

After recording return document to:  
**ZENDER & THURSTON, P.S.**  
**P.O. BOX 5226**  
**BELLINGHAM, WA 98227**



200910220042

Skagit County Auditor

10/22/2009 Page 1 of 3 10:17AM

DOCUMENT TITLE: **TRUSTEE'S DEED**

REFERENCE NUMBER OF RELATED DOCUMENT: **200907130108**

GRANTOR(S): **Laughlan H. Clark, Trustee**

GRANTEE(S): **Horizon Bank**

ABBREVIATED LEGAL DESCRIPTION: **Lots 80, 82, 83 and 85, MADDOX CREEK PUD NO. 1**

ADDITIONAL LEGAL DESCRIPTION ON PAGE(S) 1 OF DOCUMENT.

ASSESSOR'S TAX PARCEL NUMBER(S): **P109370; P109372; P109373 & P109375**

### **TRUSTEE'S DEED**

The GRANTOR, LAUGHLAN H. CLARK, as present 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: Horizon Bank, GRANTEE, that real property, situated in the County of Skagit, State of Washington, described as follows:

Lots 80, 82, 83 and 85, "MADDOX CREEK P.U.D. PHASE 1," as per plat recorded in Volume 16 of Plats, pages 121 through 130, inclusive, records of Skagit County, Washington.

Situate in the City of Mount Vernon, County of Skagit County, State of Washington.

#### **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 Oak Tree Properties, LLC as Grantor, to Westward Financial Services Corporation as Trustee, and Horizon Bank, as Beneficiary, dated December 19, 2006, recorded December 20, 2006, under Auditor's File No. 200612200087, records of Skagit County, Washington.
2. Said Deed of Trust was executed to secure, together with other undertakings, the payment of a promissory note in the sum of \$325,000.00 with interest thereon, according to the terms thereof, in favor of Horizon Bank 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 provided that the real property conveyed therein is not used principally for agriculture or farming purposes.

4. Default having occurred in the obligations secured and/or covenants of the Grantor, as set forth in the Notice of Trustee's Sale described below, which by the terms of the Deed of Trust make operative the power to sell, the thirty-day advance Notice of Default was transmitted to the Grantor, or his/her successor in interest, and a copy of said Notice was posted or served in accordance with law.

5. Horizon Bank being then the holder of the indebtedness secured by said Deed of Trust, delivered to said Trustee a written request directing said Trustee or his authorized agent to sell the described property in accordance with law and the terms of said Deed of Trust.

6. 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 July 13, 2009, recorded in the office of the Auditor of Skagit County, Washington, a "Notice of Trustee's Sale" of said property as Auditor's file No. 200907130108.

7. The Trustee, in its aforesaid "Notice of Trustee's Sale" fixed that place of sale as Skagit County Courthouse, a public place, at 10:00 a.m. and in accordance with law caused copies of the statutory "Notice of Trustee Sale" to be transmitted my 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 between the thirty-second and twenty-eighth day before the date of sale, and once between the eleventh and seventh day before the date of sale; and further, included with this Notice, which was transmitted to or served upon the Grantor or his/her 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.

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

9. All legal requirements and all provisions of said Deed of Trust have been complied with, as to acts to be performed and notices and notices to be given.

10. The defaults specified in the "Notice of Trustee's Sale" not having been cured eleven days prior to the Trustee's Sale and said obligation secured by said Deed of Trust remaining unpaid, on October 16, 2009, the 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 therefore, the property hereinabove described, for the sum of \$322,000.00 by credit bid in 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 this 20 day of October, 2009.

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

3238  
OCT 22 2009

Amount Paid \$0  
Skagit Co. Treasurer  
By *UML* Deputy

TRUSTEE:



LAUGHLAN H. CLARK  
Attorney at Law  
1700 "D" St.  
Bellingham WA 98225




STATE OF WASHINGTON )  
 ) ss  
COUNTY OF WHATCOM )

I certify that I know or have satisfactory evidence that Laughlan H. Clark 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 mentioned in the instrument.

Dated: 10-20-09



  
NOTARY PUBLIC in and for the  
State of Washington.  
My Commission expires 8-1-12.

