

Recorded at the Request of:  
Michael D. Bohannon, PLLC  
P. O. Box 2326  
Poulsbo, WA 98370



201010270066  
Skagit County Auditor

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**NOTICE OF TRUSTEE'S SALE**

Reference Number: 9905100147  
Grantor: Michael L. Lunz, a single man  
Grantee: Whidbey Island Bank  
Legal Description: Section 3, Township 34, Range 2; Ptn. E 1/2 SE  
Tax Parcel Number: 340203-4-003-0004 P19764  
#047

**GUARDIAN NORTHWEST TITLE CO.**

100232

Pursuant to the Revised Code of Washington, Chapter 61.24 RCW:

I

**NOTICE IS HEREBY GIVEN** that the undersigned Trustee, Michael D. Bohannon, will on **January 28, 2011, at 10:45 a.m.**, at the main entrance of the Skagit County Courthouse, located at 205 W. Kincaid Street, Mount Vernon, 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 attached Exhibit A.

TOGETHER WITH all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties and profits relating to such real property, including without limitation all minerals, oil, gas, geothermal and similar matters; and

TOGETHER WITH all equipment, fixtures and other articles of personal property now or hereafter owned by Grantor, and now or hereafter attached or affixed to the real property; together with all accessories, parts, and additions to, all replacements of, and all substitutions for, any of such property, and together with all issues and profits thereon and proceeds (including without limitation all insurance proceeds and refunds of premiums) for any sale or other disposition of the property; and

UNWITNESSED  
TOGETHER WITH all of the Grantor's right, title, and interest in and to all leases, rents and profits of all of the real property.

The real and personal property described above are referred to, collectively, as the "Property".

The Property is subject to that certain Deed of Trust dated May 6, 1999 and recorded May 10, 1999, under Auditor's File No. 9905100147, records of Skagit County, Washington, from Michael L. Lunz, a single man, Grantor, to Land Title Company of Skagit County, Trustee, to secure an obligation in favor of Whidbey Island Bank, as Beneficiary. The sale will be made without any warranty concerning the title to, or 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 secured by the Deed of Trust in any Court by reason of the Borrower's or Grantor's default on the obligation secured by the Deed of Trust.

III

The Beneficiary alleges default of the Deed of Trust for failure to pay the following amounts now in arrears and/or other defaults:

A.	Monthly P & I payments to 10/19/10	\$ 6,550.38
B.	Late charges	\$ 247.64
	<b>Total arrearages</b>	<b><u>\$6,798.02</u></b>
C.	Advances by Beneficiary	\$ 0.00
D.	Trustee's expenses	
	Trustee's fees	\$ 1,500.00
	Attorney's fees	\$ 0.00
	Title report	\$ 711.96
	Process service	\$ 260.00
	Long distance	\$ 20.00
	Recording fees	\$ 83.00
	Statutory mailings/photocopies	\$ 229.00
	<b>Total costs</b>	<b><u>\$2,803.96</u></b>

Total Estimated Reinstatement Amount as of October 19, 2010: **\$ 9,601.98**

Other potential defaults do not involve payment to the Beneficiary of the obligation secured by the Deed of Trust. If applicable, each of these defaults must also be cured. Listed below are categories of common defaults which are or may be applicable. Opposite each such listed default is a brief description of the action/documentation necessary to cure the default. The list does not exhaust all possible other defaults; any defaults identified by Beneficiary or Trustee that are not listed below must also be cured.



OTHER DEFAULT

Non payment of Taxes/Assessments

Default under any senior liens

Failure to insure Property against hazard

Waste

Unauthorized sale of Property (Due on Sale)

ACTION NECESSARY TO CURE

Deliver to Trustee written proof that all taxes and assessments against the Property are paid current.

Deliver to Trustee written proof that all senior liens are paid current and that no other defaults exist.

Deliver to Trustee written proof that the Property is insured against hazard as required by the Deed of Trust.

Cease and desist from committing waste, repair all damage to Property and maintain Property as required in Deed of Trust.

Revert title to permitted vestee.

IV

The sum owing on obligation secured by the Deed of Trust is: Principal **\$116,617.68** together with interest as provided in the underlying Note and such other costs and fees as are due under the Note and Deed of Trust and as are provided by statute.

V

The 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 **January 28, 2011**. The defaults referred to in Paragraph III must be cured by **January 17, 2011**, to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time on or before **January 17, 2011**, 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 **January 17, 2011**, and before the sale by the Borrower, Grantor, any Guarantor, their successor in interest or the holder of any recorded junior lien or encumbrance, by 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:



Michael L. Lunz (Borrower/Grantor) 9859 Padilla Heights Road Anacortes, WA 98221 #047	Michael L. Lunz 515 E. Fairhaven Avenue Burlington, WA 98233 #047	Michael L. Lunz 14352 Lunz Road Anacortes, WA 98221 #047
Michael L. Lunz 923 Maple Avenue La Conner, WA 98257 #047		

by both first class mail and certified mail on August 12, 2010, proof of which is in the possession of the Trustee; and on August 14, 2010 the written Notice of Default was posted in a conspicuous place on the Property described in paragraph I above, and the Trustee has possession of proof of such 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.

Michael D. Bohannon, Trustee  
19586 10<sup>th</sup> Avenue NE, Suite 300  
P. O. Box 2326  
Poulsbo, WA 98370// (360) 779-6665

### 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 is afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the sale pursuant to the 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

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Exhibit A-Legal Description

That portion of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 3, Township 34 North, Range 2 East, W.M., described as follows:

Commencing at the Southwest corner of said Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ ;  
thence North  $01^{\circ}50'50''$  East, 30.003 feet to the true point of beginning;  
thence continuing North  $01^{\circ}50'50''$  East 604.380 feet, more or less, to the South line of State Highway No. 20;  
thence South  $60^{\circ}20'14''$  East along the South line of said State Highway No. 20, 373.112 feet;  
thence South  $01^{\circ}50'50''$  West 569.748 feet to the North line of Padilla Heights County Road;  
thence North  $87^{\circ}33'29''$  West along the North line of said Padilla Heights County Road 30.002 feet;  
thence North  $01^{\circ}50'50''$  East 143.196 feet;  
thence North  $88^{\circ}55'24''$  West 300.027 feet to the point of beginning.

Being also known as Tract "B" of Survey recorded November 24, 1976, in Book 1 of Surveys, page 163, under Auditor's File No. 826580, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

