

**AFTER RECORDING, RETURN TO:**

Brian R. Heurlin  
Heurlin, Potter, Jahn, Leatham & Holtmann, P.S.  
P.O. Box 611  
Vancouver, WA 98666-0611

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Space above this line reserved for Recorder's use

**NOTICE OF TRUSTEE'S SALE**

Grantor: Stephen A. Weiss and Linda I. Miller  
Trustee: Heurlin, Potter, Jahn, Leatham & Holtmann, P.S.  
Beneficiary: Riverview Community Bank, Federal Savings Bank  
Deed of Trust dated March 3, 2006 and recorded March 16, 2006  
Auditor's Filing No.: 2006160867  
Abbreviated Legal Description: Lot 4, SP3-339  
Tax Account No. 03-07-25-4-0-0305-00

I.

**NOTICE IS HEREBY GIVEN** that the undersigned Successor Trustee will on August 16, 2013 at the hour of 1:30 p.m. at the Skamania County Public Courthouse, in the City 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 the County of Skamania, State of Washington, to-wit:

Lot 4 of VIEW SHORT PLATS, recorded in Book "3" of SHORT PLATS, page 339, records of Skamania County, Washington.

which is subject to that certain Deed of Trust dated March 3, 2006, recorded March 16, 2006 under Auditor's File No. 2006160867, records of Skamania County, Washington, from Stephen A. Weiss and Linda I. Miller, as Grantor, to Riverview Services, Inc., as Trustee, to secure an obligation in favor of Riverview Community Bank, as Beneficiary. Heurlin, Potter, Jahn, Leatham & Holtmann, P.S. is the duly appointed Successor Trustee.

II.

No action commenced by the Beneficiary of the Deed of Trust or 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 default for which this foreclosure is made is as follows:

- a. Failure to pay the following past due amounts, which are in arrears:

Monthly Principal and Interest Payments, 2/1/12 through 4/1/13	\$32,891.16
Late Fees	\$2,004.99
Delinquent Reserve Payments	<u>\$7,208.55</u>
TOTAL PAST DUE AMOUNTS	<u>\$42,104.70</u>

- b. Defaults other than failure to make monthly payments:

N/A

Failure to comply with the following terms of the Deed of Trust:

N/A

IV.

The sum owing on the obligation secured by the Deed of Trust referenced in I. above is: Principal \$490,694.17, together with interest as provided in the Note or other instrument secured and such other 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 August 16, 2013. The default referred to in paragraph III must be cured by August 5, 2013 (11 days before the sale), to cause a discontinuance of the sale. The sale will be discontinued and terminated if at any time on or before August 5, 2013 (11 days before the sale date), the default(s), as set forth in paragraph III is/are cured and all payments becoming due (or interest accrued if the entire obligation is due) hereafter are paid and the Successor Trustee's fees and costs are paid. The sale may be terminated any time after August 5, 2013 (11 days before the sale), and before the sale by the Borrower, Grantor, any Guarantor, or the Grantor's successor in interest or the holder of

NOTICE OF TRUSTEE'S SALE - 2

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 or the Grantor's successor in interest at the following address:

Stephen A. Weiss  
PO Box 70  
Stevenson, WA 98648

Linda I. Miller  
PO Box 70  
Stevenson, WA 98648

Stephen A. Weiss  
192 Clearview Lane  
Stevenson, WA 98648

Linda I. Miller  
192 Clearview Lane  
Stevenson, WA 98648

by both First Class and Certified Mail, Return Receipt Requested, on March 15, 2013, proof of which is in the possession of the Successor Trustee; and the Notice of Default was posted in a conspicuous place on the real property described in Paragraph I above on March 18, 2013 and the Successor Trustee has possession of proof of such service or posting.

VII.

The Successor 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.

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.

**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: 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: Toll-free: **1-800-569-4287** or National Web Site: <http://portal.hud.gov/hudportal/HUD> or for Local counseling agencies in Washington:

<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: **1-800-606-4819** or Web site: <http://nwjustice.org/what-clear>

**THE ABOVE NOTICE REGARDING MEDIATION IS REQUIRED BY RCW 61.24.040(1)(g). HOWEVER, BENEFICIARY IS EXEMPT FROM PARTICIPATING IN THE MEDIATION PROCESS SET FORTH IN RCW 61.24.163 BY REASON OF EXEMPTION PROVIDED BY RCW 61.24.166.**

If the sale is set aside for any reason, including if the Trustee is unable to convey title, the Purchaser at the sale shall be entitled only to a return of the monies paid to the Trustee. This shall be the Purchaser's sole and exclusive remedy. The purchaser shall have no further recourse against the Trustor, the Trustee, the Beneficiary, the Beneficiary's Agent, or the Beneficiary's Attorney.

If you have previously been discharged through bankruptcy, you may have been released of personal liability for this loan in which case this letter is intended to exercise the note holders right's against the real property only.

**THIS OFFICE IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

As required by law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit report agency if you fail to fulfill the terms of your credit obligations.

**XI.**

**NOTICE TO GUARANTOR**

The following notice is hereby provided to the Guarantor of the Note, in accordance with RCW 61.24.042:

- (1) The guarantor may be liable for a deficiency judgment to the extent the sale price obtained at the trustee's sale is less than the debt secured by the deed of trust;
- (2) The guarantor has the same rights to reinstate the debt, cure the default, or repay the debt as is given to the grantor in order to avoid the trustee's sale;
- (3) The guarantor will have no right to redeem the property after the trustee's sale;
- (4) Subject to such longer periods as are provided in the Washington Deed of Trust Act, Chapter 61.24 RCW, any action brought to enforce a guaranty must be commenced within one year after the trustee's sale, or the last trustee's sale under any deed of trust granted to secure the same debt; and
- (5) In any action for a deficiency, the guarantor will have the right to establish the fair value of the property as of the date of the trustee's sale, less prior liens and encumbrances, and to limit its liability for a deficiency to the difference between the debt and the greater of such fair value or the sale price paid at the trustee's sale, plus interest and costs.

**XII.**

The Successor Trustee makes no representations or warranties concerning what interest in the real property described above is being sold. The deed of trust lien foreclosed may not be a first lien position, or there may be other prior encumbrances of title. The Successor Trustee is not required to provide title information concerning this property. Any person interested in this foreclosure is encouraged to make his or her own investigation concerning the ownership of the property, and the position on title of the deed of trust being foreclosed. Any person interested in the foreclosure is also encouraged to consult an attorney, as the Successor Trustee will not provide legal advice concerning the foreclosure. The Successor Trustee does not provide



HEURLIN, POTTER, JAHN, LEATHAM &  
HOLTMANN, P.S., Successor Trustee

By: Brian R. Heurlin  
 Brian R. Heurlin  
 211 E. McLoughlin Boulevard  
 P.O. Box 611  
 Vancouver, Washington 98666-0611  
 Phone: (360) 750-7547

STATE OF WASHINGTON )  
 : ss.  
County of Clark )

I certify that I know or have satisfactory evidence that BRIAN R. HEURLIN signed this instrument as the President of Heurlin, Potter, Jahn, Leatham & Holtmann, P.S., Successor Trustee of that certain Deed of Trust dated March 3, 2006, and acknowledged it to be the free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 25th day of April, 2013.



Christine A. Miller  
Notary Public for Washington  
My Commission Expires: 6.29.14  
Residing at: Vancouver