

WHEN RECORDED RETURN TO:

PAUL O'REAR
122 CALISTOGA RD. #179
SANTA ROSA, CA 95409



201705300122

Skagit County Auditor

\$359.00

5/30/2017 Page

1 of

18 11:28AM

Chicago Title Insurance Company

425 Commercial Street, Mount Vernon, Washington 98273

620028986

DOCUMENT TITLE(s)

MODIFICATION OF DEED OF TRUST, ASSIGNMENT OF RENTS AND LEASES,
FIXTURE FILING AND SECURITY AGREEMENT

REFERENCE NUMBER(s) OF DOCUMENTS ASSIGNED OR RELEASED:

201610070120

GRANTOR(s):

1. NWCC INVESTMENTS IX, LLC

2.

3.

Additional names on page _____ of the document

GRANTEE(s):

1. FIDELITY NATIONAL TITLE INSURANCE COMPANY

2. PENSCO TRUST COMPANY LLC

3.

Additional names on page 2 of the document

ABBREVIATED LEGAL DESCRIPTION:

Complete legal description is on page _____ of the document

ASSESSOR'S PROPERTY TAX PARCEL ACCOUNT NUMBER(s):

(sign only if applicable) I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

Signature

Melody D. for Patti Porter

This cover sheet is for the County Recorder's indexing purposes only.

The Recorder will rely on the information provided on the form and will not read the document to verify the accuracy or completeness of the indexing information provided herein.

After Recording Mail To:

Paul O'Rear
122 Calistoga Rd. #179
Santa Rosa, CA 95409

**MODIFICATION OF DEED OF TRUST, ASSIGNMENT OF RENTS AND LEASES,
FIXTURE FILING AND SECURITY AGREEMENT**

GRANTOR: NWCC INVESTMENTS IX, LLC, a Washington limited liability company

GRANTEE:

1. PENSICO Trust Company LLC Custodian fbo Paul O'Rear IRA Account #OR032 (12.50%);
2. Paul O'Rear, Trustee of the Paul O'Rear 2004 Revocable Living Trust (11.25%)
3. Equity Trust Company Custodian FBO Jeffrey M. Hawkinson IRA (18.75%);
4. Kenneth G. or Cheryl K. Edwards as Trustees of the Edwards Family Trust U/A dated April 2, 1986 (23.125%);
5. Equity Trust Company Custodian FBO Laura R. Siniscalchi IRA (4.25%);
6. Equity Trust Company Custodian FBO Ian S. Stuart IRA (6.25%);
7. Ian S Stuart, Trustee of The Stuart Family Trust u/a Dated 9-1-2000 (11.375%);
8. Rolf Wessman, a married man as his separate property (12.50%)

LEGAL DESCRIPTION: Ptn Lot 10, Mount Vernon Acreage, Vol. 3, P. 102

ASSESSOR'S PROPERTY TAX
PARCEL ACCOUNT NO: P53850 / 3746-000-010-0407

RECORDING
NO. OF DEED
OF TRUST: 201610070120

THIS MODIFICATION OF DEED OF TRUST, ASSIGNMENT OF RENTS AND LEASES, FIXTURE FILING AND SECURITY AGREEMENT (this "**DOT Modification**") dated May 18, 2017, modifies the Deed of Trust, Assignment of Rents and Leases, Fixture Filing and Security Agreement ("**Deed of Trust**") dated September 30, 2016, recorded under Skagit County Auditor's Recording No. 201610070120, from NWCC INVESTMENTS IX, LLC, a Washington limited liability company, as Grantor to FIDELITY NATIONAL TITLE INSURANCE COMPANY, as Trustee, in favor of PENSICO Trust Company LLC Custodian fbo Paul O'Rear IRA Account #OR032, as to an undivided 20.00% interest; Equity Trust Company Custodian FBO Jeffrey M. Hawkinson IRA, as to an undivided 20.00% interest; Kenneth G. or Cheryl K. Edwards as Trustees of the Edwards Family Trust U/A dated April 2, 1986, as to an undivided 20.00% interest; Equity Trust Company Custodian FBO Laura R. Siniscalchi IRA, as to an undivided 6.80% interest; Equity Trust Company Custodian FBO Ian S. Stuart IRA, as to an undivided 8.00% interest; Ian S Stuart, Trustee of The Stuart Family Trust u/a Dated 9-1-2000 as to an undivided 5.20% interest; and Rolf Wessman, a married man as his separate property as to an undivided 20.00% interest, as Beneficiary (collectively, "**Original Lender**"), encumbering the real property ("**Property**") legally described on Exhibit A to the Deed of Trust. The Deed of Trust is modified as provided below pursuant to a Loan Modification and Additional Advance Agreement ("**Modification Agreement**") dated the same as this DOT Modification.

