

Filed for Record at Request of:

Shultz Law Offices
160 Cascade Place, Suite 211
Burlington, WA 98233



201207090110
Skagit County Auditor

7/9/2012 Page 1 of 4 3:58PM

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|---------------------------------------|---|
| REFERENCE NUMBER OF RELATED DOCUMENT: | 200803110127 |
| GRANTOR: | Shultz Law Offices |
| GRANTEE: | Victor L. Benson, Linda C. Benson |
| ABBREVIATED LEGAL DESCRIPTION: | PTN. NW 1/4 NW 1/4, 9-33-4 E W.M. (additional on page 2) |
| ASSESSOR'S TAX PARCEL NUMBER: | 330409-0-003-0005 |

NOTICE OF TRUSTEE'S SALE

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will, on October 26, 2012, at the hour of 10:00 a.m., on the steps in front of the South entrance to the Skagit County Courthouse, 205 W Kincaid Street, in the City of 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 situated in Skagit County, State of Washington, to-wit:

THAT PORTION OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE
NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 33 NORTH, RANGE 4 EAST, W.M.,
DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE
NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 33 NORTH, RANGE 4 EAST, W.M.;
THENCE WEST 636 FEET;
THENCE NORTH AT RIGHT ANGLES 280.5 FEET;
THENCE EAST AT RIGHT ANGLES 5 RODS;
THENCE NORTH AT RIGHT ANGLES 40 FEET;
THENCE EAST 553.5 FEET;
THENCE SOUTH AT RIGHT ANGLES TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

The property is commonly known as 19104 Kanako Lane, Mount Vernon, Washington, 98274, and under APN/Parcel ID(s) P16577 and 330409-0-003-0005.

The above-described property is subject to a Deed of Trust recorded March 11, 2008, under Skagit County Auditor's File No. 200803110127, from Victor L. Benson and Linda C. Benson, as Grantors, to Land Title Company, as Trustee, and 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 as follows:

A. Defaults Other Than Payment of Money:

Failure to pay Real Property taxes.

B. Failure to pay when due the following amounts which are now in arrears:

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|---|---------------------|
| Past Due Principal and Interest (19 months) | \$ 38,285.00 |
| Late Charges/Fee Advances | \$ <u>6,679.95</u> |
| (Interest and Late Fees continue to accrue) | |
| Total Arrears | \$ 44,964.95 |

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal \$247,402.93, together with interest as provided in the Note or other instrument secured from March 11, 2008, and such other costs and fees as are due under the Note and any security instrument, and as are provided by statute.

V.

The above-described Real Property will be sold to satisfy the expenses of sale and the obligations secured by said Deed of Trust as provided by statute. Sale will be made without warranty, express or implied, regarding title, possession, encroachments or encumbrances on October 26, 2012. The defaults referred to in paragraph III must be cured by October 15, 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 on or before October 15, 2012, the default as set forth in paragraph III is cured and the Trustee's fees and costs are paid. The sale may be terminated any time after October 15, 2012, and before the sale by the Borrower, Grantor, any Guarantor, or the Grantor's successor in interest or the holder of any recorded junior lien or encumbrance paying the entire principal balance and interest, plus costs,



fees and advances, if any made pursuant to the terms of the Promissory Note and/or Deed of Trust, and by curing all other defaults.

VI.

A written Notice of Default was transmitted by the Beneficiary or Trustee to the Borrowers and Grantors or to the Grantors' successor in interest at the following addresses:

TO: Victor L. Benson
19357 Kanako Lane
Mount Vernon, WA 98273

AND TO: Linda C. Benson
19357 Kanako Lane
Mount Vernon, WA 98273

by both first class and certified mail on June 4, 2012, proof of which is in the possession of the Trustee, and was served upon Borrowers and Grantors as follows: Victor L. Benson and Linda C. Benson were personally served on June 7, 2012, proof of which is in his possession of the Trustee.

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 of 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 owner) and anyone having an interest junior to the deed of trust, including occupants 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 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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DATED this 9th day of July 2012.

Successor Trustee:

SHULTZ LAW OFFICES



By: John A. Shultz, Trustee
Shultz Law Offices
160 Cascade Place, Suite 211
Burlington, WA 98233
360-404-2017


STATE OF WASHINGTON

)
) ss.
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COUNTY OF SKAGIT

On this day personally appeared before me John A. Shultz 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, as Trustee, for the uses and purposes therein mentioned.

DATED THIS 9th day of July, 2012.



Notary Public in and for the State of Washington
Residing at: Bellingham
My Commission Expires: 12/11/2012

