

When recorded return to:

WFHM

8480 Stagecoach Circle

Frederick, MD 21701

MAC: X3802-03A

### **MODIFICATION TO DEED OF TRUST AND PARTIAL RELEASE**

THIS AGREEMENT, made this 17 day of March 2009, between RUSSELL A. HAJEK, a married man as his separate estate, as owner of real property described in Deed of Trust mentioned below and WELLS FARGO Bank, N.A., as the lender thereunder;

#### WITNESSTH

WHEREAS, owner executed a Deed of Trust dated January 22, 1997, containing a description of real property described as follows:

See Exhibit "A" attached hereto and made a part hereof

Securing an indebtedness of \$ 161,000.00, in favor of lender or order, which Deed of Trust was recorded January 27, 1997, as Document No. 127192, of Official Records. Which was assigned to Wells Fargo Bank, N.A., recorded on March 3, 2009, as Document No. 2009172191.

WHEREAS, the description as contained in said Deed of Trust is not the true and correct description of the property which the parties thereto intend to set forth therein and to convey to said lender as security thereunder, which property intended to be described in said Deed of Trust is set forth below, and the parties hereto now desire to correct and amend said Deed of Trust to conform to the true intent of the parties thereto;

NOW THEREFORE, in consideration of the foregoing and other valuable consideration, the parties hereto do hereby amend and modify said Deed of Trust by deleting therefrom the description of real property set forth therein and substituting in place thereof the following description of the real property situated in the County of Skamania, State of Washington, originally intended to set forth:

See Exhibit "B" attached hereto and made a part hereof

Borrower hereby grants to said lender the real property described in Exhibit "B" attached hereto in trust, with Power of Sale, for the purpose and under all of the provisions contained in said Deed of Trust, to the same effect as if said real property described in Exhibit "B" had been originally described therein.

Borrower hereby authorizes lender to reconvey to the person or persons legally entitled thereto, the real property described in Exhibit "A" attached hereto.

\*west half of that

Lender in compliance with said request and direction and in consideration of the sum of One Dollar, receipt of which is hereby acknowledged, does hereby RECONVEY to the PERSON OR PERSONS LEGALLY ENTITLED THERETO, but without warranty, all right, title and interest now held by said WELLS FARGO Bank, N.A. Lender, under and by virtue of said Deed of Trust, in and to that certain property situated in Skamania County, State of Washington, particularly described as follows:

The West half <sup>of</sup> ~~See~~ Exhibit "A" attached hereto and made a part hereof

EXCEPT as hereby modified, said Deed of Trust shall remain in full force and effect.

This agreement shall inure to the benefit of and be binding upon the parties hereto and the personal representatives and successors in interest of each of them.

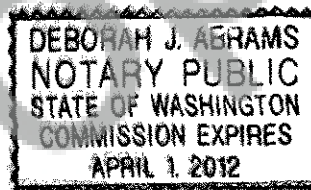
IN WITNESS WHEREOF the parties hereto have executed this instrument.

OWNER:

Russell A. Hajek  
Russell Hajek

WELLS FARGO Bank, N.A.

Edward A. DeBus  
Edward A. DeBus, Vice President  
Print name Title



STATE OF Washington )  
: ss.  
County of Clark )

I certify that I know or have satisfactory evidence that Russell Hajek signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: 4-6-09

Notary Public

My Appointment Expires: 4-1-12

### Notary Acknowledgement

STATE of MARYLAND

COUNTY of Frederick

BEFORE ME, the undersigned authority, on this day personally appeared Edward A. DeBus, of Wells Fargo Bank, N.A., known to me to be the person and Officer whose name is subscribed to the foregoing instrument and who acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, as the act and deed of the said Bank.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 17th day of March, 2009.

  
Notary Public, Jennifer L. Eaton



My commission expires: 10-30-2011

My Comm. Exp. 10/30/2011

Unofficial Copy

Exhibit A

The North half of the following described property:

The Northeast quarter of the Southwest quarter of Section 5, Township 1 North, Range 5 East of the Willamette Meridian, Skamania County, Washington.

TOGETHER WITH a 30 foot non-exclusive easement for ingress and egress over the West 30 feet of the Southeast quarter of the Southwest quarter of said Section 5, lying Northerly of County Road No. 1004, designated as Belle Center Road.

AND TOGETHER WITH a 30 foot non-exclusive easement for ingress and egress over the East 30 feet of the Southwest quarter of the Southwest quarter of Section 5, lying Northerly of said Belle Center Road.

Exhibit "B"

The East half of the following described property:

The Northeast quarter of the Southwest quarter of Section 5, Township 1 North, Range 5 East of the Willamette Meridian, Skamania County, Washington.

Together with and subject to a 60 foot easement for ingress and egress and utilities, the centerline of which describes as follows. The intent of this easement is to clarify the legal description of that certain easement recorded under Recording No. 112969, Book 127, Page 400, records of Skamania County.

BEGINNING at the Southwest corner of the Northeast quarter of the Southwest quarter of Section 5; thence North 01° 16' 17" East, along the West line of the Northeast quarter of the Southwest quarter of Section 5, for a distance of 62.44 feet to the TRUE POINT OF BEGINNING of said centerline easement line; thence along the arc of a 100.00 foot radius curve to the right (the radial bearing of which is South 44° 34' 00" East), through a central angle of 08° 18' 51", for an arc distance of 14.51 feet; thence North 45° 26' 00" East, 25.00 feet; thence along the arc of a 200.00 foot radius curve to the right, through a central angle of 22° 00' 00", for an arc distance of 76.79 feet; thence North 67° 26' 00" East, 110.00 feet; thence along the arc of a 150.00 foot radius curve to the left, through a central angle of 6° 00' 00", for an arc distance of 15.71 feet; thence North 61° 26' 00" East, 90.00 feet to a point hereinafter referred to as described Point "A"; thence along the arc of a 400.00 foot radius curve to the right, through a central angle of 10° 00' 00", for an arc distance of 69.81 feet; thence North 71° 26' 00" East, 100.00 feet; thence along the arc of a 500.00 foot radius curve to the left, through a central angle of 31° 05' 11", for an arc distance of 271.28 feet to the West line of the East half of the Northeast quarter of the Southwest quarter of Section 5 and the terminus of this centerline easement (sidelines of said easement shall be shortened or extended so as to terminate on the West line of the East half of the Northeast quarter of the Southwest quarter of Section 5); thence South 01° 15' 53" West, along said West line, 445.26 feet to the Southwest corner of the East half of the Northeast quarter of the Southwest quarter of Section 5.

ALSO TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES, OVER THE WEST 30 FEET OF THE SOUTH 60 FEET OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF SKAMANIA.