



200803100210

Skagit County Auditor

3/10/2008 Page 1 of 6 1:41PM

**AFTER RECORDING MAIL TO:**

Name SCHWABE, WILLIAMSON & WYATT

Address 1211 SW 5TH AVE., Ste 1900

City/State PORTLAND, OR 97204

ATTN: Tina Granados

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

- 1. NOTICE OF TRUSTEE'S SALE
- 2.
- 3.
- 4.



GUARDIAN NORTHWEST TITLE CO.

93669

ACCOMMODATION RECORDING ONLY

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

AF# 200704120139

Additional numbers on page \_\_\_\_\_ of document

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

- 1. CRAIG G. RUSSILLO, TRUSTEE
- 2.
- 3.
- 4.
- 5.  Additional names on page \_\_\_\_\_ of document

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

- 1. RANDY H. LOVELL AND KAYLENE K. LOVELL (AND TO THE PUBLIC)
- 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 13, PLAT OF FOREST HILLS PUD

Complete legal description is on page \_\_\_\_\_ of document

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

P114078

**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.

**NOTICE OF TRUSTEE'S SALE**

PURSUANT TO THE REVISED CODE OF WASHINGTON  
CHAPTER 61.24 RCW

**TO:** Randy H. Lovell  
2305 42<sup>nd</sup> Place  
Anacortes, WA 98221

Kaylene K. Lovell  
2305 42<sup>nd</sup> Place  
Anacortes, WA 98221

Randy H. Lovell  
800 E. 970 South Circle  
Saint George, UT 84790

Kaylene K. Lovell  
800 E. 970 South Circle  
Saint George, UT 84790

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 13th day of June 2008, at the hour of 11:00 o'clock a.m., with the sale to occur at the courthouse door at the front steps of the Skagit County Courthouse, 205 W. Kincaid St., in the City of Mt. Vernon, County of Skagit, 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:

Lot 13, "PLAT OF FOREST HILLS PUD", according to the plat thereof recorded in Volume 17 of Plats, Pages 42 and 43, records of Skagit County, Washington.

Tax Parcel Number(s): 4727-000-013-0000/P114078

Commonly known as: 2305 42<sup>nd</sup> Place, Anacortes, Washington, 98221

The aforescribed real property is subject to that certain Deed of Trust dated April 10, 2007, recorded April 12, 2007 under Auditor's File Number 200704120139, Records of Skagit County, State of Washington, from Randy H. Lovell and Kaylene K. Lovell, husband and wife, as Grantors, to Thomas S. Moore, as Trustee, to secure an obligation in favor of Excelsior Management Group, LLC, an Oregon limited liability company, as Beneficiary, the beneficial interest in which was assigned to Excelsior Mortgage Equity Fund II, LLC under an Assignment recorded under Auditor's File Number 200705300106.

Further, Craig G. Russillo, has been appointed successor trustee pursuant to that certain Appointment of Successor Trustee, dated January 3, 2008, and recorded on January 11, 2008 under Auditor's File Number 200801110063 Records of Skagit County, Washington (the "Appointment of Successor Trustee").

II.



200803100210

Skagit County Auditor

No action commenced by the Beneficiary of the foregoing Deed of Trust or the Beneficiary's successor is now pending to seek satisfaction of the obligation in any Court by reason of the Borrowers' or Grantors' default on the obligation secured by the Deed of Trust.

III.

The defaults for which this foreclosure is made are failure to pay are as follows:

Amount Due to Reinstate by March 5, 2008:

**Arrearages**

Principal Balance	\$349,670.00
Interest Due through 3/5/08	15,603.98
Default Interest Due through 3/5/08	2,768.30
Late Fees	17,699.26
TOTAL	\$385,741.54

b. Payment of property taxes were not made pursuant to terms of the promissory note secured by the Deed of Trust, occurring on April 10, 2007. The amount in arrears is \$1,839.86.

**Costs and Fees**

In addition to the amounts in arrears specified above, you are or may be obligated to pay the following estimated charges, costs and fees to reinstate the Deed of Trust:

Trustees' or Attorneys' Fees	\$4,000.00
Trustees' Sale Guarantee	968.00
Posting of Foreclosure Notices	300.00
Long Distance Telephone Charges	30.00
Recording Fees	25.00
Statutory Mailing Costs	200.00
Estimated Publication Fee	500.00
Estimated Copies	<u>100.00</u>
TOTAL	\$6,123.00

Total Current Estimated Reinstatement Amount: \$391,864.54.

IV.

The sum owing on the obligation secured by Deed of Trust is: Principal of \$349,670.00, together with interest as provided in the Note and such other costs and fees as are due under the Note and Deed of Trust and as are provided by statute.



200803100210  
Skagit County Auditor

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 13th day of June, 2008. The defaults referred to in paragraph III must be cured by the 2nd day of June 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 2nd day of June, 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 2nd day of June 2008 (11 days before the sale date), and before the sale by the Borrowers, Grantors or the Grantors' successor in interest, 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. This is an attempt to collect a debt and any information obtained will be used for that purpose.

VI.

A written notice of default was transmitted by the Beneficiary or Trustee to the Borrower and Grantor at the following addresses:

Randy H. Lovell  
2305 42<sup>nd</sup> Place  
Anacortes, WA 98221

Kaylene K. Lovell  
2305 42<sup>nd</sup> Place  
Anacortes, WA 98221

Randy H. Lovell  
800 E. 970 South Circle  
Saint George, UT 84790

Kaylene K. Lovell  
800 E. 970 South Circle  
Saint George, UT 84790

by both regular and certified mail, return receipt requested, on the 4th day of February, proof of which is in the possession of the Trustee; and on the 7th day of February the written notice of default was served on Randy H. Lovell by substitute service on Kaylene K. Lovell, and on Kaylene K. Lovell by personal service, at the real property described in paragraph I above, and the Trustee has possession of proof of such service.

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.



200803100210

Skagit County Auditor

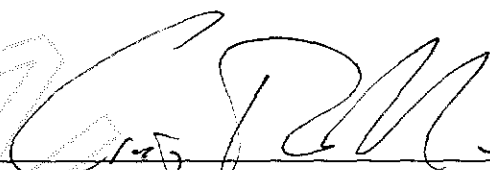
IX.

Anyone having any objection to the sale on any grounds whatsoever are afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the sale pursuant to the Revised Code of Washington, Chapter 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 20<sup>th</sup> day following the sale, as against the grantors under the Deed of Trust (the owner) and anyone having an interest junior to the Deed of Trust, including occupants and tenants. After the 20<sup>th</sup> 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.

  
\_\_\_\_\_  
Craig G. Russillo, Trustee  
Schwabe, Williamson & Wyatt, P.C.  
1211 SW Fifth Ave., Suite 1700  
Portland, OR 97204

For further information, please call Craig G. Russillo at 503-222-9981.



200803100210  
Skagit County Auditor

STATE OF OREGON            )  
  ) ss.  
County of Multnomah        )

I certify that I know or have satisfactory evidence that Craig G. Russillo is the person who appeared before me, and said person acknowledged that he signed this instrument and on oath stated that he was authorized, by virtue of his appointment as successor trustee under the aforementioned Appointment of Successor Trustee, to execute the instrument and acknowledged it as the Trustee under the aforementioned Deed of Trust, to be the free and voluntary act of such Trustee for the uses and purposes mentioned in the instrument.

WITNESS my hand and official seal hereto affixed this 6<sup>th</sup> day of March, 2008.



Davina Kinonen  
Notary Public for the State of Oregon  
Printed Name: Davina M. Kinonen  
Residing at: Portland, OR  
My commission expires: 9-27-08