

AFTER RECORDING MAIL TO:

Bishop, White, Marshall & Weibel, P.S.
720 Olive Way, Ste 1201
Seattle, WA 98101
Attn: Foreclosure Department

Cates, Danial 1924.1114291

SCR 32294
Document Title: Notice of Rescission of Trustee's Sale and Agreement

Reference number of documents: 2005156324, 2010175792, 2010176701

Grantor: Danial Ray Cates

Grantee: Proteus Pension Plan & Trust

Abbreviated Legal: SE 1/4 Sec 34 T2N R5E

Complete legal description is on page 5

Assessor's Parcel number: 02-05-34-0-~~40~~-0600-00 *ym*

REAL ESTATE EXCISE TAX

29115

JUN 22 2011

PAID *Wheeler*

Vicki Holland
SKAMANIA/COUNTY TREASURER

JUN 22 3:34PM

NOTICE OF RESCISSION OF TRUSTEE'S SALE AND AGREEMENT

WHEREAS,

1. On February 18, 2005, Danial Ray Cates and Jerry Ray Cates executed a Note in the principal amount of \$150,000.00 in favor of Proteus Pension Plan & Trust. The Note was secured by Deed of Trust of the same dated executed by Danial Ray Cates that was recorded on February 22, 2005, under Skamania County Auditor's File Number 2005156324 ("Deed of Trust"), modified by Trust Deed Modification dated October 16, 2009, and recorded on December 3, 2009, under Skamania County Auditor's File Number 2009174439.
2. Said Deed of Trust encumbers the following real property:

See *Exhibit A* attached hereto and incorporated herein by this reference.

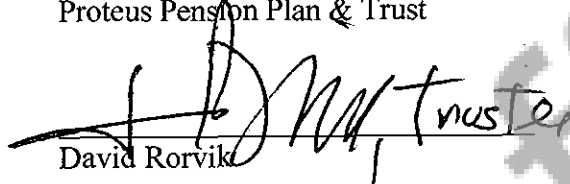
ATP#02-05-34-0-~~10~~-0600-00
3. Proteus Pension Plan & Trust being then the holder of the indebtedness secured by said Deed of Trust, delivered to the successor trustee, Edward Earl Younglove III, a written request directing said Trustee to sell the described property in accordance with law and the terms of said Deed of Trust.
4. The Trustee, in compliance with the terms of said Deed of Trust, executed and recorded in the office of the Skamania County Auditor a Notice of Trustee's Sale of said property, under Skamania County Auditor's File Number 2010175792, which notice was transmitted to the Grantor in accordance with law.
5. The default specified in the Notice of Trustee's Sale not having been cured prior to the date of Trustee's Sale, and said obligation secured by said Deed of Trust remaining unpaid, on October 8, 2010, the date of sale, the Trustee then and there sold at public auction to Proteus Pension Plan & Trust, the highest bidder therefor, the property described above, for the sum of \$199,223.97.


6. The Trustee then recorded his Trustee's Deed on October 25, 2010 under Skamania County Auditor's File Number 2010176701.
7. Subsequent to the Trustee's Sale it was learned that a party with a junior lien interest in the subject property may not have received notice of the Trustee's Sale. To allow notice to be provided to this omitted junior lienholder, Proteus Pension Plan & Trust has appointed a new successor trustee, Bishop, White, Marshall & Weibel P.S., which by this Notice declares that the prior Trustee's Sale is hereby rescinded and that the note and deed of trust between Cates and Proteus Pension Plan & Trust remains in full force and effect.

AGREED TO this 10 day of June, 2011.

Proteus Pension Plan & Trust

Bishop, White, Marshall & Weibel P.S.

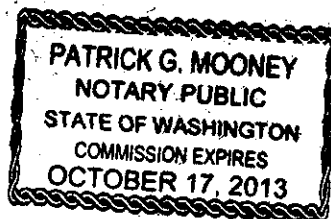

 David Rorvik
 Trustee



 David A. Weibel
 Successor Trustee

STATE OF WASHINGTON)
) ss.
 COUNTY OF Clark)

On this 10 day of June, 2011 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared David Rorvik, to me known to be the Trustee of the Proteus Pension Plan & Trust, the entity that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said trust for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.

