

RECORDING REQUESTED BY  
Midland Mortgage Co.  
999 N.W. Grand Blvd., Ste. 100  
Oklahoma City, OK 73118-6116

AND WHEN RECORDED MAIL TO:  
Quality Loan Service Corp. of Washington  
2141 5th Avenue  
San Diego, CA 92101

CHICAGO TITLE CO.

620007896



201002040021

Skagit County Auditor

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 40771360190704

TS No: WA-09-333881-SH

**NOTICE OF TRUSTEE'S SALE**  
**PURSUANT TO THE REVISED CODE OF WASHINGTON**  
**CHAPTER 61.24 ET. SEQ.**

I. NOTICE IS HEREBY GIVEN that Quality Loan Service Corp. of Washington, the undersigned Trustee, will on **5/7/2010, at 10:00 AM at the main entrance to the Superior Courthouse, 205 W. Kincaid Street, Mt. Vernon, WA** sell at public auction to the highest and best bidder, payable, in the form of cash, or cashier's check or certified checks from federally or State chartered banks, at the time of sale the following described real property, situated in the County of **SKAGIT**, State of Washington, to-wit:

**ABBREVIATED LEGAL**

**Ptns. Lots. 19 and 15, Blk. 136, First Add to Burlington**  
**SEE ATTACHED FOR FULL LEGAL**

Commonly known as:

**301 N SECTION STREET**  
**BURLINGTON, WA 98233**

which is subject to that certain Deed of Trust dated **11/21/2006**, recorded **11/29/2006**, under Auditor's File No. **200611290267**, in Book **xxx**, Page **xxx** records of **SKAGIT** County, Washington, from **ROBERT A. FODE AND MICHELE M. FODE, HUSBAND AND WIFE**, as Grantor(s), to **CHICAGO TITLE COMPANY**, as Trustee, to secure an obligation in favor of **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR GMAC MORTGAGE, LLC F/K/A GMAC MORTGAGE CORPORATION**, as Beneficiary, *(only if current beneficiary different from original beneficiary)* the beneficial interest in which was assigned by **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR GMAC MORTGAGE, LLC F/K/A GMAC MORTGAGE CORPORATION** to **MIDFIRST BANK**.

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/Mortgage.

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

Failure to pay when due the following amounts which are now in arrears: **\$22,641.23**

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IV. The sum owing on the obligation secured by the Deed of Trust is: The principal sum of \$193,941.77, together with interest as provided in the Note from the 5/1/2009, and such other costs and fees as are provided by statute.

V. The above-described real property will be sold to satisfy the expense of sale and the obligation secured by the Deed of Trust as provided by statute. Said sale will be made without warranty, expressed or implied, regarding title, possession or encumbrances on 5/7/2010. The defaults referred to in Paragraph III must be cured by 4/26/2010 (11 days before the sale date) to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time before 4/26/2010 (11 days before the sale) the default as set forth in Paragraph III is cured and the Trustee's fees and costs are paid. Payment must be in cash or with cashier's or certified checks from a State or federally chartered bank. The sale may be terminated any time after the 4/26/2010 (11 days before the sale date) and before the sale, by the Borrower or Grantor or the holder of any recorded junior lien or encumbrance by paying the principal and interest, plus costs, fees and advances, if any, made pursuant to the terms of the obligation and/or Deed of Trust.

VI. A written Notice of Default was transmitted by the Beneficiary or Trustee to the Borrower and Grantor at the following address(es):

| <u>NAME</u>  | <u>ADDRESS</u>                               |
|--|--|
| ROBERT A. FODE AND MICHELE M. FODE ,<br>HUSBAND AND WIFE | 301 N SECTION STREET<br>BURLINGTON, WA 98233 |

by both first class and certified mail on 12/31/2009, proof of which is in the possession of the Trustee; and the Borrower and Grantor were personally served, if applicable, 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 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 their interest in the above-described property.

IX. Anyone having any objections to this 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.

X. NOTICE TO OCCUPANTS OR TENANTS – The purchaser at the Trustee's Sale is entitled to possession of the property on the 20<sup>th</sup> 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 20<sup>th</sup> 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.

**If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.**

**If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's Attorney.**



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THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

T.S. No.: WA-09-333881-SH

DATED: 2/2/2010

  
Quality Loan Service Corp. of Washington, as Trustee  
By: Brooke Frank, Assistant Secretary

For Non-Sale, Payoff and Reinstatement info  
Quality Loan Service Corp of Washington  
2141 Fifth Avenue  
San Diego, CA 92101  
(866) 645-7711  
Sale Line: 714-573-1965 or Login to:  
[www.priorityposting.com](http://www.priorityposting.com)

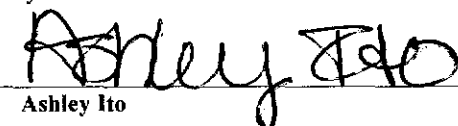
For Service of Process on Trustee:  
Quality Loan Service Corp., of Washington  
19735 10<sup>th</sup> Avenue NE  
Suite N-200  
Poulsbo, WA 98370  
(866) 645-7711

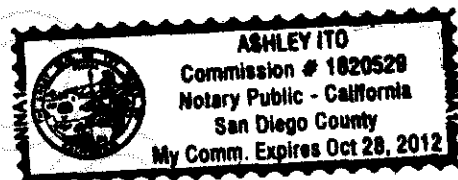
State of California)  
County of San Diego)

On 2/2/2010 before me, **Ashley Ito**, a notary public, personally appeared **Brooke Frank**, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)  
Ashley Ito



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**EXHIBIT 'A'**

That portion of Lot 19, Block 136, FIRST ADDITION TO BURLINGTON SKAGIT CO., WASH., according to the plat thereof, recorded in Volume 3 of Plats, Page 11, records of Skagit County, Washington, described as follows:

Beginning at a point on the East line of said Lot 19 that is 10 feet North of the Southeast corner thereof;  
Thence West parallel to the South line of said lot, 208.02 feet, more or less, to the West line thereof;  
Thence North along the West line of said lot, 35.88 feet, more or less, to the Northwest corner of said lot;  
Thence North 89°49' East along the North line of said Lot, 208 feet, more or less, to the Northeast corner thereof;  
Thence South 36.54 feet, more or less, to the point of beginning.

ALSO, that portion of the East Half of Lot 15, Block 136, FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH., according to the plat thereof, recorded in Volume 3 of Plats, Page 11, records of Skagit County, Washington, described as follows:

Beginning at the Southeast corner of said Lot 15;  
Thence North along the East line thereof, 63.46 feet;  
Thence West, parallel to the centerline of Fairhaven Avenue as established in the City of Burlington, 208 feet, more or less, to the West line of the East Half of said Lot 15;  
Thence South to the South line of said lot;  
Thence east to the point of beginning.

Situated in Skagit County, Washington.

- END OF EXHIBIT 'A' -



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