



200908210052

Skagit County Auditor

8/21/2009 Page

1 of

6 10:27AM

**~~After Recording Return To:~~**

Wells Fargo Bank, N.A.

Attn: Document Mgt.

P.O. Box 31557

MAC B6955-013

Billings, MT 59107-9900

AFTER RECORDING, RETURN TO:  
AMERICAN TITLE, INC.  
P.O. BOX 641010  
OMAHA, NE 68164-1010

ATI#

2009107220169

**SHORT FORM OPEN-END DEED OF TRUST**

**Trustor(s) GIBRAN M. SMITH AND DARCY G. SMITH, HUSBAND AND WIFE**

**Trustee(s) Wells Fargo Financial National Bank, 2324 Overland Ave, Billings, MT 59102**

**Beneficiary Wells Fargo Bank, N.A., 101 North Phillips Avenue, Sioux Falls, SD 57104**

**Legal Description LOT 6, ROCKRIDGE ESTATES, DIV. II MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A**

**Assessor's Property Tax Parcel or Account Number P113027**

**Reference Numbers of Documents Assigned or Released**



After Recording Return To:  
Wells Fargo Bank, N.A.  
Attn: Document Mgt.  
P.O. Box 31557  
MAC B6955-013  
Billings, MT 59107-9900

This instrument prepared by:  
Wells Fargo Bank, N.A.  
LORI PFEIFER, DOCUMENT PREPARATION  
11601 N BLACK CANYON HWY  
PHOENIX, ARIZONA 85027  
866-452-3913

[Space Above This Line For Recording Data]

## SHORT FORM OPEN-END DEED OF TRUST

REFERENCE #: 20091829600161

Account number: 650-650-9354853-1XXX

### DEFINITIONS

Words used in multiple sections of this document are defined below. The Master Form Deed of Trust includes other defined words and rules regarding the usage of words used in this document.

- (A) "Security Instrument" means this document, which is dated JULY 30, 2009, together with all Riders to this document.
- (B) "Borrower" is GIBRAN M. SMITH AND DARCY G. SMITH, HUSBAND AND WIFE. Borrower is the trustor under this Security Instrument.
- (C) "Lender" is Wells Fargo Bank, N.A. Lender is a national bank organized and existing under the laws of the United States. Lender's address is 101 North Phillips Avenue, Sioux Falls, SD 57104.
- (D) "Trustee" is Wells Fargo Financial National Bank, 2324 Overland Ave, Billings, MT 59102.
- (E) "Debt Instrument" means the loan agreement or other credit instrument signed by Borrower and dated JULY 30, 2009. The Debt Instrument states that Borrower owes Lender, or may owe Lender, an amount that may vary from time to time up to a maximum principal sum outstanding at any one time of, THIRTY THOUSAND AND 00/100THS Dollars (U.S. \$30,000.00) plus interest. Borrower has promised to pay this debt

WASHINGTON - SHORT FORM OPEN-END SECURITY INSTRUMENT  
HCWF#1006v1 (11/15/2008)



(page 2 of 5 pages)

Documents Processed 07-30-2009, 13:30:37



200908210052  
Skagit County Auditor

in Periodic Payments and to pay the debt in full not later than seven (7) calendar days after August 30, 2049.  
(F) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."  
(G) "Loan" means all amounts owed now or hereafter under the Debt Instrument, including without limitation principal, interest, any prepayment charges, late charges and other fees and charges due under the Debt Instrument, and also all sums due under this Security Instrument, plus interest.  
(H) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

☐ N/A Leasehold Rider

☐ N/A Third Party Rider

☐ N/A Other(s) [specify] N/A

(I) "Master Form Deed of Trust" means the Master Form Open-End Deed of Trust dated June 14, 2007, and recorded on July 12, 2007, as Auditor's File Number 200707120063 in Book n/a at Page n/a of the Official Records in the Office of the Auditor of Skagit County, State of Washington.

#### TRANSFER OF RIGHTS IN THE PROPERTY

This Security Instrument secures to Lender: (i) the repayment of the Loan, and all future advances, renewals, extensions and modifications of the Debt Instrument, including any future advances made at a time when no indebtedness is currently secured by this Security Instrument; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Debt Instrument. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the

County of Skagit  
[Type of Recording Jurisdiction] [Name of Recording Jurisdiction]

#### LOT 6, ROCKRIDGE ESTATES, DIV. II MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A

which currently has the address  
of

12439 GULL DR

BURLINGTON, Washington 98233 ("Property Address"):  
[City] [Street] [Zip Code]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property." The Property shall also include any additional property described in Section 20 of the Master Form Deed of Trust.

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of

WASHINGTON - SHORT FORM OPEN-END SECURITY INSTRUMENT  
HCWF#1006v1 (11/15/2008)

(page 3 of 5 pages)



Documents Processed 07-30-2009, 13:30:37



200908210052  
Skagit County Auditor

record as of the execution date of this Security Instrument. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

### MASTER FORM DEED OF TRUST

By the execution and delivery of this Security Instrument, Borrower agrees that all of the provisions of the Master Form Deed of Trust are hereby incorporated in their entirety into this Security Instrument. Borrower agrees to be bound by and to perform all of the covenants and agreements in the Master Form Deed of Trust. A copy of the Master Form Deed of Trust has been provided to Borrower.

BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any Rider executed by Borrower and recorded with it. Borrower also acknowledges receipt of a copy of this document and a copy of the Master Form Deed of Trust.

  
GIBRAN M SMITH

-Borrower

  
DARCY G SMITH

-Borrower

WASHINGTON - SHORT FORM OPEN-END SECURITY INSTRUMENT

HCWF#1006v1 (11/15/2008)



(page 4 of 5 pages)

Documents Processed 07-30-2009, 13:30:37



200908210052  
Skagit County Auditor

8/21/2009 Page

4 of

6 10:27AM

For An Individual Acting In His/Her Own Right:

State of Washington

County of Skagit

On this day personally appeared before me

Gibran M. Smith, Darcy G. Smith

(here insert the name of

grantor or grantors) to me known to be the individual, or individuals described in and who executed the within and foregoing instrument, and acknowledged that he (she or they) signed the same as his (her or their) free and voluntary act and deed, for the uses and purposes therein mentioned. Given under my hand and official seal this 30 day of July, 20 09.

Witness my hand and notarial seal on this the 30 day of July, 2009

Signature

Shanna M. Gipe

Print Name:

Notary Public



My commission expires:

1/29/10

WASHINGTON - SHORT FORM OPEN-END SECURITY INSTRUMENT

HCWF#1006v1 (11/15/2008)



(page 5 of 5 pages)

Documents Processed 07-30-2009, 13:30:37



200908210052  
Skagit County Auditor

8/21/2009 Page

5 of

8 10:27AM

## EXHIBIT A

Reference: 20091829600161

Account: 650-650-9354853-1998

### Legal Description:

THE FOLLOWING DESCRIBED REAL ESTATE, SITUATED IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON: LOT 6, "PLAT OF ROCKRIDGE ESTATES DIVISION NO. II," AS PER PLAT RECORDED IN VOLUME 16 OF PLATS, PAGES 194 AND 195, RECORDS OF SKAGIT COUNTY, WASHINGTON. ABBREVIATED LEGAL: LOT 6, ROCKRIDGE ESTATES, DIV. II

Exhibit A, CDP.V1 07/2004



1/1



200908210052  
Skagit County Auditor