1. Capitalized terms used but not defined herein are defined in the Deed of Trust of the Modification Agreement.
2. All references in the Deed of Trust to the "**Note**" shall be deemed to refer to the Amended and Restated Promissory Note of even date herewith, in the stated principal amount of \$800,000.00, executed by Grantor and NWCC Holdings V, LLC, a Washington limited liability company (collectively, "**Borrower**"), an affiliate of Grantor, and payable to the order of Lender, including any and all modifications, extensions, renewals and replacements thereof.
3. The definition of the term "**Lender**" and the Beneficiary under the Deed of Trust is hereby amended as follows: PENSICO Trust Company LLC Custodian fbo Paul O'Rear IRA Account #OR032, as to an undivided 12.50% interest; Paul O'Rear, as Trustee of the Paul O'Rear 2004 Revocable Living Trust, as to an undivided 1.25% interest; Equity Trust Company Custodian FBO Jeffrey M. Hawkinson IRA, as to an undivided 18.75% interest; Kenneth G. or Cheryl K. Edwards as Trustees of the Edwards Family Trust U/A dated April 2, 1986, as to an undivided 23.125% interest; Equity Trust Company Custodian FBO Laura R. Siniscalchi IRA, as to an undivided 4.25% interest; Equity Trust Company Custodian FBO Ian S. Stuart IRA, as to an undivided 6.25% interest; Ian S Stuart, Trustee of The Stuart Family Trust u/a Dated 9-1-2000 as to an undivided 11.375% interest; and Rolf Wessman, a married man as his separate property as to an undivided 12.50% interest.
4. The definition of the term "**Loan Documents**" is modified to include the Modification Agreement, the Note, this DOT Modification, and each other document and instrument relating hereto.
5. The maximum principal amount of the Loan secured by the Deed of Trust is increased to Eight Hundred Thousand and No/100 Dollars (\$800,000.00).
6. The interest rate of the Loan secured by the Loan is increased as provided in the Note.
7. The Maturity Date of the Loan secured by the Deed of Trust is extended as provided in the Note.

- UNOFFICIAL DOCUMENT
8. Other modifications to the Loan Documents set forth in the Modification Agreement are incorporated herein by this reference.
 9. Notwithstanding anything to the contrary in any of the Loan Documents, the Deed of Trust does not secure the Hazardous Substance Indemnity, the Guaranty or any other Loan Document that is expressly stated to be unsecured.
 10. This DOT Modification may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall be taken to be one and the same instrument, for the same effect as if all parties hereto had signed the same signature page.
 11. In all other respects the provisions of the Deed of Trust are hereby affirmed and ratified. This DOT Modification is not intended and shall not be construed to impair the validity, priority or enforceability of the Deed of Trust or the other Loan Documents.

DATED as of the year and date first above written.

[signature and notary pages below]

"Grantor"

NWCC INVESTMENTS IX, LLC, a Washington limited liability company

By: [Signature]
Mark McDonald, Member

By: Northwest Capital Corp., a Washington corporation, Member

By: [Signature]
Mark McDonald, President

STATE OF WASHINGTON)
County of King) ss.

I certify that I know or have satisfactory evidence that Mark McDonald is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as a Member of NWCC INVESTMENTS IX, LLC, and as the President of Northwest Capital Corp., a Member of NWCC INVESTMENTS IX, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 18 day of May, 2017.



Joanna Barnhart
Notary Public in and for the State of Washington,
residing at Seattle, WA
Name (printed): JOANNA BARNHART
My appointment expires: Sept 20, 2020

UNRECORDED INSTRUMENT

"Lender":

PENSCO Trust Company LLC Custodian fbo
Paul O'Rear IRA Account #OR032,
as to an undivided 12.50% interest

By: _____
Name: _____
Its: _____

PENSCO Trust Company
By: Chris Rains
Its: Authorized Signatory

STATE OF colorado)
County of Denver) ss.

I certify that I know or have satisfactory evidence that Chris Rains is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the authorized signer of PENSCO Trust Company LLC Custodian FBO Paul O'Rear IRA Account #OR032, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 25 day of may, 2017.

