

**RETURN ADDRESS:**

Washington Mutual Bank  
Burlington Business  
Banking Center  
720 South Burlington  
Boulevard  
Burlington, WA 98233



200211200080  
Skagit County Auditor

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**ISLAND TITLE CO.**

**ACCOMMODATION RECORDING**

**MODIFICATION OF DEED OF TRUST**

Reference # (if applicable): 200001120047

Additional on page \_\_\_\_

Grantor(s):

1. Ribera-Balko Enterprises Family Limited Partnership

Grantee(s)

1. Washington Mutual Bank

Legal Description: Lot 1, FRED MEYER RETAIL STORE BINDING SITE PLAN, VOL.11, pgs  
41-48. Ptn. SW NW Sec. 5, T34N, R4E W.M

Additional on page \_\_\_\_

Assessor's Tax Parcel ID#: P23561 Tax No. 8013-000-001-0000

**THIS MODIFICATION OF DEED OF TRUST dated November 5, 2002, is made and executed between Ribera-Balko Enterprises Family Limited Partnership, whose address is P.O. Box 68562, Seattle, WA 98168 ("Grantor") and Washington Mutual Bank, Burlington Business Banking Center, 720 South Burlington Boulevard, Burlington, WA 98233 ("Lender").**

Island Title Company has placed  
this document for recording as a  
customer courtesy and accepts no  
liability for its accuracy or validity

MODIFICATION OF DEED OF TRUST  
(Continued)

Page 2

**DEED OF TRUST.** Lender and Grantor have entered into a Deed of Trust dated January 5, 2000 (the "Deed of Trust") which has been recorded in Skagit County, State of Washington, as follows:

Recorded on January 12, 2000, Recording #200001120047, in Skagit County, State of Washington, as modified from time to time.

**REAL PROPERTY DESCRIPTION.** The Deed of Trust covers the following described real property located in Skagit County, State of Washington:

See Exhibit "A" attached hereto and by this reference incorporated herein.

The Real Property or its address is commonly known as 910 South Burlington Boulevard, Burlington, WA 98233. The Real Property tax identification number is P23561 Tax No. 8013-000-001-0000

**MODIFICATION.** Lender and Grantor hereby modify the Deed of Trust as follows:

The word "Note" is amended to include the Promissory Note dated November 5, 2002, in the original principal amount of \$99,088.15, from Borrower to Lender, together with all renewals of, extensions of, modifications of, refinancing of, consolidations of, and substitutions for the Promissory Note or Agreement.

The word "Borrower" is amended to include Diana L. Ribera from Promissory Note dated November 5, 2002, in the original principal amount of \$99,088.15.

**CONTINUING VALIDITY.** Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorser to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Deed of Trust does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

**GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED NOVEMBER 5, 2002.**

**GRANTOR:**

RIBERA-BALKO ENTERPRISES FAMILY LIMITED PARTNERSHIP

By: Diana Lee Ribera  
Diana Lee Ribera, General Partner of Ribera-Balko Enterprises Family Limited Partnership

**LENDER:**

x Bryan McDonald vp  
Authorized Officer

**PARTNERSHIP ACKNOWLEDGMENT**

STATE OF Washington )  
 ) SS  
COUNTY OF King )

On this 14th day of November, 20 02, before me, the undersigned Notary Public, personally appeared Diana Lee Ribera of Ribera-Balko Enterprises Family Limited Partnership, and personally known to me or proved to me on the basis of satisfactory evidence to be a of the partnership that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the partnership, by authority of statute or its Partnership Agreement, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the partnership.

By Karen Swatley  
Notary Public in and for the State of WA

Residing at Renton  
My commission expires 10/2/04



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MODIFICATION OF DEED OF TRUST  
(Continued)

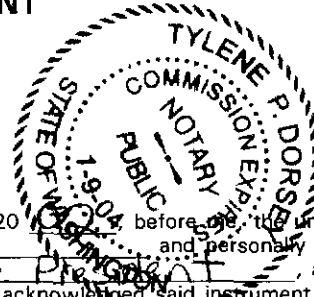
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LENDER ACKNOWLEDGMENT

STATE OF Washington

COUNTY OF Skiagit

)  
) SS  
)



On this 18th day of November, 2002, before me, the undersigned Notary Public, personally appeared Bryan McDonald, and personally known to me or proved to me on the basis of satisfactory evidence to be the Vice President, authorized agent for the Lender that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of the said Lender, duly authorized by the Lender through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this said instrument and that the seal affixed is the corporate seal of said Lender.

By Tylen P. Dorsey  
Notary Public in and for the State of Washington

Residing at Sedro Woolley  
My commission expires 1-9-04



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**RETURN ADDRESS:**

Washington Mutual Bank  
Burlington Business  
Banking Center  
720 South Burlington  
Boulevard  
Burlington, WA 98233

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**EXHBIT "A"**

Reference # (if applicable): \_\_\_\_\_

Additional on page \_\_\_\_\_

Grantor(s):

1. Ribera-Balko Enterprises Family Limited Partnership

Grantee(s)

1. Washington Mutual Bank

Legal Description: Lot 1, FRED MEYER RETAIL STORE BINDING SITE PLAN, VOL.11, pgs  
41-48. Ptn. SW NW Sec. 5, T34N, R4E W.M.

Additional on page \_\_\_\_\_

Assessor's Tax Parcel ID#: P23561 Tax No. 8013-000-001-0000

This EXHBIT "A" is attached to and by this reference is made a part of the Modification of Deed of Trust, dated November 5, 2002, and executed in connection with a loan or other financial accommodations between WASHINGTON MUTUAL BANK and Diana L. Ribera.

**Lot 1, FRED MEYER RETAIL STORE BINDING SITE PLAN, approved December 29, 1993, and recorded January 10, 1994, in Volume 11 of Short Plats, pages 41 through 48, under Auditor's File No. 9401100038, records of Skagit County, Washington; being a portion of the Southwest Quarter of the Northwest Quarter of Section 5, Township 34 North, Range 4 East of the Willamette Meridian.**

**Situated in Skagit County, Washington.**



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EXHBIT "A"  
(Continued)

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THIS EXHBIT "A" IS EXECUTED ON NOVEMBER 5, 2002.

GRANTOR:

RIBERA-BALKO ENTERPRISES FAMILY LIMITED PARTNERSHIP

By: *Diana Lee Ribera*  
Diana Lee Ribera, General Partner of Ribera-Balko Enterprises Family  
Limited Partnership

LENDER:

x *Bryan McDonald* *vp*  
Authorized Officer

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Skagit County Auditor  
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