

WHEN RECORDED MAIL TO:

**THE SECRETARY OF HOUSING
AND URBAN DEVELOPMENT
451 7TH STREET S.W.
WASHINGTON, DC 20410**

Skamania County, WA	2025-000585
Total: \$308.50 Pgs=6	
NTS	04/29/2025 02:31 PM
Request of: NEMOVI LAW GROUP, APC	
eRecorded by: CSC Ingeo	

APN: 01050610090000

**Abbrev Legal: PORTION OF SECTION.6
TOWNSHIP 2 NORTH RANGE 5 EAST OF
THE WILLAMETTE MERIDIAN**

NOTICE OF DEFAULT AND FORECLOSURE SALE

WHEREAS, on 11/2/2009, a certain Mortgage Deed of Trust was executed by CHARLES A CUNNINGHAM A MARRIED MAN AS HIS SOLE AND SEPARATE ESTATE as trustor in favor of Mortgage Electronic Registration Systems, Inc. ("MERS"), as designated nominee for SUMMIT MORTGAGE CORPORATION, beneficiary of the security instrument, its Successors and Assigns as beneficiary, and was recorded on 11/9/2009, as Instrument No. 2009174244, in the Office of the Recorder of Skamania County, Washington; and

WHEREAS, the Mortgage Deed of Trust was insured by the United States Secretary of Housing and Urban Development ("Secretary" or "HUD") pursuant to the National Housing Act for the purpose of providing single family house; and

WHEREAS, the beneficial interest in the Mortgage Deed of Trust is now owned by the Secretary of Housing and Urban Development, pursuant to the following assignment:

Corporate Assignment of Deed of Trust from MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS), AS DESIGNATED NOMINEE FOR SUMMIT MORTGAGE CORPORATION, BENEFICIARY OF THE SECURITY INSTRUMENT, ITS SUCCESSORS AND ASSIGNS in favor of THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT dated 9/25/2015, recorded on 10/8/2025, as Instrument No. 2015002078, in the office of the Recorder of Skamania County, Washington; and

WHEREAS, the entire amount delinquent as of 4/18/2025 is **\$534,730.00**; and

WHEREAS, by virtue of this default, the Secretary has declared the entire amount of the indebtedness secured by the Mortgage Deed of Trust to be immediately due and payable;

NOW THEREFORE, pursuant to powers vested in me by the Single Family Mortgage Foreclosure Act of 1994, 12 U.S.C. 3751 et seq., by 24 CFR part 27, subpart B, and by the Secretary's designation of me as Foreclosure Commissioner, **which is recorded herewith, as Exhibit 1.**

NOTICE IS HEREBY GIVEN that on **6/20/2025 at 10:00 AM** local time, all real and personal property at or used in connection with the following described premises ("Property") will be sold at public auction to the highest bidder:

Legal Description:

THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTER LINE OF THE STATE HIGHWAY AT THE LOW WATER MARK ON THE EAST BANK OF THE WASHOUGAL RIVER, WHICH POINT IS SOUTH 89°31' WEST 857.5 FEET AND SOUTH 8°34' WEST 122.77 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 6; THENCE SOUTH 251.160 FEET AND WEST 49.39 FEET TO THE INITIAL POINT OF THE TRACT HEREIN DESCRIBED AND WHICH POINT IS MARKED BY AN IRON BAR; THENCE NORTH 77°07' WEST 93.81 FEET; THENCE NORTH 2°34' EAST 204.95 FEET TO THE LOW WATER LINE OF SAID WASHOUGAL RIVER; THENCE NORTH 79°04' EAST 105.59 FEET ALONG SAID LOW WATER LINE TO THE WESTERLY RIGHT OF WAY LINE OF THE STATE HIGHWAY; THENCE SOUTH 8°23' WEST ALONG SAID RIGHT OF WAY LINE 102.34 FEET; THENCE SOUTH 2°34' WEST 144.60 FEET TO THE INITIAL POINT OF THE TRACT HEREIN DESCRIBED.

Purportedly known as: 31 SPORTSMAN ROAD, WASHOUGAL, WA 98671

The sale will be held at: **At the main entrance to the Skamania County Courthouse, 240 Vancouver Ave., Stevenson, WA**

Per the Secretary, the estimated opening bid will be **\$542,377.00**. There will be no proration of taxes, rents or other income or liabilities, except that the purchaser will pay, at or before closing, his pro rata share of any real estate taxes that have been paid by the Secretary to the date of the foreclosure sale.

When making their bids, all bidders, except the Secretary, must submit a deposit totaling ten percent (10%) of the Secretary's estimated bid amount in the form of a certified check or cashier's check made payable to the **Secretary of Housing and Urban Development**. Ten percent of the estimated bid amount for this sale is \$54,238.00. A deposit need not accompany each oral bid. If the successful bid is oral, a deposit of \$54,238.00 must be presented before the bidding is closed. The deposit is nonrefundable. The remainder of the purchase price must be delivered within 30 days of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount must be delivered in the form of a certified or cashier's check made payable to **Nemovi Law Group, PC**. We will accept certified or cashier's checks made payable to the bidder and endorsed to Nemovi Law Group, PC if accompanied by a **notarized power of attorney or other notarized authorization** authorizing Nemovi Law Group, PC to deposit the check into the firm's trust account on behalf of the Secretary of Housing and Urban Development. If the Secretary is the highest bidder, he need not pay the bid amount in cash. The successful bidder will pay all conveying fees, all real estate and other taxes that are due on or after the delivery date of the remainder of the payment and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidders will be returned to them.

The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for 15-day increments for a fee of: \$500.00, paid in advance. The extension fee shall be

in the form of a certified or cashier's check made payable to the Secretary. If the high bidder closes the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due.

