

**AFTER RECORDING RETURN TO:**

Aztec Foreclosure Corporation of Washington  
1499 SE Tech Center Place, Suite 255  
Vancouver, WA 98683  
(360) 253-8017 / (877) 430-4787

**NOTICE OF TRUSTEE'S SALE**

File No.: 18-122782 Title Order No.: 180096192

**Grantor: Roberta J. Smith and James N. Smith, wife and husband**  
**Current beneficiary of the deed of trust: U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT**  
**Current trustee of the deed of trust: Aztec Foreclosure Corporation of Washington**  
**Current mortgage servicer of the deed of trust: Rushmore Loan Management Services, LLC**  
**Reference number of the deed of trust: 200410060055**  
**Parcel number(s): P65667, P65674**  
**Abbreviated legal description: LT 19 AND PT OF 13 HERMWAY HTS**  
**Commonly known as: 20409 Curran Place, Mount Vernon, WA 98274**

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee, AZTEC FORECLOSURE CORPORATION OF WASHINGTON will on **May 20, 2022, at the hour of 10:00 am** at the main entrance of the Skagit County Courthouse, 205 W. Kincaid Street (3rd & Kincaid Street), Mount Vernon, WA, State of Washington, sell at public auction to the highest and best bidder, payable at time of sale, the following described real property, situated in the County of Skagit, State of Washington, to-wit:

PARCEL "A": LOT 19 AND THAT PORTION OF LOT 13, "ASSESSOR'S PLAT OF HERMWAY HEIGHTS", AS PER PLAT RECORDED IN VOLUME 9 OF PLATS, PAGE 47, RECORDS OF SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 13; THENCE NORTH 6°22'25" WEST, ALONG THE EAST LINE OF SAID LOT 13, A DISTANCE OF 40.06 FEET; THENCE WEST A DISTANCE OF 80 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE NORTHERLY EXTENSION OF THE WESTERLY LINE OF LOT 26 OF SAID "ASSESSOR'S PLAT OF HERMWAY HEIGHTS"; THENCE SOUTHERLY ALONG SAID NORTHERLY EXTENSION OF THE WESTERLY LINE OF SAID LOT 26, A DISTANCE OF 40 FEET, MORE OR

LESS, TO THE SOUTHERLY LINE OF SAID LOT 13; THENCE EAST ALONG SAID SOUTHERLY LINE, TO THE POINT OF BEGINNING. SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

PARCEL "B": LOT 26, "ASSESSOR'S PLAT OF HERMWAY HEIGHTS", AS PER PLAT RECORDED IN VOLUME 9 OF PLATS, PAGE 47, RECORDS OF SKAGIT COUNTY, WASHINGTON. SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

which is the subject of that certain Deed of Trust dated October 1, 2004, recorded October 6, 2004, under Auditor's File No. 200410060055, records of Skagit County, Washington, from Roberta J. Smith and James N. Smith, wife and husband as Grantor, to PRLAP, INC. as Trustee, to secure an obligation in favor of Bank of America, N.A. as Beneficiary, which as assigned by U.S. Bank National Association, not in its individual capacity, but solely as trustee of the NRZ Pass-Through Trust V, by Nationstar Mortgage LLC, its Attorney-in-Fact to U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, 2016-CTT under an assignment recorded at Instrument No. 202007200024.

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:

Delinquent monthly payments from the October 1, 2017 installment on in the sum of \$61,380.28 together with all fees, costs and or disbursements incurred or paid by the beneficiary and or trustee, their employees, agents or assigns. The Trustee's fees and costs are estimated at \$4,391.70 as of January 12, 2022. The amount to cure the default payments as of the date of this notice is \$68,085.44. Payments and late charges may continue to accrue and additional advances to your loan may be made. It is necessary to contact the beneficiary or Trustee prior to the time you tender the reinstatement amount so that you may be advised of the exact amount you would be required to pay.

