

After Recording, Return to:  
Vonnie McElligott  
Northwest Trustee Services, INC.  
P.O. Box 997  
Bellevue, WA 98009-0997



201310090047

Skagit County Auditor \$76.00  
10/9/2013 Page 1 of 5 11:46AM

LAND TITLE OF SKAGIT COUNTY  
147126-F

File No.: 7037.103488  
Grantors: Northwest Trustee Services, Inc.  
JPMorgan Chase Bank, National Association  
Grantee: Kenneth J. Horton and Jennifer Horton, husband and wife  
Ref to DOT Auditor File No.: 200512270195  
Tax Parcel ID No.: 330508-0-008-0000 & 330508-0-001-0106 P18024 #P18016  
Abbreviated Legal: Ptn SE 1/4 of SW 1/4, 8-33-5 E W.M., Skagit Co., WA

#### Notice of Trustee's Sale

Pursuant to the Revised Code of Washington 61.24, et seq.

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

You have only 20 DAYS from the recording date of 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: Toll-free: 1-877-894-HOME (1-877-894-4663). Web site:

[http://www.dfi.wa.gov/consumers/homeownership/post\\_purchase\\_counselors\\_foreclosure.htm](http://www.dfi.wa.gov/consumers/homeownership/post_purchase_counselors_foreclosure.htm)

The United States Department of Housing and Urban Development Telephone: Toll-free: 1-800-569-4287. Web site:

<http://www.hud.gov/offices/hsg/sfh/hcc/fc/index.cfm?webListAction=search&searchstate=W&filterSvc=dfc>

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys Telephone: Toll-free: 1-800-606-4819. Web site: <http://nwjustice.org/what-clear>.

I.

On **February 7, 2014**, at 10:00 AM. inside the main lobby of the Skagit County Courthouse, 205 West Kincaid Street in the City of Mount Vernon, State of Washington, the undersigned Trustee (subject to any conditions imposed by the Trustee) will sell at public auction to the highest and best bidder, payable at time of sale, the following described real property "Property", situated in the County(ies) of SKAGIT, State of Washington:

Parcel "A": that portion of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 8, Township 33 North, Range 5 East, W.M., Skagit County, Washington, lying Easterly of the Northern Pacific Railway right of way and lying Westerly of a line, said line being parallel to and 55 feet Easterly of the following described survey line: beginning at a point on the South boundary of said Section 8, said point bears in a Westerly direction along the South boundary of said Section 8, a distance of 507.2 feet from a 2 inch iron pipe for the South  $\frac{1}{4}$  corner of said Section 8; thence North 0 degrees 17' West a distance of 274.2 feet; thence North 30 degrees 56' West a distance of 424.6 feet; thence North 4 degrees 37' West a distance of 438.8 feet; thence North 45 degrees 02' West a distance of 345.5 feet to a point on the North boundary of said Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 8, said point bears North 37 degrees 20' West a distance of 1,659.9 feet from the South  $\frac{1}{4}$  corner of said Section 8. Situate in the County of Skagit, State of Washington.

Parcel "B": that portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through the Southeast  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 8, Township 33 North, Range 5 East, W.M., which lies East of the centerline of said right-of-way. Situate in the County of Skagit, State of Washington.

Parcel "C": a non-exclusive easement for ingress, egress and utilities as granted by instrument recorded April 4, 2000, under Auditor's File No. 200004040069, Records of Skagit County, Washington. Situate in the County of Skagit, State of Washington.

Commonly known as: 20102 Cavanaugh Court  
Mount Vernon, WA 98274

which is subject to that certain Deed of Trust dated 12/09/05, recorded on 12/27/05, under Auditor's File No. 200512270195, records of SKAGIT County, Washington, from Kenneth J. Horton and Jennifer Horton, husband and wife, as Grantor, to Land Title Company, a Washington corporation, as Trustee, to secure an obligation "Obligation" in favor of Washington Mutual Bank, a Washington corporation, as Beneficiary, the beneficial interest in which was assigned by Federal Deposit Insurance Corporation, as Receiver of Washington Mutual Bank to JPMorgan Chase Bank, National Association, under an Assignment/Successive Assignments recorded under Auditor's File No. 201306170074.

\*The Tax Parcel ID number and Abbreviated Legal Description are provided solely to comply with the recording statutes and are not intended to supplement, amend or supersede the Property's full legal description provided herein.

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 Grantor's or Borrower's default on the Obligation secured by the Deed of Trust.

III.

