

Return Address:

LPSL Corporate Services, Inc.
Successor Trustee
Attn: Gregory R. Fox
1420 Fifth Avenue, Suite 4100
Seattle, WA 98101-2338



201012300127

Skagit County Auditor

12/30/2010 Page 1 of 10 3:29PM

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

GRANTOR (TRUSTEE): LPSL CORPORATE SERVICES, INC.
GRANTEE: BLACKBURN SOUTHEAST, L.L.C; BLACKBURN
NORTH, L.L.C.; LITTLE MOUNTAIN EAST, L.L.C.
ABBREV. LEGAL DESCRIPTION: SECTION 28, TOWNSHIP 34, RANGE 4; PTN. SW NE
AND SE AND E ½ SW
TAX PARCEL NUMBER(S): *add'l #* SEE EXHIBIT A. P28045
AFFECTED DOCUMENTS: 200605010189 GUARDIAN NORTHWEST TITLE CO.

TO: Blackburn Southeast, L.L.C. (Grantor)
Blackburn North, L.L.C. (Grantor)
Little Mountain East, L.L.C. (Grantor)
Landed Gentry Development, Inc. (Borrower)
Kendall D. Gentry (Guarantor)
Nancy Gentry (Guarantor)
Other Parties in Interest

100313

NOTICE IS HEREBY GIVEN that the undersigned Successor Trustee or its designated representative will on the 1st day of April, 2011, at the hour of 10:00 a.m. at the main entrance of the Skagit County Courthouse, 205 West Kincaid, Mount Vernon, Washington, sell at public auction to the highest and best bidder, payable at the time of sale, that real property situated in Skagit County, State of Washington, which is more particularly described as:

See Exhibit B.

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); all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas,

geothermal and similar matters; and all other Personal Property described in the Deed of Trust;

all of which is subject to that certain Deed of Trust (as amended, the "Deed of Trust") dated May 1, 2006 and recorded May 1, 2006 under Instrument No. 200605010189, records of Skagit County, Washington, from Blackburn Southeast, L.L.C., a Washington limited liability company, Blackburn North, L.L.C., a Washington limited liability company, and Little Mountain East, L.L.C., a Washington limited liability company, as Grantors under said Deed of Trust ("Grantors"), to Westward Financial Services Corporation, as Trustee, to secure an obligation in favor of Horizon Bank, as Beneficiary. The Deed of Trust and the obligation secured thereby were modified, as memorialized by that certain Modification of Deed of Trust dated August 13, 2007, and recorded August 21, 2007 under Instrument No. 200708210011, records of Skagit County, Washington. The Deed of Trust and the obligation secured thereby were assigned to Washington Federal Savings & Loan Association ("Washington Federal") by the Federal Deposit Insurance Corporation ("FDIC") receivership of Horizon Bank, as memorialized by an Assignment of Deed of Trust dated April 12, 2010 and recorded April 13, 2010 under Instrument No. 201004130071, records of Skagit County, Washington. An Appointment of Successor Trustee appointing LPSL Corporate Services, Inc. as Successor Trustee was recorded May 26, 2010 under Instrument No. 201005260100, records of Skagit County, Washington.

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 Grantor's default on the obligation secured by the Deed of Trust.

III.

The defaults for which this foreclosure is made are as follows:

Failure to pay the following amounts when due:

Obligations

Amount Outstanding

- | | |
|--|----------------|
| 1. Matured principal balance | \$3,574,847.74 |
| 2. Unpaid interest through December 29, 2010 | \$262,478.23 |
| 3. Late fees prior to maturity | \$1,249.95 |

In addition to the amounts in arrears specified above, you are or may be obligated to pay the following estimated charges, costs and fees:



(a)	Title report	\$6,031.07
(b)	Attorneys' fees	\$8,000.00
(c)	Service/Posting/Publishing/ Notices of Default, Sale & Foreclosure	\$2,500.00
(d)	Postage and copying expenses	\$100.00
(e)	Recording fees	<u>\$100.00</u>
	Subtotal:	\$16,731.07
TOTAL:		\$3,855,306.99

IV.

The sum owing on the obligation secured by the Deed of Trust is: the unpaid principal balance of \$3,574,847.74, together with interest from December 10, 2009 as provided in the Promissory Note and such other advances, costs and fees as are due and will come due under the Promissory Note or other instrument, and as provided by statute.

V.

The above-referenced real property will be sold to satisfy the expenses of sale and the obligation secured by said Deed of Trust as provided by statute. The sale will be made without warranty, express or implied, regarding title, possession, or encumbrance on the **1st day of April, 2011**. The sale may be terminated any time before the time of sale on the **1st day of April, 2011** (the sale date) by Grantor, or the Grantor's successor in interest 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, including, but not limited to, the Promissory Note and/or Deed of Trust.

VI.

