

Return Address: Please return to:
CT CORPORATION SYSTEM
Attn: Wil Snodgrass
208 S. LaSalle Street
Chicago, IL 60604

199910210031
Kathy Hill, Skagit County Auditor
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Filed with: Skagit

UCC 2 FIXTURE FILING (County Auditor)

Indexing information required by the Washington State Auditor's/Recorder's Office, (RCW 36.18 and RCW 65.04) 1/97: (please print last name first)

Reference # (if applicable):

Debtor(s): (1) Skagit Gardens, Inc. (2) Addl. on pg

Secured Party(ies) (Assignee) (1) Harris Trust and Savings Bank, as agent

Addl. on pg Legal Description (abbreviated): NW 1/4 of NW 1/4 of S32, T34N, R4E, W.M.

Addl. legal is on pg Sch. I Assessor's Property Tax Parcel/Account # 340312-0-002-0001 see attachment

PLEASE TYPE FORM

This FIXTURE FILING is presented pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE:

- ☐ LEASE - Thus filing is for informational purposes only. The terms debtor and secured party are to be construed as LESSEE and LESSOR.
- ☐ CONSIGNMENT - This filing is for informational purposes only. The terms debtor and secured party are to be construed as CONSIGNEE and CONSIGNOR.

1. DEBTOR(S) (or assignor(s))
(last name first, and address(es))
Skagit Gardens Inc.
1719 Old Highway 99 South
Mount Vernon, WA 98273

2. FOR OFFICE USE ONLY

3. NUMBER OF ADDITIONAL SHEETS ATTACHED: 1

4. SECURED PARTY(IES) (or assignee(s)) (name and address)

Harris Trust and Savings Bank, as
Agent
111 West Monroe Street
Chicago, IL 60603

5. ASSIGNEE(S) OF SECURED PARTY(IES)

6. This FIXTURE FILING covers the following types or items of property:

Collateral description on attachment

- ☒ The goods are to become fixtures on...
See Schedule I attached hereto and made a part hereof.
- ☐ The property is timber standing on...

188/481-30

- ☐ The property is minerals or the like (including gas and oil) or accounts to be financed at the wellhead or minehead of the well or mine located on... (Describe real estate. Use legal description.)

This FIXTURE FILING is to be filed for record in the real estate records. If the debtor does not have an interest of record in the realty, the name of a record owner is _____.

- ☒ Products of collateral are also covered.

7. RETURN ACKNOWLEDGMENT COPY TO:

FILE FOR RECORD WITH
COUNTY AUDITOR OF COUNTY
IN WHICH REAL PROPERTY IS LOCATED

8. This statement is signed by the Secured Party(ies) instead of the Debtor(s) to perfect a security interest in collateral. (Please check appropriate box.)

- (a) ☐ already subject to a security interest in another jurisdiction when it was brought into this state, or when the debtor's location was changed to this state, or
- (b) ☐ which is proceeds of the original collateral described above in which a security interest was perfected, or
- (c) ☐ as to which the filing lapsed, or
- (d) ☐ acquired after the change of name, identity, or corporate structure of the debtor(s).

Complete fully if box (d) is checked.
Complete as applicable for (a), (b), and (c):

Original recording number
Filing officer where filed

Former name of debtor(s)

9. USE IF APPLICABLE

Skagit Gardens Inc.

TYPE NAME(S) OF DEBTOR(S) (or assignor(s))

Steve Montinich

SIGNATURE(S) OF DEBTOR(S) (or assignor(s))

TYPE NAME(S) OF SECURED PARTY(IES) (or assignee(s))

SIGNATURE(S) OF SECURED PARTY(IES) (or assignee(s))

10. TERMINATION STATEMENT: The SECURED PARTY(IES) certifies that the SECURED PARTY(IES) no longer claims a security interest under the FIXTURE FILING bearing the recording number shown above.

NAME _____

DATE _____

Return to: County Auditor of County where
original filing/recording was made.

SIGNATURE _____

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**ATTACHMENT TO WASHINGTON UCC-2:
SKAGIT GARDENS INC. (DEBTOR)**

ITEMS CONTINUED FROM FORM:

6. This Fixture Filing covers the following items of property:
THIS FIXTURE FILING IS TO BE RECORDED IN THE REAL ESTATE RECORDS.

See Exhibit A attached hereto and made a part hereof.



