After Filing Return To: Richard J. Schroeder Davis Wright Tremaine LLP Suite 2200 1201 Third Avenue Seattle, Washington 98101-3045



6/30/2009 Page

1 of

3 11:20AM

## APPOINTMENT OF SUCCESSOR TRUSTEE

Reference No. (Deed of Trust):

200609210076

Trustee:

DWTR&J CORP., a Washington corporation

Grantor (Borrower):

EQUILATERAL HOLDINGS, LLC, a Washington

limited liability company

Grantee (Lender):

HORIZON BANK, a Washington corporation

**Legal Description:** 

Lot 4B of Bay Ridge Business Park Binding Site Plan,

Phase 4, BSP No. PL-06184, being a portion of SE,

Sec. 34, T35N R3EWM

Additional Legal(s) on Exhibit A

**Assessor's Tax Parcel ID Number:** 

350334 4 001 0007 (P35354)

350334 4 004 0004 (P35357)

## APPOINTMENT OF SUCCESSOR TRUSTEE

Equilateral Holdings, LLC is the Grantor, Horizon Bank is the Beneficiary, and Westward Financial Services Corporation is the Trustee under that certain Construction Deed of Trust ("Deed of Trust") dated September 20, 2006, recorded on September 21, 2006, under Recording No. 200609210076, records of Skagit County, Washington.

The undersigned, Horizon Bank, who is the present beneficiary under the Deed of Trust, desires to appoint a new trustee in the place and stead of the original trustee named above.

NOW THEREFORE, the undersigned hereby appoints DWTR&J CORP., whose address is 1201 Third Avenue, Suite 2200, Seattle, Washington 98101, as Successor Trustee under the Deed of Trust, and the Successor Trustee shall have all the powers of the original Trustee, effective immediately. This appointment of the Successor Trustee is deemed a resignation of the original trustee per RCW 61.24.010(2).

DATED: June 3, 2009.

Horizon Bank

Vice President

STATE OF WASHINGTON

SS.

COUNTY OF SKAGIT

On this  $\mathcal{S}$ day of June, 2009, before me, a Notary Public in and for the State of Washington, personally appeared Jay Kaemingk, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument, on oath stated that he/she was authorized to execute the instrument, and acknowledged it as a Vice President of Horizon Bank to be the free and voluntary act and deed of said corporation for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

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TARY PUBLIC in and for the State of

Washington, residing at

My appointment expires

Print Name Tosha

DWT 12887517v2 0023482-000048

200906300062 **Skagit County Auditor** 

6/30/2009 Page

2 of

311:20AM

## Exhibit A

## Legal Description

Lot 4B of BAY RIDGE BUSINESS PARK BINDING SITE PLAN, Phase 4, BSP No. PL-06-0184, as approve July 28, 2006, and recorded July 28, 2006, under Auditor's File No. 200607280039, records of Skagit County, Washington; being a portion of Southeast Quarter of Section 34, Township 35 North, Range 3 East of the Willamette Meridian.

Situated in Skagit County, Washington.

200906300062 Skagit County Auditor

6/30/2009 Page

3 of

3 11:20AM