



201203050136  
Skagit County Auditor

3/5/2012 Page 1 of 4 3:47PM

**RETURN ADDRESS:**

Skagit State Bank  
Main Office  
301 E. Fairhaven Ave  
P O Box 285  
Burlington, WA 98233

LAND TITLE OF SKAGIT COUNTY

141541-0

1838

**MODIFICATION OF DEED OF TRUST**

Reference # (if applicable): 201007190134

Additional on page \_\_\_\_\_

Grantor(s):

1. IRVING CONSTRUCTION CORPORATION
2. IRVING, W SCOTT
3. THAUT-IRVING, ROBIN

Grantee(s)

1. Skagit State Bank

Legal Description: PARCELS A & B: Ptns. Lots 3-8, Block 1120, and Lots 1-11, Block 1121

"NORTHERN PACIFIC ADDITION TO ANACORTES"

PARCEL C: Lot 19 Rock Ridge (Survey)

PARCEL D: Lots 169 & 170, Eaglemont, Ph. 1B, Div. 5 & 6

PARCEL E: Lot 1 "PLAT OF ASTREA PLACE"

PARCEL F: Lots 1-4, 6, 8-10, ~~36~~ and 42 "THE ORCHARDS P.U.D."

*am*

Additional on page 2

Assessor's Tax Parcel ID#: PARCEL A & B: 3809-121-004-0100 (P102478),  
3809-121-008-0100 (P102477), 3809-121-000-0001 (P58253), 3809-120-011-0000  
(P58251)

PARCEL C: 3809-323-019-0100 (P114146)

PARCEL D: 4883-000-170-0000 (P124079), 4883-000-169-0000 (P124078)

PARCEL E: 4675-000-001-0000 (P108771)

PARCEL F: 4882-000-001-0000 (P123983), 4882-000-002-0000 (P123985),

4882-000-003-0000 (P123986), 4882-000-004-0000 (P123987), 4882-000-006-0000

(P123989), 4882-000-008-0000 (P123991), 4882-000-009-0000 (P123992),

4882-000-010-0000 (P123993), ~~4882-000-038-0000 (P124024)~~, 4882-000-042-0000

(P124025)

*am*



\* DEED%#####%#####%02-24-2012\*

**THIS MODIFICATION OF DEED OF TRUST dated February 24, 2012, is made and executed between IRVING CONSTRUCTION CORPORATION, a Washington Corporation, whose address is 819 COMMERCIAL AVE, SUITE G, ANACORTES, WA 98221 as to PARCELS A, B, C, D & F;**

**W SCOTT IRVING, and ROBIN THAUT-IRVING, husband and wife, whose address is 8572 SOUTHRIDGE PL, ANACORTES, WA 98221-8610 as to PARCEL E ("Grantor") and Skagit State Bank, whose address is Main Office, 301 E. Fairhaven Ave, P O Box 285, Burlington, WA**

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

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

**Deed of Trust dated February 19, 2010 and recorded July 19, 2010 under auditor file number 201007190134 in records of Skagit County, WA.**

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

**PARCEL A:**

Lots 1 - 11, inclusive, Block 1121, "NORTHERN PACIFIC ADDITION TO ANACORTES", according to the plat thereof recorded in Volume 2 of Plats, pages 9 through 11, records of Skagit County, Washington.

Situate in the City of Anacortes, County of Skagit, State of Washington

**PARCEL B:**

The West 15 feet of Lot 3 and all of Lots 4 through 11, Block 1120, "NORTHERN PACIFIC ADDITION TO ANACORTES", according to the plat thereof recorded in Volume 2 of Plats, pages 9 through 11, records of Skagit County, Washington.

