132503

BOOK 180 PAGE 284

FILEO FOR RECORD SKAMAR - 00-WASH BY SKAMANIA CO, ITILE

Aug 13 11 14 AH 198

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	* .			AUDITOR
WHEN RECORDED I	MAIL TO:		GAR	AUDITORI AUDITORI IYM. OLSON
BANK OF A	MERICA OREC	ON		
Regional Loan Service C	enter			
P.O. Box 3828				
Seattle, WA 98124-3826				
			<del></del> -	
Account Number: ACAPS Number: Date Printed:	8841918 981911529450 8/6/1998	OPTION 15		+. (
Reconveyance Fee: :	501.00	1st DOT	J .	46. " 1
50th 2/950	N67 / 1. 1.	DEED OF TR	IUST	- Th.
THIS DEED OF THE	1051 is granted t Acquired Title A	this	day of Melanie Leal, Husband	11
- Tues II Loui, Hillo	required Tide A	Faul Lear And Sandra	Melanie Leaf, Husband	And Wife
MILLION CONTROL OF WILLS	IU ASTRIBLICA N		iress is 800 Fifth Avenue, ally. Grantor agrees as fo	Ficor 19, Seattle, Wa 98104, flows:
CONVEYANCE.  Grantor's right, title and acquired, located at	Grantor hereby I interest in the	bargains, sells and co following described rea	nveys to Trustee in trust I property ("Property"), w	, with power of sale, all of mether now owned or later
52 Dillon Rd		STEVENSON	I WA 08648	
(NUMBER)	(STREET)	JID I BITTO	(CITY)	(ZIP CODE)
In Skamania	Count	ly, Washington and lega	ly described set	F 1114
Abbandard Land M				
Wholestated Tegal: MA	1/4 Of Sec 23, 1	3 N, R 8 E See Full L	egal Attached page 5	EM-140.19
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	40	- To - T	h.	53(19.1
				· lanad
				85.74
Property Tax ID # 03081				A 7
gas rights and profits de evidenced, used in or a derived from or in any wa	prived from or in oppurtenant to the y connected with	any way connected with the conne	rtaining to the Property; a	all easements, tenements, all royalties, mineral, oil and r and ditch rights, however syments, issues and profits
2. ASSIGNMENT O				Tel. 185
and continuing right to co	Bect, In either Gr der the Contracts lect the Payment	antor's or Beneficiary's ( "Payments"). As long a	it the Property ("Contracts name, all rents, receipts, in	st in all existing and future s'), including the immediate accome and other payments this Deed of Trust, Grantor y's consent to Grantor's use
				bligating Beneficiary or any cur any expense or perform oper credit for all Payments
<ol> <li>SECURED OBUS contained in this Deed of one hundred thirty se</li> </ol>	GATIONS. This I	Deed of Trust secures ayment of the sum of _ b hundred dollars and no	performance of each age	reement made by Grantor
(\$ 137,500.00	)with interest			Dollars.
	1.	navable to Penet	nced by a promisso	
any renewal, medification	. Adension or ful	I in this Deed of Trust s	payments made pursuantial be construed as obli-	by Grantor, and includes all that to paragraph 10.3 hereof gating Beneficiary to make is to the filing for record by secured obligations remain
	OVENANTS. Gran	tor sha#:		-
	ALL 1 /			

- 4.1 MAINTENANCE OF PROPERTY. Maintain and preserve the Property in good condition and repair, ordinary wear and tear excepted; complete any improvement which may be constructed on the Property; and restore any improvement which may be damaged or destroyed;

  4.2 COMPLIANCE WITH LAWS. Comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting the Property;
- - 4.3 REAL ESTATE INTERESTS. Perform all obligations to be performed by Grantor under the Contracts;
- 4.4 PAYMENT OF DEBTS AND TAXES. Pay promptly all obligations secured by the Property; all taxes, assessments and governmental liens or charges levied against the Property; and all claims for labor, materials, supplies or otherwise which, if unpaid, might become a lien or charge upon the Property; FORM NO. 012311 R07-1998

4.5 INSURANCE, insure continuously, with financially sound and reputable insurers acceptable to Beneficiary, all improvements on the Property against all risks, casualties and losses through standard fire and extended coverage insurance or otherwise, including, without limitation, insurance against fire, theft, casualty, vandatism and any other risk peneficiary may reasonably request. The insurance policies shall be in an eggregate amount of not less than the full replacement cost of all improvements on the Property, including the cost of demolition and removal of debris, and shall name Beneficiary às loss payee, as its interest may appear. The amounts collected under the insurance policies may be applied to the Secured Obligations in any manner as Beneficiary determines, and such application shall not cause discontinuance of any proceeding to foreclose upon this Deed of Trust. In the event of foreclosure, all of Grantor's rights in the insurance policies shall pass to purchaser at the foreclosure sale;

4.6 HAZARDOUS WASTE. Notify Beneficiary within twenty-four (24) hours of any release of a reportable from any governmental authority which relates to the existence of or potential for environmental pollution of any kind existing on the Property, or results from the use of the Property or any surrounding property; and

4.7 COSTS AND EXPENSES. Pay, reimburse and indemnify Beneficiary for all of Beneficiary's reasonable costs and expenses incurred in connection with foreclosing upon this Deed of Trust, or managing the Property and expenses, collection costs, costs of title search, and trustee's and receiver's fees to the maximum extent allowable by law.

