

AFTER RECORDING RETURN TO:

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

See 30760

Document Title:

Notice of Trustee's Sale

Reference # of related documents:

20071167307, 2008171565

Grantor(s):

Excelsior Management Group LLC

Grantee(s):

Janovec Redwoods LTD

Abbreviated Legal Description:

See 20 TEN, RSE

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Assessor's Tax Parcel ID Number(s):

02-05-20-0-0-0700-00

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.
212 Janovec Lane
Washougal, WA 98671

SC02 30760

I.

NOTICE IS HEREBY GIVEN that the undersigned Trustee will on the 3rd day of April, 2009, at the hour of 10:10 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:

PARCEL I

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

EXCEPT the Northeast Quarter of the Northeast Quarter of the Northwest Quarter of the Southwest Quarter of said Section 20.

Together with the following:

A tract of land in Section 19, Township 2 North, Range 5 East of the Willamette Meridian in the County of Skamania, State of Washington, described as follows:

Beginning at a point 2509.35 feet North of the Southeast Corner of said Section 19, thence North 50°48' West, a distance of 206.71 feet; thence East 160.19 feet, to the quarter corner of Section 19; thence South along the East line of Section 19, a distance of 130.65 feet, to the point of beginning.

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 2007167307, 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 2008171565, 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> |
| TOTAL | \$756,849.57 |

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> |
| TOTAL | \$5,932.70 |

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 23rd 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.
212 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 212 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 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 and tenants. After the 20th 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.



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.

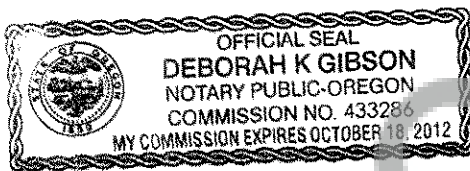
THIS CERTIFICATE IS ATTACHED TO THE:

Notice of Trustee's Sale executed by Craig G. Russillo as trustee regarding the foreclosure sale of real property located at 212 Janovec Lane, Washougal, Washington set for April 3, 2009.

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 29th 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