



200808130097  
Skagit County Auditor

8/13/2008 Page 1 of 3 1:40PM

**When Recorded Return To:**

Amy Phillips, Trustee  
Keller Rohrback L.L.P.  
1201 Third Avenue, Suite 3200  
Seattle, WA 98101

**NOTICE OF TRUSTEE'S SALE**

NOTICE IS HEREBY GIVEN that on November 14, 2008, at 10:00 a.m., at the main entrance of the Skagit County Courthouse, 205 West Kincaid Street, in the City of Mount Vernon, State of Washington, the undersigned Trustee (subject to any conditions imposed by the Trustee to protect lender and borrower) will sell at public auction to the highest and best bidder, payable at the time of sale, the following described real property, commonly known as 4306 Marine Heights Way, Anacortes, Washington 98221:

Lot 18, TOGETHER WITH a portion of Lot 17, PLAT OF MARINE HEIGHTS, according to the plat thereof recorded in Volume 16 of Plats, Pages 173 through 175, under Auditor's File No. 9707220058, more particularly described as follows:

Beginning at the Northwest corner of Lot 18 in said Plat of Marine Heights; Thence South 79 degrees 56'30" East 177.16 feet; Thence through a curve to the right, having a radius of 193.33 feet, and arc length of 175.16 feet and a delta of 51 degrees 54'37"; Thence through a curve to the right, having a radius of 46.00 feet, and arc length of 90.06 feet and a delta of 112 degrees 10'39"; Thence North 15 degrees 41'25" East 66.04 feet to the point of beginning;

(Also known as Lot 18C of Survey Recorded July 11, 2001, under Auditor's File No. 200107110195, records of Skagit County, Washington).

Situated in Skagit County, Washington.

which is subject to that certain Deed of Trust dated April 12, 2006 and recorded on April 14, 2006, under Instrument No. 200604140144, records of Skagit County, Washington, from Laura Miller, a single individual as her separate estate, as Grantor, to Westward Financial Services as the trustee, to secure an obligation to Horizon 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 Borrower's or Grantor's default on the obligation secured by the Deed of Trust.

III.

The default(s) for which this foreclosure is made are as follows:

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

Total Payments from 05/01/08	14,196.12
Total Late Charges	709.80
Total property taxes/assessments	3,522.90
Foreclosure costs and fees (estimated)	<u>4,443.80</u>
<b>Total</b>	<b>\$22,872.62</b>

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal balance of \$547,163.53, together with interest and such other costs, fees, and assessments as are due under the promissory note dated April 12, 2006, 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 14th day of November, 2008. The default(s) referred to in paragraph III must be cured by the 3rd day of November, 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 3rd day of November, 2008 (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 the 3rd day of November, 2008 (11 days before the sale date), and before the sale by the Borrowers, Grantors, 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 Trustee to the Borrower/Grantor at the following address:

Laura Miller  
2314 E. Oak Avenue  
Visalia, CA 93292

by both first class and certified mail on the 25th day of June, 2008, proof of which is in the possession of the Trustee; and personal service of the notice of default was completed on the 26th day of June, 2008, 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.



200808130097  
Skagit County Auditor

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.

This Notice was also sent to the following by both first class and certified mail:

Fidalgo Construction, LLC c/o Craig Bergfalk, Registered Agent 3414 W 7th Place Anacortes, WA 98221	Fidalgo Construction, LLC c/o Joseph D. Bowen, Attorney At Law P.S. 401 S 2nd Mount Vernon, WA 98273
Michael A. Winslow 411 Main Street Mount Vernon, WA 98273-3837	

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

DATED this 11th day of August, 2008.


  
\_\_\_\_\_  
Amy Phillips, Trustee  
Keller Rohrback L.L.P.  
1201 Third Avenue, Suite 3200  
Seattle, Washington 98101-3052  
(206) 623-1900

STATE OF WASHINGTON    )  
                                      ) ss.  
COUNTY OF KING        )

On this day personally appeared before me Amy Phillips, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 11<sup>th</sup> day of August, 2008.



  
\_\_\_\_\_  
Print Name Darla Marshall  
NOTARY PUBLIC in and for the State of  
Washington, residing in King County.  
My commission expires: June 3, 2012



200808130097  
Skagit County Auditor