EMILY OSBORNE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144035178
MY COMMISSION EXPIRES SEPTEMBER 9, 2018

Emily Osborne
Notary Public in and for the State of
colorado residing at
Denver
Name (printed): Emily Osborne
My appointment expires: 9-9-18

UNRECORDED ORIGINAL DOCUMENT

Paul O'Rear
Paul O'Rear, as Trustee of the
Paul O'Rear 2004 Revocable Living Trust,
as to an undivided 11.25% interest

STATE OF _____)
County of _____) ss.

I certify that I know or have satisfactory evidence that Paul O'Rear, Trustee of the Paul O'Rear 2004 Revocable Living Trust is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this _____ day of _____, 2017.

Notary Public in and for the State of _____ residing at _____
Name (printed): _____
My appointment expires: _____

See attached

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Sonoma)

On May 18, 2017 before me, Marilyn J. Renna, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Paul O' Rear
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Marilyn J. Renna
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Modification DT Document Date:
Number of Pages: Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:
Corporate Officer - Title(s):
Partner - Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:
Signer Is Representing:

Signer's Name:
Corporate Officer - Title(s):
Partner - Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:
Signer Is Representing:

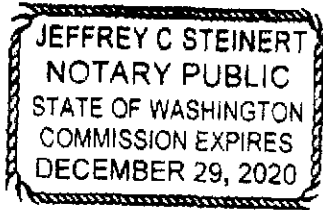
Equity Trust Company, Custodian FBO
Jeffrey M. Hawkinson IRA,
as to an undivided 18.75% interest

By: [Signature]
Name: Jeffrey M. Hawkinson
Its: Account Owner

STATE OF WASHINGTON)
County of King) ss.

I certify that I know or have satisfactory evidence that Jeffrey M. Hawkinson is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the Account owner of Equity Trust Company Custodian FBO Jeffrey M. Hawkinson IRA, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 25th day of May, 2017.



[Signature]
Notary Public in and for the State of Washington residing at [Address]
Name (printed): Jeffrey C Steinert
My appointment expires: 12-29-20

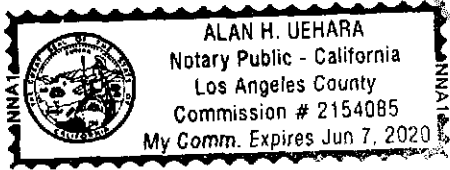
Kenneth G. Edwards

Kenneth G. Edwards, as Trustee of the
Edwards Family Trust U/A dated April 2, 1986,
as to an undivided 23.125% interest

STATE OF CALIFORNIA)
County of LOS ANGELES) ss.

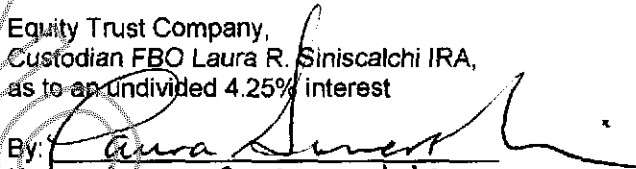
I certify that I know or have satisfactory evidence that Kenneth G. Edwards as Trustee of the
Edwards Family Trust U/A dated April 2, 1986, is the person who appeared before me, and said
person acknowledged that he signed this instrument and acknowledged it to be his free and
voluntary act for the uses and purposes mentioned in the instrument.

DATED this 10th day of May, 2017.



[Signature]
Notary Public in and for the State of
CALIFORNIA residing at
LOS ANGELES, CALIFORNIA
Name (printed): ALAN H. UEHARA
My appointment expires: 06/07/2020

Equity Trust Company,
 Custodian FBO Laura R. Siniscalchi IRA,
 as to an undivided 4.25% interest

By: 
 Name: Laura R. Siniscalchi
 Its: IRA Owner

STATE OF _____)
) ss.
 County of _____)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the _____ of Equity Trust Company Custodian FBO Laura R. Siniscalchi IRA, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this _____ day of _____, 2017.

