

When recorded return to:

Michael A. Winslow  
411 Main Street  
Mount Vernon, Washington 98273



200909100023

Skagit County Auditor

9/10/2009 Page

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4

9:34AM

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### *Notice of Trustee's Sale*

**Grantors:** Michael A. Winslow, Successor Trustee

**Grantees:** James R. Davenport and Julia R. Davenport, husband and wife, Grantors  
under the Deed of Trust

**Legal Description:**

Parcel "A"

Lot 3, Short Card PL-06-0108, approved and recorded on August 18, 2006 under Auditor's File No. 200608180121, Records of Skagit County, Washington, and being a portion of the Southeast 1/4 of the Southwest 1/4 and of the Southwest 1/4 of the Southeast 1/4 of Section 32, Township 35 North, Range 5 East, W.M.

Parcel "B"

A non-exclusive easement for ingress, egress and utilities over, under and across a portion of Lot 4 as delineated as Morford Court on the face of Short Card PL-06-0108, and being a portion of the Southeast 1/4 of the Southwest 1/4 and of the Southwest 1/4 of the Southeast 1/4 of Section 32, Township 35 North, Range 5 East, W.M.

Together with rights and easements as defined in Private Roadway Maintenance Declaration recorded August 18, 2006 under Auditor's File No. 20060818-122, Records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

**Assessor's Property Tax**

**Parcel or Account No.:** P124883

**Reference Nos of Documents**

**Assigned or Released** 200804160099

## NOTICE OF TRUSTEE'S SALE

PURSUANT TO RCW 61.24, ET SEQ.

TO: James R. Davenport  
25490 Morford Court  
Sedro-Woolley, WA 98284

Julia R. Davenport  
25490 Morford Court  
Sedro-Woolley, WA 98284

Occupant  
25473 Morford Court  
Sedro-Woolley, WA 98284

1. NOTICE IS HEREBY GIVEN that the undersigned Trustee will on December 11, 2009, at the hour of 10:00 a.m. on the first floor 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:

### Parcel "A"

Lot 3, Short Card PL-06-0108, approved and recorded on August 18, 2006 under Auditor's File No. 200608180121, Records of Skagit County, Washington, and being a portion of the Southeast 1/4 of the Southwest 1/4 and of the Southwest 1/4 of the Southeast 1/4 of Section 32, Township 35 North, Range 5 East, W.M.

### Parcel "B"

A non-exclusive easement for ingress, egress and utilities over, under and across a portion of Lot 4 as delineated as Morford Court on the face of Short Card PL-06-0108, and being a portion of the Southeast 1/4 of the Southwest 1/4 and of the Southwest 1/4 of the Southeast 1/4 of Section 32, Township 35 North, Range 5 East, W.M.

Together with rights and easements as defined in Private Roadway Maintenance Declaration recorded August 18, 2006 under Auditor's File No. 20060818-122, Records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

commonly known as 25473 Morford Court, Sedro-Woolley, WA 98284, which is subject to that certain Deed of Trust dated April 3, 2008, recorded under Auditor's File No. 200804160099, records of Skagit County, Washington, from James R. Davenport and Julia R. Davenport, husband and wife, as Grantors, to Guardian Northwest Title & Escrow, as Trustee, to secure an obligation in favor of Business Bank of Skagit County as Beneficiary.

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:



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a. Non-monetary defaults:  
Real Property taxes owing for 2009 in the total sum of \$1,270.01. Provide copy of receipt for payment.

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

|  |                  |
|--|------------------|
| Principal  | \$464,750.00     |
| Monthly Interest payments due from March 8, 2009 | \$ 23,688.40     |
| Late Charges:                                    | <u>\$ 260.03</u> |

TOTAL PRINCIPAL, MONTHLY INTEREST PAYMENTS  
AND LATE CHARGES: \$488,698.43

4. The principal sum owing on the obligation secured by the Deed of Trust is \$464,750.00, together with interest as provided in the note or other instrument secured from April 3, 2007, and such other 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 December 11, 2009. The sale may be terminated any time 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 and Grantor or the Grantor's successor in interest at the following address:

James R. Davenport  
25490 Morford Court  
Sedro-Woolley, WA 98284

Julia R. Davenport  
25490 Morford Court  
Sedro-Woolley, WA 98284

by both first class and certified mail on July 8, 2009, proof of which is in the possession of the Trustee; and the Borrower and the Grantor or the Grantor's successor in interest was personally served on July 11, 2009, 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.

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.



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## NOTICE TO OCCUPANTS OR TENANTS

10. 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 who are not tenants. After the 20th day following the sale, the purchaser has the right to evict occupants who are not tenants by summary proceedings under Chapter 59.12 RCW. For tenant-occupied property, the purchaser shall provide a tenant with written notice in accordance with RCW 61.24.060.
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.

## FAIR DEBT COLLECTION PRACTICE ACT NOTICE

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

DATED: September 9, 2009.

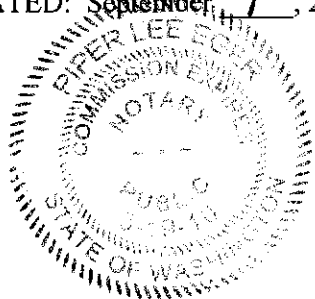


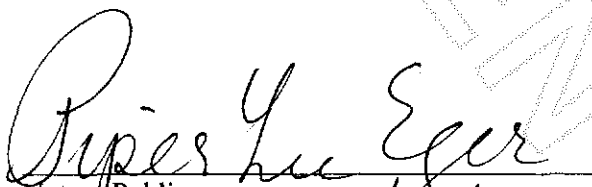
Michael A. Winslow, Successor Trustee  
Attorney at Law  
411 Main Street  
Mount Vernon, WA 98273

State of Washington    )  
                                  )ss  
County of Skagit        )

I certify that I know or have satisfactory evidence that Michael A. Winslow, 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: September 9, 2009.



  
Notary Public  
My appointment expires 8/19/10



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