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**SCHEDULE OF
PROPERTY TAX PARCEL NUMBERS**

340312-0-002-0001
340313-0-058-0003
340312-0-004-0009
340432-2-011-0400
340432-2-011-0300
340432-2-017-0005
340432-2-014-0008
340432-2-015-0007



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EXHIBIT A

TO UCC FINANCING STATEMENT

DEBTOR: Skagit Gardens, Inc.

SECURED PARTY: Harris Trust and Savings Bank, as Agent

I. THIS FINANCING STATEMENT COVERS:

Any and all right, title and interest of the Debtor, whether now owned or existing or hereafter created, acquired or arising, in and to the following:

(i) *Receivables*. All Receivables, whether now owned or existing or hereafter created, acquired or arising, and however evidenced or acquired, or in which the Debtor now has or hereafter acquires any rights (the term "*Receivables*" means and includes all accounts, accounts receivable, contract rights, instruments, notes, drafts, acceptances, documents, chattel paper, any right of the Debtor to payment for goods sold or leased or for services rendered, whether or not earned by performance, and all other forms of obligations owing to the Debtor, and all of the Debtor's rights to any merchandise or other goods (including without limitation any returned or repossessed goods and the right of stoppage in transit) which is represented by, arises from or is related to any of the foregoing);

(ii) *General Intangibles*. All General Intangibles, whether now owned or existing or hereafter created, acquired or arising, or in which the Debtor now has or hereafter acquires any rights (the term "*General Intangibles*" means and includes all general intangibles, all patents, patent applications, patent licenses, trademarks, trademark registrations, trademark licenses, trade styles, trade names, copyrights, copyright registrations, copyright licenses and other licenses and similar intangibles, all customer, client and supplier lists (in whatever form maintained), all rights in leases and other agreements relating to real or personal property, all causes of action and tax refunds of every kind and nature, all privileges, franchises, immunities, licenses, permits and similar intangibles, and all other personal property (including things in action) not otherwise covered by this financing statement);

(iii) *Inventory and Farm Products*. All Inventory and Farm Products, whether now owned or existing or hereafter created, acquired or arising, or in which the Debtor now has or hereafter acquires any rights and all documents of title at any time evidencing or representing any part thereof (the term "*Inventory and Farm Products*" means and includes all inventory, farm products, and other goods which are held for sale or lease or are to be furnished under contracts of service or consumed in the Debtor's business, all goods which are raw materials, work-in-process, finished goods, materials or supplies of every kind and nature, in each case used or usable in connection with the acquisition,



manufacture, processing, supply, servicing, storing, packing, shipping, advertising, selling, leasing or furnishing of such goods, and any constituents or ingredients thereof, and all goods which are returned or repossessed goods);

(iv) *Equipment.* All Equipment, whether now owned or existing or hereafter created, acquired or arising, or in which the Debtor now has or hereafter acquires any rights (the term "*Equipment*" means and includes all equipment and other machinery, tools, fixtures, trade fixtures, furniture, furnishings, office equipment, vehicles (including vehicles subject to a certificate of title law) and all other goods now or hereafter used or usable in connection with the Debtor's business, together with all parts, accessories and attachments relating to any of the foregoing);

(v) *Investment Property.* All Investment Property, whether now owned or existing or hereafter created, acquired or arising, or in which the Debtor now has or hereafter acquires any rights (the term "*Investment Property*" means and includes all investment property and all other securities (whether certificated or uncertificated), security entitlements, securities accounts, commodity contracts, and commodity accounts, including all substitutions and additions thereto, all dividends, distributions and sums distributable or payable from, upon, or in respect of such property, and all rights and privileges incident to such property);

(vi) *Deposits and Property in Possession.* All deposit accounts (whether general, specific, matured or unmatured and in whatever currency denominated) of the Debtor maintained with the Secured Party or any banks or financial institutions entitled to the benefits or the security interests described herein (collectively, the "*Secured Creditors*") and all sums now or hereafter on deposit therein or payable thereon, and any and all other property and interests in property which now is or may from time to time hereafter come into the possession, custody or control of any of the Secured Creditors, or any agent of any of them, in any way and for any purpose (whether for safekeeping, custody, pledge, transmission, collection or otherwise);

(vii) *Records.* All supporting evidence and documents relating to any of the above-described property, including, without limitation, computer programs, disks, tapes and related electronic data processing media, and all rights of the Debtor to retrieve the same from third parties, written applications, credit information, account cards, payment records, correspondence, delivery and installation certificates, invoice copies, delivery receipts, notes and other evidences of indebtedness, insurance certificates and the like, together with all books of account, ledgers and cabinets in which the same are reflected or maintained, all whether now existing or hereafter arising;

(viii) *Accessions and Additions.* All accessions and additions to and substitutions and replacements of any and all of the foregoing, whether now existing or hereafter arising; and



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(ix) *Proceeds and Products.* All proceeds and products of the foregoing and all insurance of the foregoing and proceeds thereof, whether now existing or hereafter arising.

