



201206180203  
Skagit County Auditor

6/18/2012 Page 1 of 7 1:16PM

Filed for Record at Request of:

Fairhaven Legal Associates  
P.O. Box 523  
Burlington, WA 98233

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REFERENCE NUMBER OF RELATED DOCUMENT:	200706200156
GRANTOR:	Fairhaven Legal Associates
GRANTEE:	Nelson Living Trust
ABBREVIATED LEGAL DESCRIPTION:	Ptn, Lot 7 Referee's Plat and Ptn, Lot 1 In 14-35-1 E WM
ASSESSOR'S TAX PARCEL NUMBER:	P31291

### NOTICE OF TRUSTEE'S SALE

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 28th day of September, 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:

Legal description attached as Exhibit "A"

Situate in the City of Anacortes, County of Skagit, State of Washington.

Assessor's Tax/Parcel No.s:350114-0-036-0003/P31291

More commonly known as: 4592 S. Shore Drive, Anacortes, WA 98221

which is subject to that certain Deed of Trust dated June 19, 2007, recorded June 20, 2007, under Auditor's File No. 200706200156, records of Skagit County Washington, from Nelson Living

Trust, as Grantor to Chicago Title, 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 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.

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, \$48,000.00, plus other charges, interest, 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 \$561,034.48, 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 28th day of September, 2012. The default(s) referred to in paragraph III must be cured by the 17th day of September, 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 17th day of September, 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 17th day of September, 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.

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:

Nelson Living Trust  
1902 41<sup>st</sup> Ave  
Anacortes, WA 98221

Lawrence C. Nelson and Amber L. Nelson  
As Trustee's of Nelson Living Trust  
1902 41<sup>st</sup> Ave  
Anacortes, WA 98221

Craig Sjostrom  
Attorney for  
T.N.S Properties Profit Sharing Plan  
1204 Cleveland Ave  
Mount Vernon, WA 98273

T.N.S Properties Profit Sharing Plan  
Thomas N. Sharp, Trustee  
24254 143<sup>rd</sup> Ave SE  
Kent, WA 98042

by both first class and certified mail on the 9th day of May, 2012, proof of which is in the possession of the Trustee; the Borrower and Grantor or his successor in interest was personally served on the 13th day of May, 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 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.

DATED this 15th day of June, 2010.

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



STATE OF WASHINGTON )  
 ) SS:  
COUNTY OF SKAGIT )

THIS IS TO CERTIFY that on this 15<sup>th</sup> day of June, 2012, before me, the undersigned, a notary public in and for the State of Washington, duly commissioned and sworn, personally appeared David L. Day to me known to be the President of Fairhaven Legal Associates, the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that said individual was authorized to execute said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.



Michelle D. Jensen  
NOTARY PUBLIC for Washington.  
My Commission Expires: 5/18/2015



**EXHIBIT "A"**

**DESCRIPTION:**

**PARCEL "A":**

That part of the West 50 feet of the East 70.72 feet of Tract 7, lying South of the County Road, all in REFEREE'S PLAT OF THE SOUTH ½ OF THE SOUTHEAST ¼ OF SECTION 11, LOT 1, SECTION 13, LOTS 1 AND 2, SECTION 14, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M.

Also tidelands of the second class to the line of mean low tide, situate in front of and between the East and West line of said premises extended.

Situate in the County of Skagit, State of Washington.

**PARCEL "B":**

Part of Government Lot 1, Section 14, Township 35 North, Range 1 East, W.M., described as that part of the West 10 feet of the East 20.72 feet of subdivision 7, of the REFEREE'S PLAT OF THE SOUTH ½ OF THE SOUTHEAST ¼ OF SECTION 11, LOT 1, SECTION 13, LOTS 1 AND 2, SECTION 14, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., lying South of the County road.

Also tidelands of the second class, extending to the line of mean low tide, lying in front of and abutting on the above described uplands.

Situate in the County of Skagit, State of Washington.

**PARCEL "C":**

That portion of the Government Lot 1, Section 14, Township 35 North, Range 1 East, W.M., described as follows:

The West 4.28 feet of Tract 6, lying South of the County road, and the East 10.72 feet of Tract 7, lying South of the County road, all in REFEREE'S PLAT OF THE SOUTH ½ OF THE SOUTHEAST ¼ OF SECTION 11, LOT 1, SECTION 13, LOTS 1 AND 2, SECTION 14, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M.

TOGETHER WITH tidelands of the second class to the line of mean low tide, lying in front of and abutting on the above described uplands.

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**EXHIBIT "A"**

DESCRIPTION CONTINUED:

PARCEL "D":

That portion of Government Lot 1, Section 14, Township 35 North, Range 1 East, W.M., described as follows:

The East 10 feet of the West 14.28 feet of Tract 6, lying South of the County road, all in REFEREE'S PLAT OF THE SOUTH ½ OF THE SOUTHEAST ¼ OF SECTION 11, LOT 1, SECTION 13, LOTS 1 AND 2, SECTION 14, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M.

TOGETHER WITH tidelands of the second class to the line of mean low tide, lying in front of and abutting on the above described uplands.

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