

200610300175
Skagit County Auditor

10/30/2006 Page 1 of 4 2:25PM

When recorded return to:

Craig Sjostrom
411 Main Street
Mount Vernon, Washington 98273

Grantor: Craig Sjostrom, Successor Trustee
Grantees: Ember LaBounty, Grantor under the Deed of Trust
Legal Description: Ptn SE ¼ NE ¼ 10-35-8
Assessor's Property Tax Parcel or Account No.: P43687
Reference Nos of Documents Assigned or Released: 200202120093

NOTICE OF TRUSTEE'S SALE

RCW 61.24

TO: Ember LaBounty
P.O. Box 905
Concrete, WA 98237

Grantor

Ember LaBounty
7460 Dillard Ave.
Concrete, WA 98237

Debra D. Lahr
(No address available)

Luther L. Galbreath
(No address available)

Parties to agreement dated March 22nd, 2002
and recorded on October 24th, 2002
under Skagit County AFN 200210240071

NOTICE IS HEREBY GIVEN that the undersigned Successor Trustee will on February 7th, 2007, at the hour of 10:00am, at the front entrance of the Skagit County Courthouse, 205 W. Kincaid St., Mount Vernon, Skagit County, Washington, sell at public auction to the highest and best bidder, payable at the time of sale, the following described real property, situated in Skagit County, Washington, to wit:

Parcel A:

That portion of the Southeast ¼ of the Northeast ¼ of Section 10, Township 35 North, Range 8 East, W.M., described as follows:

Beginning at a point on the East line of the said subdivision which is 150.00 feet North of the Southeast corner thereof; thence North 89° 52' West parallel to the South line of the said subdivision a distance of 180.90 feet; thence North 0° 08' East a distance of 15.40 feet; thence North 89° 52' West a distance of 200.00 feet to the Southeast corner of that certain tract conveyed to C.J. Blesener by Deed dated August 11th, 1943 and recorded under Auditor's File No. 365939, records of Skagit County, Wash., such point being the true point of beginning;

thence North 0° 08' East along the East line of the said Blesener tract to the Southwesterly right-of-way line of Secondary State Highway #20, as condemned by Decree entered in the Skagit County Superior Court on March 24th, 1972 under Cause No. 32424; thence Southeasterly along said Southwesterly right-of-way line a distance of 100.00 feet, more or less, to the point of intersection with the Westerly line of a strip of land 60 feet in width also condemned in said cause; thence South along said 60 foot strip a distance of 120 feet, more or less, to a point South 89° 52' East to the true point of beginning; thence North 89° 52' West a distance of 95 feet, more or less, to the true point of beginning.

Parcel B:

The East 6.05 feet of that portion of the following described tract lying Southerly of the Southwesterly right-of-way line of Secondary State Highway #20, as condemned by Decree entered in the Skagit County Superior Court on March 24th, 1972 under Cause No. 32424.

That portion of the Southeast ¼ of the Northeast ¼ of Section 10, Township 35 North, Range 8 East, W.M., described as follows:

Beginning at a point which is 165.40 feet North and 381.72 feet West of the Southwest corner of the said Southeast ¼ of the Northeast ¼; thence West 40.00 feet to the Southeast corner of Lot 6, Block 2, "MILL ADDITION TO THE TOWN OF CONCRETE, DIVISION No. 2", as per the plat recorded in Volume 4 of Plats, page 4, records of Skagit County, Wash.; thence North along the East line of the said lot, 154.00 feet; thence East 40.00 feet; thence South to the place of beginning

Which is commonly known as 7460 Dillard Ave, Concrete, WA 98237, and which is subject to that certain Deed of Trust dated the 11th day of April, 2002, recorded on the 11th day of April, 2002, under Auditor's File No. 200204110075, records of Skagit County, Washington, from Ember LaBounty, as Grantor, to First American Title of Skagit County, as Trustee, to secure an obligation in favor of John Smith & Joyce Smith, h/w, Beneficiary. The undersigned has been appointed Successor Trustee by instrument dated August 24th, 2006 and recorded August 25th, 2006 under Skagit County AFN 200608250149.

1. No action commenced by the Beneficiaries of the Deed of Trust or the Beneficiaries' successor 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.

2. The defaults for which this foreclosure is made are as follows:

a. Non-monetary defaults:

Failure to pay real property taxes for 2005 and 2006.
Failure to provide proof of adequate insurance on the property.

b. Failure to pay when due the following amounts which are now in arrears:

Monthly payments of \$733.77 per month for the months of
January, 2006 through October, 2006: \$7,337.70

Late charges on payments not
received within 5 days of the due date, for
the months of January, 2006 through October, 2006, totaling \$366.89



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TOTAL MONTHLY PAYMENTS AND LATE CHARGES: \$7,704.59

4. The principal sum owing on the obligation secured by the Deed of Trust is \$95,714.97, together with interest as provided in the note or other instrument secured from December 11th, 2005 and such other charges, costs and fees as are due under the note or other instrument secured, and as are provided by statute.
5. The above described real property will be sold to satisfy the expense of sale and 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 February 7th, 2007. The defaults referred to in Paragraph 3 must be cured by January 29th, 2007 to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time on or before January 29th, 2007 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 January 29th, 2007, and before the sale by the Borrower or 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.
6. A written notice of default was transmitted by the Beneficiary or Trustee to the Borrower or Grantor or the Grantor's successor in interest at the following addresses:

Ember LaBounty
P.O. Box 905
Concrete, WA 98237

Ember LaBounty
7460 Dillard Ave.
Concrete, WA 98237

by both first class and certified mail on August 28th, 2006, proof of which is in the possession of the Successor Trustee; and the Borrower and the written notice of default was posted in a conspicuous place on the real property described in paragraph I above, and the Successor Trustee has possession of proof of such service or posting.

7. The Successor 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.
8. 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.
9. 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.
10. **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 proceeding under the Unlawful Detainer Act, Chapter 59.12 RCW.
11. The Successor 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 Successor 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



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foreclosed. Any person interested in the foreclosure is also encouraged to consult an attorney, as the Successor Trustee will not provide legal advice concerning the foreclosure. The Successor 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.

12. **FAIR DEBT COLLECTION PRACTICE ACT NOTICE**

Any information obtained from the debtor will be used for the purpose of collecting the debt.

DATED: October 30th, 2006



Craig Sjostrom, Successor Trustee
Attorney at Law
411 Main Street
Mount Vernon, WA 98273

State of Washington)
)ss
County of Skagit)

I certify that I know or have satisfactory evidence that Craig Sjostrom is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes in the instrument.

Dated: October 30th, 2006



Toni Riedell, Notary Public
Residing at: Burlington
My appointment expires 3/19/10



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