

AFTER RECORDING MAIL TO:

John Peth & Sons, Inc.
13397 D'Arcy Rd.
Bow, WA 98232

Filed for Record at Request of:
John Peth & Sons, Inc.



199910060075

Kathy Hill, Skagit County Auditor
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LAND TITLE COMPANY OF SKAGIT COUNTY

DEED OF TRUST

Grantors: James Company LLC
Grantees: John Peth & Sons Inc
Brief Legal Description: A portion of Government Lot 4 of section 18, TWP 36 N, Range 4E, W.M., and a portion of the Government Lot 1 and the NE 1/4 of the NW 1/4 of Section 19, TWP 36 N, Range 4E W.M..
Assessor's Property Tax Parcel Number: P49A43/ P49371
Assessor's Property Tax Account Number: P49A74

THIS DEED OF TRUST, made this 12 day of August, 1999, between James Company LLC, as GRANTOR(S), whose address is 312 Puget St., Sedro-Woolley, WA, 98284 and Land Title of Skagit County, as TRUSTEE, whose address is Hopper Rd., Burlington, WA 98233, and John Peth & Sons Inc, as BENEFICIARY, whose address is 13397 D'Arcy Rd., Bow, WA, 98232

Grantor(s) hereby irrevocably grants, bargains, sells, and conveys to Trustee in trust, with power of sale, the following described property in Skagit County, Washington: See Exhibit "A"

TOGETHER WITH all the tenements hereditaments and appurtenances, now or hereafter thereunto belonging or in anywise appertaining, and the rents, issues, and profits thereof and all other property or rights of any kind or nature whatsoever further set forth in the Master Form Deed of Trust hereinafter referred to, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits.

**\$80,000.00/eighty thousand dollars

THIS DEED IS FOR THE PURPOSE OF SECURING PERFORMANCE of each agreement of Grantor(s) incorporated by reference or contained herein and payment of the sum of ~~One Hundred Thousand Dollars~~ DPSE ~~(\$100,000)~~ with interest thereon according to the terms of a promissory note of even date herewith, payable to Beneficiary or order and made by Grantor(s); all renewals, modifications or extensions thereof, and also such further sums as may be advanced or loaned by Beneficiary to Grantor(s), or any of his/her/their successors or assigns, together with interest thereon at such rate as shall be agreed upon.

By executing and delivering this Deed of Trust and the Note secured hereby, the parties agree that all provisions of Paragraphs 1 through 35 inclusive of the Master Form Deed of Trust hereinafter referred to, except such paragraphs as are specifically excluded or modified herein, are hereby incorporated herein by reference and made an integral part hereof for all purposes the same as if set forth herein at length, and the Grantor(s) hereby makes said covenants and agrees to fully perform all of said provisions. The Master Form Deed of Trust above referred to was recorded on the twenty-fifth (25th) day of July, 1968, in the Official Records of the offices of the County Auditors of Skagit County at Volume 19 of records, page 80-83, Auditor's File Number 716277.

A copy of such Master Form Deed of Trust is hereby furnished to the person executing this Deed of Trust and by executing this Deed of Trust the Grantor(s) acknowledges receipt of such Master Form Deed of Trust.

The property which is the subject of this Deed of Trust is not used principally or primarily for agriculture or farming purposes.

The undersigned Grantor(s) requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at the address hereinbefore set forth.

WITNESS the hand(s) and seal(s) of the Grantor(s) on the day and year first above written.

By *Genevieve Elton*

Genevieve Elton, Managing Member James Company LLC

STATE OF WASHINGTON)
)-ss
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Genevieve Elton, Managing Member James Company LLC is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 8-12-99

Mary E. Sloan
Notary Public in and for the state of Washington
My appointment expires: 11-6-2002



199910060075



806 Melcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

LEGAL DESCRIPTION
FOR

EXHIBIT A

JOHN PETH & SONS, INC.
OF

PARCEL 6 - AFTER BOUNDARY LINE ADJUSTMENT

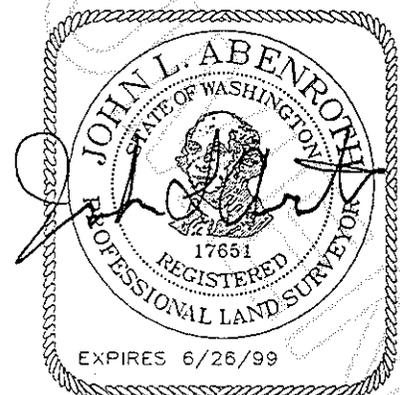
May 10, 1999

That portion of Government Lot 4 of Section 18, Township 36 North, Range 4 East, W.M.; and that portion of the Government Lot 1 and the northeast quarter of the northwest quarter of Section 19, Township 36 North, Range 4 East, W.M.; described as follows:

