


After Recording Return To:  
Winston Khan Jr.  
Washington Mutual Bank  
c/o H & L Services Inc.  
1111 Third Avenue, Suite 3400  
Seattle, WA 98101-3299

  
199909130138  
Kathy Hill, Skagit County Auditor  
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File No: 7037.21637/Cherberg, Joel T. and Mary Beth

FIRST AMERICAN TITLE CO.

**Trustee's Deed**

58701

The GRANTOR, North Pacific Trustee, Inc., as present Trustee under that Deed of Trust (defined below) in consideration of the premises and payment recited below, hereby grants and conveys, without warranty, to Washington Mutual Bank, as GRANTEE, all real property (the property), situated in the County of Skagit, State of Washington, described as follows:

Tax Parcel No.: 3863-000-102-0106 (R62123)

That portion of Tract 102 of "First Addition to Big Lake Waterfront Tracts", according to the Plat recorded in Volume 4 of Plats, Page 15, records of Skagit County, Washington, lying South of a line drawn from a point in the West line of said tract which is equidistant from the Northwest corner and the Southwest corner thereof and run Easterly to a point in the East line of said Tract equidistant from the Northeast corner and the Southeast corner thereof, except that portion thereof conveyed to Skagit County for road purposes by Deed dated February 23, 1954, and recorded March 2, 1955, under Auditor's File No. 513944, records of Skagit County, Washington. Situate in the County of Skagit, State of Washington.

**RECITALS:**

1. This conveyance is made pursuant to the powers, including the power of sale, conferred upon the Grantee by that certain Deed of Trust between Joel T. Cherberg and Mary Beth Cherberg, husband and wife, as Grantor, to First American Title Insurance Co./a Calif. corp., as Trustee, and Cascade Savings and Loan Assoc., Beneficiary, dated 06/19/86, recorded 06/27/86, under Auditor's/Recorder's No. 8606270060, records of Skagit County, Washington and subsequently assigned to Chase Manhattan Mortgage Corporation under Skagit County Auditor's/Recorder's No. 9510160025.
2. The Deed of Trust was executed to secure, together with other undertakings, the payment of one promissory note(s) ("Note") in the sum of \$76,000.00 with interest thereon, according to the terms thereof, in favor of Cascade Savings and Loan Assoc. and to secure any other sums of money which might become due and payable under the terms of said Deed of Trust.
3. The Deed of Trust provides that the Property is not used principally for agricultural or farming purposes.
4. Default having occurred in the obligations secured and/or covenants of the Deed of Trust grantor, as set forth in Notice of Trustee's Sale described below, which by the terms of the Deed of Trust make operative the power to sell, the thirty-day advance Notice of Default was transmitted to the Deed of Trust grantor, or his successor in interest, and a copy of said Notice was posted or served in accordance with law.
5. Chase Manhattan Mortgage Corporation, being then the holder of the indebtedness secured by the Deed of Trust, delivered to said Grantor a written request directing Grantor to sell the described property in accordance with law and the terms of the Deed of Trust.
6. The defaults specified in the "Notice of Default" not having been cured, the Grantor, in compliance with the terms of the Deed of Trust, executed and on 05/20/99, recorded in the office of the Auditor of Skagit County, Washington, a "Notice of Trustee's Sale" of the Property under Auditor's File No. 9905200201.

7. The Grantor, in the "Notice of Trustee's Sale", fixed the place of sale as inside the main lobby of the Skagit County Courthouse, 205 West Kincaid Street, City of Mount Vernon, State of Washington a public place, at 10:00 o'clock a.m., and in accordance with the law caused copies of the statutory "Notice of Trustee's Sale" to be transmitted by mail to all persons entitled thereto and either posted or served prior to 90 days before the sale; further, the Grantor caused a copy of said "Notice of Trustee's Sale" to be published in a legal newspaper in each county in which the property or any part thereof is situated, once between the thirty-fifth and twenty-eighth day before the date of sale, and once between the fourteenth and the seventh day before the date of sale; and further, included with the Notice, which was transmitted to or served upon the Deed of Trust grantor or his successor in interest, a "Notice of Foreclosure" in substantially the statutory form, to which copies of the Note and Deed of Trust were attached.

8. During foreclosure, no action was pending on an obligation secured by the Deed of Trust.

9. All legal requirements and all provisions of said Deed of Trust have been complied with, as to acts to be performed and notices to be given, as provided in chapter 61.24 RCW.

10. The defaults specified in the "Notice of Trustee's Sale" not having been cured ten days prior to the date of Trustee's Sale and said obligation secured by said Deed of Trust remaining unpaid, on 08/20/99, the date of sale, which was not less than 190 days from the date of default in the obligation secured, the Grantor then and there sold the Property at public auction to said Grantee, the highest bidder therefore, for the sum of \$179,429.80 cash.

DATED: August 30, 1999

SKAGIT COUNTY WASHINGTON

Real Estate Excise Tax

PAID

31433

SEP 18 1999

GRANTOR

North Pacific Trustee, Inc.

By

David E. Fennell, Vice President

Amount Paid \$0-

Skagit County Treasurer

By:

DC Deputy

STATE OF WASHINGTON )

) ss.

COUNTY OF KING )

On this day personally appeared before me David E. Fennell to me known to be the Vice President of the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal: August 30, 1999

**PAULA D. HERROD**  
**STATE OF WASHINGTON**  
**NOTARY --- PUBLIC**  
**MY COMMISSION EXPIRES 3-17-03**

*Paula D. Herrod*

Paula D. Herrod

NOTARY PUBLIC in and for the State of Washington,  
residing at Renton

My commission expires: 03/17/03



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Kathy Hill, Skagit County Auditor

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