



200907290009
Skagit County Auditor

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200906120093
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FILED FOR RECORD AT THE REQUEST OF
AND WHEN RECORDED RETURN TO:

Skagit State Bank
301 Fairhaven Avenue
P. O. Box 285
Burlington, Wa 98233

****RERECORD TO ADD BORROWER'S AFFIDAVIT****

LAND TITLE OF SKAGIT COUNTY

133772-PA

NON-MERGER QUIT CLAIM DEED IN LIEU OF FORECLOSURE

Grantor (s):	DG CONSTRUCTION, LLC, a Washington Limited Liability Company
Grantee (s):	SKAGIT STATE BANK
Additional Grantor(s) on page(s):	
Additional Grantee(s) on page(s):	
Abbreviated Legal:	Lot 10, PLAT OF ROCK RIDGE WEST PHASE II
Additional Legal on page(s):	1
Assessor's Tax Parcel No.:	4848-000-010-0000 / P122384

THE GRANTOR, DG CONSTRUCTION, LLC, a Washington Limited Liability Company ("Grantor"), for and in consideration of Grantee's agreement not to foreclose that certain Deed of Trust described below quit claims to SKAGIT STATE BANK ("Grantee"), the following described real estate situated in the County of Skagit, State of Washington:

Lot 10, PLAT OF ROCK RIDGE WEST PHASE II, according to the plat thereof, recorded December 2, 2004, under Auditor's File No. 200412020087, records of Skagit County, Washington;

Situated in Skagit County, Washington.

The Grantee by accepting and recording this Deed does not intend a merger of its interest under that certain Deed of Trust recorded under Skagit County Auditor's File No. 200707180103, with the fee title herein conveyed to take place, and it is the intention of the parties that the property above-described shall remain subject to the lien of said Deed of Trust, which lien shall remain a first lien upon the property. All indebtedness secured by said Deed of Trust shall remain in full force and effect. This deed shall not operate to preclude the Grantee from proceeding in any action to enforce its deed of trust.

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BORROWER'S AFFIDAVIT

STATE OF WASHINGTON)
)
COUNTY OF SKAGIT) ss.

ANTHONY L. MALO, Manager of DG Construction, LLC, a Washington limited liability company, ("Borrower"), being duly sworn, deposes and says on behalf of the Borrower:

1. That as Manager of DG Construction, LLC, I am the person who made, executed and delivered that certain quit claim deed to Skagit State Bank (the "Lender"), dated May 13, 2009, conveying the following described real property (the "Premises"):

Lot 10, PLAT OF ROCK RIDGE WEST PHASE II, according to the plat thereof, recorded December 2, 2004, under Auditor's File No. 200412020087, records of Skagit County, Washington;

Situate in the County of Skagit, State of Washington.

2. That the aforesaid quit claim deed is intended to be and is an absolute conveyance of the title to the Premises to the grantee named therein, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of the affiant and Borrower as grantor in said grant deed to convey, and by said quit claim deed DG Construction, LLC, a Washington limited liability company, did convey to the grantee therein, all of its right, title and interest absolutely in and to the Premises; that possession of the Premises has been surrendered to the grantee;

3. That in the execution and delivery of said quit claim deed, neither affiant nor Borrower were acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and were not acting under coercion or duress;

4. That the execution and delivery of said quit claim deed by Borrower was duly authorized by affiant as the Manager of Borrower;

5. That affiant believed and now believes that the consideration for said quit claim deed represents the fair value of the Premises;

6. That there are no unrecorded interests in the Premises of any kind;

7. That there are no outstanding bankruptcies against or involving Borrower or any of its members;

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8. DG Construction, LLC is a limited liability company duly organized, validly existing and in good standing under the laws of Washington, and Anthony L. Malo, as Manager of DG Construction, LLC, has the requisite corporate power and authority to execute and deliver this deed and affidavit and to consummate the transactions contemplated hereby. The execution and delivery, by Anthony L. Malo as Manager of DG Construction, LLC, of this deed and affidavit and the consummation of the transactions contemplated thereby have been duly authorized by all necessary corporate action on the part of DG Construction, LLC;

9. This affidavit is made for the protection and benefit of the grantee in said quit claim deed, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the Premises, and particularly for the benefit of Land Title Insurance Company of Skagit County, which has insured the title to the Premises in reliance thereon, and any other title company which may hereafter insure the title to the Premises; and

10. That the affiant will testify, declare, depose or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated and signed this 13TH day of May, 2009, in Skagit County, Washington.

BORROWER:

DG CONSTRUCTION, LLC, a
Washington limited liability company

By: 

ANTHONY L. MALO

Its: Manager

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State of Washington)
) ss
County of Skagit)

I certify that I know or have satisfactory evidence that ANTHONY L. MALO is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Manager of DG CONSTRUCTION, LLC, a Washington limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: May 13 2009



Steven Shropshire
NOTARY PUBLIC

Printed Name: Steven Shropshire

My appointment expires: 1-16-13

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