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Filed at request of and return to

VELIKANJE, MOORE & SHORE, INC., P.S.  
405 EAST LINCOLN  
YAKIMA, WASHINGTON 98901

JERRY MCINTURFF  
SKAGIT COUNTY AUDITOR

89 JAN 30 10:17

M O R T G A G E

REQUISITION

THE MORTGAGOR, M V ASSOCIATES, a Limited Partnership, mortgage to ROY A. SAMPLE, ROY A. SAMPLE AND ASSOCIATES, VERN K. LARSON, ROSS H. LARSON, and LARSON FRUIT COMPANY, a Washington corporation, to secure the payment of the following Promissory Note obligations owing by Mortgagor to the respective Mortgagees, together with interest thereon and together with any extensions or renewals thereof, the said Note obligations being described as follows:

| <u>Payee/Mortgagee</u>       | <u>Date of Note</u> | <u>Principal Balance of Note</u> |
|------------------------------|---------------------|----------------------------------|
| Roy A. Sample                | 01/06/89            | \$ 91,829.49                     |
| Roy A. Sample and Associates | 01/06/89            | 40,264.96                        |
| Vern K. Larson               | 01/06/89            | 80,377.14                        |
| Ross H. Larson               | 01/06/89            | 80,377.15                        |
| Larson Fruit Company         | 01/06/89            | 918,387.84                       |

the following described real estate located in both Skagit and Kittitas Counties, Washington, to-wit:

SAGIT COUNTY PROPERTY

PARCEL A:

Those portions of Sections 25 and 36, Township 34 North, Range 4 East, W.M., and those portions of Sections 30 and 31, Township 34 North, Range 5 East, W.M., situated in Skagit County, Washington, described as follows:

Commencing at the South 1/4 corner of said Section 25; thence North 89°23'49" West along the South line of said Section 83.18 feet to the Northeasterly margin of State Highway SR 9, as shown on Sheet 2 of 3 Sheets of Washington State Department of Transportation drawing titled "SR 9-MP47.22 to MP47.78 - North Big Lake Vicinity," bearing an approval date of November 14, 1977; thence North 24°00'41" West along said highway margin 189.74 feet to the POINT OF BEGINNING; thence South 24°00'41" East along said highway margin 610.58 feet to the North line of the South 935 feet of the Northwest 1/4 of the Northeast 1/4 of said Section 36; thence South 89°06'52" East along said North line 388.53 feet to the East line of the West 490 feet of the Northwest 1/4 of the Northeast 1/4 of said Section 36; thence South 2°01'17" West along said East line 360.07 feet to the North line of the South 575 feet of the Northwest 1/4 of the Northeast 1/4 of said Section 36; thence South 89°06'52" East along said North line 297.95 feet; thence South 0°53'08" West 575.00 feet to the South line of the North 1/2 of the Northeast 1/4 of said Section 36; thence South 89°06'52" East along said South

line 1819.40 feet to the Southwest corner of Government Lot 1 in said Section 31; thence South 89°40'38" East along the South line of said Government Lot 1 a distance of 1316.76 feet to the Southeast corner of said Government Lot 1; thence North 1°43'22" East along the East line of said Government Lot 1 a distance of 1333.62 feet to the Southeast corner of Government Lot 4 in said Section 30; thence North 1°49'03" East along the East line of said Government Lot 4 and the East line of Government Lot 3 in said Section 30 a distance of 1944.05 feet to the Northeast corner of the South 1/2 of said Government Lot 3; thence South 89°53'48" West along the North line of the said South 1/2 of said Government Lot 3 a distance of 807.95 feet; thence due South 614.99 feet; thence due West 1152.74 feet; thence North 13°51'13" East 82.77 feet; thence South 60°25'56" West 2495.14 feet to the beginning of a curve to the right having a radius of 30.00 feet; thence Westerly along said curve through a central angle of 95°33'23" an arc distance of 50.03 feet to the POINT OF BEGINNING,

EXCEPT those portions of Sections 30 and 31, Township 34 North, Range 5, East, W.M., situated in Skagit County, Washington, described as follows:

Beginning at the Southeast corner of Government Lot 1 of said Section 31; thence North 1°43'22" East along the East line of said Government Lot 1 a distance of 1333.62 feet to the Southeast corner of Government Lot 4 in said Section 30; thence North 1°49'03" East along the East line of said Government Lot 4 and the East line of Government Lot 3 in said Section 30 a distance of 1944.05 feet to the Northeast corner of the South half of said Government Lot 3; thence South 89°53'48" West along the North line of the said South half of said Government Lot 3 a distance of 807.95 feet; thence due South 614.99 feet; thence due West 483.82 feet; thence South 1°49'03" West, 1320.12 feet; thence South 32°47'11" East 1591.66 feet to the intersection with the South line of Government Lot 1 of said Section 31; thence South 89°40'38" East along said South line 370.00 feet to the POINT OF BEGINNING.

