

ASPEN Accommodation  
SUPPLEMENT

TO

DEEDS OF TRUST

DATED: February 20, 1990

BETWEEN: WAGGONER PLAZA LIMITED PARTNERSHIP,  
an Oregon Limited Partnership  
c/o Viking Financial Services, Inc.,  
an Oregon Corporation - General Partner  
1985 SW 6th Avenue, Portland, OR 97204

GRANTOR

AND: STEWART TITLE GUARANTY COMPANY  
~~12360 E Burnside~~  
~~Portland, OR 97216~~

TRUSTEE

AND: OREGON PUBLIC EMPLOYES' RETIREMENT FUND  
159 State Capitol Building  
Salem, OR 97310

BENEFICIARY

*AGK*

*AGK*

Grantor and Beneficiary have agreed to certain modifications in the terms of certain loans to Grantor evidenced by a Promissory Note dated August 1, 1988 in the amount of \$1,500,000 secured by a Trust Deed and Assignment of Leases and Rents recorded in Volume M88 at page 12496 on August 3, 1988 and a Promissory Note dated December 20, 1988 in the amount of \$1,200,000 secured by a Trust Deed and Assignment of Leases and Rents recorded in Volume M88 at page 21816, Mortgage Records of Klamath County, Oregon (the "Deeds of Trust"), encumbering certain property described therein (the "Property"). The legal description of the real property covered by the Deeds of Trust is attached as Exhibit A.

Grantor desires to supplement, amend and modify the Deeds of Trust and related loan and security instruments, as follows:

1. Cross-Default and Cross-Collateralization. As used below, the Deeds of Trust referenced above, the Loan Commitments and Promissory Notes executed in connection therewith, and all other loan and security instruments delivered in connection therewith are referred to as the "Klamath Loan Documents." Grantor and subsidiaries of the general partner of Grantor have also executed and delivered to Beneficiary a Trust Deed and Assignment of Leases and Rents dated February 20, 1990, a Note in the amount of \$510,000, and other loan and security instruments delivered in connection therewith with respect to certain properties in West Linn, Reedsport and Portland, Oregon located in Clackamas and Douglas Counties, Oregon (the "Clackamas-Douglas Loan Documents"). The

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Klamath Loan Documents and the Clackamas-Douglas Loan Documents are collectively referred to as the "OPERS Loan Documents."

Any default under any of the Klamath Loan Documents or under any of the Clackamas-Douglas Loan Documents will be a default under each and every one of the OPERS Loan Documents. Furthermore, the Klamath Loan Documents and the Clackamas-Douglas Loan Documents will be, and are hereby made to be, cross-collateralized. Each of the Klamath Loan Documents and Clackamas-Douglas Loan Documents shall secure payment and performance of obligations under each and every one of the OPERS Documents.

2. Full Force and Effect. Except as supplemented and amended hereby, the terms, covenants and agreements of the Deeds of Trust and other Klamath Loan Documents remain unchanged, and as supplemented and amended, continue in full force and effect.

IN WITNESS WHEREOF, this Supplement to Deeds of Trust has been duly executed as of the date and year first above written.

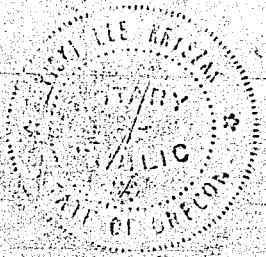
GRANTOR: WAGGONER PLAZA LIMITED PARTNERSHIP,  
an Oregon Limited Partnership  
VIKING FINANCIAL SERVICES, INC.,  
an Oregon Corporation - General Partner

By: Halmer J. Kathe

STATE OF OREGON )  
County of Multnomah ) ss.

On this 20 day of February, 1990, before me personally appeared Halmer J. Kathe, who being by me duly sworn, did say that he is the President of VIKING FINANCIAL SERVICES, INC., an Oregon corporation, the general partner of WAGGONER PLAZA LIMITED PARTNERSHIP, an Oregon limited partnership, and did acknowledge the due execution of the foregoing instrument by him in behalf of said corporation and partnership by its authority duly given, and acknowledged the said instrument to be the act and deed of said partnership and corporation.

IN WITNESS WHEREOF I have hereunto set my hand and  
affixed my official seal the date and year first above written.