II. THIS FINANCING STATEMENT ALSO COVERS:

All of the following now or hereafter owned by Debtor: all buildings and improvements of every kind and description heretofore or hereafter erected or placed on the property described in Schedule I attached hereto and made a part hereof and all materials intended for construction, reconstruction, alteration and repairs of the buildings and improvements now or hereafter erected thereon, all of which materials shall be deemed to be included within the premises immediately upon the delivery thereof to the said real estate, and all fixtures, machinery, apparatus, equipment, fittings and articles of personal property of every kind and nature whatsoever now or hereafter attached to or contained in or used or useful in connection with said real estate and the buildings and improvements now or hereafter located thereon and the operation, maintenance and protection thereof, including but not limited to all machinery, motors, fittings, radiators, awnings, shades, screens, all gas, coal, steam, electric, oil and other heating, cooking, power and lighting apparatus and fixtures, all fire prevention and extinguishing equipment and apparatus, all cooling and ventilating apparatus and systems, all plumbing, incinerating and sprinkler equipment and fixtures, all elevators and escalators, all communication and electronic monitoring equipment, all window and structural cleaning rigs and all other machinery and other equipment of every nature and fixtures and appurtenances thereto and all items of furniture, appliances, draperies, carpets, other furnishings, equipment and personal property used or useful in the operation, maintenance and protection of the said real estate and the buildings and improvements now or hereafter located thereon and all renewals or replacements thereof or articles in substitution therefor, whether or not the same are or should be attached to said real estate, buildings or improvements in any manner, and all proceeds of the foregoing. All judgments, awards of damages, settlements and other compensation heretofore or hereafter made resulting from condemnation proceedings or the taking of the property described on Schedule I attached hereto or any part thereof or any building or any other improvement now or at any time hereafter located thereon or any easement or other appurtenance thereto under the power of eminent domain or any similar power or right (including any award from the United States Government at any time after the allowance of the claim therefor, the ascertainment of the amount thereof and the issuance of the warrant for payment thereof) whether permanent or temporary or for any damage (whether caused by such taking or otherwise) to said property described on Schedule I attached hereto or any part thereof or the improvements thereon or any part thereof or to any rights appurtenant thereto, including severance and consequential damage and any award for change of grade of streets.

SOME OF THE ABOVE PROPERTY IS OR MAY BECOME FIXTURES ON THE REAL ESTATE DESCRIBED ON SCHEDULE I ATTACHED HERETO AND MADE A PART HEREOF. THE NAME OF THE RECORD OWNER IS DEBTOR.



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SCHEDULE I

PARCEL "A":

Lots 2 and 3 of Skagit County Short Plat No. 94-033, approved September 26, 1994, and recorded September 30, 1994, in Volume 11 of Short Plats, pages 121 and 122, under Auditor's File No. 9409300084, records of Skagit County, Washington; being a portion of the North $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 32, Township 34 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the North $\frac{1}{4}$ of the South $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 32, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point on the South line of said North $\frac{1}{4}$ of the South $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, 30 feet East of the Southwest corner thereof, said point being the East line of the State Highway "99" right of way, as said highway existed on January 7, 1954;
thence East along the South line of said North $\frac{1}{4}$ of the South $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, 188 feet;
thence North parallel with the West line of said subdivision, 200 feet;
thence West 188 feet to the East line of said State Highway right of way;
thence South along the East line of said highway right of way, 200 feet to the point of beginning.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

That portion of the North $\frac{1}{4}$ of the South $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 32, Township 34 North, Range 4 East, W.M., described as follows:

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PARCEL "C" continued:

Beginning at a point on the South line of said North $\frac{1}{4}$ of the South $\frac{1}{4}$ of said Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, 30 feet East of the Southwest corner thereof, said point being on the East line of the State Highway "99" right of way, as said highway existed on January 7, 1954;
thence North along the East line of said State Highway right of way, 200 feet;
thence East 144 feet to the true point of beginning;
thence continue East 44 feet;
thence North parallel to the West line of said Northwest $\frac{1}{4}$, 8.0 feet;
thence West 44 feet;
thence South 8.0 feet to the true point of beginning,

EXCEPT the North 6.13 feet thereof.