The Beneficiary alleges default of the Deed of Trust for failure to pay the following amounts now in arrears and/or other defaults:

Amount due to reinstate as  
of 10/02/2013



Monthly Payments		\$16,070.53
Late Charges		\$300.24
Lender's Fees & Costs		\$25.00
Total Arrearage	\$16,395.77	
Trustee's Expenses (Itemization)		
Trustee's Fee		\$750.00
Title Report		\$794.19
Statutory Mailings		\$47.89
Recording Costs		\$14.00
Postings		\$70.00
Sale Costs		\$0.00
Total Costs	\$1,676.08	
Total Amount Due:		\$18,071.85

Other known defaults as follows:

IV.

The sum owing on the Obligation is: Principal Balance of \$214,400.82, together with interest as provided in the note or other instrument evidencing the Obligation from 02/01/13, and such other costs and fees as are due under the Obligation, and as are provided by statute.

V.

The Property will be sold to satisfy the expense of sale and the Obligation as provided by statute. The sale will be made without representation or warranty, express or implied regarding title, possession, encumbrances or condition of the Property on February 7, 2014. The default(s) referred to in paragraph III, together with any subsequent payments, late charges, advances costs and fees thereafter due, must be cured by 01/27/14 (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 01/27/14 (11 days before the sale date), the default(s) as set forth in paragraph III, together with any subsequent payments, late charges, advances, costs and fees thereafter due, is/are cured and the Trustee's fees and costs are paid. The sale may be terminated any time after 01/27/14 (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 balance of 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 address(es):

NAME AND ADDRESS

Kenneth J. Horton  
20102 Cavanaugh Court  
Mount Vernon, WA 98274

Jennifer Horton  
20102 Cavanaugh Court  
Mount Vernon, WA 98274

Unknown Spouse and/or Domestic Partner  
of Kenneth J. Horton  
20102 Cavanaugh Court  
Mount Vernon, WA 98274

Unknown Spouse and/or Domestic Partner  
of Jennifer Horton  
20102 Cavanaugh Court  
Mount Vernon, WA 98274

Jennifer Horton  
c/o Christopher J. Pollino, Attorney

Kenneth J. Horton  
124 North 10th Street Apt 2



506 Main Street  
Mount Vernon, WA 98273

Jennifer Horton  
124 North 10th Street Apt 2  
Mount Vernon, WA 98273

Unknown Spouse and/or Domestic Partner  
of Jennifer Horton  
124 North 10th Street Apt 2  
Mount Vernon, WA 98273

Mount Vernon, WA 98273

Unknown Spouse and/or Domestic Partner  
of Kenneth J. Horton  
124 North 10th Street Apt 2  
Mount Vernon, WA 98273

by both first class and certified mail, return receipt requested on 07/23/13, proof of which is in the possession of the Trustee; and on 07/23/13 Grantor and Borrower were personally served with said written notice of default or the written notice of default was posted on 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 are set forth below, will provide in writing to anyone requesting it a statement of all costs and trustee's 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 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 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.

**The trustee's rules of auction may be accessed at [www.northwesttrustee.com](http://www.northwesttrustee.com) and are incorporated by this reference. You may also access sale status at [www.northwesttrustee.com](http://www.northwesttrustee.com) and [www.USA-Foreclosure.com](http://www.USA-Foreclosure.com).**



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Skagit County Auditor

10/9/2013 Page

4 of

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5 11:46AM

EFFECTIVE: 10/02/2013

Date Executed: 10/4/13  
Northwest Trustee Services, Inc., Trustee

By *Vonnie McElligott*  
Authorized Signature  
P.O. BOX 997  
Bellevue, WA 98009-0997  
**Contact: Vonnie McElligott**  
**(425) 586-1900**

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

I certify that I know or have satisfactory evidence that Vonnie McElligott is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Assistant Vice President of Northwest Trustee Services, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 10/4/13

HEATHER E. CASEY  
STATE OF WASHINGTON  
NOTARY PUBLIC  
MY COMMISSION EXPIRES  
04-22-14

*Heather E. Casey*  
NOTARY PUBLIC in and for the State of  
Washington, residing at *Ken HI*  
My commission expires *4/22/14*

**NORTHWEST TRUSTEE SERVICES, INC., SUCCESSOR BY MERGER TO NORTHWEST TRUSTEE SERVICES PLLC FKA NORTHWEST TRUSTEE SERVICES, LLC, P.O. BOX 997, BELLEVUE, WA 98009-0997 PHONE (425) 586-1900 FAX (425) 586-1997**

File No: 7037.103488  
Borrower: Horton, Kenneth J.

SERVING WA, OR, ID, CA, NV, AZ, MT HI

**This is an attempt to collect a debt and any information obtained will be used for that purpose.**



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