5. NEGATIVE COVENANTS. Grantor shall not without Beneficiary's prior written consents.

- NEGATIVE COVENANTS. Grantor shall not without Beneficiary's prior written consent:
  - 5.1 PAYMENTS. Accept or collect Payments more than one (1) month in advance of the due date;
- 5.2 MODIFY CONTRACTS. Terminate, modify or amend any provision of the Contracts; or
- 5.3 RESTRICTIONS ON CONVEYANCES. Transfer or convey any interest in the Property, except by will or intestacy.
- EMINENT DOMAIN. In the event any portion of the Property is taken through eminent domain, the area ward to which Grantor is entitled shall be applied to the Secured Obligations.
- RECONVEYANCE. Trustee shall reconvey such portion of the Property to the person entitled thereto upon
  written request of Beneficiary, or upon satisfaction of the Secured Obligations and written request for reconveyance
  made by Beneficiary or any person interested in the Property.
- 8. SUCCESSOR TRUSTEE. In the event of death, incapacity, disability or resignation of the Trustee, Beneficiary may appoint a successor trustee and, upon the recording of such appointment in the records of the county in which this Deed of Trust is recorded, the successor trustee shall be vested with all powers of the original Trustee.

- Deed of Trust is recorded, the successor trustee shall be vested with all powers of the original trustee.

  9. EVENTS OF DEFAULT. The occurrence of any of the following events shall, at Beneficiary's option, and at any time without regard to any previous knowledge on Beneficiary's part, constitute a default under the terms of this Deed of Trust, the Secured Obligations and all related loan documents:

  9.1 NON-PAYMENT OF PRINCIPAL OR INTEREST. Any payment of principal or interest on the Secured Obligations is not made when due; or

  9.2 FAILURE TO PERFORM. Any tax, assessment, insurance premium, lien, encumbrance or other charge against the Property, or any payment under a real estate contract covering the Property is not paid when due; or any other term, covernant or agreement of Grantor contained in this Deed of Trust or In any other document with Beneficiary, or in which Grantor grants a security interest in the Property, is not promptly performed or satisfied.
  - REMEDIES UPON DEFAULT. If any default occurs and is continuing, Beneficiary may, at its option:

- 10. REMEDIES UPON DEFAULT. If any default occurs and is continuing, Beneficiary may, at its option:

  10.1 TERMINATE COMMITMENT. Terminate any outstanding and unfulfilled commitment to Grantor;

  10.2 ACCELERATE. Declare any or all of the Secured Obligations, together with all accrued Interest, to be immediately due and payable without presentment, demand, protest or notice of any kind, all of which are expressly waived by Grantor;

  10.3 PAYMENTS. Pay such sums as may be necessary to pay any tax, assessment, insurance premium, lien, encumbrance or other charge against the Property, or any payment under a real estate contract covering the Property, without prejudice to Beneficiary's right to accelerate the Secured Obligations and foreclose upon this Deed of Trust. Grantor shall relimburse Beneficiary, upon demand, for all such amounts paid by Beneficiary, with interest thereon from the date of such payment at the highest rate that is, from time to time, applicable on any of the Secured Obligations. All unrelimbursed amounts shall be added to and become a part of the Secured Obligations;

  10.4 COLLECTION OF PAYMENTS. Terminate the license granted to Grantor to collect the Payments; take payments, including endorsing any check, draft or other instrument given as payment, either by itself or through an agent or judicially-appointed receiver. The Payments shall be applied first to payment of the costs of managing the Property and collecting the Payments, and then to the Secured Obligations;

  10.5 TRUSTEE'S SALE. Direct the Trustee, upon written request, to sell the Property and apply the sale
- 10.5 TRUSTEE'S SALE. Direct the Trustee, upon written request, to sell the Property and apply the sale proceeds in accordance with Washington's Deed of Trust Act (RCW 61.24.010, et seq.). Any person, except Trustee, may bid at the Trustee's sale; and
- 10.6 OTHER REMEDIES. Pursue all other available legal and equitable remedies, including, without limitation, foreclosing upon this Deed of Trust as a mortgage.

