

**Return Address:**  
**Richard R. Beresford**  
**Beresford Booth PLLC**  
**145 Third Avenue S., #200**  
**Edmonds, WA 98020**



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Skagit County Auditor

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Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)

**Document Title(s)** (or transactions contained therein): (all areas applicable to your document must be filled in)

1. Notice of Trustee's Sale

**Reference Number(s) of Documents assigned or released:**

Additional reference #'s on page \_\_\_\_\_ of document

200609280131

**Grantor(s)** (Last name, first name, initials)

1. Moonlight Terrace, LLC

Additional names on page \_\_\_\_\_ of document.

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

1. FOPSI Retirement Plan

2. Donald C. McRae

Additional names on page \_\_\_\_\_ of document.

**Legal description** (abbreviated: i.e. lot, block, plat or section, township, range)

Ptns 1-33-4 E W.M.; ptn GL 5, 36-34-4 E W.M. Skagit County, Washington

Additional legal is on page \_\_\_\_\_ of document.

**Assessor's Property Tax Parcel/Account Number**

Assessor Tax # not yet assigned

Assessor's Property Tax Parcel/Account Number: 330401-0-005-0001, P16154;

330401-2-001-0001, P16163, 330401-2-002-0000, P16164, 340436-0-009-005, P29853,

330401-1-001-0000, P121653.

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

\_\_\_\_\_  
Signature of Requesting Party

F3

**AFTER RECORDING, RETURN TO:**

Richard R. Beresford  
Beresford Booth PLLC  
145 Third Avenue S., Ste. 200  
Edmonds, Washington 98020

**NOTICE OF TRUSTEE'S SALE**

TO:	Moonlight Terrace, LLC 119 North Commercial, #1340 Bellingham, WA 98225	Moonlight Terrace, LLC 3001 Arbor Street Mt. Vernon, WA 98273
	Virginia Blackburn 119 North Commercial, #134 Bellingham, WA 98225	Virginia Blackburn 3001 Arbor Street Mt. Vernon, WA 98273
	Corey Zembruski 119 North Commercial, #134 Bellingham, WA 98225	Corey Zembruski 3001 Arbor Street Mt. Vernon, WA 98273
	Corey Zembruski 16695 Peterson Road Burlington, WA 98233	Borseth Properties, LLC 3001 Arbor Street Mt. Vernon, WA 98273
	Borseth Properties, LLC 119 North Commercial, #1340 Bellingham, WA 98225	

Pursuant to the Revised Code of Washington  
Chapter 61.24

**I.**

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on December 21, 2007, at the hour of 10:00 o'clock a.m., at the front of the Skagit County Courthouse, 205 W. Kincaid Street, 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, situated in the county of Skagit, state of Washington, to-wit:

See attached.



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which is subject to that certain Deed of Trust dated September 27, 2006 recorded September 28, 2006 under Auditor's File No. 20060928131 records of Skagit County, Washington, from MOONLIGHT TERRACE, LLC, as Grantor, to RICHARD R. BERESFORD of Beresford Booth PLLC, as Trustee to secure an obligation in favor of FOPSI RETIREMENT PLAN and DONALD C. McRAE as Beneficiary.

**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:

- (1) Failure to pay the principal balance of the Note, secured by the above-described Deed of Trust that has been accelerated and is now due and payable, which as of the date of this Notice totals \$312,000.00.

**TOTAL AMOUNT IN ARREARS:**

**\$312,000.00**

**IV.**

The sum owing on the obligation secured by the Deed of Trust is: Principal \$525,000.00 together with interest as provided in the note or other instrument secured from the first day of May, 2006, 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 (Second) Deed of Trust as provided by statute. The sale will be made without warranty, express or implied, regarding title, possession, or encumbrances on December 21, 2007. The defaults referred to in paragraph III must be cured by December 10, 2007 (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 December 10, 2007, (11 days before the sale date), the default(s) 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 December 10, 2007 (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 to the Borrowers and Grantors at the following addresses:



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TO: Moonlight Terrace, LLC  
119 North Commercial, #1340  
Bellingham, WA 98225

Virginia Blackburn  
119 North Commercial, #134  
Bellingham, WA 98225

Corey Zembruski  
119 North Commercial, #134  
Bellingham, WA 98225

Corey Zembruski  
16695 Peterson Road  
Burlington, WA 98233

Moonlight Terrace, LLC  
3001 Arbor Street  
Mt. Vernon, WA 98273

Virginia Blackburn  
3001 Arbor Street  
Mt. Vernon, WA 98273

Corey Zembruski  
3001 Arbor Street  
Mt. Vernon, WA 98273

by both first class and certified mail on July 10, 2007, proof of which is in the possession of the Trustee; and a copy of the written notice of default was posted in a conspicuous place on the real property described in paragraph I above on July 11, 2007, and the Trustee has possession of proof of 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.

