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Skagit County Auditor

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Return To:
A & F Trustee Services, Inc.
2131 Second Avenue
Seattle, WA 98121

Document Title(s): **Notice of Trustee's Sale**

Reference numbers of related documents: **Deed Of Trust: 200608210105**

Grantor(s): **Charter Builders Inc.; Banner Bank; A & F Trustee Services, Inc.**

Grantee(s): **Public**

Legal Description: **Section 17, Township 34, Range 4; Ptn. SE NE**

Tax Parcel Account Number(s): **340417-1-014-0207 (P25889)**

GUARDIAN NORTHWEST TITLE CO.

93542

NOTICE OF TRUSTEE'S SALE

ACCOMMODATION RECORDING ONLY

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will, on the 2nd day of May, 2008 at the hour of 11:00 a.m., at the Kincaid Street Entrance 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:

PARCEL A:

The South 1,122.5 feet of the East Half of the Southeast Quarter of the Northeast Quarter of Section 17, Township 34 North, Range 4 East of the Willamette Meridian;

EXCEPT the South 550 feet thereof;

EXCEPT the East 214 feet thereof;

AND EXCEPT the North 15.33 feet of the South 565.33 feet of the West 333 feet of the East Half of the Southeast Quarter of the Northeast Quarter of said Section 17;

AND ALSO EXCEPT Tract A of Survey recorded August 4, 1997 under Auditor's File No. 9708040071 in Volume 19 of Surveys, page 153, records of Skagit County, Washington.

Situated in Skagit County, Washington.

PARCEL B:

The South 1,122.5 feet of the East 15 feet of the West Half of the Southeast Quarter of the Northeast Quarter of Section 17, Township 34 North, Range 4 East of the Willamette Meridian;
EXCEPT the South 565.33 feet thereof.
Situated in Skagit County, Washington.

PARCEL C:

A non-exclusive easement for ingress, egress, drainage and utilities over and across the West 30 feet of the following described tract:
The North 285.33 feet of the South 565.33 feet of the West 333 feet of the East Half of the Southeast Quarter of the Northeast Quarter of Section 17, Township 34 North, Range 4 East of the Willamette Meridian;

TOGETHER WITH the North 285.33 feet of the South 565.33 feet of the East 15 feet of the West Half of the Southeast Quarter of the Northeast Quarter of Section 17, Township 34 North, Range 4 East of the Willamette Meridian.
Situated in Skagit County, Washington.

PARCEL D:

A non-exclusive easement ~~for~~ ingress, egress, drainage and utilities over and across the West 30 feet of the following described tract:
The East 98.5 feet of the West 143.5 feet of the North 250 feet of the South 280 feet of the East Half of the Southeast Quarter of the Northeast Quarter of Section 17, Township 34 North, Range 4 East of the Willamette Meridian;
TOGETHER WITH the West 45 feet of the North 250 feet of the South 280 feet of the East Half of the Southeast Quarter of the Northeast Quarter of Section 17, Township 34 North, Range 4 East of the Willamette Meridian;
TOGETHER WITH the East 15 feet of the North 250 feet of the South 280 feet of the West Half of the Southeast Quarter of the Northeast Quarter of Section 17, Township 34 North, Range 4 East of the Willamette Meridian.
Situated in Skagit County, Washington.

PARCEL F:

A non-exclusive easement for ingress, egress and utilities over and across the West 354.56 feet of the East 568.56 feet of the North 25 feet of the South 1,147.5 feet of the East Half of the Southeast Quarter of the Northeast Quarter of said Section 17.
Situated in Skagit County, Washington.

