



200710230083

Skagit County Auditor

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(Do not write above this line. This space is reserved for recording.)



**Real Estate Subordination Agreement
(Bank of America to Bank of America)**

PARCEL TAX MAP ID NO. P17623/P17624/P17604

This instrument was prepared by
and after recording returned to:
Bank of America, N.A. Collateral Tracking
9000 Southside Blvd., Bldg 700
Jacksonville, FL 32256
Loan Account being subordinated#: 68200122539199

CRESS/HFS File No. 5511053
New Senior Loan Acct # 6360632548

This Real Estate Subordination Agreement ("Agreement") is executed as of OCTOBER 12, 2007, by Bank of America, N.A., having an address of **275 S. Valencia, Brea, CA 92823** ("Subordinator"), in favor of Bank of America, N.A., having an address for notice purposes of: Bank of America, 4161 Piedmont Parkway, Greensboro, NC 27410 ("Bank of America, N.A."), *Marilyn

Whereas, Subordinator is the owner and holder of, or creditor under, the indebtedness described in and secured by a security instrument (deed of trust, deed to secure debt or mortgage) dated 12/3/2004 executed by HOWARD L LEIBRAND AND ~~MARILYN~~ M LEIBRAND, HUSBAND AND WIFE AS TRUSTEES OF THE LEIBRAND FAMILY TRUST DATED 1/9/1996 and which is recorded in **Book: Page: and/or Instrument number 200502280118**, and if applicable, of the land or torrens records of SKAGIT County, State of WA as same may have been or is to be modified prior hereto or contemporaneously herewith (the "Senior Lien"), encumbering the land described in therein (said land and such improvements, appurtenances and other rights and interests regarding said land, if any, as are described in the Senior Lien being called herein collectively, the "Property"; and **200710230082**

Whereas, Bank of America has been requested to make a loan, line of credit or other financial accommodation to THE LEIBRAND FAMILY TRUST, DATED JANUARY 9, 1996, HOWARD LEE LEIBRAND AND MARILYN M LEIBRAND, TRUSTOR(S) AND/OR TRUSTEE(S)

(jointly and severally, "Borrower"), to be secured by, without limitation, either a deed or trust, deed to secure debt or mortgage (the "Junior Lien"), covering, without limitation, the Property and securing the indebtedness described therein including the payment of a promissory note, line of credit agreement or other borrowing agreement made by Borrower and/or others payable to the order of the Bank of America in the maximum principal face amount of \$358700.00 (the "Principal Amount"), [For North Carolina only - bearing interest and payable as therein provided at the maximum rate of % for a period not to exceed months], including provisions for acceleration and payment of collection costs (the "Obligation"); the Junior Lien and the Obligation to contain such other terms and provisions as Bank of America and Borrower shall determine; and

Now, Therefore, for valuable consideration, Subordinator hereby subordinates the Senior Lien to Bank of America's Junior Lien, subject to the terms of this Agreement. The Subordinator's Senior Lien is subordinated to Bank of America's Junior Lien only to the extent of the Principal Amount of the Obligation and any amounts advanced pursuant to the terms of the Obligation or the security instrument for the payment of insurance premiums, taxes, costs of collection, protection of the value of the Property or Bank of America's rights in the Property or foreclosure. All other rights of Subordinator now or hereafter existing in or with respect to the Senior Lien, are and shall remain completely and unconditionally subordinate, to the Junior Lien and the rights of Bank of America regardless of the frequency or manner of renewal, extension, consolidation or modification of the Junior Lien or the Obligation.

This Agreement shall inure to the benefit of the Subordinator and Bank of America and their respective successors and assigns, including any purchaser(s) (at foreclosure or otherwise) of the Property or any part thereof, and their respective successors and assigns.

Bank of America, N.A.

Date : OCTOBER 16 2007

By: Elizabeth Noelker

Witnesses (as required)

Printed name: Elizabeth Noelker

Title: Vice President

Printed Name:

Printed Name:

State of MISSOURI
City of St. Louis

Bank of America Acknowledgement

On this the 16TH day of October, 2007, before me, KATHY S BIVER the undersigned officer, personally appeared Elizabeth Noelker who , being duly sworn by me, acknowledged him/herself to be the VICE PRESIDENT of Bank of America, N.A., and that (s)he, as such VICE PRESIDENT , being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by him/herself as VICE PRESIDENT.

In witness whereof, I hereunto set my hand and official seal.
(SEAL)

Kathy S. Biver
Signature of Person Taking Acknowledgement
Printed name: KATHY S BIVER
Commission Expiration Date: 12/13/08
1831 Chestnut St., 6th Fl
St. Louis, MO 63103

KATHY S. BIVER
Notary Public - Notary Seal
State of Missouri, St. Louis County
Commission # 04623479
My Commission Expires: Dec. 13, 2008



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Exhibit A

THE FOLLOWING DESCRIBED PROPERTY LOCATED IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:

PARCEL ONE:

THE EAST 10 FEET OF THAT PORTION OF THE SOUTH HALF OF THE N.E. 1/4 OF THE N.W. 1/4 OF SECTION 32, TOWNSHIP 33 NORTH, RANGE 4 EAST W.M., LYING EAST OF THE COUNTY ROAD, EXCEPT ROADS.

PARCEL TWO:

THAT PORTION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 33 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, LYING EAST OF THE COUNTY ROAD, EXCEPT ROADS, AND EXCEPT THE EAST 10 FEET THEREOF.

PARCEL THREE:

THE SOUTH 132 FEET OF THE WEST 660 FEET OF THE NORTH WEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 33 NORTH, RANGE 4 EAST OF THE W.M.

EXCEPT THAT PORTION CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES BY DEED DATED MARCH 10, 1971, RECORDED MAY 26, 1971, UNDER AUDITORS FILE NO. 753199, RECORDS OF SKAGIT COUNTY, WASHINGTON;

ALSO EXCEPT THAT PORTION THEREOF CONVEYED TO THE STATE OF WASHINGTON FOR ROAD PURPOSES BY DEED RECORDED MAY 26, 1971, UNDER AUDITORS FILE NO. 753199, RECORDS OF SKAGIT COUNTY, WASHINGTON.

BEING THAT PARCEL OF LAND TO THE LEIBRAND FAMILY TRUST, DATED JANUARY 9, 1996, HOWARD LEE LEIBRAND AND MARILYN M. LEIBRAND, TRUSTOR(S) AND/OR TRUSTEE(S) FROM HOWARD LEIBRAND AND MARILYN LEIBRAND, HUSBAND AND WIFE AND INDIVIDUALLY BY THAT DEED DATED 1/9/1996 AND RECORDED 2/2/1996 INSTRUMENT NUMBER 9602020061 IN DEED BOOK1517 , AT PAGE 0056 OF THE SKAGIT COUNTY, WASHINGTON PUBLIC REGISTRY.

APN: P17623/P17624/P17604



LEIBRAND, HOWARD LE

Record and Return To:
United General Title Ins
Fiserv - P.O. BOX 2590
Chicago, IL 60669



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