



201205110128  
Skagit County Auditor

5/11/2012 Page 1 of 4 12:00PM

**RETURN ADDRESS:**  
WHIDBEY ISLAND BANK  
P.O. BOX 1589  
OAK HARBOR, WA  
98277

LAND TITLE OF SKAGIT COUNTY

201002260139

## MODIFICATION OF DEED OF TRUST

Reference # (if applicable): 135668-S

Additional on page \_\_\_\_

Grantor(s):

1. DIVISION STREET, L.L.C.

Grantee(s)

1. WHIDBEY ISLAND BANK

Legal Description: LOT 4, SP MV-5-90, PTN 17-34-4 E W.M. & LOTS 3 & 4, SP MV-1-93, PTN 21-34-4 E W.M.

Additional on page 7

Assessor's Tax Parcel ID#: 340417-0-027-0400 (P104681), 340421-0-067-0200 (P103449) & 340421-0-067-0300 (P103450)



THIS MODIFICATION OF DEED OF TRUST dated May 7, 2012, is made and executed between DIVISION STREET, L.L.C., A Washington Limited Liability Company ("Grantor") and WHIDBEY ISLAND BANK, whose address is CL SKAGIT/BURLINGTON, 321 SE PIONEER WAY, P.O. BOX 1589, OAK HARBOR, WA 98277 ("Lender").



**MODIFICATION OF DEED OF TRUST  
(Continued)**

**Page 2**

**DEED OF TRUST.** Lender and Grantor have entered into a Deed of Trust dated February 18, 2010 (the "Deed of Trust") which has been recorded in SKAGIT County, State of Washington, as follows:

**Recording date February 26, 2010, Auditor's #201002260139.**

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

See EXHIBIT A, which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 1001 CRESTVIEW LANE, MOUNT VERNON, WA 98273 and 2308 & 2310 E DIVISION STREET, MOUNT VERNON, WA 98274. The Real Property tax identification number is 340417-0-027-0400 (P104681), 340421-0-067-0200 (P103449) & 340421-0-067-0300 (P103450).

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

The word "Note" means the original Promissory Note dated February 18, 2010 in the amount of \$400,000.00 that was renewed and modified by a Promissory Note dated May 7, 2012 in the amount of \$275,000.00 and a Promissory Note dated May 7, 2012 in the amount of \$118,740.09.

**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 endorsers 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 ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED MAY 7, 2012.**

**GRANTOR:**

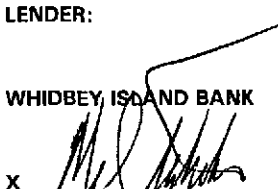
**DIVISION STREET, L.L.C.**

By:   
JOSEPH D. WOODMANSEE, Member of DIVISION STREET, L.L.C.

By:   
KIMBERLY A. WOODMANSEE, Member of DIVISION STREET, L.L.C.

**LENDER:**

**WHIDBEY ISLAND BANK**

X   
Authorized Officer



201205110128  
Skagit County Auditor  
5/11/2012 Page 2 of 4 12:00PM



MODIFICATION OF DEED OF TRUST  
(Continued)

Page 3

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Washington

)

) SS

COUNTY OF Skagit

)

On this 8th day of May, 20 12, before me, the undersigned Notary Public, personally appeared **JOSEPH D WOODMANSEE, Member of DIVISION STREET, L.L.C.**, and personally known to me or proved to me on the basis of satisfactory evidence to be a member or designated agent of the limited liability company that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, 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 limited liability company.

By Joanne E Bruland  
Notary Public in and for the State of WA

Residing at Burlington  
My commission expires 4/1/14

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Washington

)

) SS

COUNTY OF Skagit

)

On this 9th day of May, 20 12, before me, the undersigned Notary Public, personally appeared **KIMBERLY A WOODMANSEE, Member of DIVISION STREET, L.L.C.**, and personally known to me or proved to me on the basis of satisfactory evidence to be a member or designated agent of the limited liability company that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, 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 limited liability company.

By Joanne E Bruland  
Notary Public in and for the State of WA

Residing at Burlington  
My commission expires 4/1/14

LENDER ACKNOWLEDGMENT

STATE OF Washington

)

) SS

COUNTY OF Skagit

)

On this 8th day of May, 20 12, before me, the undersigned Notary Public, personally appeared Mel Takehara and personally known to me or proved to me on the basis of satisfactory evidence to be the Vice President, 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 Joanne E Bruland  
Notary Public in and for the State of WA

Residing at Burlington  
My commission expires 4/1/14



201205110128  
Skagit County Auditor

**DESCRIPTION:**

**PARCEL "A":**

Lot 4, Short Plat No. MV-1-93, approved April 5, 1993, recorded April 7, 1993 in Book 10 of Short Plats, pages 183 and 184, under Auditor's File No. 9304070090 and being a portion of the West ½ of the Northwest ¼ of the Southwest ¼ of Section 21, Township 34 North, Range 4 East, W.M.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

**PARCEL "B":**

Lot 3 of Short Plat No. MV-1-93, approved April 5, 1993, recorded April 7, 1993 in Book 10 of Short Plats, pages 183 and 184, under Auditor's File No. 9304070090 and being a portion of the West ½ of the Northwest ¼ of the Southwest ¼ of Section 21, Township 34 North, Range 4 East, W.M.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

**PARCEL "C":**

Lot 4, Short Plat No. MV-5-90, approved May 29, 1990 and recorded August 10, 1990 in Volume 9 of Short Plats, page 252, under Auditor's File No. 9008100069; being a portion of Tract B of Revised Short Plat No. MV-23-76, and a portion of the Southwest ¼ of the Southwest ¼ of Section 17, Township 34 North, Range 4 East, W.M.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.



201205110128  
Skagit County Auditor

5/11/2012 Page

4 of

4 12:00PM