

AFTER RECORDING RETURN TO:

**Tina S. Granados**  
**Schwabe, Williamson & Wyatt, PC**  
1211 SW 5<sup>th</sup> Ave., Suite 2000  
Portland, OR 97204-3795

*See 30763*

Document Title:	Notice of Trustee's Sale
Reference # of related documents:	2007167305, 2008171568
Grantor(s):	Excelsior Management Group LLC
Grantee(s):	Janovec Redwoods LTD
Abbreviated Legal Description:	<u><i>Sec 20, T2N, R5E</i></u> <u><i>page 2</i></u>
Assessor's Tax Parcel ID Number(s):	<u><i>02-05-20-00-0703-00</i></u>

Unofficial Copy

**NOTICE OF TRUSTEE'S SALE**

PURSUANT TO THE REVISED CODE OF WASHINGTON  
CHAPTER 61.24 RCW

TO: Janovec Redwoods Ltd.  
c/o Richard and Stephania Potter  
892-A Labarre Rd.  
Washougal, WA 98671

Janovec Redwoods Ltd.  
551 Janovec Lane  
Washougal, WA 98671

*SCR 30 763*

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 3rd day of April, 2009, at the hour of 10:30 o'clock a.m., with the sale to occur in front of the Skamania County Courthouse, located at 240 Vancouver Ave., in the City of Stevenson, County of Skamania, 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 King County, Washington, to-wit:

The South Half of the Northeast Quarter of the Southwest Quarter of Section 20, Township 2 North, Range 5 East of the Willamette Meridian, in the County of Skamania, State of Washington.

The aforescribed real property is subject to that certain Deed of Trust dated August 14, 2007, recorded August 17, 2007 under Auditor's File Number 2007167305, Records of Skamania County, State of Washington, from Janovec Redwoods, LTD, as Grantor, to Thomas S. Moore, as Trustee, to secure an obligation in favor of Excelsior Management Group, LLC, an Oregon limited liability company, as Beneficiary.

Further, Craig G. Russillo, has been appointed successor trustee pursuant to that certain Appointment of Successor Trustee, dated November 19, 2008, and recorded on December 1, 2008 under Auditor's File Number 2008171568, Records of Skamania County, Washington (the "Appointment of Successor Trustee").

II.

No action commenced by the Beneficiary of the foregoing Deed of Trust or the Beneficiary's successor 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 defaults for which this foreclosure is made are failure to pay as follows:

Amount Due to Reinstate by December 2, 2008:

**Arrearages**

Principal Balance	\$737,459.50
Note Rate Interest	14,518.73
Default Interest	3,736.12
Legal Fees	<u>1,135.22</u>
<b>TOTAL</b>	<b>\$756,849.57</b>

**Costs and Fees**

In addition to the amounts in arrears specified above, you are or may be obligated to pay the following estimated charges, costs and fees to reinstate the Deed of Trust:

Trustees' or Attorneys' Fees	\$4,000.00
Trustees' Sale Guarantee	652.70
Posting of Foreclosure Notices	300.00
Long Distance Telephone Charges	30.00
Recording Fees	150.00
Statutory Mailing Costs	200.00
Estimated Publication Fee	500.00
Estimated Copies	<u>100.00</u>
<b>TOTAL</b>	<b>\$5,932.70</b>

Total Current Estimated Reinstatement Amount: \$762,782.27

IV.

The sum owing on the obligation secured by Deed of Trust is: Principal of \$737,459.50, together with interest as provided in the Note and such other costs and fees as are due under the Note and Deed of Trust 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 3rd day of April, 2009. The defaults referred to in paragraph III must be cured by the 23rd day of March, 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 23<sup>rd</sup> day of March, 2009 (11 days before the sale date), the defaults as set forth in paragraph III are cured and the Trustee's fees and costs are paid. The sale may be terminated any time after the 23rd day of March, 2009 (11 days before the sale date), and

before the sale by the Borrower, Grantor or the Grantor's successor in interest, 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. This is an attempt to collect a debt and any information obtained will be used for that purpose.

VI.

A written notice of default was transmitted by the Beneficiary or Trustee to the Borrower and Grantor at the following addresses:

Janovec Redwoods Ltd.  
c/o Richard and Stephania Potter  
892-A Labarre Rd.  
Washougal, WA 98671

Janovec Redwoods Ltd.  
551 Janovec Lane  
Washougal, WA 98671

by both regular and certified mail, return receipt requested, on the 3rd day of December, 2008, proof of which is in the possession of the Trustee; and on the 3rd day of December, 2008 the written notice of default was served on Janovec Redwoods Ltd. c/o Richard and Stephania Potter, by posting a copy at the property located at 551 Janovec Lane, Washougal, Washington, proof of which is in the possession of the Trustee.

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.

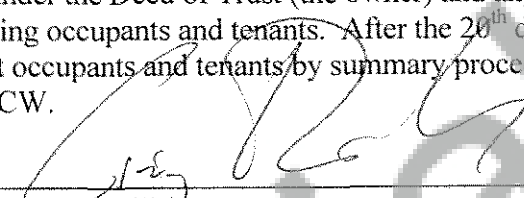
IX.

Anyone having any objection to the sale on any grounds whatsoever are afforded an opportunity to be heard as to those objections if they bring a lawsuit to restrain the sale pursuant to the Revised Code of Washington, Chapter 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 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.

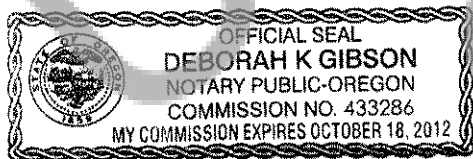
  
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Craig G. Russillo, Trustee  
Schwabe, Williamson & Wyatt, P.C.  
1211 SW Fifth Ave., Suite 2000  
Portland, OR 97204

For further information, please call Craig G. Russillo at 503-222-9981.

STATE OF OREGON            )  
  ) ss.  
County of Multnomah        )

I certify that I know or have satisfactory evidence that Craig G. Russillo is the person who appeared before me, and said person acknowledged that he signed this instrument and on oath stated that he was authorized, by virtue of his appointment as successor trustee under the aforementioned Appointment of Successor Trustee, to execute the instrument and acknowledged it as the Trustee under the aforementioned Deed of Trust, to be the free and voluntary act of such Trustee for the uses and purposes mentioned in the instrument.

WITNESS my hand and official seal hereto affixed this 29<sup>th</sup> day of December, 2008.



Deborah K Gibson  
Notary Public for the State of Oregon  
Printed Name: Deborah K Gibson  
Residing at: Milwaukie OR  
My commission expires: 10-18-2012