

RETURN ADDRESS:

Whidbey Island Bank
PRIVATE BANKING -
SKAGIT
321 SE PIONEER WAY
P.O. BOX 1589
OAK HARBOR, WA
98277



200906050114

Skagit County Auditor

6/5/2009 Page

1 of

3 11:33AM

CHICAGO TITLE CO.

19B3176

MODIFICATION OF DEED OF TRUST

Reference # (if applicable): ~~IC47271-SM~~ 200812300143 Additional on page ____
Grantor(s):

1. MALO SR, ANTHONY L and MALO, DELORES M, Trustees of THE MALO FAMILY TRUST

Grantee(s)

1. Whidbey Island Bank

Legal Description: PTN. LOTS 14 AND 17, ALL LOTS 15 AND 16, BLK. 1120, NORTHERN PACIFIC ADD. TO ANACORTES

Additional on page ____

Assessor's Tax Parcel ID#: 3809-120-017-0000

THIS MODIFICATION OF DEED OF TRUST dated December 26, 2008, is made and executed between ANTHONY L. MALO, SR. and DELORES M. MALO as Trustees of THE MALO FAMILY TRUST dated December 17, 1990 ("Grantor") and Whidbey Island Bank, whose address is PRIVATE BANKING - SKAGIT, 321 SE PIONEER WAY, P.O. BOX 1589, OAK HARBOR, WA 98277 ("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 26, 2008 (the "Deed of Trust") which has been recorded in SKAGIT County, State of Washington, as follows:

RECORDED ON DECEMBER 30, 2008 IN SKAGIT COUNTY UNDER AUDITOR'S FILE NUMBER 200812300143.

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

THE WESTERLY 10 FEET OF LOT 14, ALL OF LOTS 15 AND 16, AND THE EASTERLY 10 FEET OF LOT 17, BLOCK 1120, NORTHERN PACIFIC ADDITION TO ANACORTES, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 2 OF PLATS, PAGE 9, RECORDS OF SKAGIT COUNTY, WASHINGTON;

(ALSO KNOWN AS TRACT C OF SURVEY RECORDED JANUARY 20, 2005, UNDER AUDITOR'S FILE NO. 200501200092, RECORDS OF SKAGIT COUNTY, WASHINGTON).

SITUATED IN SKAGIT COUNTY, WASHINGTON.

The Real Property or its address is commonly known as 3713 WEST 10TH STREET, ANACORTES, WA 98221. The Real Property tax identification number is 3809-120-017-0000.

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

CORRECT GRANTOR OF COLLATERAL FROM DELORES M. MALO & ANTHONY L. MALO SR TO ANTHONY L. MALO, SR. and DELORES M. MALO as Trustees of THE MALO FAMILY TRUST dated December 17, 1990.

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 endorses 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 AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED DECEMBER 26, 2008.

GRANTOR:

X Anthony L. Malo, Sr.
ANTHONY L. MALO SR, Trustee of THE MALO FAMILY TRUST under the provisions of a Trust Agreement dated December 17, 1990

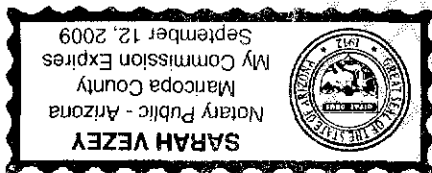
X Delores M. Malo
DELORES M. MALO, Trustee of THE MALO FAMILY TRUST under the provisions of a Trust Agreement dated December 17, 1990

LENDER:

WHIDBEY ISLAND BANK

X [Signature]
Authorized Officer

TRUST ACKNOWLEDGMENT



STATE OF Arizona COUNTY OF Maricopa

On this 29th day of May, 2009

Notary Public, personally appeared ANTHONY L. MALO SR, Trustee of THE MALO FAMILY TRUST, and personally known to me or proved to me on the basis of satisfactory evidence to be an authorized trustee or agent of the trust that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the trust, by authority set forth in the trust documents or, by authority of statute, 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 trust.

By [Signature]
Notary Public in and for the State of AZ

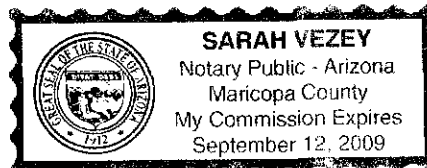
Residing at Bank of America
My commission expires 09/12/09

MODIFICATION OF DEED OF TRUST
(Continued)

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TRUST ACKNOWLEDGMENT

STATE OF Arizona)
) SS
COUNTY OF Maricopa)



On this 29th day of May, 2009, before me, the undersigned Notary Public, personally appeared **DELORES M MALO**, Trustee of **THE MALO FAMILY TRUST**, and personally known to me or proved to me on the basis of satisfactory evidence to be an authorized trustee or agent of the trust that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the trust, by authority set forth in the trust documents or, by authority of statute, 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 trust.

By [Signature]
Notary Public in and for the State of AZ

Residing at Bank of America
My commission expires 09/12/09

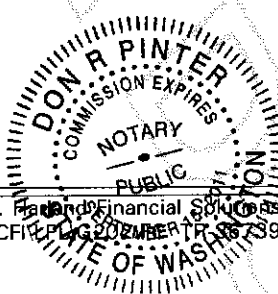
LENDER ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF SKAGIT)

On this 29th day of MAY, 2009, before me, the undersigned Notary Public, personally appeared SUSAN MEDALIA and personally known to me or proved to me on the basis of satisfactory evidence to be the PRIME BANKING MANAGER authorized agent for **Whidbey Island Bank** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **Whidbey Island Bank**, duly authorized by **Whidbey Island 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 **Whidbey Island Bank**.

By [Signature]
Notary Public in and for the State of WA

Residing at COPEVILLE, WA
My commission expires 9-15-11



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200906050114
Skagit County Auditor