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

Grantor: Blackburn Southeast, L.L.C.
504 E Fairhaven Ave.
Burlington, WA 98223

Grantor: Blackburn North, L.L.C.
504 E Fairhaven Ave.
Burlington, WA 98223



Grantor: Little Mountain East, L.L.C.
504 E Fairhaven Ave.
Burlington, WA 98223

Borrower: Landed Gentry Development, Inc.
504 E Fairhaven Ave.
Burlington, WA 98223

by both first class and certified mail on the 21st day of April, 2010, proof of which is in the possession of the Successor Trustee; and the written Notice of Default was posted on the real property situated in Skagit County on the 22nd day of April, 2010, proof of which is also in the possession of the Successor Trustee.

VII.

The Successor 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 owners) and anyone having an interest junior to the Deed of Trust, 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. For tenant-occupied property, the purchaser shall provide a tenant with written notice in accordance with RCW 61.24.060.



Special Notice to Guarantor

Pursuant to RCW 61.24.042, each Guarantor is hereby notified that: (1) each Guarantor may be liable for a deficiency judgment to the extent the sale price obtained at the Trustee's sale is less than the debt secured by the Deed of Trust; (2) each Guarantor has the same rights to pay the debt, cure the default, or repay the debt as is given to the Borrower and Grantor in order to avoid the Trustee's sale; (3) each Guarantor will have no right to redeem the property after the Trustee's sale; (4) subject to such longer periods as are provided in the Washington Deed of Trust Act, Chapter 61.24 RCW, any action brought to enforce a guaranty must be commenced within one year after the Trustee's sale, or the last Trustee's sale under any deed of trust granted to secure the same debt; and (5) in any action for a deficiency, each Guarantor will have the right to establish the fair value of the subject property as of the date of the trustee's sale, less prior liens and encumbrances, and to limit each Guarantor's liability for a deficiency to the difference between the debt and the greater of such fair value or the sale price paid at the Trustee's sale, plus interest and costs.

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

DATED: December 30, 2010.

LPSL Corporate Services, Inc.
Successor Trustee

By: 

Charles R. Ekberg, its Vice President

Address:

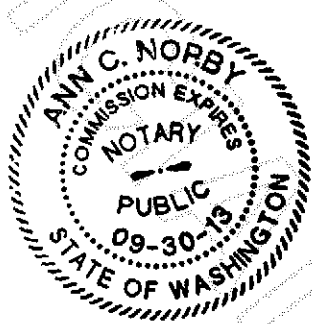
LPSL Corporate Services, Inc.
1420 Fifth Avenue, Suite 4100
Seattle, Washington 98101-2338
Phone: (206) 223-7000



STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Charles R. Ekberg is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the Vice President of LPSL Corporate Services, Inc. to be his free and voluntary act of such parties for the uses and purposes mentioned in this instrument.

DATED: December 20, 2010.



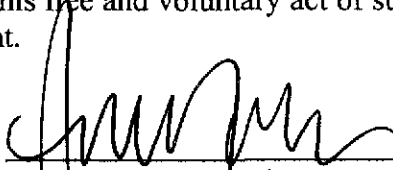

Print Name: Ann C. Norby
NOTARY PUBLIC for the State of
Washington, residing at Seattle
My appointment expires: 09/30/2013



EXHIBIT "A"
ADDITIONAL TAX PARCEL NUMBERS

The tax parcel numbers referred to in this Notice are described as follows:

340428-4-001-0005 (P28045)
340428-4-001-0104 (P28046)
340428-4-011-0003 (P28065)
340428-1-011-0009 (P27991)
340428-1-010-0208 (P27990)
4681-000-089-0000 (P109379)
4681-000-084-0000 (P109374)
340428-3-002-0006 (P28025)
340428-4-007-0009 (P28059)
340428-3-012-0004 (P28039)
340428-3-012-0103 (P28040)
340428-4-008-0008 (P28060)
340428-4-008-0107 (P28061)
340428-4-009-0007 (P28062)
340428-4-009-0106 (P28063)
340428-4-003-0011 (P28049)

{end of Exhibit "A"}



EXHIBIT "B"
LEGAL DESCRIPTION

The land referred to in this Notice is situated in the State of Washington, County of Skagit, and is described as follows:

Parcel "A-1":

The Northeast 1/4 of the Southeast 1/4 of Section 28, Township 34 North, Range 4 East, W.M.; EXCEPT the North 30 feet of the West 1/2 thereof conveyed to Skagit County for road purposes by Deed recorded September 9, 1947, under Auditor's File No. 408562.

Parcel "A-2":

The Southeast 1/4 of the Southeast 1/4 of Section 28, Township 34 North, Range 4 East, W.M..

Parcel "B-1":

The Southeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 28, Township 34 North, Range 4 East, W.M..

EXCEPT the South 60 feet thereof conveyed to City of Mount Vernon for road purposes by deed dated February 1, 1991, and recorded February 11, 1991, under Auditor's File No. 9102110019, records of Skagit County, Washington.