**X.**

Notice to guarantor(s)

(1) the guarantor may be liable for a deficiency judgment to the extent the sale price obtained at the trustee's sale is less than the debt secured by the deed of trust; (2) the guarantor has the same rights to reinstate the debt, cure the default, or repay the debt as is given to the grantor in order to avoid the trustee's sale; (3) the guarantor will have no right to redeem the property after the trustee's sale; (4) subject to such longer periods as are provided in the Washington deed of trust act, chapter 61.24 RCW, any action brought to enforce a guaranty must be commenced within one year after the trustee's sale, or



the last trustee's sale under any deed of trust granted to secure the same debt; and (5) in any action for a deficiency, the guarantor will have the right to establish the fair value of the property as of the date of the trustee's sale, less prior liens and encumbrances, and to limit its liability for a deficiency to the difference between the debt and the greater of such fair value or the sale price paid at the trustee's sale, plus interest and costs.

**XI.**

**NOTICE TO OCCUPANTS**

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

DATED this 13<sup>th</sup> day of September, 2007.

**BERESFORD BOOTH PLLC**

By: \_\_\_\_\_

Richard R. Beresford  
Attorneys for Trustee

145 Third Avenue S., Ste. 200  
Edmonds, Washington 98020  
425-776-4100 (telephone)



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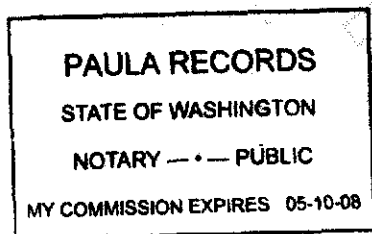
STATE OF WASHINGTON

COUNTY OF SNOHOMISH

ss.

I certify that I know or have satisfactory evidence that RICHARD R. BERESFORD is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as counsel for the Trustee to be the free and voluntary act for the uses and purposes mentioned in the instrument.

DATED Sept. 13, 2007.



Paula Records  
Paula Records  
Notary Public in and for the  
State of Washington, residing at  
Shelton, Washington.  
My commission expires: 5-10-08



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## EXHIBIT A

Schedule "A - 1"

## DESCRIPTION:

## PARCEL "A"

The Southeast 1/4 of the Northwest 1/4 of Section 1, Township 33 North, Range 4 East, W.M., EXCEPT that portion thereof lying and being within the boundaries of the Plat of "BIG LAKE WATER FRONT TRACTS, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 12, records of Skagit County, Washington.  
EXCEPT from the above, that portion conveyed to Public Utility District No. 1 of Skagit County, by deed recorded August 23, 1994 under Auditor's File No. 9408230051.

Situate in the County of Skagit, State of Washington.

## PARCEL "B":

The Southwest 1/4 of the Northwest 1/4, the Northeast 1/4 of the Southwest 1/4 and the East 1/2 of the Northwest 1/4 of the Southwest 1/4, all in Section 1, Township 33 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

## PARCEL "C":

Government Lot 5 in Section 1, Township 33 North, Range 4 East, W.M., EXCEPT the Northeast 1/4 thereof, AND EXCEPT that portion lying North of the South line of Hill Street as platted in "BIG LAKE WATER FRONT TRACTS, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 12, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

## PARCEL "D":

That portion of Government Lot 4, Section 1, Township 33 North, Range 4 East, W.M., lying Westerly of the County road and South of a line 200 feet Southerly from a line running due West from the Northwest corner of Lot 33, "BIG LAKE WATER FRONT TRACTS, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 12, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.



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## PARCEL "E":

Government Lot 3 in Section 1, Township 33 North, Range 4 East, W.M., EXCEPT those portions thereof platted as "BIG LAKE WATER FRONT TRACTS, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 12, records of Skagit County, Washington and "FIRST ADDITION BIG LAKE WATER FRONT TRACTS, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 15, records of Skagit County, Washington, AND EXCEPT that portion of Government Lot 3, Section 1, Township 33 North, Range 4 East, W.M., lying Southerly of the Southerly line of "FIRST ADDITION BIG LAKE WATER FRONT TRACTS, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 15, records of Skagit County, Washington and lying Southeasterly of the Southeasterly line of "BIG LAKE WATER FRONT TRACTS, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 12, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

## PARCEL "F":

That portion of Government Lot 5 lying South of Hill Street as set forth in the plat of Big Lake Waterfront Tracts, Section 36, Township 34 North, Range 4 East of W.M., lying Westerly of a line 660 feet East of the West line of said section.

Situate in the County of Skagit, State of Washington.



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