Situate in the City of Anacortes, County of Skagit, State of Washington

The Real Property or its address is commonly known as PARCELS A & B: Lots 1 - 11, inclusive, Block 1121, Northern Pacific Addition to Anacortes, and portion of Lots 4 - 11, Block 1120, Northern Pacific Addition to Anacortes, Anacortes, Washington;

PARCEL C: Lot 19, Rock Ridge (Survey)

PARCEL D: 1804 & 1808 Bakerview C, Mount Vernon, WA 98273;

PARCEL E: 4019 Astrea Place, Anacortes, Washington;

PARCEL F: 4102, 4108, 4116, 4206, 4218, 4308, 4316, 4402, 4217 and 4103 Orchard Avenue, Anacortes, WA 98221. The Real Property tax identification number is PARCEL A & B: 3809-121-004-0100 (P102478), 3809-121-008-0100 (P102477), 3809-121-000-0001 (P58253), 3809-120-011-0000 (P58251)

PARCEL C: 3809-323-019-0100 (P114146)

PARCEL D: 4883-000-170-0000 (P124079), 4883-000-169-0000 (P124078)

PARCEL E: 4675-000-001-0000 (P108771)

PARCEL F: 4882-000-001-0000 (P123983), 4882-000-002-0000 (P123985), 4882-000-003-0000 (P123986), 4882-000-004-0000 (P123987), 4882-000-006-0000 (P123989), 4882-000-008-0000 (P123991), 4882-000-009-0000 (P123992), 4882-000-010-0000 (P123993), ~~4882-000-038-0000 (P124021)~~, 4882-000-042-0000 (P124025).

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

**THIS MODIFICATION OF DEED OF TRUST AMENDS THE DEED OF TRUST DATED FEBRUARY 19, 2010 WITH THE FOLLOWING AMENDMENTS:**

**SPREAD TO ADDITIONAL PROPERTY.** The Deed of Trust is hereby modified to add property as described below. For this purpose, Borrower hereby grants, transfers, conveys and assigns to trustee, in trust, with power of sale and right of entry and possession, a security interest in all estate, right, title and interest that Borrower now has or may later acquire in the additional property, subject to and in accordance with all of the other terms set forth in the Deed of Trust.

**ADD PROPERTY:**

**PARCEL C:**

Lot 19 of Rock Ridge, a Survey recorded December 3, 1998, in Volume 21 of Survey, pages 85 through 87, under Auditor's File No. 9812030124, records of Skagit County, Washington, being also described as the West 20 feet of Lot 12, all of Lot 13, and the East 20 feet of Lot 14, Block 1323, "NORTHERN PACIFIC ADDITION TO ANACORTES", as per plat recorded in Volume 2 of Plats, page 9, records of Skagit County, Washington.

Situate in the City of Anacortes, County of Skagit, State of Washington.

**PARCEL D:**

Lots 169 and 170, "PLAT OF EAGLEMONT, PHASE 1B, DIVISION 5 AND 6," as per plat recorded on January 10, 2006, under Auditor's File No. 200601100170, records of Skagit County, Washington.

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

**PARCEL E:**

Lot 1, "PLAT OF ASTREA PLACE", as per plat recorded in Volume 16 of Plats, pages 107 and 108, records of Skagit County, Washington.

Situate in the City of Anacortes, County of Skagit, State of Washington

**PARCEL F:**

Lots 1 through 4, inclusive, Lot 6 and Lots 8 through 10, inclusive, ~~Lot 38~~ and Lot 42, inclusive, "THE ORCHARDS P.U.D.", according to the plat thereof recorded January 19, 2006, under Auditor's File No. 200601190126, records of Skagit County, Washington.

Situate in the City of Anacortes, County of Skagit, State of Washington

**NEW LEGAL DESCRIPTION:**



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

Auditor's File No. 9812030124, records of Skagit County, Washington, being also described as the West 20 feet of Lot 12, all of Lot 13, and the East 20 feet of Lot 14, Block 1323, "NORTHERN PACIFIC ADDITION TO ANACORTES", as per plat recorded in Volume 2 of Plats, page 9, records of Skagit County, Washington.

Situate in the City of Anacortes, County of Skagit, State of Washington.

