

AFFIDAVIT OF SERVICE / POSTING
Pursuant to Idaho Code 45-1506(5)

leBD1-2 2958

STATE OF IDAHO)
) ss.
COUNTY OF KOOTENAI)

DANIEL J. ENGLISH 4P I 2187019000
KOOTENAI CO. RECORDER Page 1 of 4
Date 11/24/2008 Time 14:59:06
REC-REQ OF NORTH IDAHO TITLE INSURA
RECORDING FEE: 12.00
2187019000 NA 9


I, **STEVEN L. REED**, being duly sworn on oath deposes and states that I am over the age of 18 years, not a party to this action, and that I received from Dennis M. Davis, Trustee, to serve / post the following documents:

NOTICE OF TRUSTEE'S SALE

Party Served: Bare Land

Address / Property Posted: 8888 North Prescott Drive, Hayden, Idaho.

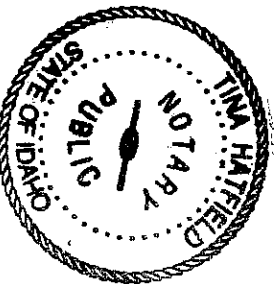
Date(s) Posted: November 9, 2008 / November 13, 2008 / November 19, 2008


Steven L. Reed, Affiant

On this 21st day of November, 2008, before me, a Notary Public in and for said state, personally appeared Steven L. Reed, known or identified to me to be to the person whose name is subscribed to the within Instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Notary Public, State of Idaho
Commission Expires: 5-15-2013



Service / Document by:
A.A.Y.S., INC.
P.O. Box 732
Coeur d'Alene, ID 83816-0732
(208) 667-4618

COPY

Filed for Record at Request of:
Witherspoon, Kelley, Davenport
& Toole, P.S.
The Spokesman Review Building
608 Northwest Boulevard, Suite 401
Coeur d'Alene, Idaho 83814
Attn: Dennis M. Davis

NOTICE OF TRUSTEE'S SALE

On the 27th day of February, 2009, at the hour of 10:30 a.m. on said day in the lobby of North Idaho Title, 601 East Front Avenue, Suite 204, Coeur d'Alene, Idaho 83814, the Trustee, Dennis M. Davis, will sell at public auction to the highest bidder for cash, lawful money of the United States, all payable at the time of sale, the following described real estate situated in Kootenai County, State of Idaho, to-wit:

Lot 1, Block 1, Honeysuckle Grove, according to the plat recorded in Book "J" of Plats at Page 350, Records of Kootenai County, Idaho.

The Trustee has no knowledge of a more particular description of the above-referenced real property, but for purposes of compliance with Section 60-113 Idaho Code, the Trustee has been informed that the address of 8888 North Prescott Drive, Hayden, Idaho 83835 is sometimes associated with this real property.

Said sale will be made without covenant or warranty regarding title, possession, or encumbrances, to satisfy the obligation secured by and pursuant to the power of sale conferred in the Construction Deed of Trust entered into on May 7, 2007, by and between Robert Howard, a married person, as his separate estate, as "Trustor/Grantor," Brad L. Williams, Attorney at Law, c/o UPF, Incorporated, as "Trustee," and American West Bank, as "Beneficiary," with said Construction Deed of Trust recorded May 10, 2007, as Instrument No. 2099114000, in the records of Kootenai County, Idaho.

The original Trustee has been succeeded by Dennis M. Davis, a member in good standing of the Idaho State Bar, as evidenced by that certain Appointment of Successor Trustee recorded October 28, 2008, as Instrument No. 2183737000, records of the Kootenai County Recorder.

THE ORIGINAL GRANTOR NAMED HEREIN IS LISTED TO COMPLY WITH IDAHO CODE § 45-1506(4)(a). NO REPRESENTATION IS MADE HEREIN AS TO

WHETHER SAID ORIGINAL GRANTOR IS CURRENTLY OBLIGATED UNDER SAID
CONSTRUCTION DEED OF TRUST.

Foreclosure is being effected because of default in the payment and performance of the obligations due and owing from the Grantor and/or its successors in interest to AmericanWest Bank, Beneficiary, and which said obligation is secured by the Construction Deed of Trust. A Notice of Default was recorded on October 28, 2008, as Instrument No. 2183738000, records of Kootenai County, Idaho.

Said default as of the date set out in the Notice of Default, consists of the failure to pay accrued interest from February 7 through October 28, 2008, in the amount of \$12,681.00; failure to pay the principal balance due May 7, 2008, in the amount of \$244,453.35; failure to pay late fees in the amount of \$300.00; and failure to pay attorney's and trustee's fees and costs to the date of the Notice of Default in the amount of \$3,799.00. The total delinquency as of the date set out in the notice of default is \$261,233.35, exclusive of continuing installments of principal and interest, late charges, and expenses of foreclosure which will accumulate from the date set out in the Notice of Default. Additional loan covenant defaults as specified in the Notice of Default also exist as follows: (A) Failure to pay real property taxes due for 2007.

That by reason of said default, the Trustee on behalf of the Beneficiary of said Construction Deed of Trust has in the Notice of Default declared all sums secured by said Construction Deed of Trust immediately due and payable. **The total delinquency as of the date set out in the Notice of Default is \$261,233.35**, together with said loan covenant defaults, exclusive of continuing accrual of interest, late charges, and expenses of foreclosure which will accumulate from the date set out in the Notice of Default. The aggregate principal amount as secured by said Construction Deed of Trust is the principal amount of \$244,453.35, together with interest thereon at the current rate of 5.5% per annum from February 7 through October 29, 2008, in the amount of \$12,718.35, plus interest at the rate of \$37.3470 per day for each day subsequent to October 29, 2008; plus late fees in the amount of \$300.00; plus costs, charges, trustee's and attorney's fees in connection with the foreclosure to date of the Notice of Default in the amount of \$3,799.00, making a total of \$261,270.70 due Beneficiary, exclusive of continuing charges for interest and late charges, taxes, and expenses of foreclosure together with additional

trustee's and attorney's fees hereafter incurred. Continuing assessments for interest, late charges, taxes, and costs and expenses shall also be added to the balance due.

DATED this 29th day of October, 2008.

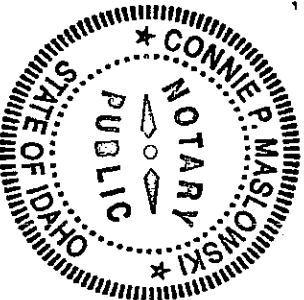
Dennis M. Davis

Dennis M. Davis, Trustee
WITHERSPOON, KELLEY, DAVENPORT
& TOOLE, P.S.
Spokesman-Review Building
608 Northwest Boulevard, Suite 401
Coeur d'Alene, Idaho 83814

STATE OF IDAHO)
 : ss
County of Kootenai)

On this 29th day of October, 2008, before me, a Notary Public in and for the state of Idaho, personally appeared Dennis M. Davis, known or identified to me to be the Trustee who executed the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto affixed my hand and official seal the day and year in this certificate first above written.



Connie P. Maslowski
Notary Public for the State of Idaho
Residing at Hayden
My Commission Expires: 02/27/2009