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Billings, MT 59107-9900



200810310100
Skagit County Auditor

10/31/2008 Page 1 of 6 1:29PM

GUARDIAN NORTHWEST TITLE CO.

A95633E-4

SHORT FORM OPEN-END DEED OF TRUST

Trustor(s) DANA B. BIRKBY AND GRETA M. BIRKBY, 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 PTN LOTS 42,43, AND 44, "PLAT OF POTLATCH BEACH" MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A

Assessor's Property Tax Parcel or Account Number 68065/68066

Reference Numbers of Documents Assigned or Released

WASHINGTON - SHORT FORM OPEN-END SECURITY INSTRUMENT
HCWF#1006v1 (10/02/08)



(page 1 of 5 pages)

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This instrument prepared by:
Wells Fargo Bank, N.A.
STACY LEUCHS, DOCUMENT PREPARATION
11601 N. BLACK CANYON HWY.
PHOENIX, ARIZONA 85029
866-656-9659

[Space Above This Line For Recording Data]

SHORT FORM OPEN-END DEED OF TRUST

REFERENCE #: 20082873356907

Account number: 650-650-8902272-1XXX

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 OCTOBER 30, 2008, together with all Riders to this document.
- (B) "Borrower" is DANA B. BIRKBY AND GRETA M. BIRKBY, 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 OCTOBER 30, 2008. 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, FIFTY THOUSAND AND 00/100THS Dollars (U.S. \$50,000.00) plus interest. Borrower has promised to pay this debt in Periodic

WASHINGTON - SHORT FORM OPEN-END SECURITY INSTRUMENT
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(page 2 of 5 pages)



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Payments and to pay the debt in full not later than seven (7) calendar days after November 30, 2048.

(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]:

Leasehold Rider

Third Party Rider

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]

PTN LOTS 42,43, AND 44, "PLAT OF POTLATCH BEACH" MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A

which currently has the address of _____ 5352 W SHORE ROAD _____
ANACORTES, Washington _____ ("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 seized 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 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

WASHINGTON - SHORT FORM OPEN-END SECURITY INSTRUMENT
HCWF#1006v1 (10/02/08)

(page 3 of 5 pages)



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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.

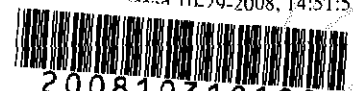
D. S. Birky (Seal)
DANA B BIRKBY -Borrower

Greta M. Birky (Seal)
GRETA M BIRKBY -Borrower

WASHINGTON - SHORT FORM OPEN-END SECURITY INSTRUMENT
HCWF#1006v1 (10/02/08)



(page 4 of 5 pages)



200810310100
Skagit County Auditor

10/31/2008 Page 4 of 6 1:29PM

For An Individual Acting In His/Her Own Right:

State of WA

County of King

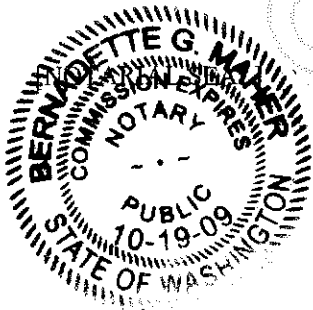
On this day personally appeared before me
DANA R. BIRIBY and GRETA M. BIRIBY
_____ (here insert the name of grantor or

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 30th day of October, 2008.

Witness my hand and notarial seal on this the 30th day of October, 2008
Bernadette G Matter
Signature

BERNADETTE G MATTER
Print Name: _____

Notary Public



My commission expires: 10/19/09



EXHIBIT A

Reference: 20082873356907

Account: 650-650-8902272-1998

Legal Description:

Legal description

The land referred to in this report/policy is situated in the State of Washington, County of Skagit, and is described as follows:

Parcel "A":

That portion of Lots 42 and 43, EXCEPT the South 15 feet of said Lot 43, "PLAT OF POTLATCH BEACH", according to the plat thereof recorded in Volume 6 of Plats, page 10, records of Skagit County, Washington, lying above the line of extreme high tide.

Parcel "B":

That portion of Lot 44 and the South 15 feet of Lot 43, and the Northwesterly 1/2 of the vacated road lying between Lots 44 and 45, as would attach by operation of law, all in "PLAT OF POTLATCH BEACH", according to the plat thereof, recorded in Volume 6 of Plats, page 10, records of Skagit County, Washington, lying above the line of extreme high tide.

Parcel "C":

A 3/75th undivided interest in and to that portion of Lots 19 to 56, inclusive, "PLAT OF POTLATCH BEACH", according to the plat thereof recorded in Volume 6 of Plats, page 10, records of Skagit County, Washington, lying below the line of extreme high tide.

Parcel "D":

A 3/75th interest in and to the tidelands of the second class, situate in front of, adjacent to, and abutting upon Lots 19 to 56, inclusive, "PLAT OF POTLATCH BEACH", according to the plat thereof recorded in Volume 6 of Plats, page 10, records of Skagit County, Washington.

Parcel "E":

A non-exclusive easement for access to the beach over and across Lot 19 and the Westerly 20 feet of Lots 20, 21, 22 and 23, "PLAT OF POTLATCH BEACH", according to the plat thereof recorded in Volume 6 of Plats, page 10, records of Skagit County, Washington; as created by instrument recorded May 30, 1960, under Auditor's File No. 593888, records of Skagit County, Washington.

Exhibit A, CDP.V1 07/2004



1/1



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