



200902120001
Skagit County Auditor

2/12/2009 Page 1 of 4 9:14AM

When recorded return to:

Craig Sjostrom
411 Main Street
Mount Vernon, Washington 98273

NOTICE OF TRUSTEE'S SALE

RCW 61.24

Grantor: Craig Sjostrom, Successor Trustee

Grantees: Kenneth J. Ginnett & Bobetta M. Ginnett, h/w, Grantors under the Deed of Trust

Legal Description: Lots 9 & 10, Block 11, Vernon Heights Add'n

Assessor's Property Tax Parcel or Account No.: P54557

Reference Nos of Documents Assigned or Released: 200312220311

TO: KENNETH J. GINNETT & BOBETTA
M. GINNETT, h/w
P.O. Box 694
Mount Vernon, WA 98273

Grantors

AND TO:

CYNTHIA TILLMAN
c/o Mervyn Thompson, Attorney at Law
709 S. 1st St.
Mount Vernon, WA 98273

Judgment creditor under judgment entered on
February 14th, 2007 under Skagit County cause No.
07-2-00085-5, judgment no. 07-9-00261-6, in the
principal amount of \$1,353.74

Gene O. Higgins & Carolyn Higgins
109 Digby Road
Mount Vernon, WA 98273

1. NOTICE IS HEREBY GIVEN that the undersigned Trustee will on May 29th, 2009, at the hour of 10:00am, at the front entrance of the Skagit County Courthouse, 205 Kincaid St., Mount Vernon, Skagit County, Washington, sell at public auction to the highest and best bidder, payable at the time of sale, the following described real property, situated in Skagit County, Washington, to wit:

Lots 9 and 10, Block 11, "VERNON HEIGHTS ADDITION TO MT. VERNON, SKAGIT COUNTY, WASH.", as per the plat thereof recorded in Volume 2 of Plats, page 108, records of Skagit County, Wash.

commonly known as 202 N. 4th St., Mount Vernon, WA 98273, which is subject to that certain Deed of Trust dated December 15th, 2003, recorded on December 22nd, 2003, under Auditor's File No. 200312220311, records of Skagit County, Washington from Kenneth J. Ginnett & Bobetta M. Ginnett, husband and wife, as Grantor, to First American Title Insurance Co., a California corporation, as Trustee, to secure an obligation in favor of Atlantic Ave. LLC, a Washington limited liability company. The undersigned was appointed Successor Trustee by instrument dated December 27th, 2008 and recorded on January 5th, 2009 under Skagit County Auditor's File No. 200901050069.

2. 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 Borrower's or Grantor's default on the obligation secured by the Deed of Trust.

3. The defaults for which this foreclosure is made are as follows:

a. Non-monetary defaults:

Failure to pay real property taxes for tax years 2006, 2007 and 2008.

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

Balloon payment due December 22nd, 2008, inclusive of accrued late charges from April through December, 2008 at \$50 per month \$119,459.98

Per diem interest from September 22nd, 2008 to February 11th, 2009 at \$21.274 per day \$3,020.91

TOTAL PAYMENTS AND LATE CHARGES: \$122,480.89

4. The principal sum owing on the obligation secured by the Deed of Trust is \$119,459.98, together with interest as provided in the note or other instrument secured from September 22nd, 2008 and such other charges, costs and fees as are due under the note or other instrument secured, and as are provided by statute.

5. The above described real property will be sold to satisfy the expense of sale and 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 May 29th, 2009. The defaults referred to in Paragraph 3 must be cured by May 18th, 2009 to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time on or before May 18th, 2009, 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 May 18th, 2009, and before the sale by the Borrower or 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.

6. A written notice of default was transmitted by the Beneficiary or Trustee to the Borrower or Grantor or the Grantor's successor in interest at the following addresses:

KENNETH J. GINNETT
BOBETTA M. GINNETT
P.O. Box 694



200902120001
Skagit County Auditor

Mount Vernon, WA 98273

- and -

202 N. 4th St.
Mount Vernon, WA 98273

- and -

1007 S. 9th St.
Mount Vernon, WA 98273

by both first class and certified mail on January 6th, 2009, proof of which is in the possession of the Trustee; and 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.


7. 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.
8. 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.
9. 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.
10. **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 proceeding under the Unlawful Detainer Act, Chapter 59.12 RCW.
11. The Trustee makes no representations or warranties concerning what interest in the real property described above is being sold. The Deed of Trust lien foreclosed may not be a first lien position or there may be other prior encumbrances of title. The Trustee is not required to provide title information concerning this property. Any person interested in this foreclosure is encouraged to make his or her own investigation concerning the ownership of the property and the position on title of the Deed of Trust being foreclosed. Any person interested in the foreclosure is also encouraged to consult an attorney, as the Trustee will not provide legal advice concerning the foreclosure. The Trustee does not provide information concerning the location of the debtors nor concerning the condition of the property. No representation or warranties are made concerning the physical condition of the property or whether there are any environmental or hazardous waste liabilities or problems connected with this property. Any person desiring title information, information concerning the physical condition of the property, information concerning any hazardous waste or environmental issues or other information about the real property being foreclosed must obtain all such information independently.

12. **FAIR DEBT COLLECTION PRACTICE ACT NOTICE**

Any information obtained from the debtor will be used for the purpose of collecting the debt.

DATED: February 11th, 2009




Craig Sjostrom, Successor Trustee
Attorney at Law
411 Main Street
Mount Vernon, WA 98273

State of Washington)
)ss
County of Skagit)

I certify that I know or have satisfactory evidence that Craig Sjostrom 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 in the instrument.

Dated: February 11th, 2009



Toni Riedell

Toni Riedell, Notary Public
Residing at: Burien
My appointment expires 8/19/10



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Skagit County Auditor