

*When Recorded Return to:*

**HILLIS CLARK MARTIN & PETERSON, P.S.**

Attn: Brandon A. Weston

500 Galland Building

1221 Second Avenue

Seattle, WA 98101



200506060143

Skagit County Auditor

6/6/2005 Page

1 of

5 1:56PM

### NOTICE OF TRUSTEE'S SALE

Pursuant to the Revised Code of Washington

Chapter 61.24, et seq.

FIRST AMERICAN TITLE CO.

84594

<b>Grantor(s):</b>	Hillis Clark Martin & Peterson, P.S., Successor Trustee
<b>Grantee(s):</b>	James M. Young and Shayla K. Martin-Young, and Rollin S. Martin and Judith E. Martin
<b>Legal Description</b> (abbreviated):	Lot 326, "Revised Map of Survey of SHELTER BAY DIV. 2," Vol. 43, P. 833, records of Skagit County, Washington.
<b>Assessor's Tax Parcel Identification No(s):</b>	5100-002-326-0000
<b>Reference No. of Related Documents:</b>	9802190032

#### I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on September 9, 2005, at the hour of 10:00 a.m., on the front steps of the Old Skagit County Courthouse, Third and Kincaid, 205 West Kincaid, Mount Vernon, State of Washington, sell at public auction to the highest and best bidder, payable at time of sale, the following-described real property, situated in the County of Skagit, State of Washington, to-wit:

A leasehold interest in the following described tract:

Lot 326, "Revised Map of Survey of SHELTER BAY DIV. 2, Tribal and Allotted lands of Swinomish Indian Reservation," as recorded in Volume 43 of Official Records, Page 833, records of Skagit County, Washington.  
Situate in the County of Skagit, State of Washington;

the postal address of which is commonly known as 326 Snohomish Drive, La Conner, Washington 98257; which property is subject to that certain Deed of Trust dated February 11, 1998, and recorded on February 19, 1998, under Auditor's File No. 9802190032, records of Skagit County, Washington, from James M. Young and Shayla K. Martin-Young, husband and wife, and Rollin S. Martin and Judith E. Martin, husband and wife, as Grantor, to Land Title Company of Skagit County, a Washington corporation, as Trustee, to secure an obligation in favor of Continental Savings Bank, as Beneficiary.

Hillis Clark Martin & Peterson, P.S., is now Trustee by reason of an Appointment of Successor Trustee recorded on April 22, 2005, under Auditor's No. 200504220018, 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 defaults for which this foreclosure is made are as follows:

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

6 Monthly Payments of \$1,543.98, due on January 1, 2005, through June 1, 2005:	\$9,263.88
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5 Late Charges of \$62.21 each, due on each monthly payment not paid within 15 days of its due date, for monthly payments due on January 1, 2005, through May 1, 2005:	\$311.05
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Advances by Lender:

Additional Late Charge Balance:	\$109.42
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Non-Sufficient Funds Charge:	\$15.00
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TOTAL MONTHLY PAYMENTS, LATE CHARGES, AND OTHER AMOUNTS IN ARREARS:	<u>\$9,699.35</u>
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Notice of Trustee's Sale



200506060143

Skagit County Auditor

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal Balance, \$167,517.58, together with interest as provided in the Note or other instrument secured from December 1, 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 September 9, 2005. The defaults referred to in paragraph III must be cured by August 29, 2005 (11 days before the sale) to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time before August 29, 2005 (11 days before the sale date) the default as set forth in paragraph III is cured and the Trustee's fees and costs are paid. The sale may be terminated any time after August 29, 2005 (11 days before the sale) 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:

James M. Young  
326 Snohomish Drive  
La Conner, WA 98257

Shayla K. Martin-Young  
326 Snohomish Drive  
La Conner, WA 98257

Rollin S. Martin  
326 Snohomish Drive  
La Conner, WA 98257

Judith E. Martin  
326 Snohomish Drive  
La Conner, WA 98257

Occupant  
326 Snohomish Drive  
La Conner, WA 98257

Rollin S. Martin  
3011 Comanche Drive  
Mount Vernon, WA 98273

Judith E. Martin  
3011 Comanche Drive  
Mount Vernon, WA 98273

by both first class and certified mail on April 18, 2005 and May 2, 2005, proof of which is in the possession of the Trustee; and the Borrower and Grantor were personally served on April 25, 2005, with said written Notice of Default or the written notice of default 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.

Notice of Trustee's Sale



200506060143  
Skagit County Auditor

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. To the best of the Trustee's knowledge and belief, grantors are not active members of the United States military forces.

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.

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 occupant 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 TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

DATED this 3rd day of June, 2005.

TRUSTEE:

HILLIS CLARK  
MARTIN & PETERSON, P.S.

By Joseph A.G. Sakay

500 Galland Building  
1221 Second Avenue  
Seattle, Washington 98101-2925  
Telephone: (206) 623-1745

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STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

On this day personally appeared before me Joseph A.G. Sakay, to me known to be a representative of Hillis Clark Martin & Peterson, P.S., the professional service corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument.

SUBSCRIBED AND SWORN to before me this 3rd day of June, 2005.



B. A. Weston

Name B. A. Weston  
NOTARY PUBLIC in and for the State of  
Washington residing at Seattle  
My appointment expires 2/28/06

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Notice of Trustee's Sale



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Skagit County Auditor

6/6/2005 Page 5 of 5 1:56PM