**PARCEL D:**

Lots 169 and 170, "PLAT OF EAGLEMONT, PHASE 1B, DIVISION 5 AND 6," as per plat recorded on January 10, 2006, under Auditor's File No. 200601100170, records of Skagit County, Washington.

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

**PARCEL E.:**

Lot 1, "PLAT OF ASTREA PLACE", as per plat recorded in Volume 16 of Plats, pages 107 and 108, records of Skagit County, Washington.

Situate in the City of Anacortes, County of Skagit, State of Washington

**PARCEL F:**

Lots 1 through 4, inclusive, Lot 6 and Lots 8 through 10, inclusive, ~~Lot 34~~ and Lot 42, inclusive, "THE ORCHARDS P.U.D.", according to the plat thereof recorded January 19, 2006, under Auditor's File No. 200601190126, records of Skagit County, Washington.

Situate in the City of Anacortes, County of Skagit, State of Washington

**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 FEBRUARY 24, 2012.**

**GRANTOR:**

**IRVING CONSTRUCTION CORPORATION**

By: *W Scott Irving*  
W SCOTT IRVING, President/VP/Treasurer of IRVING CONSTRUCTION CORPORATION

x *W Scott Irving*  
W SCOTT IRVING

x *Robin Thaut-Irving*  
ROBIN THAUT-IRVING

**LENDER:**

**SKAGIT STATE BANK**  
x *Salvador B. Waddell*  
Authorized Officer

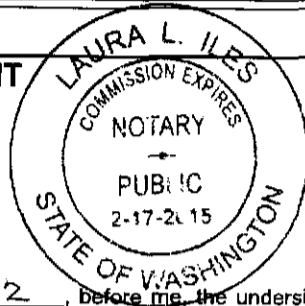


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MODIFICATION OF DEED OF TRUST  
(Continued)

CORPORATE ACKNOWLEDGMENT

STATE OF Washington )  
 ) SS  
COUNTY OF Skagit )

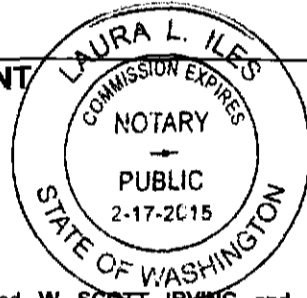


On this 2nd day of March, 20 12, before me, the undersigned Notary Public, personally appeared **W SCOTT IRVING, President/VP/Treasurer of IRVING CONSTRUCTION CORPORATION**, and personally known to me or proved to me on the basis of satisfactory evidence to be an authorized agent of the corporation that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, 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 corporation.

By Laura L. Iles Residing at Anacortes  
Notary Public in and for the State of Wa My commission expires 2-17-15

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Washington )  
 ) SS  
COUNTY OF Skagit )

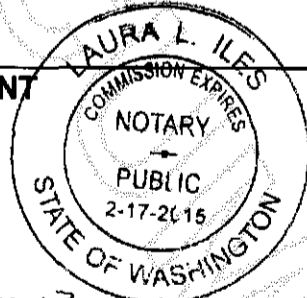


On this day before me, the undersigned Notary Public, personally appeared **W SCOTT IRVING and ROBIN THAUT-IRVING**, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals described in and who executed the Modification of Deed of Trust, and acknowledged that they signed the Modification as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 2nd day of March, 20 12  
By Laura L. Iles Residing at Anacortes  
Notary Public in and for the State of Wa My commission expires 2-17-15

LENDER ACKNOWLEDGMENT

STATE OF Washington )  
 ) SS  
COUNTY OF Skagit )



On this 2nd day of March, 20 12, before me, the undersigned Notary Public, personally appeared Rollin Mackintosh and personally known to me or proved to me on the basis of satisfactory evidence to be the Vice President, authorized agent for **Skagit State Bank** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **Skagit State Bank**, duly authorized by **Skagit State 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 **Skagit State Bank**.

By Laura L. Iles Residing at Anacortes  
Notary Public in and for the State of Wa My commission expires 2-17-15