PARCEL G:

A non-exclusive easement for ingress, egress and utilities over and across the following described tract:

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Beginning at the Southwest corner of the West 184 feet of the East 214 feet of the North 60 feet of the South 1,182.5 feet of the Southeast Quarter of the Northeast Quarter of said Section 17;
Thence South 87°55'03" East, 184.03 feet to the Southeast corner of said West 184 feet of the East 214 feet of the North 60 feet of the South 1,182.5 feet;
Thence North 1°01'55" East 60.01 feet along the East line thereof to the Northeast corner thereof;
Thence North 87°55'03" West 90.14 feet along the North line of said South 1,182.5 feet to a point of curvature;
Thence along the arc of said curve concave to the Southeast having a radius of 130.00 feet, through a central angle of 32°03'12", an arc distance of 72.73 feet to a point of tangency;
Thence South 60°01'45" West, 0.34 feet to the North line of the South 1,162.5 feet of said subdivision;
Thence North 87°55'03" West, 24.24 feet along said North line to the West line of said East 214 feet to the North 1,182.5 feet of said subdivision;
Thence South 1°01'55" West, 40.01 feet along said West line to the point of beginning.
Situated in Skagit County, Washington.

PARCEL H:

A non-exclusive easement for ingress, egress and utilities over and across the following described tract:
Beginning at the Northwest corner of said West 184 feet of the East 214 feet of the South 1,122.5 feet of the Southeast Quarter of the Northeast Quarter of said Section 17;
Thence South 87°55'03" East, 92.79 feet along the North line of said South 1,122.5 feet to a cusp;
Thence along the arc of a curve concave to the Southeast having a radius of 70.00 feet and an initial tangent bearing of North 87°55'03" West, through a central angle of 32°03'12", an arc distance of 39.16 feet to a point of tangency;
Thence South 60°01'45" West, 28.62 feet to a point of curvature;
Thence along the arc of a curve concave to the Northwest having a radius of 130.00 feet; through a central angle of 14°54'00", an arc distance of 33.81 feet to the West line of said East 214 feet of the South 1,122.5 feet to the Southeast Quarter of the Northeast Quarter of said Section 17;
Thence North 1°01'55" East 39.90 feet along said West line to the point of beginning.
Situated in Skagit County, Washington.

PARCEL I:

A non-exclusive easement for ingress, egress, and utilities over and across the following described tract:



Commencing at the Southeast corner of the Northeast Quarter of Section 17,
Township 34 North, Range 4 East of the Willamette Meridian;
Thence North $01^{\circ}01'55''$ East along the East line of said subdivision a distance of
843.99 feet;
Thence North $87^{\circ}55'04''$ West parallel to the South line of said subdivision to a
point on a line parallel with and 214.00 feet distance, as measured
perpendicularly from said East line of said subdivision, said point being the true
point of beginning;
Thence North $87^{\circ}55'04''$ West, a distance of 30.01 feet;
Thence South $01^{\circ}01'55''$ West, a distance of 71.60 feet to the beginning of a
tangent curve of 95.00 foot radius concave Northeasterly;
Thence Southeasterly through a central angle of $46^{\circ}49'35''$ for a distance of
77.64 feet, to a point of on the West line of Lot 2 of Mount Vernon Short Plat
4-87, as recorded in Volume 8 of Short Plats, page 8, under Auditor's File No.
8712210075, records of Skagit County, Washington;
Thence North $01^{\circ}01'55''$ East along the West line of said Lot 2 and the Northerly
projection thereof, a distance of 140.33 feet to the true point of beginning.
Situated in Skagit County, Washington.

PARCEL K:

A non-exclusive easement established by document recorded under Auditor's
File No. 9510100090, records of Skagit County, Washington, for ingress,
egress and utilities over and across the South 30 feet of Lot 2 of Mount Vernon
Short Plat No. MV-4-87, approved December 17, 1987 and recorded December
21, 1987, as Auditor's File No. 8712210075, in Volume 8 of Short Plats, page
8, records of Skagit County, being a portion of the East Half of the Southeast
Quarter of the Northeast Quarter of Section 17, Township 34 North, Range 4
East of the Willamette Meridian;

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities
over and across both the South 15 feet of Lot 1 of said short plat, and the North
15 feet of the South 45 feet of Lot 2 of said Short Plat.
Situated in Skagit County, Washington.

*Together with all property identified in said Deed of Trust as being part of and
included in the real estate.*

The postal addresses of which are unknown, but which are referred to as Skagit
County, Washington tax parcel number 340417-1-014-0207 (P25889).

