



201007290072

Skagit County Auditor

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AFTER RECORDING MAIL TO:

JACOB COHEN
Post Office Box 889
Oak Harbor, WA 98277
LAND TITLE OF SKAGIT COUNTY
136625-0

Document Title(s):

1. **Notice of Trustee's Sale**

Reference No. of Documents assigned or released:

Grantor(s): (Last name first, then first and initial)

1. **Jacob Cohen, Successor Trustee**

☐ Additional names on page ____ of document.

Grantee(s): (Last name first, then first and initial)

1. **Richard B Johnson**
General Public

☐ Additional names on page ____ of document.

Abbreviated Legal Description as follows:

**Lot 1 BLA survey 200708140131 in Lots 1&2, Blk 5, Everetts 2nd Add; Tr C of S/P
SW-01-79; and ptns NE ¼ of NE ¼ of 13-35-4 EWM**

☒ Complete legal on page 6 - 8 of document.

Assessor's Property Tax Parcel/Account Number(s):

**350413-1-008-0000; 350413-1-009-0009; 350413-1-001-0300; 350413-1-010-0204;
4061-005-002-0100**

NOTICE OF TRUSTEE'S SALE

**PURSUANT TO THE REVISED CODE OF WASHINGTON
CHAPTER 61.24 ET SEQ.**

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 12th day of November, 2010, at the hour of 10:00 o'clock a.m. at front door of the Skagit County Courthouse, at the intersection of Third Street and Kincaid Street, in the City of Mount Vernon, Skagit County, State of Washington, sell at public auction to the highest and best bidder, payable at the time of sale, the following described real property, situated in the County of Skagit, State of Washington, to-wit:

See Exhibit A attached hereto.

which is subject to that certain Deed of Trust dated August 1, 2007, under Auditor's File No. 200708020165, recorded August 2, 2007, records of Skagit County, Washington, from Richard B. Johnson, as Grantor, to Land Title Company, as Trustee, to secure an obligation in favor of Valley High Investments, Inc., as Beneficiary, the beneficial interest in which was assigned by n/a under an Assignment recorded under Auditor's File No. n/a. Jacob Cohen was appointed as successor trustee by Instrument recorded on September 23, 2009 under Skagit County Auditor's File No. 200909230024.

THE ABOVE DESCRIBED PROPERTY IS BEING SOLD IN AN "AS IS" CONDITION, AND THE TRUSTEE MAKES NO REPRESENTATIONS OR WARRANTIES AS TO THE CONDITION OF THE PROPERTY.

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.



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III.

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

A. Failure to pay when due the following amounts which are now in arrears: N/A

B. Other: Default other than failure to make monthly payments:

Failure to pay the following real property taxes on the following parcels of real property:

1. Parcel ID No. P36413 for the first half of 2010 in the amount of \$3,994.86, plus interest and penalties.
2. Parcel ID No. P36417 for the first half of 2010 in the amount of \$4,944.98, plus interest and penalties.
3. Parcel ID No. P36414 for first half of 2010 in the amount of \$4,192.89, plus interest and penalties.
4. Parcel ID No. P126554 in the amount of \$671.67 for 2008, \$1,664.47 for 2009, and the first half of 2010 in the amount of \$749.92, plus Interest and penalties on the said amounts.
5. Parcel ID No. P126642 in the amount of \$593.64 for 2008, \$661.05 for 2009, and the \$354.25 for the first half of 2010, plus interest and Penalties on the said amounts.

Total: \$17,827.53, plus interest and penalties.

IV.

The sum owing on the obligation secured by the deed of trust is: Principal \$813,860.05, together with interest as provided in the note or other instrument secured from the 30th day of July 2007, such other costs and fees as are due under the note or other installment instrument secured, and as are provided by statute.



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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. The sale will be made without warranty, express or implied, regarding title, possession, or encumbrances on the 12th day of November, 2010. The default(s) referred to in paragraph III must be cured by the 1st day of November, 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 the 1st day of November, 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 any time after the 1st day of November, 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 and at the following addresses:

Richard B. Johnson
5763 Honeysuckle Lane
Marblemount, WA 98267

Jane Doe Johnson
5763 Honeysuckle Lane
Marblemount, WA 98267

by both first-class and certified mail, return receipt requested, on the 15th day of June, 2010, proof of which is in the possession of the trustee; and the borrower and grantor were personally served on the 16th day June, 2010, 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.



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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 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.

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 proceedings under the unlawful detainer act, chapter 59.12 RCW.

XI.

FAIR DEBT COLLECTION PRACTICES ACT NOTICE: The undersigned is attempting to collect a debt and any information obtained will be used for that purpose.

DATED this 28 day of July, 2010.


JACOB COHEN, Successor Trustee
520 East Whidbey Avenue, Suite 201

Post Office Box 889
Oak Harbor, WA 98277
Telephone: 360-675-9088



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STATE OF WASHINGTON)
) ss
COUNTY OF ISLAND)

On this day personally appeared before me **JACOB COHEN**, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 28th day of July, 2010.



