

When Recorded Return to:

Elliott W Johnson Inc PS
711 S. First St
Mount Vernon, WA 98273



200812030077

Skagit County Auditor

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Notice of Trustee's Sale

95785

Grantor(s): John T. Burke, Successor Trustee

Grantee(s): Russel Gibbons, and
The Public

Legal Description (abbreviated): Section 3, Township 34, Range 2; Ptn. SE NW
(affects Parcel "A"); and
[X] Additional legal description on page 2 of document Section 3, Township 34, Range 2; Ptn. NE SW
(affects Parcel "B")

Assessor's Tax Parcel Number: 340203-2-005-0400 R115876

Reference (Auditor File Numbers of Documents assigned, released or amended): 199909300105

Notice of Trustee's Sale

Pursuant to the Revised Code of Washington
Chapter 61.24, et. seq.

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on March 6, 2009, at the hour of

Notice of Trustee's Sale

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Elliott W. Johnson Inc. P.S.
711 South First Street
Mount Vernon, WA 98273
(360) 336-6502 Fax 336-5616
Email Info@EWJLaw.com

10:00 A.M., at first floor lobby, Skagit County Courthouse, 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, situate in the County of Skagit, State of Washington, to-wit:

PARCEL A:

THE EAST 1 ACRE OF THAT PORTION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M., LYING SOUTHERLY OF THE STATE HIGHWAY RIGHT-OF-WAY AS CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED UNDER AUDITOR'S FILE NO. 602563.

PARCEL B:

THAT PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3, TWONSHIP 34 NORTH, RANGE 2 EAST, W.M. LYING NORTHERLY OF THE NORTHERLY LINE OF THE COUNTY ROAD RIGHT-OF-WAY COMMONLY KNOWN AS THE PADILLA HEIGHTS ROAD, FORMERLY THE STEVENSON ROAD; EXCEPT THAT CERTAIN EASTERLY PORTION THEREOF CONVEYED TO BILL J. BUTTRAM, ET EX, BY DEED RECORDED MARCH 31, 1994 UNDER AUDITOR'S FILE NO. 9403310150; ALSO EXCEPT THAT CERTAIN WESTERLY PORTION THEREOF LYING WESTERLY OF THE EASTERLY LINE OF THOSE PREMISES CONVEYED TO ANTON LOVRIC, ET UX, BE DEED RECORDED OCTOBER 3, 1990 UNDER AUDITOR'S FILE NO. 9010030068.

Situate in the County of Skagit, State of Washington.

(commonly known as NHN Padilla Heights Road, Anacortes WA 98221)

which is subject to that certain deed of trust dated September 20, 1999, recorded September 30, 1999, under Auditor's File No. 199909300105, records of Skagit County, Washington, from John Lathrop Childs, a single person, as Grantor, to First American Title, a Washington corporation, as Trustee, to secure an obligation in favor of Russel Gibbons, an individual and Russel Gibbons as Personal Representative of the Estate of Rose Marie Gibbons, deceased, as beneficiary. **John T. Burke** has been appointed as Successor Trustee.

II.

No action commenced by the Beneficiary of the Deed of trust or the Beneficiary's successor is now pending to seek satisfaction of the obligation in any Court by reason of the Grantor's default on the

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obligation secured by the Deed of Trust.

III.

The default for which this foreclosure is made is as follows: Failure to pay real estate taxes when due on the property as required by the deed of trust.

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

<u>Delinquent payments</u> from May 1, 2008 in the amount of \$975/mo.:	\$7,800.00
<u>Late Charges</u> in the total amount of 48.75 per month for 8 months:	\$390.00
<u>TOTAL DEFAULTS:</u>	\$8,190.00

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal \$117,536.67 together with interest as provided in the note or other instrument secured from May 1, 2008, and 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 March 6, 2009. The default(s) referred to in paragraph III must be cured by February 23, 2009 (11 days before the sale) to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time before February 23, 2009 (11 days before the sale) 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 February 23, 2009 (11 days before the sale) 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 or Trustee to the Grantor or the Grantor's successor in interest at the following address:

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Elliott W. Johnson Inc. P.S.
711 South First Street
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Email Info@EWJLaw.com

Alan R. Souders
913 Seventh Street
P.O. Box 1950
Anacortes, WA 98221

by both first class and certified mail on October 28, 2008, proof of which is in the possession of the Trustee; and the Borrower and Grantor were personally served on October 29, 2008, with said written notice of default or the written notice of default was 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 herein 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 objections to this 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 R.C.W. 61.24.130. Failure to bring such a lawsuit may result in a waiver of any proper grounds for invalidating the trustee's sale.

Dated: December 3, 2008.



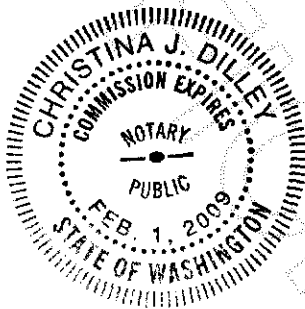
John T. Burke,
Successor Trustee
711 South First Street
Mount Vernon, WA 98273
(360) 336-6502



State of Washington)
) ss.
County of Skagit)

I certify that I know or have satisfactory evidence that JOHN T. BURKE, 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 mentioned in the instrument.

Dated: December 3, 2008.



Christina Dilley
Notary Public
My appointment expires: 2-1-2009

