



200412160071

Skagit County Auditor

12/16/2004 Page 1 of 4 11:32AM

FILED FOR RECORD AT REQUEST OF:
BANK OF AMERICA, N.A.
333 SOUTH BEAUDRY AVENUE, ^{21st} 25th FLOOR
MAIL CODE CA9-703-25-19 - 21-01
LOS ANGELES, CA 90017

LAND TITLE OF SKAGIT COUNTY 114614 PA

Trustee Sale # 57465 Loan # 68209010500699 Title Order # 2268462

Abbreviated Legal: Section 12, Township 35, Range 1; ptn. Government Lot 3

TRUSTEE'S DEED

THE GRANTOR, **First American Title Insurance Company**, as present Trustee under that Deed of Trust, as hereinafter particularly described, in consideration of the premises and payment recited below, hereby grants and conveys, without warranty to: **BANK OF AMERICA, N.A.**, GRANTEE, that real property, situated in the County of **Skagit**, State of Washington, described as follows:

P31379

THE LAND REFERRED TO HERIN IS SITUATED IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF GOVERNMENT LOT 3, SECTION 12, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SECTION 12, BEING A CONCRETE MONUMENT IN CASE ON THE CENTERLINE OF GUEMES ISLAND ROAD;
THENCE SOUTH 0 DEGREES 35' 46" WEST ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 12, A DISTANCE OF 2,257.99 FEET TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 89 DEGREES 24'14" WEST A DISTANCE OF 192 FEET TO THE WEST LINE OF THE EAST 192 FEET OF SAID GOVERNMENT LOT 3;
THENCE NORTH 0 DEGREES 35'46" EAST ALONG THE WEST LINE OF THE EAST 192 FEET OF SAID GOVERNMENT LOT 3, A DISTANCE OF 75 FEET;
THENCE SOUTH 89 DEGREES 24'14" EAST, A DISTANCE OF 192 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 12; THENCE SOUTH 0 DEGREES 35' 46" WEST ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 12, A DISTANCE OF 75 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THE EASTERLY 30 FEET FOR ROAD.
EXCEPT THE FOLLOWING DESCRIBED TRACT:

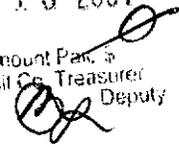
TRUSTEE'S DEED

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SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

6762

DEC 16 2004

Amount Paid to
Skagit Co. Treasurer
By  Deputy

BEGINNING AT THE CENTER OF SAID SECTION 12, BEING A CONCRETE MONUMENT IN CASE ON THE CENTERLINE OF GUEMES ISLAND ROAD; THENCE SOUTH 0 DEGREES 35' 46" WEST ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 12, A DISTANCE OF 2,257.99 FEET; THENCE NORTH 89 DEGREES 24' 14" WEST, A DISTANCE OF 192.00 FEET TO THE WEST LINE OF THE EAST 192.00 FEET OF SAID GOVERNMENT LOT 3, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 0 DEGREES 35' 46" EAST ALONG THE WEST LINE OF THE EAST 192.00 FEET OF SAID GOVERNMENT LOT 3, A DISTANCE OF 75.00 FEET; THENCE SOUTH 89 DEGREES 24' 14" EAST A DISTANCE OF 24.28 FEET;; THENCE SOUTH 1 DEGREE 27' 34" WEST, A DISTANCE OF 75.00 FEET; THENCE NORTH 89 DEGREES 24' 14" WEST A DISTANCE OF 23.15 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH THOSE CERTAIN WATER RIGHTS AND EASEMENT RESERVED IN INSTRUMENT RECORDED FEBRUARY 24, 1971, UNDER AUDITOR'S FILE NO. 749078. SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

APN No. 350112-0-042-0004 (P31379)

RECITALS:

1. This conveyance is made pursuant to the powers, including the power of sale, conferred upon said Trustee by that certain Deed of Trust between **John L. Falavolito, An Unmarried Person**, as Grantor, to **PRLAP, Inc.**, as Trustee, and **Bank of America, N.A.**, as Beneficiary, dated **04/04/2001, Recorded on 04/27/2001, as Instrument No. 200104270112**, records of **Skagit, Washington**.
2. Said Deed of Trust was executed to secure, together with other undertakings, the payment of one promissory note in the sum of **\$128,000.00** with interest thereon, according to the terms thereof, in favor of **Bank of America, N.A.** and to secure any other sums of money which might become due and payable under the terms of said Deed of Trust.
3. The described Deed of Trust provides that the real property conveyed therein is not used principally for agricultural or farming purposes.
4. Default having occurred in the obligations secured and/or covenants of the 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 Grantor, or his successor in interest, a copy of said Notice was posted or served in accordance with law.
5. **Bank of America, N.A.**, being that the holder of the indebtedness secured by said Deed of Trust, delivered to said Trustee a written request directing said Trustee or his authorized agent to sell the described property in accordance with law and the terms of said Deed of Trust.



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6. The defaults specified in the "Notice of Default" not having been cured, the Trustee, in compliance with the terms of said Deed of Trust, Recorded on 07/21/2004, as Instrument No. 200407210034 in the office of the Auditor of Skagit County, Washington, a "Notice of Trustee's Sale" of said property.
7. The Trustee, in its aforesaid "Notice of Trustee's Sale," fixed the place of sale as The main entrance to the Skagit County Courthouse, 3rd and Kincaid Street, Mount Vernon, WA, a public place, on 10/29/2004 at 10:00AM, and in accordance with 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 Trustee caused a copy of said "Notice of Trustee's Sale" to be published once between the thirty-fifth and twenty-eighth day before the date of sale, and once between the fourteenth and seventh day before the date of sale in a legal newspaper in each county in which the property or any part thereof is situated; and further, included in this Notice, which was transmitted to or served upon the Grantor or his successor in interest, a "Notice of Foreclosure" in substantially the statutory form.
8. During foreclosure, no action was pending on an obligation secured by said 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 eleven days prior to the date of Trustee's Sale and said obligations secured by said Deed of Trust remaining unpaid, on 10/29/2004, the date of sale, which was not less than 190 days from the date of default in the obligation secured, the Trustee then and there sold at public auction to said Grantee, the highest therefore, the property hereinabove described, for the sum of \$151,000.00, by the satisfaction in full of the obligation then secured by said Deed of Trust, together with all fees, costs and expenses as provided by statute.

Dated: 11/05/2004

First American Title Insurance Company



Mariela Dela Torre, Asst. Sec.



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