



200302050114

Skagit County Auditor

2/5/2003 Page 1 of 4 3:31PM

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When Recorded Return to: TAMI HOOD, Credit Admin, Document Prep., Cascade Bank, 2828 Colby Ave, Everett, Washington 98201

MODIFICATION OF DEED OF TRUST

Grantor(s): John H. Near

Grantee(s): Cascade Bank

Legal Description: Portion Lots 11-13, Block 21 "Anacortes"

Assessor's Property Tax Parcel or Account Number: 3772-021-013-0308 R54987

Reference Numbers Of Documents Assigned or Released:

200101100146

FIRST AMERICAN TITLE CO.
ACCOMMODATION RECORDING ONLY

M8021

DATE AND PARTIES. The date of this Real Estate Modification (Modification) is January 28, 2003. The parties and their addresses are:

GRANTOR:

JOHN H. NEAR

An Unmarried Individual
As his Separate Estate
Post Office Box 822
Anacortes, Washington 98221

TRUSTEE:

FIRST AMERICAN TITLE
a California Corporation
1301-B Riverside Drive
Mt. Vernon, Washington 98273

John H. Near
Washington Real Estate Modification
WA/4XXXJudyA0060000003770005012903Y

LENDER:

CASCADE BANK

Organized and existing under the laws of Washington
2828 Colby Avenue
Everett, Washington 98201
91-0167790

1. BACKGROUND. Grantor and Lender entered into a security instrument dated January 8, 2001 and recorded on January 10, 2001 (Security Instrument). The Security Instrument was recorded in the records of Skagit County, Washington at Recorded in Skagit County under recording number 200101100146 and covered the following described Property:

PARCEL "A"

THE SOUTH 26.56 FEET OF THE NORTH 43.25 FEET OF THE SOUTH 80 FEET OF LOTS 11, 12, AND 13, BLOCK 21, "MAP OF THE CITY OF ANACORTES", ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2 OF PLATS, PAGES 4 THROUGH 7, RECORDS OF SKAGIT COUNTY, WASHINGTON;

PARCEL "B"

A NON-EXCLUSIVE EASEMENT FOR ROAD PURPOSES OVER, ACROSS AND UPON THE EAST 6 FEET OF THE NORTH 36.69 FEET OF LOT 13, BLOCK 21, "MAP OF THE CITY OF ANACORTES", ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2 OF PLATS, PAGES 4 THROUGH 7, RECORDS OF SKAGIT COUNTY, WASHINGTON, AS ESTABLISHED BY INSTRUMENT RECORDED AUGUST 4, 1972, UNDER AUDITOR'S FILE NO. 772125, RECORDS OF SKAGIT COUNTY, WASHINGTON.

The property is located in Skagit County at 717 Commercial Avenue, Anacortes, Washington 98221.

2. MODIFICATION. For value received, Grantor and Lender agree to modify the original Security Instrument. Grantor and Lender agree that this Modification continues the effectiveness of the original Security Instrument. The Security Instrument was given to secure the original Secured Debts which have now been modified.

3. SECURED DEBTS. This Modification will secure the following Secured Debts:

A. Specific Debts. The modified Secured Debts include the following debts and all extensions, renewals, refinancings, modifications and replacements. A promissory note, No. 5301010819, dated January 8, 2001, from Grantor to Lender, with a loan amount of \$126,164.03 with an interest rate of 6.5 percent per year.

B. All Debts. All present and future debts from Grantor to Lender, even if this Modification is not specifically referenced, or if the future debt is unrelated to or of a different type than this debt. If more than one person signs this Modification, each agrees that it will secure debts incurred either individually or with others who may not sign this Modification. Nothing in this Modification constitutes a commitment to make additional or future loans or advances. Any such commitment must be in writing. In the event that Lender fails to provide any required notice of the right of rescission, Lender waives any subsequent security interest in the Grantor's principal dwelling that is created by this Modification. This Modification will not



200302050114

Skagit County Auditor

secure any debt for which a non-possessory, non-purchase money security interest is created in "household goods" in connection with a "consumer loan," as those terms are defined by federal law governing unfair and deceptive credit practices. This Modification will not secure any debt for which a security interest is created in "margin stock" and Lender does not obtain a "statement of purpose," as defined and required by federal law governing securities.

C. Sums Advanced. All sums advanced and expenses incurred by Lender under the terms of this Modification.

4. WARRANTY OF TITLE. Grantor warrants that Grantor continues to be lawfully seized of the estate conveyed by this Security Instrument and has the right to irrevocably grant, convey and sell the Property to Trustee, in trust, with power of sale. Grantor also warrants that the Property is unencumbered, except for encumbrances of record.

5. CONTINUATION OF TERMS. Except as specifically amended in this Modification, all terms of the Security Instrument remain in effect.

SIGNATURES. By signing, Grantor agrees to the terms and covenants contained in this Modification. Grantor also acknowledges receipt of a copy of this Modification.

GRANTOR:

John H. Near
John H. Near
Individually

LENDER:

Cascade Bank

By M. Abtahi
Matt Abtahi

ACKNOWLEDGMENT.

(Individual)

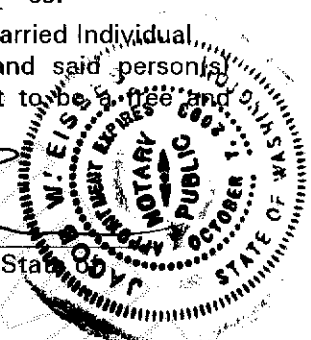
State OF Washington, County OF Skagit ss.

I certify that I know or have satisfactory evidence that John H. Near, An Unmarried Individual, As his Separate Estate, is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledged it to be a free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 1-31-03

My appointment expires: 10-07-03

[Signature]
Notary Public in and for the State of
Washington, residing at)
SKAGIT County



John H. Near

John H. Near
Washington Real Estate Modification
WA/4XXXJudyA0060000003770005012903Y

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Initials JHN



200302050114
Skagit County Auditor

(Lender Acknowledgment)

State Washington OF Skagit County OF Snohomish ss.

I certify that I know or have satisfactory evidence that Matt Abtahi, is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument, on oath stated that he/she/they was/were authorized to execute the instrument and acknowledged it as the Vice President of Cascade Bank to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 2-4-03

My appointment expires: 3-19-03

Janice L. Bodewig
(Notary Public in and for the State of
Washington, residing at)
Marysville, WA

