

FILED FOR RECORD AT THE
REQUEST OF/RETURN TO:
CAROL J. MILLER
Estate of Dan H. Miller
16576 Green Lane
Burlington, WA 98233



201002040070
Skagit County Auditor

2/4/2010 Page 1 of 9 3:31PM

ASSIGNMENT OF VENDEE'S INTEREST IN REAL ESTATE CONTRACT

Grantor (s) JAMES N. NELSON, a married man as his separate property
NORMAN W. NELSON, JR., a married man as his separate property
Grantee (s) J&N NELSON PROPERTIES, LLC, a Washington limited liability company
Abbreviated Legal: Ptn SW 1/4, 21-35-4 E W.M. & Ptn NW 1/4, 28-35-4 E W.M.
Additional Legal on page(s)
Assessor's Tax Parcel No's: 350421-3-006-0008, P37016; 350421-3-007-0007, P37022;
350421-3-006-0503, P37021; 350428-2-003-0006, P37976; 350428-2-004-0005, P37977

THE GRANTORS, JAMES N. NELSON, a married man as his separate property, and NORMAN W. NELSON, JR., a married man as his separate property, for and in consideration of transfer to J&N NELSON PROPERTIES, LLC, a Washington limited liability company, hereby convey and warrant to J&N NELSON PROPERTIES, LLC, a Washington limited liability company, as Grantee, the following described real estate, situated in Skagit County, state of Washington:

See attached Exhibit "A".

and do hereby assign, transfer and set over to the Grantee all of the Grantors' interests in that certain real estate contract dated June 9th, 2009 in which JAMES N. NELSON, a married man as his separate property, and NORMAN W. NELSON, JR., a married man as his separate property, are the Buyers and CAROL J. MILLER, a single person, and CAROL J. MILLER as Personal Representative for the ESTATE OF DAN H. MILLER is the Seller, which real estate contract was recorded June 9th, 2009 under Skagit County Auditor's File Number 200906090089, for the sale and purchase of the above described real estate. The Grantee hereby assumes and agrees to fulfill the conditions of said real estate contract and the Grantors.

CONSENT BY VENDOR

CAROL J. MILLER, a single person, and CAROL J. MILLER as Personal Representative for the ESTATE OF DAN H. MILLER hereby consents to the assignment of the above identified real estate contract from JAMES N. NELSON, a married man as his separate property, and NORMAN W. NELSON, JR., a married man as his separate property to J&N NELSON PROPERTIES, LLC, a Washington limited liability company, subject to the terms and conditions contained herein.

1. J&N NELSON PROPERTIES, LLC, a Washington limited liability company, agrees to and shall be bound by all terms and conditions of the real estate contract and will faithfully and promptly fulfill all obligations of the buyer thereunder.
2. This consent shall in no way affect any of the terms and conditions of the real estate contract or any modifications thereof. This consent shall not be deemed to be consent to any other assignment or a waiver of Seller's right to consent to any further assignments or modifications to the real estate contract.
3. CAROL J. MILLER, a single person, CAROL J. MILLER as Personal Representative for the ESTATE OF DAN H. MILLER, JAMES N. NELSON, a married man as his separate property, NORMAN W. NELSON, JR., a married man as his separate property and J&N NELSON PROPERTIES, LLC, a Washington limited liability company, agree that JAMES N. NELSON, a married man as his separate property, and NORMAN W. NELSON, JR., a married man as his separate property, shall not be released from liability with respect to the real estate contract and shall remain fully obligated with respect to performance of each and every obligation of the buyer under the real estate contract, jointly and severally with J&N NELSON PROPERTIES, LLC, a Washington limited liability company.
4. Upon any event of default, either under the real estate contract, or under that certain promissory note and deed of trust, of same date as this assignment and in which JAMES N. NELSON and JOANNE G. NELSON, husband and wife, and NORMAN W. NELSON, JR. and SHARRIE L. NELSON, husband and wife, and J&N NELSON PROPERTIES, LLC, a Washington limited liability company are the makers/grantors and CAROL J. MILLER, a single person, and CAROL J. MILLER as Personal Representative for the ESTATE OF DAN H. MILLER are the holders/beneficiaries, then the holders/beneficiaries shall have the right to consolidate the amounts owed under the real estate contract into the debt owed by maker/grantor under the promissory note. All such consolidated debt may be added to either the balance owed on the real estate contract or the promissory note and any cure of any default under the promissory note or the real estate contract shall require a simultaneous cure of any and all defaults on both the real estate contract and the promissory note.