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal Balance \$136,414.64, together with interest in the Note or other instrument secured from September 1, 2017, and such other costs and fees as are due under the Note or other instrument secured, and as are provided by statute. The amount necessary to pay off the entire obligation secured by your Deed of Trust

as the date of this notice is \$194,984.51. Interest and late charges may continue to accrue and additional advances to your loan may be made. It is necessary to contact the beneficiary or Trustee prior to the time you tender the payoff amount so that you may be advised of the exact amount you would be required to pay.

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 May 20, 2022. 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 May 9, 2022 (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 May 9, 2022 (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 May 9, 2022 (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:

Estate of Roberta J. Smith 20409 Curran Place Mount Vernon, WA 98274	Unknown Heirs at law and Devisees of James N. Smith 20409 Curran Place Mount Vernon, WA 98274	Timothy James Smith, son of James N. and Roberta J. Smith, deceased 20409 Curran Place Mount Vernon, WA 98274
Estate of James N. Smith 20409 Curran Place Mount Vernon, WA 98274	Paula Danelle Smith, daughter of James N. and Roberta J. Smith, deceased 20409 Curran Place Mount Vernon, WA 98274	
Unknown Heirs at law and Devisees of Roberta J. Smith 20409 Curran Place Mount Vernon, WA 98274	Timothy James Smith, son of James N. and Roberta J. Smith, deceased 10817 29th Drive SE Everett, WA 98208	Occupant(s) 20409 Curran Place Mount Vernon, WA 98274

by both first class and certified mail on November 29, 2021 proof of which is in the possession of the Trustee; and the Borrower and Grantor were personally served on November 29, 2021 with said written notice of default or the written notice of default was posted in a conspicuous place on the real property described in paragraph I above, and the Trustee has possession of proof of such

service or posting. The declaration by the beneficiary pursuant to RCW 61.24.030(7)(a) was transmitted by the Beneficiary or Trustee to the Borrower and Grantor at the above addresses on November 29, 2021, proof of which is in possession of the Trustee.

VII.

The Trustee whose name and address are set forth above, and whose telephone number is (360) 253-8017 / (877) 430-4787 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 an 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 61.24.60.

XI.

**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 (Toll-free): 1-877-894-HOME (1-877-894-4663) or 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 or National Web site:  
<http://www.hud.gov/offices/hsg/sfh/hcc/fc/index.cfm?webListAction=search&searchstate=WA&filterSvc=dfc>.

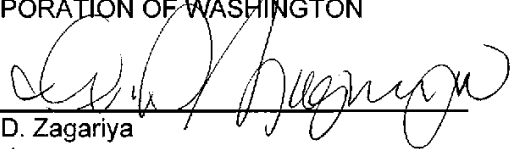
The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys: Telephone (Toll-Free): 1-800-606-4819 or Web site: <http://nwjustice.org/what-clear>

XII.

FAIR DEBT COLLECTION PRACTICES ACT NOTICE: AZTEC FORECLOSURE CORPORATION OF WASHINGTON is attempting to collect a debt and any information obtained will be used for that purpose. If a discharge has been obtained by any party through bankruptcy proceedings, this shall not be construed to be an attempt to collect the outstanding indebtedness or to hold you personally liable for the debt.

DATED this 12<sup>th</sup> day of January, 2022

AZTEC FORECLOSURE  
CORPORATION OF WASHINGTON

By:   
Inna D. Zagariya  
President  
1499 SE Tech Center Place, Suite 255  
Vancouver, WA 98683  
(360) 253-8017 / (877) 430-4787

ADDRESS FOR PERSONAL SERVICE  
Aztec Foreclosure Corporation of Washington  
1499 SE Tech Center Place, Suite 255  
Vancouver, WA 98683

STATE OF WASHINGTON                    )  
  ) SS.  
COUNTY OF CLARK                    )

This instrument was acknowledged before me this 12<sup>th</sup> day of January, 2022, by Inna D. Zagariya, President.

  
Notary Public in and  
for the State of Washington

My Commission Expires: July 12, 2023

20409 Curran Place  
Mount Vernon, WA 98274

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