



200808200062

Skagit County Auditor

8/20/2008 Page 1 of 5 3:23PM

RETURN ADDRESS:
Pacific Continental Bank
RE:
PO Box 10727
Eugene, OR 97440

200808050043

Skagit County Auditor

8/5/2008 Page 1 of 3 1:19PM

* Re-Recorded to Add Legal

MODIFICATION OF DEED OF TRUST

Reference # (if applicable): CW-8361996/15816
Grantor(s): 200703020097
1. Windward Real Estate Services, Incorporated

Additional on page ____

Grantee(s)
1. Pacific Continental Bank

B90706-2
GUARDIAN NORTHWEST TITLE CO.

Legal Description: Ptns. Section 16, Township 33, Range 4

Additional on page ____

Assessor's Tax Parcel ID#: 330416-4-001-0604 (P16707); 330416-4-001-0000 (P16701);
330416-3-004-0108 (P16689)

THIS MODIFICATION OF DEED OF TRUST dated July 29, 2008, is made and executed between Windward Real Estate Services, Incorporated, a Washington Corporation, whose address is 7981 168th Avenue NE #118 ("Grantor") and Pacific Continental Bank, whose address is Washington Loan Operations, 1100 Olive Way, Suite 102, Seattle, WA 98101 ("Lender").

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

Loan No: 15816

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DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated February 26, 2007 (the "Deed of Trust") which has been recorded in Skagit County, State of Washington, as follows:

Recorded March 2, 2007 as Reception #200703020097, in the official records of Skagit County, State of Oregon.

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

See legal description in Deed of Trust described above, which is made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as NKA 81.4 acres, Lake Sixteen, Conway, WA 98238. The Real Property tax identification number is 330416-4-001-0604 (P18707); 330416-4-001-0000 (P18701); 330416-3-004-0108 (P16689).

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

Maturity Date: Extend Maturity Date from March 1, 2008 to October 1, 2009.

Principal Increase: Principal increase from \$2,000,000.00 to \$2,250,000.00.

DEFINITIONS: The following word(s) shall have the following meaning(s) when used in this Deed of Trust.

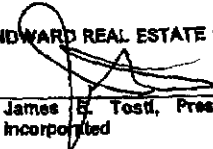
NOTE: The word "Note" now means the Promissory Note dated July 29, 2008 in the original principal amount of \$2,250,000.00 from Borrower to Lender, together with all renewals, extensions, modifications, refinancings, consolidations and substitutions for the note or credit agreement. This note is being offered in substitution for the Promissory Note dated February 26, 2007 in the original principal amount of \$2,000,000.00.

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 JULY 29, 2008.

GRANTOR:

WINDWARD REAL ESTATE SERVICES, INCORPORATED

By: 
James E. Tosti, President of Windward Real Estate Services,
Incorporated

LENDER:

PACIFIC CONTINENTAL BANK

x 
Authorized Officer



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Skagit County Auditor

MODIFICATION OF DEED OF TRUST
(Continued)

Loan No: 15816

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CORPORATE ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF KING)

On this 1st day of August, 20 08, before me, the undersigned Notary Public, personally appeared James E. Tosti, President of Windward Real Estate Services, Incorporated, and personally known to me or proved to me on the basis of satisfactory evidence to be an authorized agent of the corporation that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, 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 corporation.

By [Signature] Residing at 516 CENTRAL WY.
Notary Public in and for the State of WA My commission expires JULY 28 2010
Notary Public
State of Washington
MICHAEL J. GRANESI
My Appointment Expires Jul 28, 2010

STATE OF Wa)
) SS
COUNTY OF KING)
DARLENE G. DUNN
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
JULY 19, 2011

On this 4th day of August, 20 08, before me, the undersigned Notary Public, personally appeared BONNIE LAMBERT and personally known to me or proved to me on the basis of satisfactory evidence to be the OFFICER, authorized agent for Pacific Continental Bank that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of Pacific Continental Bank, duly authorized by Pacific Continental Bank 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 in fact executed this said instrument on behalf of Pacific Continental Bank.

By Darlene G. Dunn Residing at Seattle
Notary Public in and for the State of Wa My commission expires 7-19-11

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WA c:\CFILPLIG202.FC TR-13208 PR-5YRCMTLN

STATE OF WASHINGTON } SS
COUNTY OF SKAGIT }

I, Auditor of Skagit County, State of Washington, do hereby certify that the foregoing instrument is a true and correct copy of the original now on file in my office.

