



200407280100

Skagit County Auditor

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Return to
First American Title Co.
P.O. Box 1667
Mount Vernon, WA 98273

FIRST AMERICAN TITLE CO.

A81994-E-1

Affidavit, Indemnity and Release of Affidavit

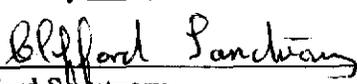
The undersigned Clifford Sanctuary and Gilliam Sanctuary, husband and wife, (hereinafter Sanctuarys) purchased Lot 565 of "Survey or Shelter Bay Division No. 3, Tribal and Allotted Lands of Swinomish Indian Reservation" as recorded in Volume 43 of Official Records, Pages 839 to 842, inclusive, records of Skagit County, Washington, from Marvin D. Marler and Shirley L. Marler, husband and wife, on a Real Estate Contract recorded May 7, 1986 as Auditor's File No. 8605070051. Said Contract was fulfilled on the record by the simultaneous recording of an "Assignment of Sublease" recorded as Auditor's File No. 8605070050.

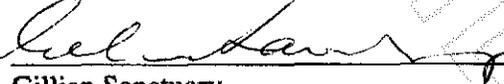
Technically, said Assignment should not have been recorded until the final payments to the Marlers were made. However, said final payments were made within a few months of the recording of the Contract. Later First American Title Insurance Company (hereinafter First American), not realizing that we had paid off the Contract, attempted to nullify the recording of the Assignment by recording an Affidavit as Auditor's File No. 8711020078.

Over 17 years have now passed and the Marlers are unlocatable and possibly deceased. In all that time there have been no further attempts to collect from us any payments on behalf of the Marlers. Also due to the length of time that has passed all records of our final payments to the Marlers have long since been destroyed.

Therefore the undersigned Sanctuarys, in order to encourage First American to issue its policies of title insurance without further mention of the Marler to Sanctuary contract hereby assure First American that all the facts set forth hereinabove are true and accurate. Furthermore, the Sanctuarys hereby agree to hold First American harmless from any attempt, including the expenses thereof, to collect any additional funds secured by the above described property on behalf of the Marlers or their successors and assigns.

Dated: July 23, 2004


Clifford Sanctuary


Gilliam Sanctuary

Release of Affidavit

First American Title Insurance Company, in reliance upon the hereinabove indemnity, hereby declares its Affidavit recorded as Auditor's File No. 8711020078 to be released. Based on the facts set forth hereinabove said Affidavit should be considered nullified and found to be of no further force and effect upon the title to said Lot 565.

Dated: July 28th, 2004

First American Title Insurance Company by:

Gale A. Hickok

Gale A. Hickok, Assistant Secretary

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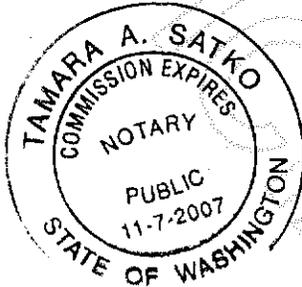
200407280100
Skagit County Auditor

STATE OF WASHINGTON, } ss.
County of SKAGIT

ACKNOWLEDGMENT - Individual

On this day personally appeared before me CLIFFORD SANCTUARY AND GILLIAN SANCTUARY to me known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that THEY signed the same as THEIR free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 23RD day of JULY, 2004.



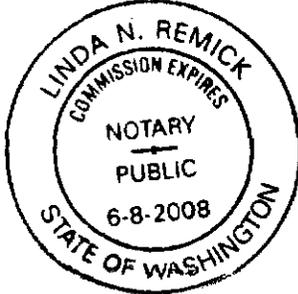
Tamara A Satko
Notary Public in and for the State of Washington,
residing at Anacortes
My appointment expires 11/7/07

STATE OF WASHINGTON, } ss.
County of Skagit

ACKNOWLEDGMENT - Corporate

On this 28th day of July, 2004, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Dale A. Hickok and _____ to me known to be the Asst. Sect. President and Secretary, respectively, of First American Title Ins Co. the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument and that the seal affixed (if any) is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first above written.



Linda N Remick
Notary Public in and for the State of Washington,
residing at Stampan
My appointment expires 6-8-08

This jurat is page 3 of 3 and is attached to Affidavit

dated July, 2004.



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Skagit County Auditor