William Kristine  
Notary Public in and for the  
State of Oregon  
Residing at: Madras  
My commission expires: 8/10/90



PARCEL 1

BEGINNING at a point on the South line of Block 2, DIEHL AND SERFLING ADDITION TO THE CITY OF REEDSPORT, Douglas County, Oregon, said point being located North 84° 27' East a distance of 193.93 feet and along a curve to the left, having a radius of 793.60 feet, and through a central angle of 8° 37' 25" for an arc distance of 119.44 feet from the Southwest corner of the said Block 2; thence from the said beginning point and along the said South line of Block 2, along a curve to the left, having a radius of 793.60 feet, through a central angle of 1° 25' 35", for an arc distance of 19.76 feet; thence North 74° 24' East a distance of 63.90 feet; thence along a curve to the left, having a radius of 81.85 feet, and through a central angle of 28° 06' 17", for an arc distance of 40.15 feet; thence leaving the said South line of Block 2, North 22° 36' 40" West a distance of 73.02 feet; thence, South 67° 33' West a distance of 95.30 feet; thence, North 85° 00' West a distance of 18.0 feet; thence, South 14° 10' 25" East a distance of 76.85 feet to the point of beginning.

PARCEL 2

Lots 5 and 6, COURT OF NORTH HILLS, AN ADDITION TO THE CITY OF REEDSPORT, Douglas County, Oregon.

PARCEL 3

BEGINNING at a 5/8 inch iron rod on the Westerly boundary of COURT OF NORTH HILLS, AN ADDITION TO THE CITY OF REEDSPORT, Douglas County, Oregon; said point being the most Westerly North corner of Lot 6, said subdivision; thence along the right of way of Crestview Drive in a Southwesterly direction 370 feet; more or less, to the Northeast corner of that parcel conveyed to James C. Daardorff, et ux, in Recorder's No. 87-8452, Records of Douglas County, Oregon; thence along the Easterly boundary of said Daardorff property South 34° 35' East 75 feet; thence South 42° 52' 40" East (Deed 44° 02') 199.51 feet; thence South 42° 52' 40" East (Deed 44° 02') 20.76 feet to the Northwest corner of Lot 1, Block 2, PLAT OF DIEHL AND SERFLING ADDITION, REEDSPORT; thence along the North line of said Block 2 as follows: North 61° 00' East 130.0 feet; thence South 85° 48' East 192.0 feet; thence North 64° 01' East 63.72 feet; thence leaving said North line of Block 2, North 22° 36' 40" West 106.64 feet to a point, said point also being the Southwest corner of Lot 5, COURT OF NORTH HILLS; thence along the West line of said Lot 5, North 22° 28' 33" West 94.43 feet to the Southeast corner of Lot 6, COURT OF NORTH HILLS; thence along the Southerly boundary of said Lot 6, South 75° 46' 00" West 126.55 feet to the Southwest corner thereof; thence along the West boundary of said Lot 6 North 21° 26' 52" West 267.16 feet to the South right of way of Crestview Drive and the point of beginning.

PARCEL 4

BEGINNING at a point located North 78° 52' 24" East a distance of 155.82 feet and South 83° 07' 15" East a distance of 113.33 feet from the Northwest corner of Lot 1, Block 2, DIEHL AND SERFLING ADDITION TO THE CITY OF REEDSPORT, Douglas County, Oregon; thence South 5° 00' West a distance of 79.12 feet; thence South 85° 00' East a distance of 27.33 feet; thence North 67° 33' East a distance of 95.30 feet; thence, North 22° 36' 40" West a distance of 36.18 feet; thence North 83° 07' 15" West a distance of 95.19 feet to the point of beginning.

PARCEL 5

BEGINNING at a point located North 78° 52' 24" East a distance of 155.82 feet and South 83° 07' 15" East a distance of 29.02 feet from the Northwest corner of Lot 1, Block 2, DIEHL AND SERFLING ADDITION TO THE CITY OF REEDSPORT, Douglas County, Oregon; thence South 83° 07' 15" East a distance of 84.31 feet; thence South 5° 00' West a distance of 79.12 feet; thence North 85° 00' West a distance of 84.26 feet; thence North 5° 00' East a distance of 81.88 feet to the point of beginning.

PARCEL 6

BEGINNING at a point on the South line of Block 2, DIEHL AND SERFLING ADDITION TO THE CITY OF REEDSPORT, Douglas County, Oregon, said point being located North 84° 27' East a distance of 193.93 feet and along a curve to the left having a radius of 793.60 feet, and through a central angle of 0° 58' 50" for an arc distance of 13.58 feet from the Southwest corner of the said Block 2; thence from said beginning point and along the said South line of Block 2, along a curve to the left, having a radius of 793.60 feet, and through a central angle of 7° 38' 35" for an arc distance of 105.86 feet; thence leaving the said South line, North 14° 10' 25" West a distance of 76.85 feet; thence North 85° 00' 00" West a distance of 93.59 feet; thence South 4° 30' East a distance of 101.99 feet to the point of beginning.

AKA: Reedsport Property

Lots 2, 3 and 4, HIDDEN SPRINGS VILLAGE, in the City of West Linn,  
County of Clackamas and State of Oregon.