IN WITNESS WHEREOF, I hereunto set my hand and seal of my office this 20th day of August, 2008

[Signature]
Auditor by [Signature] Deputy



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Skagit County Auditor

EXHIBIT "A"

LEGAL DESCRIPTION

Parcel "A":

Lot 3 of Skagit County Short Plat No. 13-89, approved July 12, 1989 and recorded July 18, 1989 in Book 8 of Short Plats, pages 144 and 145, records of Skagit County, Washington; being a portion of Government Lot 1 of Section 16, Township 33 North, Range 4 East, W.M.

EXCEPT any portion thereof lying within the boundaries of those certain 50-foot wide strips of land conveyed to Skagit County for road purposes by deed dated April 12, 1929 and recorded July 13, 1929, in Volume 151 of Deeds, page 30, under Auditor's File No. 225064, records of Skagit County, Washington.

Parcel "B":

The Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 16, Township 33 North, Range 4 East, W.M.; EXCEPT all County roads; AND ALSO EXCEPT that portion thereof lying Southerly of the following described line:

Beginning at the intersection of the North line of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 16 with the Northeasterly line of Tract B of Short Plat No. 14-80, approved May 9, 1980 and recorded May 12, 1980 under Auditor's File No. 8005120013 in Volume 4 of Short Plats, page 87 records of Skagit County, Washington; thence South $41^{\circ}00'00''$ East along the North line of said Short Plat to the Northwesterly corner of Tract 31 of the plat of "HERMWAY HEIGHTS", as per plat recorded in Volume 9 of Plats, page 63, records of Skagit County, Washington; thence Easterly along the North line of said plat to the Northeasterly corner of Tract 30 of said plat; thence South along the East line of said plat to the Northerly line of a 45 foot radius cul-de-sac of the Hermway Heights Road, as delineated on the face of that certain survey recorded under Auditor's File No. 8003110134, in Volume 3 of Surveys, page 22, records of Skagit County, Washington; thence Easterly along the Northerly line of the cul-de-sac to the intersection of said cul-de-sac with the Northerly line of Parcel 2, as delineated on the face of said survey; thence along the Northerly line of Parcel 2 of said survey to the Northerly line of the Lake Sixteen Road, as delineated on the face of said survey; thence Southwesterly along the Northerly line of said Lake Sixteen Road to the intersection of said line with the Northerly line of Lot 1 of Skagit County Short Plat No. 30-88, approved September 13, 1988 and recorded September 21, 1988 under Auditor's File No. 8809210018, in Volume 8 of Short Plats, pages 68 and 69, records of Skagit County, Washington; thence Northeasterly along the Northerly line of said Lot 1 of said Short Plat No. 30-88 to the East line of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 16 and the terminus of said line.

EXCEPT any portion thereof lying within the boundaries of those certain 50-foot wide strips of land conveyed to Skagit County for road purposes by deed dated April 12, 1929 and recorded July 13, 1929, in Volume 151 of Deeds, page 30, under Auditor's File No. 225064, records of Skagit County, Washington.



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Parcel "G":

A non-exclusive easement for ingress, egress and utilities over, across and under Sinnes Road as delineated on Lot 1 of Skagit County Short Plat No. 93-057, approved March 25, 1996 and recorded March 29, 1996 as Auditor's File No. 9603290057 in Volume 12 of Short Plats, page 88, records of Skagit County, Washington, being a portion of the Northeast ¼ of the Southwest ¼ of Section 16, Township 33 North, Range 4 East, W.M..

Parcel "H":

A non-exclusive easement for ingress, egress and utilities over, across and under Sinnes Road as delineated on Lot 2 of Skagit County Short Plat No. 94-008 approved March 25, 1996 and recorded March 29, 1996 as Auditor's File No. 9603290058 in Volume 12 of Short Plats, page 89, records of Skagit County, Washington, being a portion of the North ½ of the Southwest ¼ of Section 16, Township 33 North, Range 4 East, W.M.

Parcel "I":

A non-exclusive easement for ingress, egress and utilities over, across and under Sinnes Road as delineated on Lot 1 of Skagit County Short Plat No. 94-008 approved March 25, 1996 and recorded March 29, 1996 as Auditor's File No. 9603290058 in Volume 12 of Short Plats, page 89, records of Skagit County, Washington, being a portion of the North ½ of the Southwest ¼ of Section 16, Township 33 North, Range 4 East, W.M.

Parcel "J":

A non-exclusive easement for ingress, egress and utilities over, across and under an Easterly extension of Sinnes Road in the Southeast ¼ of the Northwest ¼ of Section 16, Township 33 North, Range 4 East, W.M., as established by document recorded July 18, 1996 as Auditor's File No. 9607180042.



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