

After Recording Return To:  
Wall Street Brokers, Inc. #3495  
500 Wall St. #405  
Seattle, WA 98121-1577

K-41260

## AMENDMENT TO PROMISSORY NOTE

Reference is made to that certain PROMISSORY NOTE dated May 1, 1986 at Klamath Falls, OR in the original amount of \$18,800.00, wherein Dale Richard Kyniston and Windie Corriena Kyniston, husband and wife, (hereinafter "Kyniston"), are Maker, in favor of Floyd D. Christiansen and Ruth E. Christiansen, husband and wife, (hereinafter "Christiansen"), as Holder, a copy of which is attached hereto as Exhibit I, which by this reference is incorporated as a part hereof. Said Note is secured by that certain Deed of Trust dated May 1, 1986, recorded May 5, 1986, in M-86 on page 7738, Doc No 61050, records of Klamath County, OR, wherein Kyniston is grantor, Mountain Title Company of Klamath County, is trustee and Christiansen is beneficiary, which is secured by real property leagally described as:

The West 1/2 of Lot 22 in Block 2 of First Addition to Altamont Acres, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

## RECITALS

The parties to this amendment are Kyniston and Christiansen. Holder Christiansen has negotiated a sale of the Exhibit I Note and security Deed of Trust to James Lang and Rowena Lang, husband and wife (hereinafter "Lang"). To facilitate Christiansen's note sale and for the consideration of 1) moving the Exhibit I into first position against the subject real property and 2) relief from the reserve account and/or tax payment, Maker Kyniston hereby amends the Exhibit I Note.

## WARRANTIES

The parties warrant as follows:

- 1) the parties hereto are the only parties with the legal right and authority to amend the Exhibit I note;
- 2) the parties warrant that the parties are aware that Exhibit I Note assignees Lang are relying on the fact that the parties' representations herein and to escrow are truthful, and that Lang would not purchase the Exhibit I note but for the accurate and reliable representations of the parties;
- 3) this note amendment is effective only upon assignment of the Exhibit I note as amended to Lang;
- 4) the parties warrant that the Exhibit I note balance is \$16,823.20 with interest paid to 2-25-89 with the next payment due 3-25-89;
- 5) Kyniston warrants that there have been no representations made to Kyniston, nor does Kyniston have any rights, offsets or claims that are not recorded at the Klamath County Auditor's Office or included in the note and deed of trust Kyniston signed;
- 6) Kyniston warrants that they have made all monthly payments due on the subject Exhibit I note in a timely manner.

The parties agree as follows:

- 1) from Exhibit I the following is deleted "plus \$38.00 for taxes". It is agreed that payors will pay their own real property taxes as they come due and there will no longer be any tax reserve monthly payment. The monthly Exhibit I note payments are hereafter \$190.70 as provided in Exhibit I.
- 2) the parties will cancel the true escrow collection at Mountain Title #16407 (which had previously

AMEND P NOTE -1



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incorrenly applied the monthly payments) and Christiansen's assignee Lang will pay the collection fee for Wall Street Brokers, Inc. #3495 to collect this receivable.

3) All other terms and conditions of Exhibit I remain in full force and effect;

4) This Amendment may be signed in counterparts with like effect.

Dale R. Kyniston  
Dale R. Kyniston

March 24, 1989

Windie C. Kyniston  
Windie Corriena Kyniston

March 24, 1989

Floyd D. Christiansen

March \_\_\_\_\_, 1989

Ruth E. Christiansen

March \_\_\_\_\_, 1989

STATE OF OREGON

COUNTY OF Klamath

ss

I certify that I know or have satisfactory evidence that DALE R. KYNISTON and WINDIE CORRIENA KYNISTON signed this instrument, and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 3-24-89, 1989

Signature of Notary Public : Mary Butt Scott

My appointment expires: 10-5-96

STATE OF OREGON

COUNTY OF \_\_\_\_\_

ss

I certify that I know or have satisfactory evidence that FLOYD D. CHRISTIANSEN and RUTH E. CHRISTIANSEN signed this instrument, and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: \_\_\_\_\_, 1989

Signature of Notary Public : \_\_\_\_\_

My appointment expires: \_\_\_\_\_

\$18,800.00... Klamath Falls, OR, May 1, 1986  
 I (or if more than one maker) we, jointly and severally, promise to pay to the order of  
 FLOYD D. CHRISTIANSEN and RUTH E. CHRISTIANSEN, husband and wife  
 at Mountain Title, 407 Main, Klamath Falls, OR  
 EIGHTEEN THOUSAND EIGHT HUNDRED AND NO/100... DOLLARS,  
 with interest thereon at the rate of 9.0... percent per annum <sup>May 5, 1986</sup> until paid, payable in  
 monthly... installments of not less than \$190.70 plus \$38.00 for taxes... monthly... and  
 is included in the minimum payments above required; the first payment to be made on the 25th day of May...  
 1986, and a like payment on the 25th day of each month thereafter, until the whole sum, principal and  
 interest has been paid; if any of said installments is not so paid, all principal and interest to become immediately due and collectible at the  
 option of the holder of this note. If this note is placed in the hands of an attorney for collection, I/we promise and agree to pay holder's  
 reasonable attorney's fees and collection costs, even though no suit or action is filed hereon; however, if a suit or an action is filed, the  
 amount of such reasonable attorney's fees shall be fixed by the court, or courts in which the suit or action, including any appeal therein,  
 is tried, heard or decided.  
 \* Strike words not applicable.  
 THIS NOTE SECURED BY TRUST DEED OF EVEN DATE.  
 The balance of this note will be reamortized  
 over remaining years with any payment over  
 \$2,000.00.  
 Dale Richard Kyniston  
 Windie Corriens Kyniston

FORM No. 217—INSTALLMENT NOTE.

SN Stevens-Ness Low Publishing Co., Portland, Ore

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 29th day  
 of March A.D., 1989 at 11:04 o'clock A.M., and duly recorded in Vol. M89  
 of Mortgages on Page 5215

FEE \$18.00

Evelyn Biehn County Clerk

By Pauline Mulendore

EXHIBIT I