If the high bidder is unable to close the sale within the required period, or within any extensions of time granted by the Secretary, the high bidder may be required to forfeit the cash deposit or, at the election of the Foreclosure Commissioner after consultation with the HUD representative, will be liable to HUD for any costs incurred as a result of such failure. The Commissioner may, at the direction of the HUD representative, offer the property to the second highest bidder for an amount equal to the highest price offered by that bidder.

There is no right of redemption, or right of possession based upon a right of redemption, in the mortgagor or others subsequent to a foreclosure completed pursuant to the Act. Therefore, the Foreclosure Commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacant.

The scheduled foreclosure sale shall be cancelled or adjourned if it is established, by documented written application or otherwise, that the default or defaults upon which the foreclosure is based did not exist at the time of service of this Notice of Default and Foreclosure Sale, or all amounts due under the mortgage agreement are tendered to the Foreclosure Commissioner, in the form of a certified or cashier's check payable to the Secretary, before public auction of the property is completed.

The amount that must be paid if the Mortgage Deed of Trust is to be reinstated prior to the scheduled sale is based on the nature of the breach, this loan is not subject to reinstatement. A total payoff is required to cancel the foreclosure sale, or the breach must otherwise be cured, if applicable. A description of the nature of the breach is as follows: **A BORROWER DIES AND THE PROPERTY IS NOT THE PRINCIPAL RESIDENCE OF AT LEAST ONE SURVIVING BORROWER.**

Tender of payment by certified or cashier's check or application for cancellation of the foreclosure sale shall be submitted to the address of the Foreclosure Commissioner provided below.

The sale date shown on this Notice of Default and Foreclosure Sale may be postponed one or more times by the Secretary, the Foreclosure Commissioner or a court. **For Sales Information please call (916) 939-0772 or visit the website www.nationwideposting.com using the file number assigned to this case FC# 25-60388-WA-REV.** Your ability to obtain sales information by Internet Website or phone is provided as a courtesy to those not present at the sale and neither Nemovi Law Group, PC nor the website host makes any representations or warranties as to the accuracy or correctness of the information provided thereby. Nemovi Law Group, PC and its agents do not assume any responsibility for reliance on any information received by telephone or website. THIS INFORMATION IS SUBJECT TO CHANGE AT ANY TIME. It will be necessary for you to attend all sales in order to obtain the most current information. Neither Nemovi Law Group, PC nor its agents will be liable for any loss you may sustain in using or receiving any information obtained online or by phone.

Date: 4/24/2025

NEMOVI LAW GROUP, PC
Foreclosure Commissioner
2173 Salk Ave., Suite 250
Carlsbad, CA 92008-6583
Phone: (866) 454-7742
Sale Info: (916) 939-0772

By: _____

Genail M. Nemovi, Attorney

Mailing Address:

NEMOVI LAW GROUP, PC
2173 Salk Ave, Suite 250
Carlsbad, CA 92008

Physical Address:

NEMOVI LAW GROUP, PC
14205 SE 36th Street, Suite 100
Bellevue, WA 98006

Unofficial Copy



U.S. Department of Housing and Urban Development
Office of the Regional Counsel
Seattle Regional Office - Region X
909 First Avenue, Suite 260
Seattle, Washington 98104-1000
www.hud.gov
espanol.hud.gov

FORECLOSURE COMMISSIONER DESIGNATION

TO: Nemovi Law Group, APC
2173 Salk Ave., Suite 250
Carlsbad, CA 92008

Pursuant to Section 805 of the Single Family Mortgage Foreclosure Act of 1994 ("Act"), codified at 12 U.S.C. § 3754, and Section B(11) of the Consolidated Redesignation of Authority to the Office of General Counsel, 76 Fed. Reg. 42463, published on July 18, 2011, you are hereby designated as a single family foreclosure commissioner to act on behalf of the Secretary of Housing and Urban Development to conduct non-judicial foreclosures in the state of Washington and Alaska of the mortgages that may be referred to you by the Department of Housing and Urban Development. A copy of the Act, as codified at 12 U.S.C. §§ 3751-3768, is enclosed, along with the Final Rule and Appendix published in the *Federal Register* at 61 Fed. Reg. 48546 on September 13, 1996, codified at 24 C.F.R. part 27, subpart B. **Foreclosures that are referred to you are to be conducted pursuant to the Act, the regulations, and the letter and instructions that will be given to you at the time of referral of a case.**

As foreclosure commissioner, you are a fiduciary and not an employee of the Department of Housing and Urban Development or of the Federal government. You will be responsible for your actions as any other fiduciary.

The commission that will be paid to you upon completion of a non-judicial foreclosure in Washington is \$1,800 and in Alaska is \$2,000. A percentage of that amount will be paid for cases that are withdrawn by HUD, based on the following schedule: 20% for work completed up to "service" of the Notice of Foreclosure and Sale; and 80% when the Notice of Foreclosure and Sale has been "served," including the start of publication, or posting if required.

This Designation is effective immediately and can be revoked with or without cause pursuant to the Act. Please sign and date the Designation, providing your Tax Identification or Social Security Number, and return one copy to Mona Fandel at 909 First Avenue, Suite 260, Seattle, WA 98104-1000.

SECRETARY, U.S. DEPT. OF HUD

June 30, 2021
Date

By: Mona Fandel
MONA FANDEL
REGIONAL COUNSEL

Enclosures (3)

ACKNOWLEDGMENT

State of Washington)
County of King)

This instrument was acknowledged before me on the 30 day of June, 2021,
by Mona Fandel as Regional Counsel for Region X of the U.S. Department of Housing and Urban
Development.



Notary Public

