



201006070050

Skagit County Auditor

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**AFTER RECORDING MAIL TO:**

Name Day Creek Sand & Gravel  
Address P.O. Box 11607  
City/State Clear Lake, WA 98235

**SHORT FORM  
DEED OF TRUST**

THIS DEED OF TRUST is made this 2 day of June, 2010, BETWEEN

Don R. Mitzel, as Grantor,

whose address is P.O. Box 188, 1111 Cleveland Ave Suite #203, Mount Vernon, WA 98273;

and **FIRST AMERICAN TITLE INSURANCE COMPANY**, a California corporation, as Trustee, whose address is 1301 B. Riverside Dr., P.O. Box 11607, Mount Vernon, WA 98273;

and Day Creek Sand & Gravel LLC, as Beneficiary, whose address is P.O. Box 398, Clear Lake, WA 98235

Grantor hereby irrevocably grants, bargains and conveys to Trustee in trust, with power of sale, the following described property in Skagit County County, Washington.

Cascade Professional Center  
110 Cascade Place  
Burlington, WA 98233

CASCADE PLACE / CASCADE MEADOWS BSP-2-95, ACRES 1.59 (CDK12) PARCEL 3 LOCATED IN BINDING SITE PLAN OF CASCADE PLACE / CASCADE MEADOWS

Assessor's Property Tax Parcel/Account Number(s): 108342

TOGETHER WITH all the tenements, hereditaments and appurtenances, now or hereafter thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof and all other property or rights of any kind or nature whatsoever further set forth in the Master Form Deed of Trust hereinafter referred to. SUBJECT, HOWEVER, to the rights, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits.

THIS DEED IS FOR THE PURPOSE OF SECURING PERFORMANCE of each agreement of Grantor incorporated by reference or contained herein and payment of the sum of Forty Thousand, Four Hundred Eighty Five & 87/100 dollars DOLLARS (\$ 40,465.87) with interest thereon according to the terms of a promissory note of even date herewith, payable to Beneficiary or order and made by Grantor; all renewals, modifications or extensions thereof, and also such further sums as may be advanced or loaned by Beneficiary to Grantor, or any of their successors or assigns, together with interest thereon at such rate as shall be agreed upon.



By executing and delivering this Deed of Trust and the Note secured hereby, the parties agree that all provisions of Paragraphs 1 through 35 inclusive of the Master Form Deed of Trust hereinafter referred to, except such paragraphs as are specifically excluded or modified herein, are hereby incorporated herein by reference and made an integral part hereof for all purposes the same as if set forth herein at length, and the Grantor hereby makes said covenants and agrees to fully perform all of said provisions. The Master Form Deed of Trust above referred to was recorded on the twenty-fifth (25th) day of July, 1968, in the Official Records of the offices of the County Auditors of the following counties in Washington in the book, and at the page designated after the name of each county, to-wit:

COUNTY	BOOK OR VOL.	PAGE NO.	AUDITOR'S FILE NO.	COUNTY	BOOK OR VOL.	PAGE NO.	AUDITOR'S FILE NO.
Adams	2 of Record. Instr.	513-16	1229877	Lewis	7 of Official Rec.	839-842	725562
Asotin	Microfilmed Under Auditor's No.		101896	Lincoln	107 of Mortgages	776-779	316596
Benton	241 of Official Rec.	695A-C	592931	Mason	Reel 48	Fram 835-838	236038
Chelan	688 of Official Rec.	1682-1685	681844	Okanogan	121 of Mortgages	517-519A	560658
Clallam	315 of Official Rec.	195-198	383176	Pacific	213 of Official Rec.	649-652	55707
Clark	Aud. Microfilm No. 702859-702862		G-519253	Pend Oreille	27 of Mtgs.	8-11	126854
Columbia	49 of Deeds	198-201	F-3115	Pierce	1254 of Mtgs.	707-710	2250799
Cowlitz	747 of Official Rec.	234-237	675475	San Juan	28 of Mtgs.	459-462	69282
Douglas	125 of Mortgages	120-123	151893	Skagit	19 of Official Rec.	80-83	716277
Ferry	28 of Deeds	413-416	153150	Skamania	47 of Mtgs.	41-44	70197
Franklin	11 of Official Rec.	138-141	309636	Snohomish	233 of Official Rec.	540-543	2043549
Garfield	Microfilmed under Auditor's No.		13044	Spokane	14 of Official Rec.	1048-1051	376267C
Grant	44 of Rec. Doc.	373-376	538241	Stevens	109 of Mtgs.	394-397	390635
Grays Harbor	21 of General	31-34	207544	Thurston	454 of Official Rec.	731-734	785350
Island	181 of Official Rec.	710-713	211628	Wahkiakum	17 of Mortgages	89-92	24732
Jefferson	4 of Official Rec.	310-319	196853	Walla Walla	308 of Mtgs.	711-714	495721
King	5690 of Mtgs.	436-439	6382309	Whatcom	82 of Official Rec.	855-858	1047522
Kitsap	929 of Official Rec.	480-483	934770	Whitman	1 of Misc.	291-294	382282
Kittitas	111 of Mortgages	361-364	348693	Yakima	712 of Official Rec.	147-150	2170555
Klickitat	101 of Mortgages	107-110	131095				

A copy of such Master Form Deed of Trust is hereby furnished to the person executing this Deed of Trust and by executing this Deed of Trust the Grantor acknowledges receipt of such Master Form Deed of Trust.

