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Vol. m90 Page 1038

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO

DONALD C. REINKE  
ZIMMERMAN, PEZZOLA & REINKE  
1999 Harrison Street, Suite 1900  
Oakland, CA 94612-3508

MODIFICATION AGREEMENT AFFIRMATION

The parties whose signatures appear below hereby acknowledge and affirm the existence and terms of that certain Modification Agreement dated December 10, 1986 attached hereto as Exhibit A (the "Modification Agreement"). The Modification Agreement is binding upon and the benefits thereunder shall inure to the parties hereto and their respective successors and assigns with respect to the "Mortgage" and real property described therein. Such real property is again identified in Exhibit B attached hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Affirmation as of the date set forth next to their respective signatures below.

Ruth H. Teasdel  
RUTH H. TEASDEL

Dated: November 8 1989

BROOKS RESOURCES CORPORATION

By: Michael Hollern  
(Signature)

MICHAEL HOLLERN - PRES.  
(Print Name and Title)

Dated: 10-23, 1989

JELD-WEN, INC.

By: R.C. Wendt  
(Signature)

R.C. Wendt, Vice President  
(Print Name and Title)

Dated: 10-3, 1989

10 JAN 16 PM 12:01

## INDIVIDUAL

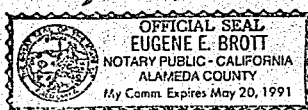
STATE OF CALIFORNIA )  
COUNTY OF ALAMEDA ) SS.

On 11/8/89, before me, the undersigned, a Notary Public in and for said State, personally appeared RUTH H. TEASDEL, known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same.

WITNESS my hand and official seal.

Signature Eugene E. Brott

(seal)



CORPORATE

STATE OF OREGON )  
COUNTY OF DESCHUTES SS.

On OCTOBER 23, 1988 before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL P. HOLLER, PRESIDENT of BROOKS RESOURCES CORPORATION, an OREGON corporation, known to me to be the person whose name is subscribed to the within instrument on behalf of the corporation, and acknowledged that he executed the same.

WITNESS my hand and official seal.

Signature Natalie Bars

1-8-90

(seal)

CORPORATE

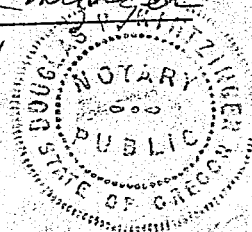
STATE OF OREGON )  
COUNTY OF Klamath ) SS.

On 10/3/89, before me, the undersigned, a Notary Public in and for said State, personally appeared R.C. Wemdt of JELD-WEN, INC., a Vice-President corporation, known to me to be the person whose name is subscribed to the within instrument on behalf of the corporation, and acknowledged that he executed the same.

WITNESS my hand and official seal.

Signature Douglas P. Kuntz

(seal)



769419a/ltr

## MODIFICATION AGREEMENT

WHEREAS, BROOKS RESOURCES CORPORATION, executed and delivered to RUTH H. TEASDEL, a promissory note in the amount of \$1,200,000.00 with interest thereon at the rate of 8.00%, payable in monthly installments of not less than \$11,472.00, and a Mortgage recorded April 20, 1979, in Volume M79, Page 8893, mortgage records of Klamath County, Oregon, to secure said note for the purchase of that certain land described in said mortgage;

WHEREAS, the parties hereto have agreed to modify the terms of the promissory note and mortgage;

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. Brooks Resources Corporation agrees not to exercise its right for any past or future mortgage releases as contained in said mortgage.

2. Monthly payments are reduced to \$7,550.00 including interest at the rate of 8.00% per annum on the unpaid balances. The first of such monthly installments shall be paid on December 15, 1986, and on the 15th day of each month thereafter until the entire amount of the note is paid in full.

3. Time is of the essence of this agreement.

4. All other terms and conditions of the above referenced note and Mortgage shall remain the same.

5. A breach of this agreement will be construed to be a breach of the above referenced note and Mortgage.

THE PARTIES HERETO have executed this Agreement as of the 15th day of December, 1986.

RUTH H. TEASDEL

X Ruth H. Teasdel

BROOKS RESOURCES CORPORATION

BY [Signature]

EXHIBIT A

## IN TOWNSHIP 38 SOUTH, RANGE 8 E.W.M.

- Sec. 25: S1/2SW1/4; S1/2 NW1/4SW1/4; that portion of the SE1/4NW1/4 and NE1/4SW1/4 lying Southerly and Westerly of Lakeshore Gardens Subdivision.
- Sec. 26: SE1/4; SW1/4NE1/4; NW1/4NE1/4
- Sec. 35: All that portion of Sec. 35 lying Northeasterly of Highway #140.
- Sec. 36: NW1/4; that portion of the SW1/4 lying Northeasterly of Highway #140.

## IN TOWNSHIP 39 SOUTH, RANGE 8 E.W.M.

- Sec. 1: That portion of the NE1/4NW1/4 lying Northeasterly of a straight line running from a point on the East line of said NE1/4NW1/4, which point is 609 feet North of the Southeast corner thereof, to a point on the North line of said NE1/4NW1/4 of said Section, which point is 590 feet West of the Northeast corner thereof.

Also the easement 30 feet in width lying adjacent on the Easterly side thereof to an extension of the straight line last above described over the NW1/4NE1/4 of said Section to the Southerly line thereof and running thence adjacent to the South line of said NW1/4NE1/4 on the North side thereof to the Southeast corner of said NW1/4NE1/4;

Also the perpetual easement over and across the Easterly 40 feet of SW1/4 NE1/4 and NW1/4SE1/4 of said Section 1, all for roadway purposes.

## SUBJECT TO:

1. Rights of the public in any portion of the premises described herein lying with the limits of any easement for public utilities, including telephone easements.
2. Right of Way for power line, including the terms and provisions thereof, given by Frank H. McCornack, Guardian and F. H. McCornack et al to The California Oregon Power Company, dated July 17, 1925, and recorded September 9, 1925, in Deed Volume 68 on pages 280 and 281, records of Klamath County, Oregon. Affects SW1/4NW1/4 of Sec. 25.
3. Terms and conditions as contained in Warranty Deed from Ruth H. Teasdel, a single woman, to the State of Oregon, by and through its State Highway Commission, dated September 8, 1967, recorded September 12, 1967, in Microfilm records as Document No. 16874 Volume M-67 page 7067, records of Klamath County, Oregon.

## EXHIBIT B

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Donald C. Reinke the 16th day  
of Jan. A.D., 19 90 at 12:01 o'clock PM., and duly recorded in Vol. M90,  
of Mortgages on Page 1038.

FEE \$23.00

Evelyn Biehn County Clerk

By Pauline Mullendare