Parcel "B-2":

The East 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 28, Township 34 North, Range 4 East, W.M., EXCEPT the South 60 feet thereof for road.

PARCEL "C-1":

Tract 89, "MADDOX CREEK P.U.D. PHASE 1", as per Plat recorded in Volume 16 of Plats, pages 121 through 130, records of Skagit County, Washington.

PARCEL "C-2":

Tract 84, "MADDOX CREEK P.U.D. PHASE 1", as per plat recorded in Volume 16 of Plats, pages 121 through 130, records of Skagit County, Washington.



Parcel "D-1":

That portion of the Northeast 1/4 of the Southwest 1/4 of Section 28, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the intersection of the East line of said subdivision with the South line of the County Road running along the North line thereof; thence Southerly along said East line a distance of 700 feet to the true point of beginning; thence Westerly parallel with the South line of said subdivision, to the Easterly line of the Little Mountain County Road No. 323; thence Southerly along said Easterly line to its intersection with the South line of said Northeast 1/4 of the Southwest 1/4; thence Easterly along the South line of said subdivision to the Southeast corner thereof; thence Northerly along the East line of said subdivision a distance of 600 feet, more or less, to the true point of beginning.

Parcel "D-2":

The West 660 feet of the Northwest 1/4 of the Southeast 1/4 of Section 28, Township 34 North, Range 4 East, W.M., EXCEPT the North 264 feet of the West 165 feet thereof, and ALSO EXCEPT the North 30 feet thereof as conveyed to Skagit County for road purposes by deed recorded September 9, 1947 under Auditor's File No. 408560.

EXCEPT that portion thereof described as follows:

Commencing at the Northwest corner of the Southeast 1/4 of Section 28, Township 34 North, Range 4 East, W.M., thence North 89°07'18" East along the North line of said Southeast 1/4 for a distance of 165.13 feet to a point on the East line of the West 165.00 feet of said Southeast 1/4; thence South 01°24'17" West along said East line, for a distance of 30.02 feet to the South margin of East Blackburn Road; thence continuing South 01°24'17" West along said East line, for a distance of 29.70 feet to the true point of beginning; thence South 37°15'18" East for a distance of 19.00 feet; thence South 16°17'07" East for a distance of 58.30 feet; thence South 09°25'03" East for a distance of 31.65 feet; thence North 83°36'04" East for a distance of 6.05 feet; thence South 02°46'30" East for a distance of 20.08 feet; thence South 24°27'15" West for a distance of 41.34 feet; thence South 31°44'26" West for a distance of 53.05 feet to the Southeast corner of the West 165.00 feet of the North 264.00 feet of said Southeast 1/4; thence North 01°24'17" East for distance of 204.49 feet to the true point of beginning.

Parcel "D-3":

That portion of the Southeast 1/4 of the Southwest 1/4 and of the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 34 North, Range 4 East, W.M., lying



Northeasterly of the County Road known as Little Mountain Road No. 323, as conveyed to Skagit County by Deeds recorded May 26, 1932, January 3, 1936 and July 23, 1946 as Auditor's File Nos. 275344, 250891 and 394229.

(Except from any of the above described Parcels ("D-1", "D-2" or "D-3") any portion conveyed to Skagit County, State of Washington, by Right-of-Way Deed(s) recorded under Skagit County Auditor's File Nos. 8808020041, 8808020042, 8808020043 and 8808020044).

Parcel "D-4":

That portion of the West 660 feet of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 28, Township 34 North, Range 4 East, W.M., described as follows:

Commencing at the Northwest corner of the Southeast $\frac{1}{4}$ of Section 28, Township 34 North, Range 4 East, W.M., thence North $89^{\circ}07'18''$ East along the North line of said Southeast $\frac{1}{4}$ for a distance of 165.13 feet to a point on the East line of the West 165.00 feet of said Southeast $\frac{1}{4}$; thence South $01^{\circ}24'17''$ West along said East line, for a distance of 30.02 feet to the South margin of East Blackburn Road; thence continuing South $01^{\circ}24'17''$ West along said East line, for a distance of 29.70 feet to the true point of beginning; thence South $37^{\circ}15'18''$ East for a distance of 19.00 feet; thence South $16^{\circ}17'07''$ East for a distance of 58.30 feet; thence South $09^{\circ}25'03''$ East for a distance of 31.65 feet; thence North $83^{\circ}36'04''$ East for a distance of 6.05 feet; thence South $02^{\circ}46'30''$ East for a distance of 20.08 feet; thence South $24^{\circ}27'15''$ West for a distance of 41.34 feet; thence South $31^{\circ}44'26''$ West for a distance of 53.05 feet to the Southeast corner of the West 165.00 feet of the North 264.00 feet of said Southeast $\frac{1}{4}$; thence North $01^{\circ}24'17''$ East for distance of 204.49 feet to the true point of beginning.

{end of Exhibit "B"}

