

200904150065  
Skagit County Auditor

4/15/2009 Page 1 of 3 10:55AM

When recorded return to:

Craig Sjostrom  
411 Main Street  
Mount Vernon, Washington 98273

## **AMENDED NOTICE OF TRUSTEE'S SALE**

RCW 61.24

**Grantor:** Craig Sjostrom, Successor Trustee

**Grantees:** Michael K. Monteith, Grantor under the Deed of Trust

**Legal Description:** Lot 46, Block E, Cape Horn

**Assessor's Property Tax Parcel or Account No.:** P63076

**Reference Nos of Documents Assigned or Released:** 200611220152

200903110103

**TO:** MICHAEL K. MONTEITH  
41632 North Shore Lane  
Concrete, WA 98237

Grantor

**AND TO:**

CAPE HORN MAINT. CO.  
P.O. Box 87  
Concrete, WA 98237

Lien claimant under instrument dated November 15<sup>th</sup>, 2007 and recorded on November 16<sup>th</sup>, 2007 under Skagit County Auditor's File No. 200711160020, in the amount of \$416 plus costs and attorney's fees

1. NOTICE IS HEREBY GIVEN that the undersigned Trustee will on July 31<sup>st</sup>, 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:

Lot 46, Block E, "CAPE HORN ON THE SKAGIT", as per the plat thereof recorded in Volume 8 of Plats, pages 92-97 inclusive, records of Skagit County, Wash.

(P63076)

Which is commonly known as 41632 N. Shore Lane, Concrete, WA 98237, which is subject a Deed of Trust dated the 31<sup>st</sup> day of October, 2006, recorded on the 22<sup>nd</sup> day of November, 2006, under Auditor's File No. 200611220152, records of Skagit County, Washington, from Michael K. Monteith, an unmarried person, as Grantor, to Land Title Co., as Trustee, to secure an obligation in favor of Summit Bank, as Beneficiary. The undersigned has been appointed Successor Trustee, per instrument dated January 28<sup>th</sup>, 2008 and recorded on February 3<sup>rd</sup>, 2009 under Auditor's File No. 200902030048, records of Skagit County, Washington.

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 2007 and 2008.

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

Payments of \$525.00 per month from October 3<sup>rd</sup>, 2008 to date ..... \$3,675.00

Late charges of \$26.25 per month from October 3<sup>rd</sup>, 2008 to date ..... \$183.75

**TOTAL PAYMENTS AND LATE CHARGES: ..... \$3,858.75**

4. The principal sum owing on the obligation secured by the Deed of Trust is \$43,703.76, together with interest as provided in the note or other instrument secured from October 3<sup>rd</sup>, 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 July 31<sup>st</sup>, 2009. The defaults referred to in Paragraph 3 must be cured by July 20<sup>th</sup>, 2009 to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time on or before July 20<sup>th</sup>, 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 July 20<sup>th</sup>, 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:

MICHAEL K. MONTEITH  
41632 North Shore Lane  
Concrete, WA 98273

by both first class and certified mail on March 11<sup>th</sup>, 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.



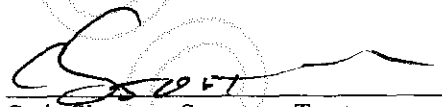
200904150065

Skagit County Auditor

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: April 15<sup>th</sup>, 2009

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

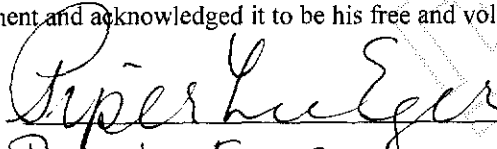
State of Washington )

)ss

County of Skagit )

I certify that I know or have satisfactory evidence that Craig Sjoström 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: April 15<sup>th</sup>, 2009

  
Piper Lee Eger, Notary Public  
Residing at: Mount Vernon  
My appointment expires 8/19/10



200904150065

Skagit County Auditor