

COVER SHEET

Return To:

Fairhaven Legal Associates, P.S.
P.O. Box 526
Burlington, Washington 98233



200812100048

Skagit County Auditor

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DOCUMENT TITLE(S)

Notice of Trustee's Sale

REFERENCE NUMBER(S) of Documents Assigned or Released:

200405260120 - P70507/P70509

200405260121 - P70627

GRANTOR(S)

1) Stephen D. Martensen

GRANTEE(S)

1) Summit Bank

LEGAL DESCRIPTION

Reference Number - 200405260120 - P70507/P70509

Baker Lt 16 Exc The S 5ft Thof Blk 2
Baker N 45ft Of 17 Blk 2

Which currently has the address of 45905 Main Street, Concrete, Washington

Reference Number - 200405260121 - P70627

Marengo To Baker, Block 3, Lot 7, Acres 0.21, Together With That Portion Of Vacated "C" Street Adjacent. Also Together With A Portion Of Lot 6, Block 3, More Particularly Described As Follows: Beginning At The Southwest Corner Of Said Lot 6; Thence South 89 Degrees 03' 11" East Along The South Line Of Said Lot 6 For A Distance Of 9.00 Feet; Thence North 0 Degrees 09' 12" East For A Distance Of 120.01 Feet To An Intersection With The Northerly Line Of Said Lot 6; Thence North 89 Degrees 03' 11" West Along Said Northerly Line For A Distance Of 7.34 Feet To The Northwest Corner Of Lot 6; Thence South 0 Degrees 56' 45" West Along The West Line Of Said Lot 6 For A Distance Of 120.00 Feet To The Point Of Beginning. Survey Recorded Af#20050606139.

Which currently has the address of 45607 Hillside Alley, Concrete, Washington

NOTICE OF TRUSTEE'S SALE

RCW 61.24.040

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 27th day of February, 2009, at the hour of 10:00 o'clock a.m. at the main entrance of the Skagit County Courthouse located at 205 W. Kincaid Street, 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 properties, situate in the County of Skagit, State of Washington, to-wit:

Reference Number - 200405260120 - P70507/P70509

*Baker Lt 16 Exc The S 5ft Thof Blk 2
Baker N 45ft Of 17 Blk 2*

Which currently has the address of 45905 Main Street, Concrete, Washington

which is subject to that certain Deed of Trust dated May 26th, 2004, recorded on May 26th, 2004, under Auditor's File No. 200405260120, records of Skagit County Washington, from Stephen D. Martensen as Grantor(s) to Land Title Company, as Trustee, which Trustee has been succeeded by DAVID L. DAY to secure an obligation in favor of Summit Bank.

Reference Number - 200405260121 - P70627

Marengo To Baker, Block 3, Lot 7, Acres 0.21, Together With That Portion Of Vacated "C" Street Adjacent. Also Together With A Portion Of Lot 6, Block 3, More Particularly Described As Follows: Beginning At The Southwest Corner Of Said Lot 6; Thence South 89 Degrees 03' 11" East Along The South Line Of Said Lot 6 For A Distance Of 9.00 Feet; Thence North 0 Degrees 09' 12" East For A Distance Of 120.01 Feet To An Intersection With The Northerly Line Of Said Lot 6; Thence North 89 Degrees 03' 11" West Along Said Northerly Line For A Distance Of 7.34 Feet To The Northwest Corner Of Lot 6; Thence South 0 Degrees 56' 45" West Along The West Line Of Said Lot 6 For A Distance Of 120.00 Feet To The Point Of Beginning. Survey Recorded Af#20050606139.

Which currently has the address of 45607 Hillside Alley, Concrete, Washington

which is subject to that certain Deed of Trust dated May 25th, 2004, recorded on May 26th, 2004, under Auditor's File No. 200405260121, records of Skagit County Washington, from Stephen K. Martensen as Grantor(s) to Land Title Company, as Trustee, which Trustee has been succeeded by DAVID L. DAY to secure an obligation in favor of Summit Bank.



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II.

No action is now pending to seek satisfaction of the obligation in any Court by reason of the Grantor's default on the obligation secured by said Deed of Trust.

III.

The default for which this foreclosure is made is as follows:

Failure to pay when due the following amounts which are now in arrears: \$6,138.41 plus other charges, costs and fees as set forth in the Notice of Default, and for other than payment of money such as nonpayment of Taxes..

IV.

The sum owing on the obligation secured by the Deed of Trust is: **Principal \$108,520.09**, together with interest as provided in the underlying Note and such other costs and fees as are due under the Note and Deed of Trust and as are provided by statute.

V.

The above-described real properties will be sold to satisfy the expense of sale and the obligation secured by said Deed of Trust as provided by statute. Said sale will be made without warranty, express or implied, regarding title, possession, or encumbrances on the 27th day of February, 2009. The defaults referred to in paragraph III must be cured by the 17th day of February, 2009 (11 days before the sale date) to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time before the 17th day of February, 2009 (11 days before the sale date), the default as set forth in paragraph III is cured and the Trustee's fees and costs are paid. The sale may be terminated by the Grantor anytime after the 17th day of February, 2009 (11 days before the sale date), and before the sale by the Grantor or his successor in interest 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 his successor in interest at the following addresses: 45607 Hillside Alley, Concrete, WA, 45905 Main Street, Concrete, WA and 11122 Little Field Road, Rockport, WA, by both first class and certified mail on the 24th day of October, 2008, proof of which is in the possession of the Trustee; and the Grantor or his successor in interest was personally served on the 23rd day of October, 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.



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VII.

The Trustee whose name and address is 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 him 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.

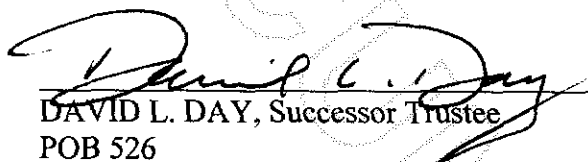
X. NOTICE TO OCCUPANTS OR TENANTS

The purchaser at the trustee's sale is entitled to possession of the property on the 20th day following the sale, as against the grantor under the deed of trust (the owner) 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.

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

DATED this 4th day of December, 2008.


DAVID L. DAY, Successor Trustee
POB 526
Burlington, WA 98233
(360) 755-0611



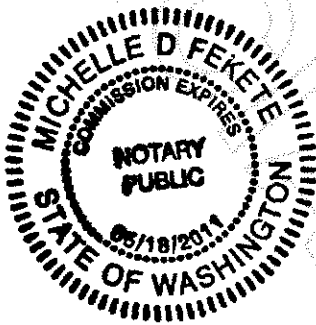
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STATE OF WASHINGTON)
) ss:
COUNTY OF SKAGIT)

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

GIVEN under my hand and official seal this 4th day of December, 2008.



Michelle D Fekete
NOTARY PUBLIC for Washington.
My Commission Expires: May 18th, 2011



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