Situate in the County of Skagit, State of Washington.

PARCEL "D":

The South 1.87 feet of the West 144.00 feet of that portion of the North $\frac{1}{4}$ of the South $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 32, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point on the East line of the State Highway 200 feet North of the South line of said North $\frac{1}{4}$ of the South $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 32;
thence East 144 feet;
thence North parallel to the West line of said Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, 8 feet;
thence East 44 feet, more or less, to a line which is distant 218 feet East of and parallel to the West line of said Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$;
thence North along said parallel line 122 feet, more or less, to the North line of said North $\frac{1}{4}$ of the South $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$;
thence West along said North line 188 feet, more or less, to the East line of said State Highway;
thence South along said East line 130 feet to the point of beginning.

Situate in the County of Skagit, State of Washington.

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PARCEL "E":

The South 330 feet of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 32, Township 34 North, Range 4 East, W.M., EXCEPT Drainage District No. 17 right of way, EXCEPT Old State Highway 99 along the West line thereof, EXCEPT that portion conveyed to the State of Washington for Primary State Highway No. 1 along the East line thereof, by deed dated February 3, 1953, recorded March 12, 1953, under Auditor's File No. 485839, AND EXCEPT that portion, if any, lying within the North $\frac{1}{4}$ of the South $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, ALSO EXCEPT that portion thereof condemned by the State of Washington for highway purposes in Skagit County Superior Court Cause No. 33040.

Situate in the County of Skagit, State of Washington.

PARCEL "F":

The North $\frac{1}{4}$ of the South $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 32, Township 34 North, Range 4 East, W.M., EXCEPT the West 218 feet thereof, AND EXCEPT that portion thereof conveyed to the State of Washington for highway purposes by deed dated January 29, 1953 and recorded February 12, 1953, under Auditor's File No. 485836, and deed recorded December 21, 1971, under Auditor's File No. 762101, records of said County, AND EXCEPT Drainage Ditch right of way, if any.

Situate in the County of Skagit, State of Washington.

PARCEL "G":

Government Lot 7 of Section 12, Township 34 North, Range 3 East, W.M., and a tract of land in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 13, Township 34 North, Range 3 East, W.M., described as follows:

Beginning at the Northeast corner of said Section 13; thence South $83^{\circ}31'$ West along the North line of said Section 13, a distance of 1,273.6 feet, more or less, to the Northwest corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 13; thence South along the West line of said Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, a distance of 160.6 feet;

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PARCEL "G" Continued:

thence South 89°33' East, a distance of 1,275 feet, more or less, to the East line of said Section 13;
thence North along the East line of said Section, a distance of 314.8 feet, more or less, to the point of beginning, EXCEPT the East 40 feet of that portion of the subject property lying within Government Lot 7 in Section 12, Township 34 North, Range 3 East, W.M., and as conveyed to Skagit County for road purposes by deed recorded April 5, 1911 in Volume 83 of Deeds, page 536, ALSO EXCEPT the East 40 feet of that portion of the subject property lying within Section 13, Township 34 North, Range 3 East, W.M., as conveyed to John Krangness by deed recorded April 4, 1924, in Volume 132 of Deeds, page 576, ALSO EXCEPT therefrom all rights of ways for Diking District No. 17 and for County roads, AND ALSO EXCEPT the North 2 acres of the West 10 acres of the remainder.

Situate in the County of Skagit, State of Washington.

PARCEL "H":

That portion of Government Lot 6, Section 12, Township 34 North, Range 3 East, W.M., described as follows:

Beginning at the Southwest corner of said Lot;
thence North 83°40'02" East 1,193.75 feet along the South line of said Section 12, to a point that is South 83°40'02" West 1,285.18 feet from the Southeast corner of said Section 12 said point being the true point of beginning;
thence North 0°19'30" West 204.05 feet;
thence South 88°38'19" East 48.51 feet to the East line of said Lot;
thence South 0°33'18" West 197.86 feet along said East line to the Southeast corner thereof;
thence South 83°40'02" West 45.71 feet along said South line to the true point of beginning.

Being a portion of Lot 2, Short Plat No. 79-80, recorded in Book 5 of Short Plats, page 125, under Skagit County Auditor's File No. 8109110008.

Situate in the County of Skagit, State of Washington.

THE NAME OF THE RECORD OWNER IS SKAGIT GARDENS, INC.



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