

**RETURN ADDRESS:**

Horizon Bank  
Attn: David Boyd  
2211 Rimland Dr. Ste 230  
Bellingham, WA 98226



200803180109

Skagit County Auditor

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CHICAGO TITLE CO. 1C40407

**MODIFICATION OF DEED OF TRUST**

Reference # (if applicable): MLF1573 200612270096

Additional on page \_\_\_\_

Grantor(s):

1. RKL Construction LLC

Grantee(s)

1. Horizon Bank

Legal Description: Ptn Lts 6-8, Block 1304, NORTHERN PACIFIC ADDITION TO THE CITY OF ANACORTES

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Assessor's Tax Parcel ID#: 3809-304-008-0100 (P124359)

THIS MODIFICATION OF DEED OF TRUST dated February 29, 2008, is made and executed between RKL Construction LLC; A Washington Limited Liability Company ("Grantor") and Horizon Bank, whose address is Cornwall Office, 1500 Cornwall/PO Box 580, Bellingham, WA 98227-0580 ("Lender").

**MODIFICATION OF DEED OF TRUST  
(Continued)**

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**DEED OF TRUST.** Lender and Grantor have entered into a Deed of Trust dated December 18, 2006 (the "Deed of Trust") which has been recorded in Skagit County, State of Washington, as follows:

**Skagit County Recording Number 200612270096 Dated December 27, 2006.**

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

Lots 6 and 7 and the Easterly Half of Lot 8, Block 1304, NORTHERN PACIFIC ADDITION TO ANACORTES, according to the plat thereof, recorded in Volume 2 of Plats, pages 9 through 11, records of Skagit County, Washington.

(Also shown as Parcel A, of Survey recorded November 1, 2005, under Auditor's File No. 200511010118, records of Skagit County, Washington).

Situated in Skagit County, Washington

The Real Property or its address is commonly known as 3813 West 2nd Street, Anacortes, WA 98221. The Real Property tax identification number is 3809-304-008-0100 (P124359).

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

The maturity date of January 1, 2008 referenced in above described Deed of Trust is hereby deleted in its entirety without substitution. The period of this Deed of Trust shall continue uninterrupted until re-conveyed by Lender to Grantor.

**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 FEBRUARY 29, 2008.**

**GRANTOR:**

RKL CONSTRUCTION LLC

By: 

Robert K Lehr, Member of RKL Construction LLC

By: 

Patricia Lehr, Member of RKL Construction LLC



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MODIFICATION OF DEED OF TRUST  
(Continued)

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LENDER:

HORIZON BANK

X

Authorized Officer

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF

Washington

COUNTY OF

San Juan

On this 17th day of March, 2008, before me, the undersigned Notary Public, personally appeared Robert K Lehr, Member of RKL Construction LLC and Patricia Lehr, Member of RKL Construction LLC, and personally known to me or proved to me on the basis of satisfactory evidence to be members or designated agents of the limited liability company that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By

James J. Strayer  
Notary Public in and for the State of WA

Residing at

Friday Harbor

My commission expires

06/04/11

LENDER ACKNOWLEDGMENT

STATE OF

Washington

COUNTY OF

Whatcom

On this 17th day of March, 2008, before me, the undersigned Notary Public, personally appeared Renee A. Nichols, Vice President, and personally known to me or proved to me on the basis of satisfactory evidence to be the 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

Renee A. Nichols  
Notary Public in and for the State of WA

Residing at

Bellevue

My commission expires

12/31/2008



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