

RETURN ADDRESS:

Horizon Bank
CML % Documentation
Dept -NS
2211 Rimland Dr, Suite
230
Bellingham, WA 98226



200902100067

Skagit County Auditor

2/10/2009 Page 1 of 4 1:24PM

MODIFICATION OF DEED OF TRUST

Reference # (if applicable): 200104300005 CMLAHG3

Additional on page ____

Grantor(s):

1. RYAY LLC

GUARDIAN NORTHWEST TITLE CO.

Grantee(s)

1. Horizon Bank

ACCOMMODATION RECORDING ONLY

M4301

Legal Description: LOT 2B AND PTN OF 2A, AN SP 98-003 REVISED 19-35-2 E W.M.

Additional on page ____

Assessor's Tax Parcel ID#: 350219-0-040-0100 (P118625)

THIS MODIFICATION OF DEED OF TRUST dated February 2, 2009, is made and executed between RYAY LLC; A Washington Limited Liability Company ("Grantor") and Horizon Bank, whose address is Skagit Commercial Center, 2211 Rimland Drive, Suite 230, Bellingham, WA 98226 ("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 April 25, 2001 (the "Deed of Trust") which has been recorded in Skagit County, State of Washington, as follows:

Recorded April 30, 2001 in Skagit County, Washington under Auditor's File No. 200104300005.

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

Lot 2B of that certain Boundary Line Adjustment Survey recorded June 6, 2003, under Auditor's File No. 200306060196, being a revision of Lots 2A, 2B, 2C and 2D, "Seafarer's View" as recorded under Auditor's File No. 20011230101, and that certain Boundary Line Adjustment Survey recorded April 29, 2003, under Auditor's File No. 200304290104, records of Skagit County, Washington; being in portions of Government Lots 1 and 2, Section 19, Township 35 North, Range 2 East, W.M., "Anacortes Harbor," according to the official map thereof on file with the State Land Commissioner at Olympia, Washington.

Situate in the City of Anacortes, County of Skagit, State of Washington.

"TOGETHER WITH a non-exclusive, perpetual easement for ingress and egress over and across the existing as built roadway immediately North of Lot 2B of the BLA Surveys beginning at R Avenue and continuing East and thereafter continuing Southwesterly to the point where said roadway connects with the existing as built entry driveway across the Southerly portion of the above described property, said easement for the benefit of said Lot 2B of the BLA Surveys."

SUBJECT TO: A non-exclusive, perpetual easement for ingress and egress over and across the existing as built driveway across the Southerly portion of Lot 2B of the BLA Surveys and on the existing interior driveways through said Lot 2B to parking lots along the Westerly boundary of Lot 2A of the BLA Survey.

The Real Property or its address is commonly known as 1609 R Avenue, Anacortes, WA 98221. The Real Property tax identification number is 350219-0-040-0100 (P118625).

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

The Maturity date of October 1, 2006 referenced in the 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.

Parcel # and Legal description has been updated with Boundary Line Adjustments.

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 2, 2009.

GRANTOR:

RYAY LLC

By:

Richard K. Youngberg - MEMBER
Richard K. Youngberg, Member of RYAY LLC

By:

Ann L. Youngberg member
Ann L. Youngberg, Member of RYAY LLC



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MODIFICATION OF DEED OF TRUST
(Continued)

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LENDER:

HORIZON BANK

x [Signature] VP
Authorized Officer

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF California)
) SS
COUNTY OF Riverside)

On this 6th day of February, 2009, before me, the undersigned Notary Public, personally appeared Richard K. Youngberg, Member of RYAY LLC, and personally known to me or proved to me on the basis of satisfactory evidence to be a member or designated agent 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 he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By E. Louise Ceccarelli
Notary Public in and for the State of CA

Residing at Aguanga, CA
My commission expires April 25, 2010



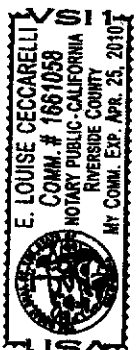
LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF California)
) SS
COUNTY OF Riverside)

On this 6th day of February, 2009, before me, the undersigned Notary Public, personally appeared Ann L. Youngberg, Member of RYAY LLC, and personally known to me or proved to me on the basis of satisfactory evidence to be a member or designated agent 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 he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By E. Louise Ceccarelli
Notary Public in and for the State of CA

Residing at Aguanga, CA
My commission expires April 25, 2010



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MODIFICATION OF DEED OF TRUST
(Continued)

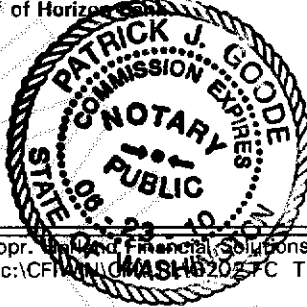
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LENDER ACKNOWLEDGMENT

STATE OF Washington)
) SS
COUNTY OF Skagit)

On this 10th day of February, 20 09, before me, the undersigned Notary Public, personally appeared John Roth and personally known to me or proved to me on the basis of satisfactory evidence to be the Commercial Officer, authorized agent for Horizon Bank that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of Horizon Bank, duly authorized by Horizon 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 Horizon Bank.

By Patricia I. Corbett Residing at Bellingham
Notary Public in and for the State of WA My commission expires 06/23/2010



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