  Grentor expressly waives any defense or right, in any action or proceeding in connection with the Secured Obligations, that Beneficiary must first resort to any other security or person.
- 11. WAIVER. No waiver by Beneficiary of any deviation by Grantor from full performance of this Deed of Trust or the Secured Obligations, as the case may be, shall constitute a waiver of Beneficiary's right to require prompt payment or to assert any other right or remedy provided for in this Deed of Trust or the secured Obligations on the basis of the same or similar failure to perform.
- 12. SUCCESSORS AND ASSIGNS. This Deed of Trust inures to the benefit of and is binding upon the respective heirs, devisees, legatees, administrators, executors, successors and assigns of the parties hereto.
  - APPLICABLE LAW. SEE EXHIBIT "A"

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FOR RECORDING PURPOSES, DO NOT WRITE, SIGN OR STAMP WITHIN THE ONE INCH TOP, BOTTOM AND SIDE MARGINS OR AFFIX ANY ATTACHMENTS.  COCKED & STATE OF WASHINGTON  COUNTY OF HOOL RESTATE OF MASHINGTON PURPOSES, DO NOT WRITE, SIGN OR STAMP WITHIN THE ONE INCH TOP, BOTTOM AND SIDE MARGINS OR AFFIX ANY ATTACHMENTS.  THIS SPACE FOR NOTARY STAMP  I certify that I know or have satisfactory evidence that Paul T. Leal and Sandra Melanie Leal is/are the individual(s) who signed this instrument in my resence and acknowledged it to be (its/her/their) free and voluntary act for the uses and purposes mentioned in the instrument.  My appointment expires \$\frac{1}{25}\sqrt{0.2}\$  CKNOWLEDGMENT IN A REPRESENTATIVE CAPACITY  FOR RECORDING PURPOSES, DO NOT WRITE, SIGN OR STAMP WITHIN THE ONE INCH TOP, BOTTOM AND SIDE MARGINS OR AFFIX ANY ATTACHMENTS.  TATE OF WASHINGTON  SS.  THIS SPACE FOR NOTARY STAMP  I certify that I know or have satisfactory evidence (mile)  (mil	ACKNOWLEDGMENT BY INDIVIDUAL  FOR RECORDING PURPOSES, DO NOT WRITE, SIGN OR STAMP WITHIN THE ONE INCH TOP, BOTTOM AND SIDE MARGINS OR AFFIX ANY ATTACHMENTS.  COUNTY of Hood Rive:  I certify that I know or have satisfactory evidence that Paul Titles and Sandra Melanie Leal  Is an the individuals who signed this instrument instrument.  Presence and acknowledged it to be (iis/her/their) free and voluntary act for the uses and purposes mentioned instrument.  ACKNOWLEDGMENT IN A REPRESENTATIVE CAPACITY  ACKNOWLEDGMENT IN A REPRESENTATIVE CAPACITY  FOR RECORDING PURPOSES, DO NOT WRITE, SIGN OR STAMP WITHIN THE ONE INCH TOP, BOTTOM AND SIDE MARGINS OR AFFIX ANY ATTACHMENTS.  STATE OF WASHINGTON  County of 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	, Paul 7 Lal	981911529450
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Send Reconveyance To:	Send Reconveyance To:		Pond Donous To-
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BOOK /80 PAGE 287 Exhibit "A" Applicable Law. The rights, duties, liabilities and obligations of the parties under the agreement shall be construed and governed under the laws of the state of Washington. The rights, duties, liabilities and obligations of the parties with respect to the premise shall be governed by the laws of the state where the premise is located. It is the intent of the parties that, to the fullest extent allowable by law, the law of the state of Oregon shall apply to the transaction of which this deed of trust is a part. MYPL

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A parcel of land defined as a portion of Lot 1 of the HUSTON DILLON SHORT PLAT in the South Half of the Northwest Quarter of Section 23, Township 3 North, Range 8 East of the Willamette Meridian, recorded June 28, 1976, under Auditors File No. 82448, Skamania County Records, State of Washington, described as follows:

BEGINNING at the Northwest Corner of the South Half of the Northwest Quarter of Section 23; thence East along the North Line of the South Half of the Northwest Quarter of said Section 23, a distance of 1.678 feet to a point on the Mesterly right of way line of Berge Road, as the same is established and traveled July 1, 1978; thence West parallel with the South line of the South half of the Northwest Quarter, a distance of 380 feet; thence South parallel with the West Line of the Northwest Quarter, a distance of 160 feet to the true point of beginning of this description; thence East parallel with the Mest line of the Northwest Quarter, a distance of 310 feet to the true point of beginning of this description; thence South parallel with the Mest line of the Northwest Quarter, a distance of 310 feet to the South line of to 1; thence East along the South Line of said Lot 1 to where said South Line intersects the Westerly Right-of-May Line of Berge Road; thence Northwesterly along the Westerly right of way line to a point that is 350 feet South of the North Line of the South Half of the Northwest Quarter; thence West parallel with the South Line of said Northwest Quarter to the POINT OF BEGINNING.

INITIAL HERE: PL. MY.