



200412300122
Skagit County Auditor

AFTER RECORDING MAIL TO:

Name MARTIN LIND
Address 127 East Fairhaven
City/State Burlington, WA 98233

Document Title(s): (or transactions contained therein)

1. Notice of Trustee's Sale (Land Title # 114712-8)
- 2.
- 3.
- 4.

Reference Number(s) of Documents assigned or released:

9409290110

Additional numbers on page _____ of document

Grantor(s): (Last name first, then first name and initials)

1. Lind, Martin (Trustee)
- 2.
- 3.
- 4.

5. Additional names on page _____ of document

Grantee(s): (Last name first, then first name and initials)

1. Nicholas, Robert
- 2.
- 3.
- 4.

5. Additional names on page _____ of document

Abbreviated Legal Description as follows: (i.e. lot/block/plat or section/township/range/quarter/quarter)

Lot 22, Blk I, Cape Horn #2

Complete legal description is on page 2 of document

Assessor's Property Tax Parcel / Account Number(s):

P63301

NOTE: The auditor/recorder will rely on the information on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

AFTER RECORDING RETURN TO:
Martin Lind
127 E. Fairhaven
Burlington, WA 98233

NOTICE OF TRUSTEE'S SALE
PURSUANT TO THE REVISED CODE OF WASHINGTON
(CHAPTER 61.24. ET SEQ.)

ROBERT L. NICHOLAS
695 E. Greg St., Sp. 31
Sparks, NV 89431

KATHERINE A. RICE
CHRISTINE M. JOHNS
41546 N. Shore Lane
Sedro-Woolley, WA 98284

SKAGIT COUNTY TREASURER
PO Box 518
Mt. Vernon, WA 98273

OCCUPANT
41717 South Shore Drive
Sedro-Woolley, WA 98284

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 8th day of April, 2005, at the hour of 10:00 o'clock a.m. at the **SKAGIT COUNTY COURTHOUSE**, Kincaid Street, City of Mount Vernon, State of Washington, at the entrance/front steps of said Courthouse, 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:

Tax Parcel No. P63301; 3869-009-022-0009

Lot 22, Block I, "CAPE HORN ON THE SKAGIT DIVISION NO. 2," as per plat recorded in Volume 9 of Plats, Pages 14 through 19, inclusive, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

which is subject to that certain Deed of Trust dated September 26, 1994, recorded September 29, 1994, under Auditor's File No. 9409290110 records of Skagit County, Washington, from ROBERT L. NICHOLAS and GAIL D. NICHOLAS, as Grantors, to Island Title Company, Trustee, to secure an obligation in favor of STATE BANK OF CONCRETE as Beneficiary.



200412300122
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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 defaults for which this foreclosure is made are as follows:

9 Delinquent Payments:	\$ 2,021.31
@ \$224.59 each	
(April, 2004 to December, 2004)	
8 Late Charges:	\$ 89.76
@ \$11.22 each	
TOTAL DELINQUENT PAYMENTS	
AND LATE CHARGES:	\$ 2,111.07

Failure to Pay the following Miscellaneous Delinquencies:

A. <u>Skagit County Treasurer</u>	
2002 R/E Taxes	\$ 710.11
2003 R/E Taxes	\$ 686.44
2004 R/E Taxes	\$ 620.01
TOTAL	\$ 2,016.56
C. <u>Insurance Premium</u>	undetermined
TOTAL MISCELLANEOUS DELINQUENCIES	\$ 2,016.56

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal, \$12,201.42, together with interest as provided in the Note or other instrument secured from the 22nd day of October, 2004, 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 made without warranty, express or implied, regarding title, possession or encumbrances on the 8th day of April, 2005. The defaults referred to in Paragraph III must be cured by the 28th day of



March, 2005, (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 the 28th day of March, 2005, (11 days before the sale date), the defaults 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 the 28th day of March, 2005, (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 address(es):

Robert L. Nicholas
P.O. Box 1191
Burlington, WA 98233

Robert L. Nicholas
1303 E. State Street
Sedro-Woolley, WA 98284

by both First Class Mail and Certified Mail on the 19th day of November, 2004, proof of which is in the possession of the Trustee; and the Borrower and Grantor were personally served on the 21st day of November, 2004, 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 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.

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 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.



200412300122

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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.

XI.

This is an attempt by a debt collector to collect a debt. Any information obtained will be used for that purpose.

XII.

The Trustee makes no representations or warranties concerning what interest in the real property described above is being sold. The Deed of Trust lien foreclosed may not be a first lien position or there may be other prior encumbrances of title. The Trustee is not required to provide title information concerning this property. Any person interested in this foreclosure is encouraged to make his or her own investigation concerning the ownership of the property and the position on title of the Deed of Trust being foreclosed. Any person interested in the foreclosure is also encouraged to consult an attorney, as the Trustee will not provide legal advice concerning the foreclosure. The Trustee does not provide information concerning the location of the debtors nor concerning the condition of the property. No representation or warranties are made concerning the physical condition of the property or whether there are any environmental or hazardous waste liabilities or problems connected with this property. Any person desiring title information, information concerning the physical condition of the property, information concerning any hazardous waste or environmental issues or other information about the real property being foreclosed must obtain all such information independently.

DATED this 30th day of December, 2004.


MARTIN LIND, Trustee
127 East Fairhaven Avenue
Burlington, WA 98233
(360) 755-9631



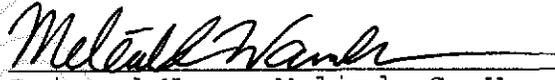
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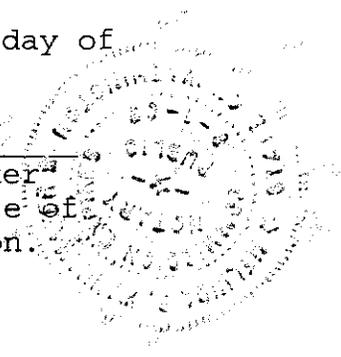
Skagit County Auditor

STATE OF WASHINGTON)
) ss.
County of Skagit)

On this day personally appeared before me, MARTIN LIND, who executed the within and foregoing instrument, and acknowledged that 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 this 30th day of December, 2004.


Printed Name: Melinda S. Wannamaker
Notary Public in and for the State of
Washington, residing at Burlington.
My commission expires: 8-1-08



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