- See attached notarial certificate ^(Am)

 Notary Public in and for the State of _____
 _____ residing at

Name (printed): _____
 My appointment expires: _____

UNRECORDED ORIGINAL DOCUMENT

CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of San Diego }

On 05/25/2017 before me, Alex Melgoza, Notary Public
(Here insert name and title of the officer)

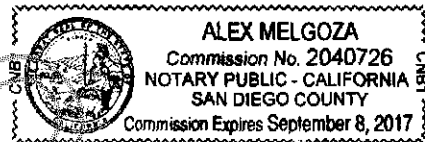
personally appeared Laura R Siniscalchi
 who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]
 Notary Public Signature

(Notary Public Seal)



INSTRUCTIONS FOR COMPLETING THIS FORM

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Modification of Deed of Trust assignment
(Title or description of attached document)
of rents and leases, fixture filing and
(Title or description of attached document continued)
security agreement
 Number of Pages 12 Document Date 5/25/17

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer
- _____ (Title)
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other Custodian

Equity Trust Company,
Custodian FBO Ian S. Stuart IRA,
as to an undivided 6.25% interest

By: _____
Name: Ian Stuart
Its: IRA Owner

STATE OF _____)
County of _____) ss.

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the _____ of Equity Trust Company Custodian FBO Ian S. Stuart IRA, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this _____ day of _____, 2017.

SEE ATTACHED
Notary Public in and for the State of _____
_____ residing at _____
Name (printed): _____
My appointment expires: _____

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CERTIFICATE OF ACKNOWLEDGMENT

State of California

} SS

County of San Diego

On MAY 23, 2017 before me, Flora P. Gault, Notary Public, personally appeared

IAN S. STUART

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(~~ies~~), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Flora P. Gault



DESCRIPTION OF THE ATTACHED DOCUMENT

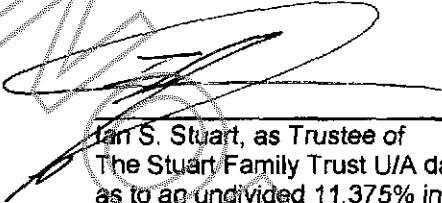
MODIFICATION of DEED of TRUST
ASSIGNMENT of RENTS AND LEASES
(Title or description of attached document)

FIXTURE F. LINES and SECURITY AGREEMENT
(Title or description of attached document continued)

Number of Pages _____ Document Date 05/18/17

201610070120 AS CUSTODIAN
(Additional information)

Flora P. Gault, Notary Public
Phone: 858-349-4192
My Commission Expires: June 11, 2019
Commission # 2111598


Ian S. Stuart, as Trustee of
The Stuart Family Trust U/A dated September 1, 2000,
as to an undivided 11.375% interest

STATE OF _____)
County of _____) ss.

I certify that I know or have satisfactory evidence that Ian S Stuart, Trustee of The Stuart Family Trust u/a Dated 9-1-2000, is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this _____ day of _____, 2017.

See ATTACHED
Notary Public in and for the State of _____
_____ residing at _____
Name (printed): _____
My appointment expires: _____

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CERTIFICATE OF ACKNOWLEDGMENT

State of California

} SS

County of San Diego

On MAY 23, 2017 before me, Flora P. Gault, Notary Public, personally appeared

JAN S. STUART

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Flora P. Gault



DESCRIPTION OF THE ATTACHED DOCUMENT
Modification of DEED of TRUST
ASSIGNMENT of RENTS AND LEASES
 (Title or description of attached document)

FUTURE EVIDENCE AND SECURITY AGREEMENT
 (Title or description of attached document continued)

Number of Pages _____ Document Date 05/18/17

201610070120 AS TRUSTEE
 (Additional information)

Flora P. Gault, Notary Public
Phone: 858-349-4192
My Commission Expires: June 11, 2019
Commission # 2111598

UNOFFICIAL DOCUMENT

X Rolf Wessman
Rolf Wessman, a married man as his separate property,
as to an undivided 12.50% interest

Sandy Jay
Witness #1

[Signature]
Witness #2

STATE OF _____)
County of _____) ss.

I certify that I know or have satisfactory evidence that Rolf Wessman, a married man as his separate property, is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this _____ day of _____, 2017.

Notary Public in and for the State of _____ residing at _____

Name (printed): _____
My appointment expires: _____

All attached

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Sonoma)

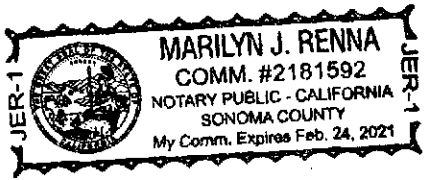
On May 18, 2017 before me, Marilyn J. Renna, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Rolf Wessman
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature: Marilyn J. Renna
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document: Modification D/T Document Date:
Number of Pages: Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)
Signer's Name:
Corporate Officer -- Title(s):
Partner -- Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:
Signer Is Representing:

Signer's Name:
Corporate Officer -- Title(s):
Partner -- Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:
Signer Is Representing: