



201009070176

Skagit County Auditor

9/7/2010 Page 1 of 5 10:32AM

After Recording Return to:  
MARK A. LACKEY  
900 DUPONT STREET  
BELLINGHAM, WA 98225

Document Title: Notice of Trustee's Sale  
Grantor: Mark A. Lackey, Trustee & Howard M. McIntyre  
Grantee: Steven R. Tracy  
Legal: Ptn NE NE (aka Lot 1, Short Plat No. AN-82-005) Sec 25 Twp 35N R1E WM  
Parcel # P31949

GUARDIAN NORTHWEST TITLE CO.

NOTICE OF TRUSTEE'S SALE

100143-2

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

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 10<sup>th</sup> day of December, 2010, at the hour of 10:00 o'clock A. M., at the main entrance of the Skagit County Courthouse, 205 W. Kincaid Street, Mount Vernon, 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:

Lot 1, Short Plat No. AN-82-005, approved December 7, 1982, and recorded in Volume 6 of Short Plats, page 38, under Auditor's File No. 8212100017, records of Skagit County, Washington; being a portion of the Northeast Quarter of the Northeast Quarter of Section 25, Township 35 North, Range 1 East, W.M.

Situate in Skagit County, Washington

which is subject to that certain Deed of Trust dated July 28, 2008, recorded July 30, 2008, under Auditor's File No. 200807300087, records of Skagit County, Washington, from Steven R. Tracy, as Grantor, to First American Title Company, as Trustee, to secure an obligation in favor of Howard M. McIntyre, as Beneficiary.

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 defaults for which this foreclosure is made are as follows:

Monthly Payments	Late Charges	
March 2010 – August 2010	March 2010 – July 2010	
\$1,237.50 x 6	\$123.75 x 5	<b>TOTAL</b>
\$7,425.00	\$618.75	<b>\$7,548.75</b>

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal \$165,000.00, together with interest as provided in the note or other instrument, 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 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 10<sup>th</sup> day of December, 2010. The defaults referred to in paragraph III must be cured by the 29<sup>th</sup> 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 29<sup>th</sup> day of November, 2010, (11 days before the sale date), the defaults as set forth in paragraph III are cured and the Trustee's fees and costs are paid. The sale may be terminated any time after the 29<sup>th</sup> 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 at the following addresses:

Steven R. Tracy  
1201 32<sup>nd</sup> Street  
Anacortes, WA 98221



by both first class and certified mail on the 29<sup>th</sup> day of July, 2010, proof of which is in the possession of the Trustee; and the Borrower and Grantor were personally served on the 2<sup>nd</sup> day of August, 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.

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 of all those who hold by, through or under the Grantor of all their interest in the above-described property.

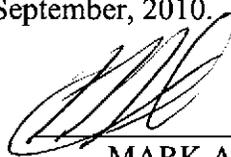
IX.

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.

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 tenants by summary proceedings under Chapter 59.12RCW. For tenant-occupied property, the purchaser shall provide a tenant with written notice in accordance with RCW 61.24.060.

DATED this 1<sup>st</sup> day of September, 2010.



MARK A. LACKEY, Trustee

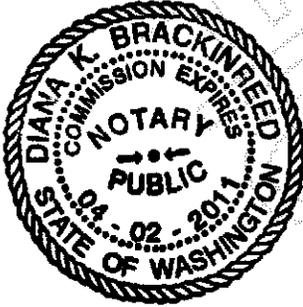
Battersby Field Professional Building  
900 Dupont Street  
Bellingham, Washington 98225  
Phone: (360) 734-6390



STATE OF WASHINGTON )  
 )ss.  
COUNTY OF WHATCOM )

On this 1<sup>st</sup> day of September, 2010, before me personally appeared MARK A. LACKEY, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me 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 the day and year first above written.



Diana K. Brackinreed  
NOTARY PUBLIC in and for the State of  
Washington, residing at Bellingham.  
My Commission Expires 2/2/11.

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**FAIR DEBT COLLECTION PRACTICES ACT NOTICE**

UNLESS YOU NOTIFY THIS OFFICE WITHIN 30 DAYS AFTER RECEIVING THIS NOTICE THAT YOU DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF, THIS OFFICE WILL ASSUME THIS DEBT IS VALID. IF YOU NOTIFY THIS OFFICE OF ANY SUCH DISPUTE IN WRITING WITHIN 30 DAYS FROM RECEIVING THIS NOTICE, THIS OFFICE WILL OBTAIN VERIFICATION OF THE DEBT OR OBTAIN A COPY OF A JUDGMENT, IF ANY, AND WILL MAIL YOU A COPY OF SUCH VERIFICATION OR JUDGMENT. IF REQUESTED BY YOU IN WRITING WITHIN 30 DAYS AFTER RECEIVING THIS NOTICE, THIS OFFICE WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM THE CURRENT CREDITOR. ANY SUCH REQUEST MAY NOT PREVENT US FROM FILING A LAWSUIT, OR FROM PROCEEDING WITH A LAWSUIT, IF ONE HAS BEEN FILED, WITHIN THE ABOVE TIME PERIODS.

