

*When Recorded Return to:*

**HILLIS CLARK MARTIN & PETERSON, P.S.**

Attn: Tonja Smith  
500 Galland Building  
1221 Second Avenue  
Seattle, WA 98101



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MIN#100047200002524949  
Loan #252494  
Trustee #40014.373

GUARDIAN NORTHWEST TITLE CO.

95829

### NOTICE OF TRUSTEE'S SALE

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

<b>Grantor(s):</b>	Hillis Clark Martin & Peterson, P.S., Successor Trustee
<b>Grantee(s):</b>	Russell F. Treadway and Cheryl J. Treadway
<b>Legal Description (abbreviated):</b>	PTN. Lot 11, Block 136 "FIRST ADDITION TO BURLINGTON", aka Lot 3, Short Plat No. Bu-2-97
<b>Assessor's Tax Parcel Identification No(s):</b>	4077-136-011-0108(P72310)
<b>Reference No. of Related Documents:</b>	200310010111

#### I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on **March 20, 2009**, at the hour of **11:00 a.m.**, on the front steps of the Old Skagit County Courthouse, 205 West Kincaid, City of Mount Vernon, State of Washington, sell at public auction to the highest and best bidder, payable at time of sale, the following-described real property, situated in the County of Skagit, State of Washington, to-wit:

Lot 2 of "BURLINGTON SHORT PLAT NO. 2-97", approved November 19, 1997, recorded November 20, 1997, in Volume 13 of Short Plats, Pages 58 and 59, as Auditor's File No. 9711200078, records of Skagit County Washington, and being a portion of Lot 11, Block 136, "FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH.", as per plat recorded in Volume 3 of Plats, Page 11, records of Skagit County, Washington;

the postal address of which is commonly known as 1220 Short Street, Burlington, Washington 98233; which property is subject to that certain Deed of Trust dated September 18, 2003, and recorded on October 1, 2003, under Auditor's File No. 200310010111, records of Skagit County, Washington, from Russell F. Treadway and Cheryl J. Treadway, husband and wife, as Grantors, to First American Title Insurance Company, a California corporation, as Trustee, to secure an obligation in favor of Mortgage Electronic Registration Systems, Inc. ("MERS"), as Beneficiary, solely as nominee of HomeStreet Bank, a Washington state chartered savings bank, as Lender, the beneficial interest in which was assigned by MERS to HomeStreet Bank, by Assignment of Deed of Trust recorded on October 5, 2007, under Auditor's File No. 200710050046, records of Skagit County, Washington.

Hillis Clark Martin & Peterson, P.S., is now Trustee by reason of an Appointment of Successor Trustee recorded on January 11, 2006, under Auditor's No. 200601110056, records of Skagit County, Washington.

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 defaults for which this foreclosure is made are as follows:

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

6 Monthly Payments of \$1,043.52, due on  
July 1, 2008, through December 1, 2008:

\$6,261.12

5 Late Charges of \$41.74 each for monthly  
payments due on July 1, 2008, through  
November 1, 2008:

\$208.70

Advances by Lender:

Non-Sufficient Funds Charge:

\$45.00

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TOTAL MONTHLY PAYMENTS,  
LATE CHARGES, AND OTHER  
AMOUNTS IN ARREARS:

**\$6,514.82**

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal Balance, \$114,495.55, together with interest as provided in the Note or other instrument secured from June 1, 2008, 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 March 20, 2009. The defaults referred to in paragraph III must be cured by March 9, 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 March 9, 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 any time after March 9, 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 Borrower and Grantor at the following addresses:

Russell F. Treadway  
1220 Short St.  
Burlington, WA 98233

Cheryl J. Treadway  
1220 Short St.  
Burlington, WA 98233

by both first class and certified mail on November 4, 2008, proof of which is in the possession of the Trustee; and the Borrower and Grantor were personally served on November 6, 2008, with said written Notice of Default or the written notice of default 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. To



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the best of the Trustee's knowledge and belief, grantors are not active members of the United States military forces.

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 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 occupant 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 12<sup>th</sup> day of December, 2008.

TRUSTEE:

HILLIS CLARK  
MARTIN & PETERSON, P.S.

By

Julie B. Hamilton  
Julie B. Hamilton

500 Galland Building  
1221 Second Avenue  
Seattle, Washington 98101-2925  
Telephone: (206) 623-1745



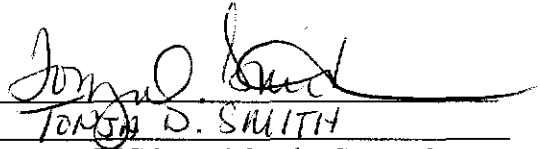
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STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

On this day personally appeared before me Julie B. Hamilton, to me known to be a representative of Hillis Clark Martin & Peterson, P.S., the professional service corporation that executed the foregoing instrument, and acknowledged the 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 was authorized to execute the said instrument.

SUBSCRIBED AND SWORN to before me this 12th day of December, 2008.

  
Name TONGA D. SMITH  
NOTARY PUBLIC in and for the State of  
Washington residing at SNOQUAHME.  
My appointment expires 3-22-12.

