



201302080035

Skagit County Auditor

2/8/2013 Page

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5 9:39AM

AFTER RECORDING RETURN TO:

Attn: Tommy Kwong
Routh Crabtree Olsen, P.S.
13555 SE 36th Street, Suite 300
Bellevue, WA 98006
Ref: 7886.80783

Document Title: Declaration of Invalidity of Trustee's Sale

Reference Numbers: 200509290138, 201210090122

Grantor: PNC Mortgage, a division of PNC Bank, National Association

Grantee: Donald Bassman

Abbreviated Legal Description as follows: Ptn. SW SE, Sec. 15& NW NE, Sec. 22-35-6E

Assessor's Property Tax Parcel/Account Number(s): P41249 and P41847

After recording return to:

Routh Crabtree Olsen, P.S.
Attn: Kathleen A. Allen
13555 SE 36th St., Suite 300
Bellevue, WA 98006

GRANTOR: PNC Mortgage, a division of PNC Bank, National Association
GRANTEE: Donald Bassman
Tax Parcel No.: P41249 and P41847
Abbreviated Legal Description: Ptn. SW SE, Sec. 15 & NW NE, Sec. 22-35-6E
Ref Nos.: 200509290138, 201210090122

DECLARATION OF INVALIDITY OF TRUSTEE'S SALE

RECITALS

A. Donald Bassman is the grantor of a deed of trust recorded under Skagit County Auditor's File No. 200509290138 (the "**Deed of Trust**").

B. Accubanc Mortgage, a division of National City Bank of Indiana ("**Beneficiary**") is the beneficiary of the Deed of Trust, based upon the Deed of Trust recorded on September 29, 2005 under Skagit County Auditor's File No. 200509290138.

C The Deed of Trust encumbers real property located at 33330 Cockerham Island Road, Sedro Woolley, WA 98284 (the "**Property**"), and more particularly described as follows:

That portion of the Southwest Quarter of the Southeast Quarter, Section 15 and of the North 480 feet of the Northwest Quarter of the Northeast Quarter, Section 22, all in Township 35 North, Range 6 East of the Willamette Meridian, lying Westerly of the Westerly bank of the Skagit River; EXCEPT the West 30 feet for road as conveyed to Skagit County by deed recorded April 1, 1910, under Auditor's File No. 78669, records of Skagit County, Washington, in Volume 65, Page 297, records of Skagit County, Washington. Situated in Skagit County, Washington.

Tax Parcel No.: P41249 and P41847

D. Northwest Trustee Services, Inc. ("**Trustee**") is the trustee of the Deed of Trust pursuant to an Appointment of Successor Trustee recorded on July 19, 2010 under Skagit County Auditor's File No. 201007190128.

7886.80783 / Bassman, Donald



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E. PNC Mortgage, a division of PNC Bank, National Association sbm Accubanc Mortgage a division of National City Bank of Indiana nka National City Bank, being then the holder of the indebtedness secured by the Deed of Trust, delivered to Trustee a written request directing Trustee to sell the Property in accordance with law and the terms of the Deed of Trust.

F. The Notice of Trustee's Sale executed by the Trustee with respect to the Deed of Trust and recorded on December 14, 2011 under Skagit County Auditor's File No. 201112140124 (the "Notice of Sale").

G. Trustee executed a trustee's deed for the Property, which was recorded on October 9, 2012 under Skagit County Auditor's File No. 201210090122 (the "Trustee's Deed") pursuant to a sale at public auction held on June 8, 2012 (the "Trustee's Sale").

H. PNC Mortgage, a division of PNC Bank, National Association ("Purchaser"), is the Grantee under the Trustee's Deed.

I. After the recording of the Trustee's Deed, the parties recognized that the Property is agricultural land, thus the Trustee must satisfy the Washington State statutory requirements to foreclosure judicially. Accordingly, the parties desire to declare their intention to treat the Trustee's Sale and the Trustee's Deed as void and ineffective.

DECLARATION

NOW THEREFORE, the parties hereby declare and acknowledge their understanding and intentions as follows:

1. **Invalidity of Trustee's Sale and Trustee's Deed.** The Trustee's Sale and the Trustee's Deed are hereby acknowledged to be of no force or effect and void due fact that the Property is agricultural land requiring a judicial foreclosure.

2. **Reinstatement of the Foreclosed Deed of Trust and the Condition of Title and Liens.** The Deed of Trust continues in full force as if the Trustee's Sale had never occurred and the Trustee's Deed had never been recorded, and any junior liens or encumbrances that would have been extinguished by a validly conducted trustee's sale continue in force to the same extent as would have been the case had the Trustee's Sale not occurred.

[signature pages follow]



PNC MORTGAGE, A DIVISION OF PNC
BANK, NATIONAL ASSOCIATION

By: Kym Hutten **Kym Hutten**

Its: Authorized Signer

STATE OF Ohio)
) ss.
COUNTY OF Montgomery)

On this day personally appeared Kym Hutten, to be known to me the Authorized Signer of PNC Mortgage, a division of PNC Bank, National Association, and acknowledged that he/she executed the within and foregoing instrument, and acknowledged the said instrument to be his/her free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated that he/she executed the instrument in his/her authorized capacity.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 31 day of January, 2013 **KA**



KEISHA ALBERT
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
August 29, 2017
Recorded In
Montgomery County

Keisha Albert
NOTARY PUBLIC in and for the State of Ohio
My commission expires August 29, 2017



NORTHWEST TRUSTEE SERVICES, INC.

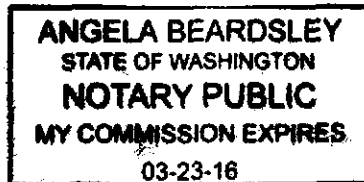
By: 


Jeff Stenman, Assistant Vice President

STATE OF Washington)
) ss.
COUNTY OF King)

On this day personally appeared Jeff Stenman. He acknowledged that he executed the within and foregoing instrument as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 10th day of February, 2012.




NOTARY PUBLIC in and for the State of
WA, residing at Kirkland
My commission expires 03-23-2016