Said real property is subject to that certain Deed of Trust dated August 14, 2006,
recorded August 21, 2006 under Auditor's File No. 200608210105, records of Skagit County,
Washington, from Charter Builders Inc., an Idaho corporation, as Grantor, to Northwest

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Financial Corporation, a Washington corporation, as Trustee, to secure an obligation in favor of Banner Bank, 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 Borrowers' or Grantor's default on the obligation secured by the Deed of Trust.

III.

The default for which this foreclosure is made are:

A. The failure to pay the following past due amounts which are in arrears:

Monthly Payments: \$102,989.09

One (1) monthly payment at \$18,093.18, one monthly payment at \$18,112.35, one monthly payment at \$17,145.27, one monthly payment at \$17,145.26, one monthly payment at \$16,131.29, and one monthly payment at \$16,361.74 (August, 2007 - January, 2008).

Late Charges: \$ 6,018.27

One (1) late charge of \$868.82, one (1) late charge of \$904.66, one (1) late charge of \$905.62, two (2) late charges of \$857.26, one (1) late charge of \$806.56, and one (1) late charge of \$818.09, for monthly payments not made within 15 days of their due dates (July, 2007 - January, 2008).

Default Interest: \$105,805.73

Default interest, which accrued at \$645.25 per day from August 21, 2007 to September 19, 2007, at \$675.98 per day from September 19, 2007 to November 1, 2007, at \$691.34 per day from November 1, 2007 to December 12, 2007, and continues to accrue at \$706.70 per day.

Advances: \$ 6,007.50

Advances for legal fees and appraisal.

TOTAL Monthly Payments, Late Charges, Default Interest,
And Advances To January 23, 2008: \$220,820.59

B. The failure to pay 2007 property taxes in the amount of \$12,549.56 PLUS accrued interest and penalties.

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- C. The failure to keep the property free and clear of liens and encumbrances.

IV.

The sum owing on the obligation secured by the Deed of Trust is principal of \$2,212,291.88 together with interest as provided in the note or other instrument secured from the 1st day of July, 2007, 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 2nd day of May, 2008. The defaults referred to in Paragraph III must be cured by the 21st day of April, 2008 (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 21st day of April, 2008 (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 21st day of April, 2008 (11 days before the sale date), and before the sale by the Borrowers, 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 Borrowers and Grantors at the following addresses:

2329 N. Cole Rd.
Boise, ID 83704

and

20840 W. Eagle Rd.
Meridian, ID 83642

and

3649 Lake Harbour Ln.
Boise, ID 83703

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by both first class and certified mail on the 13th day of November, 2007, proof of which is in the possession of the Trustee; and written notice of default was personally served or 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 Grantors and all those who hold by, through or under the Grantors 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 OCCUPANT(S) OR TENANT(S):

The purchaser at the Trustee's Sale is entitled to possession of the property on the 20th day following the sale, as against the Grantors and the Successors In Interest under the Deed of Trust (the owners) 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.

NOTICE TO GUARANTOR(S):

1. A 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. A Guarantor has the same rights to reinstate the debt, cure the default, or repay the debt as is given to the Grantor or Successors In Interest in order to avoid the Trustee's Sale;

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3. A 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;
5. In any action for a deficiency, a 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.

DATED: 1/23/08

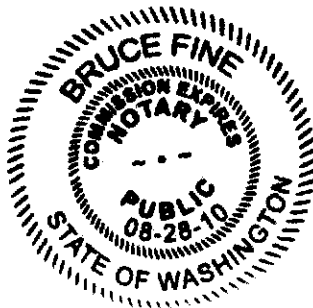
A & F TRUSTEE SERVICES, INC.

By Elizabeth R. Giba
ELIZABETH R. (Liz) GIBA
Vice President/Operations Mgr.
Address 2131 Second Avenue
Seattle, WA 98121
Phone 206-728-4500

STATE OF WASHINGTON
COUNTY OF KING

On this day personally appeared before me Elizabeth R. Giba, to me known to be the Vice President/Operations Manager, of A & F Trustee Services, Inc., that executed the within and foregoing instrument, and acknowledged that 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 she is authorized to execute the said instrument.

Given under my hand and official seal this 23rd day of May, 2008.



Notary Public in and for the State of Washington, residing at: Seattle
My appointment expires: 8/28/10
Printed Name: Bruce Fine

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