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

Dated as of the 10 day of July, 2009:

J&N NELSON PROPERTIES, LLC

By: Norman W. Nelson, Jr.
Its: Member

Amount paid \$ 285
By: James N. Nelson
Skagit Co. Treasurer
Deputy
Its: Member




201002040070

Skagit County Auditor


JAMES N. NELSON


JOANNE G. NELSON


NORMAN W. NELSON, JR.


SHARRIE L. NELSON


CAROL J. MILLER, individually
and as Personal Representative for the ESTATE OF DAN H. MILLER

///

Acknowledgements follow:

///

///

///

///

State of Washington)
) ss



201002040070

Skagit County Auditor

County of Skagit)

I certify that I know or have satisfactory evidence that NORMAN W. NELSON, JR. and JAMES N. NELSON are the persons who appeared before me, and said persons 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 MEMBERS of J&N NELSON PROPERTIES, LLC, a Washington limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 7-10-09

(Signature)

NOTARY PUBLIC

Craig Cammack
Print Name of Notary

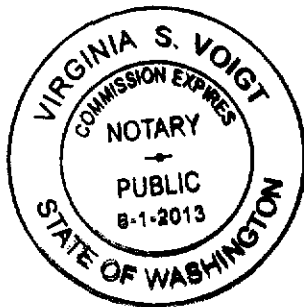
My appointment expires: 11-1-2010

State of Washington)

) ss

County of Skagit)

I certify that I know or have satisfactory evidence that JAMES N. NELSON is the person who appeared before me and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.



Dated: 7/29/09

(Signature)

NOTARY PUBLIC

VIRGINIA S. VOIGT

Print Name of Notary

My appointment expires: 6/1/13

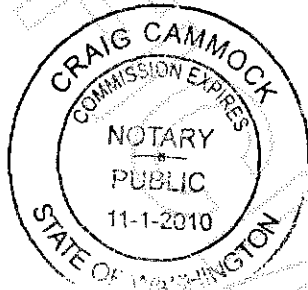


201002040070

Skagit County Auditor

State of Washington)
) ss
County of Skagit)

I certify that I know or have satisfactory evidence that JOANNE G. NELSON is the person who appeared before me and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.



Dated: 7/10/09

(Signature)

NOTARY PUBLIC

Print Name of Notary

My appointment expires: 11-1-2010

State of Washington)
) ss
County of Skagit)

I certify that I know or have satisfactory evidence that NORMAN W. NELSON, JR. is the person who appeared before me and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 7/10/09

(Signature)

NOTARY PUBLIC

Print Name of Notary

My appointment expires: 11-1-2010

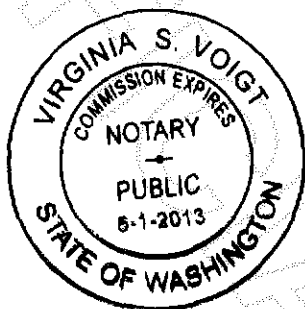


201002040070

Skagit County Auditor

State of Washington)
) ss
County of Skagit)

I certify that I know or have satisfactory evidence that SHARRIE L. NELSON is the person who appeared before me and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.



Dated: 7/27/09
Virginia S. Voigt
(Signature)
NOTARY PUBLIC

VIRGINIA S. VOIGT
Print Name of Notary
My appointment expires: 6/1/13

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that CAROL J. MILLER is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 13th day of July, 2009.

Lawrence A. Pirkle
Notary Public, State of Washington
My Commission Expires 5-07-2011

Lawrence A. Pirkle
(Signature)
NOTARY PUBLIC
Lawrence A. Pirkle
Print Name of Notary
My appointment expires: 5-07-2011



201002040070

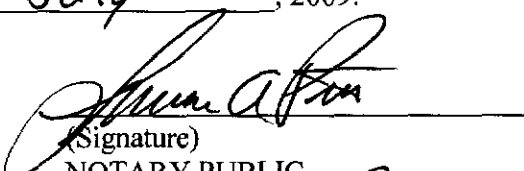
Skagit County Auditor

STATE OF WASHINGTON)
)
COUNTY OF SKAGIT) SS

I certify that I know or have satisfactory evidence that CAROL J. MILLER is the person who appeared before me and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Personal Representative of the Estate of DAN H. MILLER to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 13 day of July, 2009.

