

**COVER SHEET**

Return To:

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

**DOCUMENT TITLE(S)**

Notice of Trustee's Sale

**REFERENCE NUMBER(S)**

200901020131

**GRANTOR(S)**

1) Jerry L. Spurgeon, Marilyn L. Spurgeon

**GRANTEE(S)**

1) Columbia Bank, Successor in interest to Summit Bank

**LEGAL DESCRIPTION**

Lot 5, Rev. SP 119-77; Ptn SE 1/4 of NW 1/4, 12-35-4 E.W.M.

**ASSESSORS PARCEL / TAX ID NUMBER:**

350412-2-010-0203; P36288



201207030047

Skagit County Auditor

# NOTICE OF TRUSTEE'S SALE

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 12<sup>th</sup> day of October, 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:

## PARCEL "A":

Tract 5 of 5-acre Parcel Map known as Revised Short Plat No. 119-77, as approved December 13, 1977, and recorded December 15, 1977, in Volume 2 of Short Plats, page 165, under Auditor's File No. 870419, records of Skagit County, Washington; being a portion of the Southeast ¼ of the Northwest ¼ of Section 12, Township 35 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

## PARCEL "B":

A non-exclusive easement for ingress, egress and utilities over and across a 60 foot strip of land as delineated on 5-Acre Parcel Map known as Revised Short Plat No. 119-77, as approved December 13, 1977, and recorded December 15, 1977, in Volume 2 of Short Plats, page 165, under Auditor's File No. 870419, records of Skagit County, Washington; being a portion of the Southeast ¼ of the Northwest ¼ of Section 12, Township 35 North, Range 5 East, W.M.

Situate in the County of Skagit, State of Washington.

Assessor's Tax/Parcel No.s: 350412-2-010-0203 / P36288

More commonly known as: 7302 Union Square Ln., Sedro Woolley, WA 98284



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which is subject to that certain Deed of Trust dated December 29, 2008, recorded January 5, 2009, under Auditor's File No. 200901050131, records of Skagit County Washington, from Jerry L. Spurgeon and Marilyn L. Spurgeon as Grantor(s) to Land Title Company of Skagit County, as Trustee, which Trustee has been succeeded by DAVID L. DAY to secure an obligation in favor of Summit Bank, as Beneficiary (now succeeded in interest by Columbia Bank).

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, \$26,010.00, 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 \$177,911.16, 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 12<sup>th</sup> day of October, 2012. The default(s) referred to in paragraph III must be cured by the 1<sup>st</sup> day of October, 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 1<sup>st</sup> day of October, 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 1<sup>st</sup> day of October,



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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:

Jerry Spurgeon  
Marilyn Spurgeon  
7302 Union Square Ln.  
Sedro-Woolley, WA 98284

by both first class and certified mail on the 1<sup>st</sup> 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 13<sup>th</sup> day of May, 2012 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.



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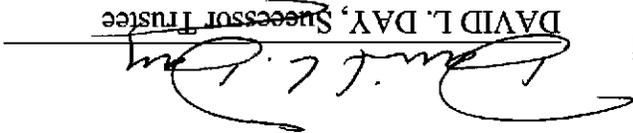
**NOTICE TO OCCUPANTS OR TENANTS**

X.

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 5<sup>th</sup> day of July, 2012.

DAVID L. DAY, Successor Trustee



POB 526  
Burlington, WA 98233  
(360) 755-0611

STATE OF WASHINGTON )  
) ss: )  
) COUNTY OF SKAGIT )

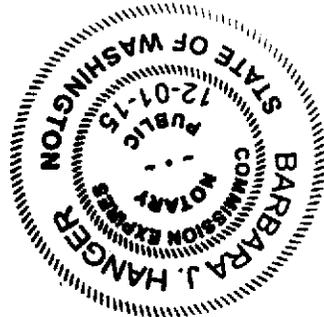
On this day personally appeared before me DAVID L. DAY to me known to be the

individual described in and who executed the within and foregoing instrument, and

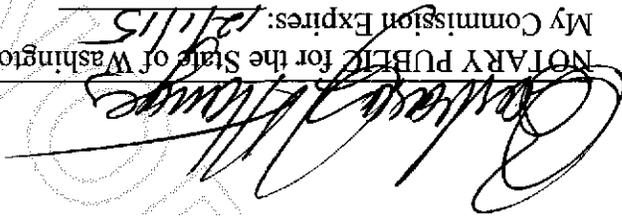
acknowledged that he signed the same as his free and voluntary act and deed, for the uses and

purposes therein mentioned.

GIVEN under my hand and official seal this 5<sup>th</sup> day of July, 2012.



NOTARY PUBLIC for the State of Washington  
My Commission Expires: 12/1/15





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Skagit County Auditor