AFN #2008171251 Recorded 10/20/08 at 12:05 PM DocType: NTS Filed by: SKAMANIA COUNTY TITLE COMPANY Page: 1 of 4 Auditor J. Michael Garvison Skamania County,

AFTER RECORDING RETURN TO:

Stephen E. Blackman Brownstein, Rask, Sweeney, Kerr, Grim, DeSylvia & Hay, LLP 1200 SW Main Street Portland, Oregon 97205-2040

## NOTICE OF TRUSTEE'S SALE

1.

10640

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 16<sup>th</sup> day of January, 2009, at the hour of 10:30 a.m. at Skamania County Courthouse, 240 NW Vancouver Avenue, in the City of Stevenson, State of Washington, sell at public auction to the highest and best bidder, payable at the time of sale, the real property described on Exhibit "A" attached, situated in the County of Skamania, State of Washington; which is subject to that certain Deed of Trust dated May 10, 2007, recorded May 18, 2007, Document No.: 2007166165, records of Skamania County, Washington, from Gerald R. Cunningham and Wendy L. Cunningham, as Grantor, to Stewart Title of Western Washington, as Trustee, to secure an obligation in favor of Fanuk Human Resources, as Beneficiary. An Appointment of Successor Trustee appointing Stephen E. Blackman, Successor Trustee (hereinafter referred to as the "Trustee") dated August 11, 2008, was recorded on August 18, 2008, in the mortgage records of Skamania County, Washington, as Document No. 2008170785.

11.

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.

Ш.

The default(s) for which this foreclosure is made are for failure to pay when due the following amount which is now in arrears: \$27,680.08.

IV.

The sum owing on the obligation secured by the Deed of Trust is: Principal \$195,000.00, together with interest thereon at the rate of 12% per annum as provided in

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the Promissory Note dated May 10, 2007, default interest at the rate of 18% per annum as provided in the note or other instrument, and such other sums, 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 the 16<sup>th</sup> day of January, 2009. The default(s) referred to in paragraph III must be cured by the 5<sup>th</sup> day of January, 2009 (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 the 5<sup>th</sup> day of January, 2009 (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 the 5<sup>th</sup> day of January, 2009 (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 amended notice of default was transmitted by the Beneficiary or Trustee to the Borrower and Grantor at the following addresses:

Gerald R. Cunningham 3071 Skye Road Washougal, WA 98671

Wendy L. Cunningham 3071 Skye Road Washougal, WA 98671

Occupants 3071 Skye Road Washougal, WA 98671

by both first class and certified mail on the 27<sup>th</sup> day of August, 2008, proof of which is in the possession of the Trustee, with said written amended notice of default or the written amended 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.

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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 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.

## 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 and tenants. After the 20<sup>th</sup> day following the sale the purchaser has the right to evict occupants and tenants by summary proceedings under the unlawful detainer act, chapter 59.12 RCW.

Dated this 17<sup>th</sup> day of October, 2008.

Stephen E. Blackman, Trustee 1200 SW Main Street

Portland, OR 97205-2040

(503) 221-1772

Subscribed and Sworn before me this 17th day of October, 2008.

OFFICIAL SEAL
LINDA J SIGSBEE
NOTARY PUBLIC-OREGON
COMMISSION NO. 428098
MY COMMISSION EXPIRES MAY 30, 2012

Votary Public for Oregon

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## **EXHIBIT "A"**

Lot 39, SKAMANIA HIGHLANDS, according to the recorded plat thereof, recorded in Book 'A' of Plats, Page 140 in the County of Skamania, State of Washington.