PARCEL B:

That portion of the Northeast 1/4 of Section 25, Township 34 North, Range 4 East, W.M., and that portion of Government Lot 2, Section 30, Township 34 North, Range 5 East, W.M., Skagit County, Washington, described as follows:

Beginning at the Southwest corner of Government Lot 2; thence South 89°44'03" East along the South line thereof 585.87 feet to a point on the arc of a curve whose center lies South 89°02'31" East 450 feet distant; thence Northeast along the arc of said curve to the right through a central angle of 51°02'31" an arc length of 400.88 feet; thence North 28°56'23" West 1137.64 feet to the North line of Government Lot 2; thence North 89°29'03" West 159.16 feet to the Northwest corner of said Government Lot; thence South 46°58'38" West 460.32 feet; thence South 38°00'00" East 149.65 feet to the beginning of a curve to the right having a radius of 830.00 feet; thence Southeasterly along the arc of said curve through a central angle of 13°06'35" an arc length of 189.91 feet; thence South 1°34'50" West 747.45 feet; thence South 89°44'03" East 117.05 feet to the Southwest corner of Government Lot 2 and the POINT OF BEGINNING.

PARCEL C:

That portion of the Northeast 1/4 of Section 25, Township 34 North, Range 4 East, W.M., in Skagit County, Washington, described as follows:

Commencing at the Northwest corner of said subdivision; thence South 77°06'16" East 739.84 feet; thence South 1611.27 feet to the POINT OF BEGINNING; thence South 72°18'04" West 98.43 feet; thence South 38°24'08" East 820.89 feet; thence North 56°55'28" East 1406.87 feet; thence North 38°00'00" West 420.98 feet; thence South 72°18'04" West 1402.22 feet to the POINT OF BEGINNING.

PARCEL D:

That portion of the Northeast 1/4 and the Southeast 1/4 of Section 25, Township 34 North, Range 4 East, W.M., in Skagit County, Washington, described as follows:

Commencing at the Northwest corner of said Northeast 1/4; thence South 77°06'16" East 739.84 feet; thence South 1611.27 feet; thence South 72°18'04" West 98.43 feet; thence South 38°24'08" East 820.89 feet to the POINT OF BEGINNING at the most Southerly corner of that tract designated Upland No. 14 as shown on sheet 5 of 6 of that survey recorded in Volume 4 of Surveys, pages 56 through 61, records of said county; thence North 56°55'28" East along the Southeasterly boundary of said tract 1406.87 feet to intersect the centerline of that easement 60.00 feet in width as recorded under recording number 8212100052, records of said county; thence South 38°00'00" East along said centerline 69.93 feet to the beginning of a curve to the right having a radius of 830.00 feet; thence Southeasterly along said curve and centerline through a central angle of 13°06'35" an arc distance of 189.91 feet; thence South 1°34'50" West 747.45 feet; thence South 89°44'03" East 117.05 feet to the East 1/4 corner of said section; thence South 1°34'50" West along the East line of said section and the East margin of said easement 447.20 feet; thence North 88°25'10" West 60.00 feet to the West margin of said easement and the beginning of a curve to the right from which the center lies North 88°25'10" West 470.00 feet distant; thence Southwesterly along said curve and margin through a central angle of 38°25'10" an arc distance of 315.16 feet to a point of tangency; thence South 40°00'00" West along said margin 278.74 feet; thence North 42°41'25" West 1557.40 feet to the POINT OF BEGINNING.

