPERTY (DUE ON SALE)	Revert title to permitted vestee.

**Costs and Fees:**

In addition to the amounts in arrears specified above, you are or may be obligated to pay the following estimated charges, costs, and fees:

Trustee's fee:	\$1,500.00
Attorney's fees:	\$20,098.50
Title report:	\$1,022.07
Service/posting of foreclosure notices:	\$225.00
Publications:	\$1,518.40
U. S. Bankruptcy Court filing fees:	\$362.00
Recording fees:	\$284.00
Mailing costs:	\$438.99

Photocopies:	<u>\$25.00</u>
<b>Subtotal:</b>	<b>\$25,473.96</b>
<b>Total Current Estimated Amount:</b>	<b>\$254,112.71</b>
<b>Additional Arrearage:</b>	
Interest: 9-13-18 – 10-8-18:	<b>\$2,894.47</b>
<b>Additional Costs and Fees:</b>	
Additional trustee's or attorney's fees:	\$-----
Trustee's Sale Guarantee date down:	54.50
Publication costs:	<u>1,200.00</u>
<b>Subtotal:</b>	<b>\$1,254.50</b>
<b>Total Estimated Amount as of October 8, 2018:</b>	<b>\$258,261.68</b>

IV

The sum owing on the obligation secured by the Deed of Trust is: Principal balance of **\$137,179.13** as of March 29, 2016, together with interest as provided in the note or other instrument secured, 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 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 without any warranty concerning the title to, or the condition of, the property, and also will be made without warranty, express or implied, regarding title, possession, or encumbrances on **October 19, 2018**. The default(s) referred to in paragraph III must be cured by **October 8, 2018** (11 days before the sale date) to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time on or before **October 8, 2018** (11 days before the sale date) the default(s) as set forth in paragraph III are cured and the Trustee's fees and costs are paid. The sale may be terminated any time after **October 8, 2018** (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 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:

Richard S. Eskola  
18288 S. Westview Road  
Mount Vernon, WA 98273

Jane Doe Eskola  
18288 S. Westview Road  
Mount Vernon, WA 98273

by both first class and certified mail on March 9, 2017, proof of which is in the possession of the Trustee, and the Borrower and Grantor were personally served on March 9, 2017 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

A Notice of Trustee's Sale was executed by the Successor Trustee and filed of record on May 5, 2017 under Auditor's File No. 201705040127, records of Skagit County, Washington. The Notice was mailed to all persons entitled to notice thereof and posted in compliance with the requirements of RCW Ch. 61.24.

An Amended Notice of Trustee's Sale was executed by the Successor Trustee and filed of record on January 26, 2018 under Auditor's File No. 201801260043, records of Skagit County, Washington. The Notice was mailed to all persons entitled to notice thereof and posted in compliance with the requirements of RCW Ch. 61.24.

#### VIII

On August 2, 2017, Grantor filed a petition for relief under Chapter 13 with the U. S. Bankruptcy Court, Western District of Washington at Seattle, under case number 17-13429-MLB. As a result of the filing of such bankruptcy petition, the trustee's sale, as originally scheduled for September 8, 2017, was automatically stayed by Section 362 of the Bankruptcy Code. On January 4, 2018, by court order, said bankruptcy case was dismissed.

A trustee's sale of the real property pursuant to the Amended Notice of Trustee's Sale recorded January 26, 2018 as described above, was scheduled for March 2, 2018, which was subsequently continued to April 13, 2018, and subsequently continued to May 11, 2018, and subsequently continued to June 29, 2018.

On June 28, 2018, Grantor filed a petition for relief under Chapter 7 with the U. S. Bankruptcy Court, Western District of Washington at Seattle, under case number 18-12571-MLB. As a result of the filing of such bankruptcy petition, the trustee's sale,

as then scheduled for June 29, 2018, was automatically stayed by Section 362 of the Bankruptcy Code. On August 21, 2018, an Order granting Puget Sound Investors, LLC's Motion for Relief From Stay was entered by the Honorable Marc Barreca, U.S. Bankruptcy Judge, thereby lifting the bankruptcy stay as to the real property described above so as to allow the beneficiary to proceed with state law remedies under the parties' Promissory Note, Deed of Trust, and other loan documents.

## IX

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.

## X

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.

## XI

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 waiver of any proper grounds for invalidating the Trustee's sale.

## XII

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

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

**DO NOT DELAY. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW** to access 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>

### XIII

#### 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.

### XIV

#### NOTICE TO GUARANTORS

If this Notice is being mailed or directed to any Guarantor, said Guarantor should be advised that: (1) the Guarantor may be liable for a deficiency judgment to the extent the sale price obtained at the trustee's sale is less than the debt secured by the Deed of Trust; (2) the Guarantor has the same rights to reinstate the debt, cure the default, or repay the debt as is given to the Grantor in order to avoid the trustee's sale; (3) the Guarantor will have no right to redeem the property after the trustee's sale; (4) subject to such longer periods as are provided in the Washington Deed of Trust Act, Chapter 61.24 RCW, any action brought to enforce a guaranty must be commenced within one year after the trustee's sale, or the last trustee's sale under any deed of trust granted to secure the same debt; and (5) in any action for a deficiency, the Guarantor will have the right to establish the fair value of the property as of the date of the trustee's sale, less prior liens and encumbrances, and to limit its liability for a deficiency to the difference between the



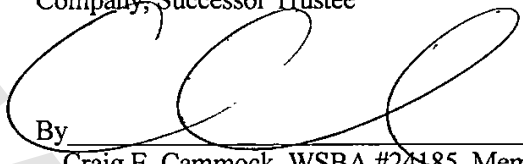
debt and the greater of such fair value or the sale price paid at the trustee's sale, plus interest and costs. The failure of the Beneficiary to provide any Guarantor the notice referred to in this section does not invalidate either the notices given to the borrower or the Grantor, or the trustee's sale.

XV

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

DATED this 12<sup>th</sup> day of September, 2018.

SKAGIT LAW GROUP, PLLC,  
a Washington Professional Limited Liability  
Company, Successor Trustee

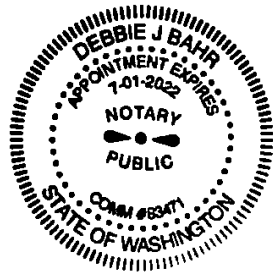
By 

Craig E. Cammock, WSBA #24185, Member  
227 Freeway Drive, Ste B/P. O. Box 336  
Mount Vernon, WA 98273  
Telephone: (360) 336-1000

State of Washington )  
                                  ) ss  
County of Skagit        )

I certify that I know or have satisfactory evidence that Craig E. Cammock is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as a Member of Skagit Law Group, PLLC, a Washington Professional Limited Liability Company, to be the free and voluntary act for such party for the uses and purposes mentioned in the instrument.

DATED: September 12, 2018.





NOTARY PUBLIC  
Printed Name: Debbie J. Bahr  
My appointment expires: 07-01-2022