

Filed for Record at Request of:

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



201210120062
Skagit County Auditor

10/12/2012 Page 1 of 5 1:43PM

REFERENCE NUMBER OF RELATED DOCUMENT: 200603060202
GRANTOR: Shultz Law Offices
GRANTEE: Buller Brothers, LLC
ABBREVIATED LEGAL DESCRIPTION: PTN SE ¼ SW ¼, 14-35-10
ASSESSOR'S TAX PARCEL NUMBER: 351014-3-005-0000, P45355

NOTICE OF TRUSTEE'S SALE

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will, on January 18, 2013, 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 ¼ OF THE SOUTHWEST ¼ OF SECTION 14, TOWNSHIP 35 NORTH, RANGE 10 EAST, W.M., LYING SOUTHEASTERLY OF A LINE THAT IS A DISTANCE 55 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE SOUTHEASTERLY LINE OF THE RIGHT OF WAY OF THE CITY OF SEATTLE RAILWAY AS SAID RIGHT OF WAY LINE EXISTED PRIOR TO MARCH 9, 1950.

EXCEPT THAT PORTION THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CITY OF SEATTLE RIGHT OF WAY WITH THE NORTH AND SOUTH CENTER LINE OF SAID SECTION 14, AS SAID POINT OF INTERSECTION IS SET FORTH IN DEED TO RUDY CLARK

ETUX., DATED JULY 31, 1953, FILED JANUARY 22, 1954, AS FILE NO. 497455
AND RECORDED IN VOLUME 260 OF DEEDS AT PAGE 483;
THENCE SOUTH 600 FEET;
THENCE WEST TO THE CITY OF SEATTLE RIGHT OF WAY;
THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY TO THE POINT OF
BEGINNING.

SITUATED IN SKAGIT COUNTY, STATE OF WASHINGTON.

The real property is commonly known as 58468 Clark Cabin Road, Rockport, Washington 98283
(Tax ID # 351014-3-005-0000, P45355).

The above-described property is subject to a Deed of Trust recorded under Skagit County
Auditor's File No. 200603060202, from Buller Brothers, LLC, as Grantor, to Land Title of
Skagit County, 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 maintain property insurance.

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

| | |
|--|--------------------|
| Principal and Interest Due and Owing (5 months in arrears) | \$ 2,150.00 |
| Late Fees/Fee Advances | \$ <u>4,539.26</u> |
| Interest and Fees continue to accrue. | |
| Total Arrears | \$ 6,689.26 |

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal \$36,399.78, together
with interest as provided in the Note or other instrument secured from March 6, 2006, 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 January 18, 2013. The defaults referred to in paragraph III must be cured by January 7, 2013 (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 January 7, 2013, 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 January 7, 2013, 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 Borrower and Grantor or to the Grantor's successor in interest at the following addresses:

TO: Donald R. Clark, Registered Agent
Buller Brothers LLC
58468 Clark Cabin Road
Rockport, WA 98283

TO: Donald R. Clark, Guarantor
58468 Clark Cabin Road
Rockport, WA 98283

TO: Judi Brooks, Guarantor
58468 Clark Cabin Road
Rockport, WA 98283

TO: Madrene Clark, Guarantor
58468 Clark Cabin Road
Rockport, WA 98283

by both first class and certified mail on September 5, 2012, proof of which is in the possession of the Trustee, and the written Notice of Default was posted in a conspicuous place on the real property described in paragraph 1 above on September 9, 2012, and the Trustee has in his possession proof of such 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 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.

DATED this 12th day of October 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

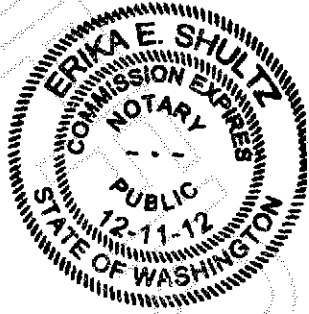
STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

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 12th day of October, 2012.



h. h. [Signature]

Notary Public in and for the State of Washington

Residing at: Bellingham

My Commission Expires: 12/11/2012

