

COVER SHEET

Return to:

FAIRHAVEN LEGAL ASSOCIATES, P.S.
P.O. BOX 526
BURLINGTON, WA 98233



200303250132

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DOCUMENT TITLE(S) (or transactions contained herein):

NOTICE OF TRUSTEE'S SALE

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED: 9710010054

() ADDITIONAL REFERENCE NUMBERS ON PAGE OF DOCUMENT.

GRANTOR(S) (Last name, first name and initials):

1. Day, David L.

2.

3.

4. () ADDITIONAL NAMES ON PAGE OF DOCUMENT.

GRANTEE(S) (Last name, first name and initials):

1. The Public

2. Daub, Walter

3. Daub, Linda

4. () ADDITIONAL NAMES ON PAGE OF DOCUMENT

LEGAL DESCRIPTION (Abbreviated: i.e., lot, block, plat or quarter, section, township and range):

Ptn NW, 19-36-5 aka Tract 47, Survey 1-85

() ADDITIONAL LEGAL(S) ON PAGE OF DOCUMENT.

ASSESSOR'S PARCEL / TAX I.D. NUMBER: 360519-0-009-2900 / P51050

() TAX PARCEL NUMBER(S) FOR ADDITIONAL LEGALS(S) ON PAGE OF DOCUMENT.

NOTICE OF TRUSTEE'S SALE

RCW 61.24.040

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 27th day of June, 2003, at the hour of 10:00 o'clock a.m. at the Skagit County Courthouse, Third and Kincaid Streets, 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, situate in the County of Skagit, State of Washington, to-wit:

Attached hereto as Exhibit A.

which is subject to that certain Deed of Trust dated September 25, 1997, recorded October 1, 1997, under Auditor's File No. 9710010054, records of Skagit County Washington, from Walter and Linda Daub as Grantor(s) to Island Title Company, as Trustee, which Trustee has been succeeded by DAVID L. DAY to secure an obligation in favor of Franklin Sebens.

II.

No action is now pending to seek satisfaction of the obligation in any Court by reason of the Grantor's default on the obligation secured by said Deed of Trust.

III.

The default for which this foreclosure is made is as follows:

Failure to pay when due the following amounts which are now in arrears: \$4,979.68 plus other charges, costs and fees as set forth in the Notice of Default, and for other than payment of money such as failure to keep property taxes current.

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal \$80,381.45 together with interest as provided in the note or other instrument secured from the 10th day of September 2003, and such other costs and fees as are due under the note or other instrument secured, and as provided by statute.

V.

The above-described real property will be sold to satisfy the expense of sale and the obligation secured by said Deed of Trust as provided by statute. Said sale will be made without warranty, express or implied, regarding title, possession, or encumbrances on the 27th day of June, 2003. The defaults referred to in paragraph III must be cured by the 16th day of June, 2003 (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 16th day of June, 2003 (11 days before the sale date) the



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default as set forth in paragraph III is cured and the Trustee's fees and costs are paid. The sale may be terminated by the Grantor anytime after the 16th day of June, 2003 (11 days before the sale date), and before the sale by the Grantor 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 Grantor or his successor in interest at the following address: 24187 Martin Road, Sedro-Woolley, Washington 98284, by both first class and certified mail on the 7th day of February, 2003, proof of which is in the possession of the Trustee; and the Grantor or his successor in interest was personally served on the 12th day of February, 2003 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 him 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.

X. 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 and tenants. After the 20th day following the sale the purchaser has the right to evict occupants and tenants by summary proceedings under the unlawful detainer act, chapter 59.12 RCW.



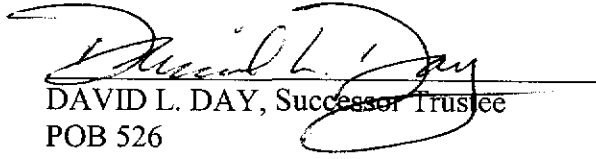
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XI.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION
OBTAINED WILL BE USED FOR THAT PURPOSE.

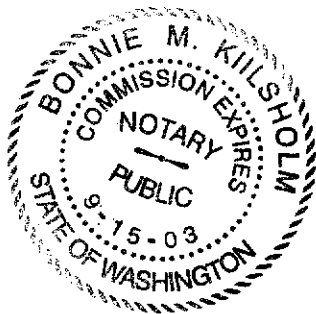
DATED this 21 day of March, 2003.



DAVID L. DAY, Successor Trustee
POB 526
Burlington, WA 98233
(360) 755-0611

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 21 day of March, 2003.




NOTARY PUBLIC for Washington.
My Commission Expires: 9-15-03



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EXHIBIT "A"

PARCEL A:

That portion of the Southeast Quarter of the Northwest Quarter and of Government Lot 2, Section 19, Township 36 North, Range 5 East of the Willamette Meridian, described as follows:

Commencing at the West Quarter corner of said Section 19 (also the Southwest corner of Government Lot 2);
thence North 05°19'33" West a distance of 829.36 feet to the point of beginning;
thence continuing North 05°19'33" West a distance of 270.00 feet;
thence South 85°27'52" East a distance of 847.78 feet;
thence South 08°11'29" East a distance of 199.12 feet;
thence South 04°58'01" West a distance of 71.79 feet;
thence North 85°27'52" West a distance of 844.86 feet to the point of beginning.

(Also known as Tract 47 of survey recorded in Volume 1 of Surveys, page 85, under Auditor's File No. 805666, records of Skagit County, Washington, amended by survey recorded in Volume 1 of Surveys, page 110, under Auditor's File No. 809463, records of Skagit County, Washington.)

PARCEL B:

An easement for ingress, egress and utilities over, under, and across a strip of land lying on the West Half of Section 19, Township 36 North, Range 5 East of the Willamette Meridian, which is 60.00 feet in width, being 30.00 feet on both sides of the following described line:

continued.



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EXHIBIT "A"
Page 2

Parcel B - continued

Commencing at the Southwest corner of Government Lot 3, said Section 19;
thence North 00°17'36" East along the West line of said Section a distance of 30.33 feet to the point of beginning;
thence Northerly the following courses and distances:
thence North 59°27'49" East a distance of 242.43 feet;
thence North 34°30'21" East a distance of 254.74 feet;
thence North 11°05'01" East a distance of 416.22 feet;
thence North 08°14'41" East a distance of 628.27 feet;
thence North 17°38'56" East a distance of 117.83 feet;
thence North 35°18'26" East a distance of 207.71 feet;
thence North 26°20'26" East a distance of 157.83 feet;
thence North 04°58'01" East a distance of 326.90 feet;
thence North 08°11'29" West a distance of 388.04 feet;
thence North 20°54'29" West a distance of 215.68 feet;
thence North 58°25'29" West a distance of 13.06 feet to a point which bears South 34°43'29" East from the Northwest corner of said section and the terminus of said easement, said terminus having a 45-foot turnaround radius.

ALL situated in Skagit County, Washington.

- END OF EXHIBIT "A" -



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