

**UCC FINANCING STATEMENT**

FOLLOW INSTRUCTIONS

A. NAME & PHONE OF CONTACT AT FILER (optional)  
**Marisol R. McAllister (503) 228-6044**B. E-MAIL CONTACT AT FILER (optional)  
**mmcallister@fwwlaw.com**

C. SEND ACKNOWLEDGMENT TO: (Name and Address)

**Marisol R. McAllister  
Farleigh Wada Witt  
121 SW Morrison Street, Suite 600  
Portland, OR 97204**

201704280126

Skagit County Auditor

4/28/2017 Page

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113712  
GUARDIAN NORTHWEST TITLE CO.

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S NAME: Provide only one Debtor name (1a or 1b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the Individual Debtor's name will not fit in line 1b, leave all of item 1 blank, check here ☐ and provide the Individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad)

1a. ORGANIZATION'S NAME

**John D. Carroll L.L.C.**

1ST AM

NLS-843563-WA1

OR 1b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

1c. MAILING ADDRESS

**3405 172nd Street, NE, #5454**

CITY

**Arlington**

STATE

**WA**

POSTAL CODE

**98223-7717**

COUNTRY

**USA**2. DEBTOR'S NAME: Provide only one Debtor name (2a or 2b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the Individual Debtor's name will not fit in line 2b, leave all of item 2 blank, check here ☐ and provide the Individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad)

2a. ORGANIZATION'S NAME

OR 2b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

2c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

3. SECURED PARTY'S NAME (or NAME of ASSIGNEE of ASSIGNOR SECURED PARTY): Provide only one Secured Party name (3a or 3b)

3a. ORGANIZATION'S NAME

**Hyundai Capital America**

OR 3b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

3c. MAILING ADDRESS

**3161 Michelson Drive, Suite 1900**

CITY

**Irvine**

STATE

**CA**

POSTAL CODE

**92612**

COUNTRY

**USA**

4. COLLATERAL: This financing statement covers the following collateral:

See Exhibits A and B attached hereto and incorporated herein by this reference.

Abbreviated Legal Description: SECTION 6, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., PTN. SE 1/4 (AKA LOTS 1 &amp; 2, SKAGIT CROSSINGS BSP BURL BSP-1-07 AND LOTS 1 AND 3, FISHER COMMERCIAL PARK DIV. NO. 1)

Assessor's Tax Parcel or other Account No: P23882, 8074-000-001-0000, P127091, 8074-000-002-0000, P82932, 4462-000-001-0002, P82934, 4462-000-003-0000

5. Check only if applicable and check only one box: Collateral is ☐ held in a Trust (see UCC1Ad, item 17 and Instructions) ☐ being administered by a Decedent's Personal Representative6a. Check only if applicable and check only one box:☐ Public-Finance Transaction☐ Manufactured-Home Transaction☐ A Debtor is a Transmitting Utility6b. Check only if applicable and check only one box:☐ Agricultural Lien☐ Non-UCC Filing7. ALTERNATIVE DESIGNATION (if applicable): ☐ Lessee/Lessor ☐ Consignee/Consignor ☐ Seller/Buyer ☐ Bailee/Bailor ☐ Licensee/Licenser

8. OPTIONAL FILER REFERENCE DATA:

**HCUSA/John D. Carroll L.L.C./34588 (Skagit County)**

International Association of Commercial Administrators (IACA)

# UCC FINANCING STATEMENT ADDENDUM

FOLLOW INSTRUCTIONS

9. NAME OF FIRST DEBTOR: Same as line 1a or 1b on Financing Statement; if line 1b was left blank because Individual Debtor name did not fit, check here ☐

9a. ORGANIZATION'S NAME

John D. Carroll L.L.C.

OR 9b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

10. DEBTOR'S NAME: Provide (10a or 10b) only one additional Debtor name or Debtor name that did not fit in line 1b or 2b of the Financing Statement (Form UCC1) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name) and enter the mailing address in line 10c

10a. ORGANIZATION'S NAME

OR 10b. INDIVIDUAL'S SURNAME

INDIVIDUAL'S FIRST PERSONAL NAME

INDIVIDUAL'S ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

10c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

11. ☐ ADDITIONAL SECURED PARTY'S NAME or ☐ ASSIGNOR SECURED PARTY'S NAME: Provide only one name (11a or 11b)

11a. ORGANIZATION'S NAME

OR 11b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

11c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

12. ADDITIONAL SPACE FOR ITEM 4 (Collateral):

13. ☒ This FINANCING STATEMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS (if applicable)

14. This FINANCING STATEMENT:

☐ covers timber to be cut

☐ covers as-extracted collateral

☒ is filed as a fixture filing

15. Name and address of a RECORD OWNER of real estate described in item 16 (if Debtor does not have a record interest):

16. Description of real estate:

See Exhibit B attached hereto and incorporated herein by this reference.