The property which is the subject of this Deed of Trust is not used principally or primarily for agricultural or farming purposes.

The undersigned Grantor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at the address hereinbefore set forth.

WITNESS the hand(s) and seal(s) of the Grantor(s) on the day and year first above written.

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### REQUEST FOR FULL RECONVEYANCE

To be used only when all obligations have been paid under the note and this deed of trust.

TO: TRUSTEE.

The undersigned is the legal owner and holder of the note and all other indebtedness secured by the within Deed of Trust. Said note, together with all other indebtedness secured by said Deed of Trust, has been fully paid and satisfied; and you are hereby requested and directed, on payment to you of any sums owing to you under the terms of said Deed of Trust, to cancel said note above mentioned, and all other evidence of indebtedness secured by said Deed of Trust delivered to you herewith, together with the said Deed of Trust, and to reconvey, without warranty, to the parties designated by the terms of said Deed of Trust, all the estate now held by you thereunder.

Dated \_\_\_\_\_, 19 \_\_\_\_\_

Mail reconveyance to \_\_\_\_\_

Do not lose or destroy this Deed of Trust OR THE NOTE which it secures. Both must be delivered to the Trustee for cancellation before reconveyance will be made.

LPB-20 (11/96)

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STATE OF WA  
County of Skagit

On this day personally appeared before me

Dan R. Mitzel

to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this

2nd day of June 2010

Rose M Tjeerdsma

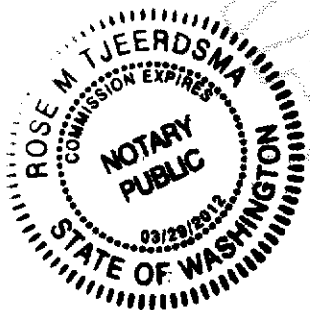
Notary Public in and for the State of

residing at Bellingham

My appointment expires

3/29/2012

ACKNOWLEDGMENT - INDIVIDUAL  
FIRST AMERICAN TITLE COMPANY  
WA - 46



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EXHIBIT A

160 Cascade Place  
Burlington, WA 98233  
P108342

CASCADE PLACE/CASCADE MEADOWS BSP-2-95, ACRES 1.59, (DK12) PARCEL 3, EXCEPT THAT PORTION OF PARCEL 3 LOCATED IN BINDING SITE PLAN OF CASCADE PLACE/CASCADE MEADOWS DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHWESTERLY CORNER OF PARCEL 4 OF SAID BINDING SITE PLAN; THENCE NORTH 89 DEGREES 28' 22" WEST ALONG THE SOUTH LINE OF PARCEL 9 OF SAID BINDING SITE PLAN A DISTANCE OF 81.63 FEET; THENCE EASTERLY AND SOUTHEASTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS SOUTH 0 DEGREES 31' 38" WEST A DISTANCE OF 15.00 FEET THROUGH A CENTRAL ANGLE OF 55 DEGREES 08' 42" AN ARC DISTANCE OF 14.44 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 55.00 FEET THROUGH A CENTRAL ANGLE OF 81 DEGREES 13' 56" AN ARC DISTANCE OF 77.98 FEET TO THE EAST LINE OF SAID PARCEL 3; THENCE NORTH 0 DEGREES 31' 38" EAST ALONG THE EAST LINE THEREOF A DISTANCE OF 24.39 FEET TO THE TRUE POINT OF BEGINNING. TOGETHER WITH THAT PORTION OF PARCEL 4 LOCATED IN THE BINDING SITE PLAN OF CASCADE PLACE/CASCADE MEADOWS AS APPROVED OCTOBER 26, 1995, AND RECORDED JANUARY 18, 1996, IN VOLUME 12 OF PLATS ON PAGES 66 TO 68 UNDER AUDITOR'S FILE NO. 9601180033, BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 4, DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHWESTERLY CORNER OF SAID PARCEL 4; THENCE SOUTH 0 DEGREES 31' 38" WEST ALONG THE WEST LINE THEREOF A DISTANCE OF 24.39 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 0 DEGREES 31' 38" WEST ALONG THE WEST LINE THEREOF, A DISTANCE OF 161.23 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 4; THENCE NORTH 55 DEGREES 29' 16" EAST 2.38 FEET; THENCE NORTH 40 DEGREES 42' 53" EAST 19.74 FEET; THENCE NORTH 39 DEGREES 02' 33" EAST 5.31 FEET; THENCE LEAVING THE SOUTH LINE OF SAID PARCEL 4 NORTH 0 DEGREES 31' 38" EAST 154.73 FEET; THENCE SOUTHWESTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS POINT BEARS NORTH 49 DEGREES 32' 58" WEST A DISTANCE OF 55.00 FEET THROUGH A CENTRAL ANGLE OF 23 DEGREES 59' 22" AN ARC DISTANCE OF 23.03 FEET TO THE TRUE POINT OF BEGINNING.



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