Beginning at a point on the south line of Government Lot 4 of said Section 18 which lies S86°50'58"E, a distance of 436.54 feet from the southwest corner thereof; thence N06°29'49"W, a distance of 327.78 feet; thence N81°01'50"E, a distance of 432.32 feet; thence N60°30'10"E, a distance of 203.23 feet; thence S56°54'25"E, a distance of 518.35 feet to a point on the east line of said Government Lot 4 which is 265 feet north of the southeast corner thereof; thence S01°05'51"W along said east line, a distance of 265.00 feet to the southeast corner of said Government Lot 4; thence S34°25'05"E, a distance of 317.78 feet; thence S09°31'36"W, a distance of 415.02; thence N80°28'24"W, a distance of 371.16 feet; thence N13°28'27"W, a distance of 338.38 feet; N88°59'07"W, a distance of 623.28 feet; thence N06°29'49"W, a distance of 323.51 feet to the point of beginning of this description.

Containing 20.28 acres.

Situated in Skagit County, Washington.



5/19/99



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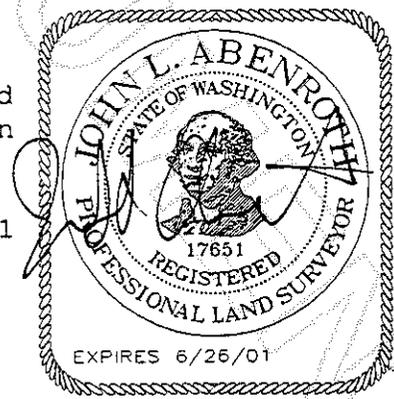
806 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

LEGAL DESCRIPTION
FOR
DAN AND JAY PETH
OF
ACCESS AND UTILITY EASEMENT

August 17, 1999

A non-exclusive easement 60 feet wide and a 45 foot radius cul-de-sac, all for ingress, egress, and utilities, over, under, and through the northeast quarter of the northeast quarter of Section 24, Township 36 North, Range 3 East, W.M., and Government Lot 4 of Section 18, and Township 36 North, Range 4 East, W.M., the northwest quarter of Section 19, Township 36 North, Range 4 East, W.M., the centerline of which is described as follows:

Commencing at the northwest corner of said Section 19; thence S01°10'49"E along the west line thereof, a distance of 213.52 feet to Point A and the initial point of this centerline description; thence N38°44'16"E, a distance of 240.44 feet to the point of curvature of a curve to the right having a radius of 150.00 feet; thence along said curve through a central angle of 100°26'51" and an arc length of 262.97 feet; thence S41°00'54"E, a distance of 71.72 feet to the point of curvature of a curve to the right having a radius of 256.03 feet; thence along said curve through a central angle of 57°06'08" and an arc length of 255.17 feet; thence S16°05'14"W, a distance of 552.04 feet to the point of curvature of a curve to the left having a radius of 115.00 feet; thence along said curve through a central angle of 118°31'25" and an arc length of 237.89 feet to the point of reverse curvature with a curve to the right having a radius of 186.85 feet; thence along said curve through a central angle of 61°56'19" and an arc length of 201.99 feet; thence S40°29'52"E, a distance of 67.47 feet to the point of curvature of a curve to the left having a radius of 150.27 feet; thence along said curve through a central angle of 56°40'17" and an arc length of 148.63 feet; thence N82°49'51"E, a distance of 98.22 feet to the point of curvature of a curve to the right having a radius of 421.41 feet; thence along said curve through a central angle of 55°12'12" and an arc length of 406.02 feet; thence S41°57'57"E, a distance of 308.43 feet to the point of curvature of a curve to the



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left having a radius of 200.00 feet; thence along said curve through a central angle of $14^{\circ}11'58''$ and an arc length of 49.57 feet; thence $S56^{\circ}09'54''E$, a distance of 159.02 feet, more or less, to the centerline of Colony Road and terminus of this line description.

ALSO beginning at the above described Point A; thence $S38^{\circ}44'16''W$, a distance of 318.34 feet to the point of curvature of a curve to the left having a radius of 150.00 feet; thence along said curve through a central angle of $26^{\circ}30'16''$ and an arc length of 69.39 feet; thence $S12^{\circ}13'59''W$, a distance of 289.08 feet to the center of the above described 45 foot radius cul-de-sac and terminus of this line description.

