

COVER SHEET

Return To:

Fairhaven Legal Associates, P.S.
P.O. Box 526
Burlington, Washington 98233
CK# 7144



201108240055

Skagit County Auditor

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DOCUMENT TITLE(S)

Notice of Trustee's Sale

REFERENCE NUMBER(S)

200812080090 (Deed of Trust)

GRANTOR(S)

- 1) Fairhaven Legal Associates
- 2) Columbia State Bank

GRANTEE(S)

- 1) Estol Wade Mahala
- 2) Martha A. Mahala
- 3) Public

LEGAL DESCRIPTION

Lot 1, SP LU-04-091; Ptn SW ¼ of SW ¼, 9-34-4 E W.M.

ASSESSORS PARCEL / TAX ID NUMBER:

340409-3-015-0600
Property ID: P125056

NOTICE OF TRUSTEE'S SALE

I.

NOTICE IS HEREBY GIVEN that the undersigned Successor Trustee will on the 2nd day of December, 2011, at the hour of 10:00 o'clock a.m. at the main entrance of the Skagit County Superior Courthouse located at 205 W Kincaid St., Mount Vernon, WA 98273, State of Washington, sell at public auction to the highest and best bidder, payable at the time of sale, the following described real property, situate in the County of Skagit, State of Washington, to-wit:

Lot 1, Short Plat No. LU-04-091, approved September 18, 2006, recorded September 21, 2006, under Skagit County Auditor's File No. 200609210114, being a portion of Tract 3, City of Mount Vernon Short Plat No. NV-1-79, which was approved January 15, 1979, and recorded January 23, 1979, under Skagit County Auditor's File No. 895203 in Volume 3 of Short Plats, page 65, records of Skagit County, State of Washington, being a portion of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 9, Township 34 North, Range 4 East, W.M.

TOGETHER WITH AND SUBJECT TO easements for ingress, egress, water pipeline and utilities as delineated on the face of said Short Plat No. LU-04-091.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

Parcel No. P125056
Account No. 340409-3-015-0600

which is subject to that certain Deed of Trust dated November 26, 2008 recorded December 8, 2008 under Auditor's File No. 200812080090, records of Skagit County Washington, from Mahala, Estol Wade and Mahala, Martha, A. as Grantor(s) to Land Title Company, as Trustee, which Trustee has been succeeded by David L. Day of Fairhaven Legal Associates P.S. to secure an obligation in favor of Columbia State Bank, successor in interest to Summit Bank, 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.



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III.

The default for which this foreclosure is made is/are as follows: For failure to pay when due the following amounts which are now in arrears, \$14,350.00, plus other charges, costs and fees as set forth in the Notice of Foreclosure, and for other than payment of money such as nonpayment of Taxes.

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal \$310,606.62, together with interest as provided in the 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 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 2nd day of December, 2011. The default(s) referred to in paragraph III must be cured by the 21 day of November, 2011 (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 the 21 day of November, 2011 (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 by the Grantor anytime after the 21 day of November, 2011 (11 days before the sale date), and before the sale by the Borrower, Grantor, any Guarantor, or his 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 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 or his successor in interest at the following addresses:

Estol W. Mahala
Martha A. Mahala
2400 Francis Road
Mount Vernon, WA 98273

Estol W. Mahala
Martha A. Mahala
P.O. Box 1145
Burlington, WA 98233

Estol W. Mahala
Martha A. Mahala
204 Kay Ave.
Burlington, WA 98233



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by both first class and certified mail on the 19 day of July, 2011, proof of which is in the possession of the Trustee; the Borrower and Grantor or his successor in interest was personally served on the 20 day of July, 2011 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 Successor Trustee whose name and address is 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 twentieth 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 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.



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