KITTITAS COUNTY PROPERTY

PARCEL 1:

A tract of land located in Section 22, Township 15 North, Range 19 East, W.M., Kittitas County, Washington, more particularly described as follows:

Beginning at the Northwest corner of said Section 22; thence South 0°03'00" East along the West line of said Section 22, a distance of 1,320.40 feet; thence North 89°49'10" East, a distance of 2,112.82 feet to the true POINT OF BEGINNING; thence North 89°49'10" East, a distance of 523.16 feet; thence North 89°36'44" East, a distance of 1,980.05 feet; thence South 0°35'24" East, a distance of 1,319.69 feet; thence South 89°43'18" West, a distance of 663.04 feet; thence South 0°00'20" West, a distance of 2,058.20 feet to the point in the approximate centerline of Burbank Creek; thence along the approximate centerline of said Burbank Creek the following four courses:

1. South 79°32'37" West, a distance of 201.32 feet;
2. North 65°29'22" West, a distance of 946.30 feet;
3. North 61°17'16" West, a distance of 463.18 feet;
4. North 87°27'12" West, a distance of 388.68 feet;

thence North a distance of 2,770.15 feet to the true POINT OF BEGINNING, records of Kittitas County, Washington.

EXCEPT that portion of said Section 22, Kittitas County, Washington, described as follows:

Beginning at the Northwest corner of said Section 22, thence South 0°03'00" East along the West line of said Section 22, a distance of 1,320.40 feet; thence

North 89°49'10" East, a distance of 2,112.82 feet to the Northwest corner of Tract 3 of Volume 9 of Surveys, page 21; thence South 0°00' West, along the West line of said Tract 3, a distance of 27,770.15 feet to the South line of said Tract 3 and the centerline of Burbank Creek; thence South 87°27'12" East, along said South line and centerline of said Creek, a distance of 388.68 feet; thence South 61°17'16" East, along said South line and centerline of said Creek, a distance of 463.18 feet; thence South 65°29'22" East, along said South line and centerline of said Creek, a distance of 488.75 feet to the true POINT OF BEGINNING; thence North 0°00'20" East a distance of 754.56 feet; thence South 61°46'15" East a distance of 619.25 feet; thence South 62°15'54" East, a distance of 77.59 feet to the East line of said Tract 3; thence South 0°00'20" West along said East line a distance of 578.73 feet to the Southeast corner of said Tract 3 and the centerline of Burbank Creek; thence South 79°32'37" West along the South line of said Tract 3 and the centerline of said Creek, a distance of 201.32 feet; thence North 65°29'22" West along said South line and the centerline of said Creek a distance of 457.55 feet to the true POINT OF BEGINNING.

(Also known as Lot 4 of that portion of Tract 3 of that certain survey recorded in Volume 9 of Surveys, page 21, under Auditor's File No. 454985, records of Kittitas County, Washington.)

PARCEL 2:

A tract of land located in the West half of Section 22, Township 15 North, Range 19, East, W.M., Kittitas County, Washington, more particularly described as follows:

Beginning at the Northwest corner of said Section 22; thence South 0°03'00" East along West line of said Section 22, a distance of 1,320.40 feet; thence North 89°49'10" East, a distance of 1,317.99 feet to the true POINT OF BEGINNING; thence North 89°49'10" East, a distance of 794.83 feet; thence South a distance of 2,770.15 feet to a point in the approximate centerline of Burbank Creek; thence North 87°27'12" West, along the approximate centerline of said Burbank Creek, a distance of 788.70 feet; thence North 0°09'56" West, a distance of 1,414.47 feet; thence North 0°07'21" West, a distance of 1,318.14 feet to the true POINT OF BEGINNING, records of Kittitas County, Washington.

And the Mortgagor promises and agrees to pay before delinquency all taxes, special assessments and other public charges levied and assessed or charged against said described premises and to keep all improvements on said described premises insured against loss or damage by fire to the extent of the full insurable value thereof for the benefit of the Mortgagees.

In case the Mortgagor shall fail to pay any installment of principal or interest secured hereby when due or to keep or perform any covenant or agreement aforesaid, then the whole indebtedness hereby secured shall forthwith become due and payable, at the election of the Mortgagees.

DATED this 6 day of January, 1989.

THIS MORTGAGE HAS BEEN EXECUTED IN DUPLICATE SO THAT THE SAME MAY BE RECORDED IN BOTH IN SKAGIT AND KITTITAS COUNTIES WHERE THE MORTGAGED PROPERTIES ARE SITUATE.

M V ASSOCIATES, a Limited Partnership

By: Roy A. Sample  
Roy A. Sample, General Partner

STATE OF WASHINGTON )  
                                  ) ss.  
County of Yakima        )

I certify that I know or have satisfactory evidence that ROY A. SAMPLE signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the General Partner of M V ASSOCIATES, a Limited Partnership, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 6 day of January, 1988.

Cynthia A. Isom  
NOTARY PUBLIC in and for the State  
of Washington, residing at Yakima.  
My appointment expires 7/6/91.