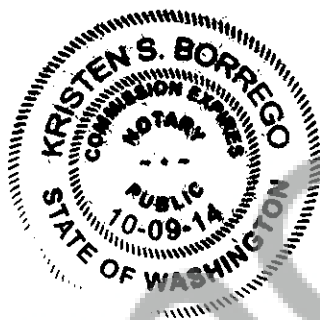



 Name: Patrick G. Mooney
 NOTARY PUBLIC in and for the State
 State of Washington, residing at:
Battle Ground
 My commission expires: Oct 17 2013

[illegible]

On this 21 day of June 2011, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared David A. Weibel, to me known to be the Assistant Secretary of Bishop, White, Marshall & Weibel P.S., the corporation and Successor Trustee that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.





Name: **KRISTEN BORREGO**
NOTARY PUBLIC in and for the State
State of Washington, residing at:
Everett
My commission expires: 10/9/14

EXHIBIT 'A'

That portion of the West Half of the Southeast Quarter of Section 34, Township 2 North, Range 5 East of the Willamette Meridian, Skamania County, Washington, described as follows:

Commencing at a 1" iron pipe with a brass disk marking the Southwest corner of said Section 34, as shown in recorded Survey Book 1, Page 247;

Thence South 89°30'12" East along the South line of said Section 34, a distance of 2613.30 feet to a found $\frac{3}{8}$ " iron rod with a yellow plastic cap stamped "SWART 16929", marking the Southwest corner of Deed recorded in Book 130, Page 968;

Thence North 01°12'11" East along the West line of said West Half of the Southeast Quarter of said Section 34, a distance of 826.88 feet to the True Point of Beginning of this herein described parcel of land;

Thence continuing North 01°12'11" East along said West line, a distance of 497.58 feet to a found $\frac{3}{8}$ " iron rod with a yellow plastic cap stamped "HAGEDORN", as shown in recorded Survey Book 1, Page 244 for the Southwest corner of Lot 11 and the Northwest corner of the Southwest Quarter of said Southeast Quarter of Section 34;

Thence continuing North 01°12'11" East along said West line, a distance of 301.03 feet to the centerline of Wanland Road;

Thence Easterly along said centerline, a distance of 69.73 feet on a curve to the right having a radius of 300.00 feet and a central angle of 13°19'04";

Thence continuing along said centerline North 86°20'00" East, a distance of 39.95 feet;

Thence continuing along said centerline, a distance of 88.03 feet on a curve to the left having a radius of 100.00 feet and a central angle of 37°50'00";

Thence continuing along said centerline North 48°30'00" East, a distance of 204.53 feet;

Thence continuing along said centerline, a distance of 42.20 feet on a curve to the left having a radius of 100.00 feet and a central angle of 24°10'36";

Thence North 36°24'42" East, a distance 64.72 feet;

Thence North 29°09'52" East, a distance of 100.90 feet to the North line of said Lot 11;

Thence South 80°20'00" East along said North line, a distance of 726.38 feet to the North line of Lot 12 of said "HAGEDORN" survey;

Thence North 80°40'00" East along said North line of Lot 12, a distance of 202.65 feet to a point on the East line of said West Half of the Southeast Quarter;

Thence South 01°11'49" West along said East line, a distance of 639.96 feet to the Northeast corner of the Southwest Quarter of the Southeast Quarter of said Section 34;

Thence North 89°28'13" West along the North line of said Southwest Quarter of the Southeast Quarter, a distance of 881.81 feet;

Thence South 01°12'11" West, a distance of 497.37 feet;

Thence North 89°29'55" West, a distance of 437.75 feet to the True Point of Beginning.

Skamania County Assessor

Date 6-22-11 Parcel 2-5-34-0-0-600

LM