

COVER SHEET

Return To:

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



201201250111

Skagit County Auditor

1/25/2012 Page

1 of

5 1:25PM

DOCUMENT TITLE(S)

Notice of Trustee's Sale

REFERENCE NUMBER(S)

201009200113 - Deed of Trust

GRANTOR(S)

- 1) Fairhaven Legal Associates, Trustee
- 2) Columbia Bank, successor in interest to Summit Bank

GRANTEE(S)

- 1) Cheryl A. Pitts
- 2) Harold V. Pitts
- 3) Public

LEGAL DESCRIPTION

PTN LOTS 20 & 21, BLK 1, BAKER

ASSESSORS PARCEL / TAX ID NUMBER:

4048-001-021-0009/P70496

NOTICE OF TRUSTEE'S SALE

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 2nd day of March, 2012, at the hour of 10:00 o'clock 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, situate in the County of Skagit, State of Washington, to-wit:

Lots 20 and 21, Block 1, "BAKER," as per plat recorded in Volume 3 of Plats, page 63, records of Skagit County, Washington.

AND EXCEPT the South 5 feet of Lots 20 and 21 for street purposes.

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

Assessor's Tax/Parcel No.s: 4048-001-021-0009 / P70496

More commonly known as: 45951 Main Street, Concrete, WA 98237

which is subject to that certain Deed of Trust dated September 14th, 2010, recorded September 20, 2010, under Auditor's File No. 201009200113, records of Skagit County Washington, from Pitts, Cheryl A and Pitts, Harold V, 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 Summit Bank (Columbia Bank, successor in interest to Summit Bank), as Beneficiary, the beneficial interest in which was assigned by **Pitts, Cheryl A and Pitts, Harold V**, and assigned to **Summit Bank (Columbia Bank, successor in interest to Summit Bank)**, as Beneficiary, under an Assignment recorded under Auditor's File No. 201009200114. The



201201250111
Skagit County Auditor

previous trustee sale was stayed by a filing in U.S. Bankruptcy Court under case #11-17804-MLB, which Bankruptcy was dismissed on January 9th, 2012.

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 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, **\$73,254.71**, plus other charges, costs and fees as set forth in the Notice of Foreclosure, and for other than payment of money such as failure to insure property.

IV.

The sum owing on the obligation secured by the Deed of Trust is:
Principal **\$701,774.48**, plus 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 March, 2012. The default(s) referred to in paragraph III must be cured by the 20th day of February, 2012 (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 20th day of February, 2012 (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 20th day of February, 2012 (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.



201201250111

Skagit County Auditor

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:

Harold V. Pitts
Cheryl A. Pitts
P.O. Box 527
Hamilton, WA 98255

Harold V. Pitts
Cheryl A. Pitts
45951 Main Street
Concrete, WA 98237

by both first class and certified mail on the 20th day of June, 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 19th day of June, 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 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.



201201250111
Skagit County Auditor

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.

DATED this 23rd day of January, 2012.


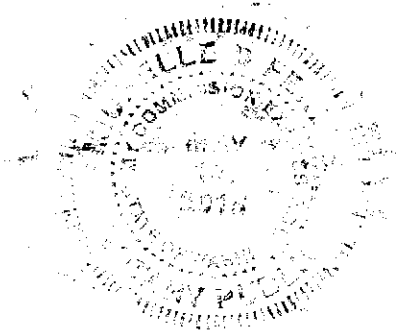


DAVID L. DAY, Successor Trustee
POB 526
Burlington, WA 98233
(360) 755-0611

STATE OF WASHINGTON)
) ss:
COUNTY OF SKAGIT)

On this day personally appeared before me DAVID L. DAY 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 23rd day of January 2012.



NOTARY PUBLIC for the State of Washington
My Commission Expires: 5-18-2015



201201250111
Skagit County Auditor