

When Recorded Return to:

Elliott W. Johnson Inc. P.S.
711 South First Street
Mount Vernon, WA 98273



200907100061

Skagit County Auditor

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Trustee's Deed

Grantor(s):

John T. Burke, Successor Trustee

Grantee(s):

Russel Gibbons, a single man

Legal Description (abbreviated):

Section 3, Township 34, Range 2; Ptn. SE NW
(affects Parcel "A"); and

[X] Additional legal
description on page 1-2

Section 3, Township 34, Range 2; Ptn. NE SW
(affects Parcel "B")

Assessor's Tax Parcel Number:

340203-2-005-0400 R11585 SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

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

199909300105

2044
JUL 10 2009

Amount Paid \$
Skagit Co. Treasurer
By: *[Signature]* Deputy

THE GRANTOR, **John T. Burke**, as Successor Trustee under that Deed of Trust, as hereinafter particularly described, in consideration of the premises and payment recited below, hereby grants and conveys, without warranty to **Russel Gibbons**, a single man, the "Grantee", that real property, situate in the County of Skagit, State of Washington, described as follows:

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

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(360) 336-6502 Fax 336-5616
Email: Elliott@EWJLaw.com

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, Township 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 ux, by Deed recorded March 31, 1994 under Auditor's File No. 9403310150; AND ALSO EXCEPT that certain Westerly portion thereof lying Westerly of the Easterly line of those premises conveyed to Anton Lovric, et ux, by Deed recorded October 3, 1990 under Auditor's File No. 9010030068.

RECITALS:

1. This Conveyance is made pursuant to the powers, including the power of sale, conferred upon said Trustee by that certain Deed of Trust between **John Lathrop Childs**, an individual, as Grantor, to **First American Title**, a corporation, as Trustee, and **Russel Gibbons and Rose Marie Gibbons**, husband and wife, as Beneficiary, dated September 29, 1999, recorded as No. 199909300105, records of Skagit County, Washington.
2. Said Deed of Trust was executed to secure, together with other undertakings, the payment of one promissory note in the sum of \$146,250.00 with interest thereon, according to the terms thereof, in favor of Russel Gibbons and Rose Marie Gibbons, and to secure any other sums of money which might become due and payable under the terms of said Deed of Trust.
3. The described Deed of Trust provides that the real property conveyed therein is not used principally for agricultural or farming purposes.
4. Default having occurred in the obligations secured and/or covenants of the Grantor as set forth in Notice of Trustee's Sale described below, which by the terms of the Deed of Trust made operative the power to sell, the thirty day advance Notice of Default was transmitted to the Grantor, or his successor in interest, and a copy of said Notice was posted or served in accordance with law.
5. **Russel Gibbons** individually and as Personal Representative of the Estate of Rose Marie Gibbons, deceased, being then the holder of the indebtedness secured by said Deed of Trust, delivered to said Trustee a written request directing said Trustee to sell the described property in accordance with law and the terms of said Deed of Trust.
6. **Russel Gibbons**, a single man, became sole holder of the indebtedness secured by said Deed

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of Trust, by the July 10, 2009, recording of Assignment of said Deed of Trust under Auditor's File No. 200907100048

7. The defaults specified in the "Notice of Default" not having been cured, the Trustee, in compliance with the terms of said Deed of Trust, executed and on December 3, 2008 recorded in the office of the Auditor of Skagit County, Washington, a "Notice of Trustee's Sale" of said property under Auditor's File No. 200812030077.

8. The Trustee, in its aforesaid "Notice of Trustee's Sale," fixed the place of sale as Skagit, Washington, a public place, at 10:00 a.m., and in accordance with law caused copies of the statutory "Notice of Trustee's Sale" to be transmitted by mail to all persons entitled thereto and either posted or served prior to 90 days before the sale; further, the Trustee caused a copy of said "Notice of Trustee's Sale" to be published once a week during the first and fourth week preceding the time of sale in a legal newspaper in each county in which the property or any part thereof is situated; and further, included with this Notice, which was transmitted or served to or upon the Grantor or his successor in interest, a "Notice of Foreclosure" in substantially the statutory form, to which copies of the Grantor's Note and Deed of Trust were attached.

9. The Trustee, due to beneficiary request, delayed the Trustee's Sale from March 6, 2009, the original date of sale, to May 29, 2009, and then further delayed the Trustee's Sale from May 29, 2009, to June 26, 2009, pursuant to Chapter 61.24 RCW.

10. During foreclosure, no action was pending on an obligation secured by said Deed of Trust.

11. All legal requirements and all provisions of said Deed of Trust have been complied with, as to acts to be performed and notices to be given, as provided in Chapter 61.24 RCW.

12. The defaults specified in the "Notice of Trustee's Sale" not having been cured ten days prior to the date of Trustee's Sale and said obligation secured by said Deed of Trust remaining unpaid on June 26, 2009, the final date of sale, which was not less than 190 days from the date of default in the obligation secured, the Trustee then and there sold at public auction to said Grantee, the highest bidder thereof, the property hereinabove described, for the sum of One Hundred and Thirty-Five Thousand, Three Hundred and Sixty-Three Dollars and 90/100ths (\$135,363.90) by the satisfaction in full of the obligation then secured by said Deed of Trust, together with all fees, costs and expenses as provided by statute.

DATED: June 26, 2009.


John T. Burke, WSBA 37952
Successor Trustee

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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, on oath state that he was authorized to execute the instrument and acknowledged it as the Trustee of that certain Deed of Trust, dated September 29, 1999, recorded as Skagit County Auditor's File No. 199909300105, records of Skagit County, Washington, to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: June 26, 2009.

Notary Public

My appointment expires: 8-9-11

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