



200912160035

Skagit County Auditor

12/16/2009 Page 1 of 4 10:40AM

When recorded, mail to:

REGIONAL TRUSTEE SERVICES CORPORATION

616 1st Avenue, Suite 500
Seattle, WA 98104

CHICAGO TITLE CO.
620007097

Trustee's Sale No: 01-FMB-86319



NOTICE OF TRUSTEE'S SALE

Pursuant to R.C.W. Chapter 61.24, et seq. and 62A.9A-604(a)(2) et seq.

I

NOTICE IS HEREBY GIVEN that the undersigned Trustee, REGIONAL TRUSTEE SERVICES CORPORATION, will on **March 19, 2010**, at the hour of **10:00 AM**, at **THE MAIN ENTRANCE TO THE SKAGIT COUNTY COURTHOUSE BLDG., 3RD & KINCAID, MT. VERNON, WA**, sell at public auction to the highest and best bidder, payable at the time of sale, the following described real and personal property (hereafter referred to collectively as the "Property"), situated in the County of SKAGIT, State of Washington:

LOTS 18, 19 AND 20, BLOCK 88, AMENDED PLAT OF BURLINGTON, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 3 OF PLATS, PAGE 17, RECORDS OF SKAGIT COUNTY, WASHINGTON.

SITUATED IN SKAGIT COUNTY, WASHINGTON.

Tax Parcel No: 4076-088-020-0010/ P71889, commonly known as 401 NORTH SPRUCE STREET , BURLINGTON, WA.

The Property is subject to that certain Deed of Trust dated 12/11/2007, recorded 12/18/2007 , under Auditor's/Recorder's No. 200712180100, records of SKAGIT County, Washington, from AGUSTIN RIVERA AS HIS SEPARATE ESTATE, as Grantor, to FIRST AMERICAN TITLE INSURANCE CO., as Trustee, in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR INDYMAC BANK, F.S.B., A FEDERALLY CHARTERED SAVINGS BANK, as Beneficiary, the beneficial interest in which is presently held by ONEWEST BANK, FSB.

II

No action commenced by the Beneficiary of the Deed of Trust 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.

III

The default(s) for which this foreclosure is/are made are as follows:

FAILURE TO PAY THE MONTHLY PAYMENT WHICH BECAME DUE ON 8/1/2009, AND ALL SUBSEQUENT MONTHLY PAYMENTS, PLUS LATE CHARGES AND OTHER COSTS AND FEES AS SET FORTH.

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

| | Amount due as of December 18, 2009 |
|---|---------------------------------------|
| Delinquent Payments from August 01, 2009 5 payments at \$ 1,637.99 each (08-01-09 through 12-18-09) | \$ 8,189.95 |
| Late Charges: | \$ 285.40 |
| Beneficiary Advances: | \$ 112.00 |
| Suspense Credit: | \$ 0.00 |
| TOTAL: | \$ 8,587.35 |

IV

The sum owing on the obligation secured by the Deed of Trust is: Principal \$188,958.52, together with interest as provided in the note or other instrument secured, and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

V

The above described real property will be sold to satisfy the expenses of sale and the 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 March 19, 2010. The default(s) referred to in paragraph III must be cured by March 8, 2010 (11 days before the sale date) to cause a discontinuance of the sale.

The sale will be discontinued and terminated if at any time on or before March 8, 2010, (11 days before the sale date) the default(s) as set forth in paragraph III is/are cured and the Trustee's fees and costs are paid. The sale may be terminated at any time after March 8, 2010, (11 days before the sale date) and before the sale, by the Borrower, 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.

VI

A written Notice of Default was transmitted by the Beneficiary or Trustee to the Borrower and Grantor at the following addresses:

AGUSTIN RIVERA, 401 NORTH SPRUCE STREET, BURLINGTON, WA, 98233
SPOUSE OF AGUSTIN RIVERA, 401 NORTH SPRUCE STREET, BURLINGTON, WA, 98233

by both first class and certified mail on 11/12/2009, proof of which is in the possession of the Trustee; and on 11/12/2009, the Borrower and Grantor were personally served 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.



VII

The Trustee's Sale will be held in accordance with Ch. 61.24 RCW and anyone wishing to bid at the sale will be required to have in his/her possession at the time the bidding commences, cash, cashier's check, or certified check in the amount of at least one dollar over the Beneficiary's opening bid. In addition, the successful bidder will be required to pay the full amount of his/her bid in cash, cashier's check, or certified check within one hour of the making of the bid. 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.

VIII

The effect of the sale will be to deprive the Grantor and all those who hold by, through or under the Grantor of all of their interest in the above described property.

IX

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 same 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.

X

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 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 proceeding under Chapter 59.12 RCW. For tenant-occupied property, the purchaser shall provide a tenant with written notice in accordance with section 2 of this act.

DATED: December 14, 2009.
EffectiveDate:

REGIONAL TRUSTEE SERVICES CORPORATION
Trustee

By 
ANNA EGDORF, AUTHORIZED AGENT
Address: 616 1st Avenue, Suite 500
Seattle, WA 98104
Phone: (206) 340-2550
Sale Information: www.rtrustee.com



