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Vol.<u>mg9</u> Page **9192**

MODIFICATION OF MORTGAGE OR TRUST DEED

THIS AGREEMENT, made and entered into this <u>5th</u> day of <u>May</u> Arthur Leighton Harris and Virginia Maude Harris

______ 19_89_ by and between

hereinafter called the "Borrower(s)" and WESTERN BANK; an Oregon banking corporation, hereinafter called the "Bank":

WITNESSETH: On or about the <u>3rd</u> day of <u>January</u> maker(s) if the Borrower is an assignee of record) did make, execute and deliver to the Bank that certain promissory note in the sum of $\frac{450,000,00}{2}$, payable in monthly installments with interest at the rate of $\frac{9.50}{2}$ % per annum. For the purpose of securing the payment of said promissory note, the Borrower(s) (or the original maker(s) if the Borrower is an assignee of record) did make, execute and deliver to the Bank their certain Mortgage or Trust Deed, hereinafter called a "Security Instrument" bearing date of <u>January 3</u>, 19<u>78</u>, conveying the following described real property, situate in the County of <u>Klamath</u>, State of <u>Oregon</u>, to wit: property, situate in the County of ___Klamath___

Beginning at a point which is 40 feet southerly along the easterly line of Martin Street, if extended, from the northeast corner of Martin Street and Shasta Way, thence easterly and parallel with Shasta Way 150 feet; thence southerly and parallel with Martin Street, if extended, 100 feet; thence westerly and parallel with Shasta Way 150 feet; thence northerly and parallel with Martin Street, if extended, 100 feet to the point of beginning, being a portion of Tract 75 of Enterprise Tracts, Klamath County, Oregon.

which Security Instrument was duly recorded in the records of said county and state.

There is now due and owing upon the promissory note aforesaid, the principal sum of <u>Two Hundred Sixteen</u> Thousand Two Hundred Fifty Four and 25/100 * * * * together with the accrued interest thereon, and the Borrower(s) desire a modification of the terms of payment thereof, to which the Bank is agreeable on the terms and conditions hereinafter stated and not otherwise. 4m

NOW THEREFORE, in consideration of the premises and of the promises and agreements hereinafter contained, the parties hereto do hereby agree that the balance now due and owing on the promissory note hereinabove described shall be and DOLLARS (\$ ****3,000.00**) each, ______ including ______ interest on the unpaid balance at the rate of 9.50_% per annum. The first installment shall be and is payable on the ______ day of ______ like installment shall be and is payable on the <u>3rd</u> day of each month thereafter until the principal and interest are fully paid, except that the final payment of principal and interest if not sooner paid, shall be due and payable on the 3rd , 19_91_, If any of said installments or either principal or interest are not so paid, the entire

balance then owing shall, at the option of the Bank or its successors in interest, become immediately due and payable without Except as herein modified in the manner and on the terms and conditions herein stated, the said promissory note and Security Instrument shall be in full force and effect, with all the terms and conditions of which the Borrower(s) do agree to comply in the same manner and to the same extent as though the provisions thereof were in all respects incorporated herein and

IN WITNESS WHEREOF, the Borrower(s) have hereunto set their hand(s) and seal(s) and the Bank has caused these

presents to be executed on its behalf by its duly authorized representative this day and year first hereinabove written. Arthur/Leighton Harris WESTERN BANK Xx Unanna Virginia Maude Harris Klamath Falls Branch By & Moushace C. Marshall. Louthorized Signature State of Oregon County of Klamath SS: Personally appeared the above named Arthur Leighton Harris and acknowledged the foregoing instrument to be their voluntary act and deed. Before me: line H. Marshall Notary Public for ____Oregon RE-28 5/80 My commission expires 2-9-90

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