17. MISCELLANEOUS:

**EXHIBIT "A" TO UCC**  
**DESCRIPTION OF THE COLLATERAL**

This Financing Statement from John D. Carroll L.L.C., a Washington limited liability company ("Debtor"), in favor of Hyundai Capital America, a California corporation ("Secured Creditor") covers the following types and items of property in connection with the real property described in Exhibit "B" attached hereto and incorporated herein (the "Land"):

1. All of the following (collectively, the "Improvements"): all buildings, improvements and fixtures of every kind or nature now or in the future situated or to be constructed on the Land including, but not limited to, Fixtures as such term is defined in Article 9 of the Uniform Commercial Code as now in effect or as may be revised or amended from time to time, all machinery, appliances, equipment, furniture, computer equipment, tools, tooling, goods, supplies, materials and work in process, together with all additions, parts, fittings, accessories, special tools, attachments, and accessions now and hereafter affixed thereto and/or used in connection therewith, and all other personal property of every kind or nature in which Debtor has an interest, including, but not limited to, any and all personal property located in or on, or attached to, or used or to be used in connection with the Land, buildings, structures, improvements or fixtures, including, but not limited to, Equipment as such term is defined in Article 9 of the Uniform Commercial Code as now in effect or as may be revised or amended from time to time; and all additions, substitutions and replacements to any of the foregoing (the Land together with the Improvements being hereinafter collectively referred to as the "Real Estate");

2. To the extent assignable, all plans, specifications, architectural renderings, drawings, soil test reports, other reports of examination or analysis of the Land or the Improvements;

3. All easements, rights-of-way, water courses, mineral rights, water rights, air rights and appurtenances in any way belonging, relating or appertaining to any of the Real Estate, or which hereafter shall in any way belong, relate or be appurtenant thereto (the "Appurtenances");

4. All leases, licenses and other agreements affecting the use, enjoyment or occupancy of the Real Estate, now or hereafter entered into (the "Leases") and all rents, prepayments, security deposits, termination payments, royalties, profits, issues and revenues from the Real Estate from time to time accruing under the Leases;

5. All claims, demands, judgments, insurance proceeds, tax refunds, reserves, deposits, rights of action, awards of damages, compensation, settlements and other rights to the payment of money hereafter made resulting from or relating to (i) the taking of the Real Estate or any part thereof under the power of eminent domain, (ii) any damage (whether caused by such taking, by casualty or otherwise) to the Real Estate or Appurtenances or any part thereof, or (iii) the ownership or operation of the Real Estate;

6. To the extent assignable, all management contracts, permits, certificates, licenses, approvals, contracts, options, development rights, entitlements and authorizations, however characterized, issued or in any way furnished for the acquisition, construction, development, operation and use of the Real Estate and/or Leases, including building permits, environmental certificates, licenses, certificates of operation, warranties and guaranties;

7. All accounts, contract rights, general intangibles, payment intangibles, deposit accounts, chattel paper including electronic chattel paper, documents, instruments, inventory, software, goods, equipment, securities, investment property, letters of credit, letter of credit rights, money, commercial tort claims, and all books and records and supporting obligations relating to the foregoing;

8. Any monies on deposit with or for the benefit of Lender, including deposits for the payment of real estate taxes, insurance premiums and any cash collateral account;

9. All refunds, rebates, reimbursements, reserves, deferred payments, deposits, cost savings, governmental subsidy payments, governmentally-registered credits (such as emissions reduction credits), other credits, waivers and payments, whether in cash or in kind, due from or payable by (i) any federal, state, municipal or other governmental or quasi-governmental agency, authority or district (a "Governmental Agency") or (ii) any insurance or utility company relating to any or all of the Real Estate or arising out of the satisfaction of any conditions imposed upon or the obtaining of any approvals for the development or rehabilitation of the Real Estate;

10. All refunds, rebates, reimbursements, credits and payments of any kind due from or payable by any Governmental Agency for any taxes, special taxes, assessments, or similar governmental or quasi-governmental charges or levies imposed upon Debtor with respect to the Real Estate or upon any or all of the Real Estate or arising out of the satisfaction of any conditions imposed upon or the obtaining of any approvals for the development or rehabilitation of the Real Estate;

11. All other general intangibles (including, without limitation, any proceeds from insurance policies after payment of prior interests), patents, unpatented inventions, trade secrets, copyrights, contract rights, goodwill, literary rights, rights to performance, rights under licenses, choses-in-action, claims, information contained in computer media (such as databases, source and object codes, and information therein), things in action, trademarks and trademarks applied for (together with the goodwill associated therewith) and derivatives thereof, trade names, including the right to make, use, and vend goods utilizing any of the foregoing, and permits, licenses, certifications, authorizations and approvals, and the rights of Debtor thereunder, issued by any governmental, regulatory, or private authority, agency, or entity whether now owned or hereafter acquired, together with all cash and non cash proceeds and products thereof;

12. All proceeds, products, replacements, additions, substitutions, renewals and accessions of and to the Real Estate, Appurtenances or any other property of the types described in the preceding granting clauses; and

13. Any and all after-acquired right, title or interest of Debtor in and to any property of the types described in the preceding granting clauses.

**EXHIBIT "B" TO UCC**

**Legal Description**

Real property in the County of Skagit, State of Washington, described as follows:

**PARCEL "A":**

LOTS 1 AND 2 OF SKAGIT CROSSINGS BINDING SITE PLAN BURL BSP 1-07, AS APPROVED JANUARY 31, 2008 AND RECORDED FEBRUARY 1, 2008, UNDER AUDITOR'S FILE NO. 200802010073, RECORDS OF SKAGIT COUNTY, WASHINGTON; BEING A PORTION OF THE SOUTHEAST ¼ OF SECTION 6, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M.

**PARCEL "B":**

LOTS 1 AND 3, "FISHER COMMERCIAL PARK DIV. NO. 1", ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGES 82 AND 83, RECORDS OF SKAGIT COUNTY, WASHINGTON.

**Assessor's Tax Parcel No(s):**

8074-000-001-0000 (P23882), 8074-000-002-0000 (P127091), 4462-000-001-0002 (P82932), and 4462-000-003-0000 (P82934)