Lawrence A. Pirkle
Notary Public, State of Washington
My Commission Expires 5-07-2011


(Signature)

NOTARY PUBLIC

Lawrence A. Pirkle

Print Name of Notary

My appointment expires: 5-07-2011



201002040070
Skagit County Auditor

EXHIBIT A

PARCEL "A":

The South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 21, Township 35 North, Range 4 East, W.M., EXCEPT the East 20 feet conveyed to Skagit County for road purposes by Deed dated April 14, 1910 and recorded May 3, 1910, under Auditor's File No. 79227, in Volume 81 of Deeds, page 53, being a portion of Tract "B" of Revised Short Plat No. 86-78, approved October 26, 1978 and recorded October 27, 1978, under Auditor's File No. 890223.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

The Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 28, Township 35 North, Range 4 East, W.M., EXCEPT the East 20 feet thereof conveyed to Skagit County for road purposes by Deed dated April 14, 1910 and recorded May 3, 1910, in Volume 81 of Deeds, page 53, records of Skagit County, Washington.

TOGETHER WITH the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 28, Township 35 North, Range 4 East, W.M., EXCEPT the East 30 feet thereof conveyed to Skagit County for road purposes by Deeds dated April 27, 1911 and April 20, 1911 and recorded May 8, 1911 in Volume 85 of Deeds, pages 319 and 321, records of Skagit County, Washington., ALSO EXCEPT the following described tract:

The South 500.00 feet of the East 730.00 feet of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 28, Township 35 North, Range 4 East, W.M., EXCEPT the East 30 feet thereof conveyed to Skagit County for road purposes by Deeds dated April 27, 1911 and April 20, 1911, in Volume 85 of Deeds, pages 319 and 321, records of Skagit County, Washington.

SUBJECT TO AND TOGETHER WITH a 30.0 foot wide non-exclusive mutually beneficial easement for ingress, egress and utilities (and the maintenance thereof) over, under and across the South 30.0 feet of the North 130.0 feet of said Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 28, Township 35 North, Range 4 East, W.M., to access contiguous property to the West in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 29, Township 35 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

The West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 21, Township 35 North, Range 4 East, W.M.;

EXCEPT the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section;

AND EXCEPT the North 25 feet thereof conveyed to Skagit County for road purposes by Deeds



201002040070

Skagit County Auditor

recorded under Auditor's File No. 19199, in Volume 28 of Deeds, page 549, and Auditor's File No. 770324, records of Skagit County, Washington;

AND EXCEPT the East 20 feet thereof conveyed to Skagit County for road purposes by deed recorded under Auditor's File No. 79227, in Volume 81 of Deeds, page 53, records of Skagit County, Washington;

AND EXCEPT that portion thereof lying within the North 30 feet of the East 125 feet of the West 1,166.01 feet of said subdivision, as conveyed to Skagit County for road purposes by Deed recorded under Auditor's File No. 890414, records of Skagit county, Washington;

AND ALSO EXCEPT that portion thereof lying within the boundaries of the following described tract:

Tract "A" of Short Plat No. 86-78, approved October 26, 1978 and recorded October 27, 1978, under Auditor's File No. 890223, in Volume 3 of Short Plats, page 35, records of Skagit County, Washington; being a portion of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 21, Township 35 North, Range 4 East, W.M., ALSO EXCEPT that portion conveyed to Skagit County for road by Deed recorded September 15, 1999, under Auditor's File No. 199909150102.

(Being a portion of Tract "B" of Revised Short Plat No. 86-78, approved October 26, 1978 and recorded October 27, 1978, under Auditor's File No. 890223.)

Situate in the County of Skagit, State of Washington.

SUBJECT TO: Easements, restrictions and reservations of record.

NOTE: Excise tax has been paid on this transaction on June 9, 2009, receipt #1643.
NO excise tax is owed on this transfer pursuant to WAC 458-61A-211 and WAC 458-61-212.



201002040070
Skagit County Auditor