



201303070054

Skagit County Auditor

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WHEN RECORDED MAIL TO:

Cal-Western Reconveyance Corporation  
of Washington  
P.O. Box 22004  
El Cajon, CA. 92022-9004

Space Above This Line For Recorder's Use

T.S. No. 1369921-25

Parcel No. P125526

### NOTICE OF TRUSTEE'S SALE

7051293  
1ST AM 5/76

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee, Cal-Western Reconveyance Corporation of Washington, will on July 12, 2013, at the hour of 10:00am, at AT THE 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 the County(ies) of SKAGIT, State of Washington to-wit:

LOT 314, PLAT OF SKAGIT HIGHLANDS DIVISION V (PHASE I) AS PER PLAT RECORDED ON DECEMBER 21, 2006, UNDER AUDITOR'S FILE NO. 200612210067, RECORDS OF SKAGIT COUNTY, WASHINGTON. SITUATE IN THE CITY OF MOUNT VERNON, COUNTY OF SKAGIT, STATE OF WASHINGTON.

Commonly known as: 5209 LARRABEE WAY  
MOUNT VERNON WA 98273-6002

which is subject to that certain Deed of Trust dated September 29, 2008, recorded October 01, 2008, under Auditor's File No. 200810010088, Book XX, Page XX, records of SKAGIT County, Washington, from DAVID J. LUSTER AND MELLANIE L. LUSTER, HUSBAND AND WIFE as Grantor, to ALLAN B. POLLUNSKY as Trustee, to secure an obligation in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR PRIMELENDING, A PLAINSCAPITAL COMPANY, ITS SUCCESSORS AND ASSIGNS as Beneficiary, the beneficial interest in which was assigned to CITIMORTGAGE, INC. under an assignment recorded on October 31, 2012, under Auditor's File No. 201210310059, records of SKAGIT County, Washington.

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(s) for which this foreclosure is made is/are as follows:

Failure to pay when due the following amounts which are now in arrears: \$56,426.75; (together with any subsequent payments, late charges, advances, costs and fees thereafter due)

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### IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal Balance of \$282,693.97, together with interest as provided in the note or other instrument secured from April 01, 2011, and such other costs and fees as are due under the Note or other instrument secured, 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 July 12, 2013. The default(s) referred to in paragraph III, must be cured by July 01, 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 July 01, 2013 (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 any time after July 01, 2013 (11 days before the sale date), and before the sale by the Borrower, Grantor, any Guarantor 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 at the following addresses:

See Exhibit "I" attached

by both first class and certified mail on December 04, 2012 proof of which is in the possession of the Trustee; and on December 04, 2012 the written notice of default was posted in a conspicuous place on the real property described in the paragraph I above, and the Trustee has possession of proof of such posting.

### VII.

The Trustee whose name and address are 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 objections 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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X.

### NOTICE TO OCCUPANTS OR TENANTS

The purchaser at the trustee's sale is entitled to possession of the property on the 20<sup>th</sup> 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 20<sup>th</sup> 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

### THIS NOTICE IS THE FINAL STEP BEFORE THE FORECLOSURE SALE OF YOUR HOME.

You have only **20 DAYS** from the recording date on this notice to pursue mediation.

**DO NOT DELAY. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW** to assess your situation and refer you to mediation if you are eligible and it may help you save your home. See below for safe sources of help.

### SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission: Telephone: (877) 894-4663. Website: [www.homeownership.wa.gov](http://www.homeownership.wa.gov)

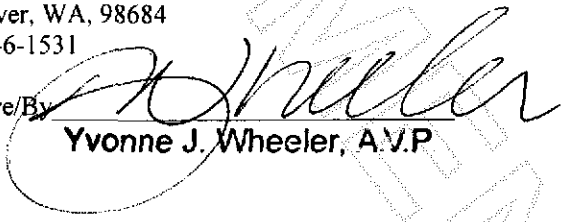
The United States Department of Housing and Urban Development: Telephone: (800) 569-4287. Website: [www.hud.gov](http://www.hud.gov)

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys: Telephone: (888) 201-1014. Website: <http://nwjustice.org>

DATE: March 04, 2013

Cal-Western Reconveyance Corporation  
of Washington  
Park Tower I Office Building  
201 NE Park Plaza Dr.  
Suite 217  
Vancouver, WA, 98684  
(800) 546-1531

Signature/By

  
Yvonne J. Wheeler, A.V.P.

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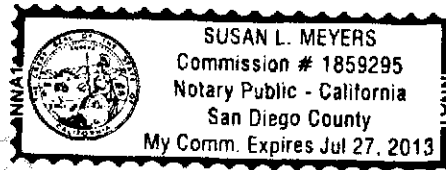
Loan No: XXXXXX9795

T.S. No: 1369921-25

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

On **MAR - 4 2013** before me, **Susan L. Meyers**,  
a Notary Public in and for said State, personally appeared **Yvonne J. Wheeler**,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed  
to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity  
upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF  
PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.  
WITNESS my hand and official seal (Seal)

Signature



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## NOTICE OF TRUSTEE'S SALE EXHIBIT "1"

Loan No: XXXXXX9795

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Name & Address:

DAVID J LUSTER  
5209 LARRABEE WAY  
MOUNT VERNON WA 98273

DAVID J LUSTER  
3620 NW 5TH TER  
BOCA RATON FL 33431

MELLANIE L LUSTER  
3620 NW 5TH TER  
BOCA RATON FL 33431

MELLANIE L LUSTER  
5209 LARRABEE WAY  
MOUNT VERNON WA 98273-6002

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