Debra Dewispelaere
NOTARY PUBLIC in and for the State of
Washington, residing at Cotuit Harbor
My Commission Expires: 4/8/14



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EXHIBIT "A"

PARCEL "A": P36417

Tract "C", City of Sedro Woolley Short Plat No. SW-01-79, approved May 2, 1979, and recorded May 4, 1979, in Volume 3 of Short Plats, page 112, under Auditor's File No. 7905040019, records of Skagit County, Washington; being a portion of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 13, Township 35 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

PARCEL "B": P36414

The South 20 rods of the North 40 rods of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ in Section 13, Township 35 North, Range 4 East, W.M.;

EXCEPT road;

AND EXCEPT that portion, if any, not lying within the South $\frac{1}{2}$ of the North $\frac{1}{2}$ of said Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$.

Situate in the County of Skagit, State of Washington.

PARCEL "C": P126642

Lot 1 of Boundary Line Adjustment Survey approved August 13, 2007 and recorded August 14, 2007 under Auditor's File No. 200708140131, records of Skagit County, Washington; being a portion of Lot 1 and 2, Block 5, "EVERETT'S SECOND ADDITION TO CONCRETE, SKAGIT COUNTY, WASH.," as per plat recorded in Volume 4 of Plats, page 13, records of Skagit County, Washington.

Situate in the Town of Concrete, County of Skagit, State of Washington.

PARCEL "D": P36413

The North 20 rods of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 13, Township 35 North, Range 4 East, W.M.;

EXCEPT the North 15 feet thereof reserved by the Skagit Realty Company for road purposes;

ALSO EXCEPT those portions thereof lying within the Bassett Road right of way along the East and North line thereof;

ALSO EXCEPT that certain 30 foot by 200 foot tract conveyed to Skagit County for the Bassett Road by deed recorded May 5, 1944, under Auditor's File No. 371254;

ALSO EXCEPT the right of way for State Highway No. 9 along the East line thereof.

Situate in the County of Skagit, State of Washington.



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EXHIBIT "A"

PARCEL "E": P126554

That portion of the following described parcel lying East of Bassett Road:

The East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 13, Township 35 North, Range 4 East, W.M., EXCEPT that portion lying within the Bassett County Road.

TOGETHER WITH that portion of vacated Bassett County road described as follows:

Beginning at a point on the North line of said Section 13, 40.84 feet West of the Northeast corner of said East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$;
thence South $10^{\circ}24'$ West a distance of 712 feet;
thence North $76^{\circ}27'$ West 20.0 feet;
thence South $89^{\circ}45'$ West 20.6 feet;
thence North $13^{\circ}32'$ East 715 feet, more or less, to the point of beginning.

EXCEPT the following described tracts:

- 1.) Beginning at the intersection of the Northerly right of way line of Bassett Road and the West line of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 13, which point is 208 feet, more or less, North from the Southwest corner of said East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$;
thence North along said line 390 feet;
thence East parallel with the South line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, 426 feet to the Westerly right of way line of above County road;
thence Southwesterly to the point of beginning.
- 2.) Beginning at the Northeast corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and thence run South $10^{\circ}24'$ West a distance of 1,320.2 feet to a point on the South line of the said Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$;
thence South $89^{\circ}45'$ West along the $1/16$ line, 361.7 feet to the Southwest corner of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$;
thence North $2^{\circ}45'$ West along $1/64$ line, 171.95 feet to the Southerly right of way line of the County road known as the Bassett Road;
thence along right of way line North $78^{\circ}10'$ East 180.3 feet;
thence on a curve to the left, having a radius of 282.04 feet through a central angle of $64^{\circ}38'$;
thence North $13^{\circ}32'$ East 184.5 feet;
thence North $10^{\circ}24'$ East for a distance of 712 feet to a point of intersection of North line of Section 13;
thence North $88^{\circ}44'$ East a distance of 40.84 feet to the point of beginning.
- 3.) Beginning at the Southeast corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$;
thence North $2^{\circ}56'15''$ West along the North and South centerline of the said Northeast $\frac{1}{4}$ a distance of 440.57 feet;
thence South $89^{\circ}45'$ West parallel with the East and West centerline of the said Northeast $\frac{1}{4}$, a distance of 201.88 feet to a point in the East line of the existing County Gravel Pit;
thence South $10^{\circ}24'$ West along said East line 447.80 feet to the East and West centerline of the Northeast $\frac{1}{4}$ of said section;
thence North $89^{\circ}45'$ East along said line 305.30 feet to the point of beginning.

EXHIBIT "A"

PARCEL "E" continued:

4.) Beginning at the Northeast corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 13;
thence South $88^{\circ}44'$ West 40.84 feet;
thence South $10^{\circ}24'$ West 597.0 feet along the West right of way line of the County road to the point of
beginning;
thence South $10^{\circ}24'$ West 115 feet;
thence North $76^{\circ}27'$ West 20.0 feet;
thence South $89^{\circ}45'$ West 30.0 feet;
thence North $32^{\circ}53'$ East 129.3 feet to the point of beginning.

5.) Beginning at the Northeast corner of said subdivision;
thence South $88^{\circ}44'$ West along the North line of said section for a distance of 662.15 feet;
thence South $2^{\circ}45'$ East a distance of 150 feet to the true point of beginning;
thence North $88^{\circ}44'$ East 133.16 feet;
thence South $2^{\circ}45'$ East 259.20 feet;
thence South $88^{\circ}44'$ West 133.16 feet;
thence North $2^{\circ}45'$ West 259.20 feet to the true point of beginning as conveyed to Skagit County Road
Department by deed recorded July 15, 1976, under Auditor's File No. 839091.

Situate in the County of Skagit, State of Washington.
(See Note #1)



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