AKA: Hidden Springs Property

Lots 16 and 17, Block 1, MONTEREY MEADOWS, in the County of Clackamas  
and State of Oregon.

EXCEPTING THEREFROM the South 5 feet thereof conveyed to Clackamas  
County for right of way purposes by Deed recorded December 13, 1982  
as Recorder's Fee No. 82 33881.

AKA: Monterey Meadows Property

## PARCEL 1:

A portion of the NE 1/4 SE 1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at an iron pin on the South right of way line of South Sixth Street as presently located and constructed, which bears South 0 degrees 22' 15" East a distance of 48.5 feet from the Northwest corner of said NE 1/4 SE 1/4; thence Easterly, along said right of way line a distance of 142.5 feet to a point; thence South at right angles to said right of way line a distance of 460.0 feet to a point; thence West, parallel to said right of way line, a distance of 142.5 feet, more or less, to the West line of said NE 1/4 SE 1/4; thence North along said West line a distance of 460.0 feet to the point of beginning.

## PARCEL 2:

A tract of land situated in the SE 1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the East one-fourth corner of said Section 3; thence South 89 degrees 52' West 1,275.74 feet; thence South 00 degrees 21' 47" East 54.10 feet to a one-half inch pipe on the Southerly right of way line of the Dalles-California Highway marking the Northeast corner of that parcel of land described in Deed Volume 251 at page 162, as recorded in the Klamath County Deed Records; thence continuing South 00 degrees 21' 47" East along the Eastline of said parcel described in said Deed Volume 251 at page 162, 233.00 feet to the true point of beginning of this description; thence continuing South 00 degrees 21' 47" East along said line 395.64 feet to the Northerly right of way line of the Oregon-California and Eastern Railway Company; thence North 67 degrees 41' West along said right of way line 156.57 feet (162 feet by record); thence North 00 degrees 55' 30" West along the West line of said parcel described in said Deed Volume 251 at page 162, 334.24 feet; thence North 89 degrees 14' East 147.71 feet to the true point of beginning of this description with bearings based on the East line of the SE 1/4 of said Section 3 as being South 01 degrees 14' East.

## PARCEL 3:

A portion of the NW 1/4 SE 1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a one-half inch iron pin on the South right of way line of South Sixth Street, as the same is presently located and constructed, said point being on the West line of tract of land deeded to Miller by Deed Volume 251 at page 162 and the East line of a tract of land deeded to Wheeler by Deed Volume 142 at page 349, Klamath County Deed Records; thence South 0 degrees 55' 30" East along the line between the two above described tracts a distance of 341.6 feet to a 5/8 inch iron pin marking the Southeast corner of a tract of land deeded to United States National Bank of Oregon by Deed recorded in Volume M-72 at page 13690; Deed Records of Klamath County, Oregon, and the true point of beginning of this description; thence continuing South 0 degrees 55' 30" East a distance of 225.64 feet, more or less, to the Northeastly right of way line of the O.C. & E. Railroad; thence North 67 degrees 41' West along said right of way line a distance of 148.11 feet to the Southwest corner of said Wheeler Tract; thence North 0 degrees 55' 30" West along the West line of said Wheeler Tract, a distance of 167.58 feet to the Southwest corner of said United States National Bank Tract; thence North 89 degrees 14' East along the South line of said tract, a distance of 136.09 feet to the point of beginning.

## PARCEL 4:

A tract of land situated in the NE 1/4 SE 1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at a 1/2 inch iron pin which bears South 89 degrees 52' West a distance of 745.73 feet and South 0 degrees 20' 55" East a distance of 220.16 feet from the brass cap monument marking the East quarter corner of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, said beginning point also being on the South line of Tract described as Parcel #1 in Deed from Klamath County School District to Klamath County, recorded in Volume 295 at page 135, Deed Records of Klamath County, Oregon; thence continuing from said beginning point South 0 degrees 20' 55" East along a line parallel to and 4.0 feet distant Easterly, when measured at right angles to, from the existing Easterly wall of the Payless Drug Store Building as the same is presently located and constructed, a distance of

AKA: Town and Country



A tract of land being Lot 1 and a portion of Lot 2 in Block 3 of Tract 1080, WASHBURN PARK, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of said Lot 1; thence North 00 degrees 04' 50" East 195.00 feet to the Northwest corner of said Lot 1; thence continuing North 00 degrees 04' 50" East 57.80 feet; thence South 89 degrees 25' 10" East 300.00 feet; thence South 00 degrees 04' 50" West 57.80 feet to the Northeast corner of said Lot 1; thence continuing South 00 degrees 04' 50" West 195.00 feet to the Southeast corner of said Lot 1; thence North 89 degrees 25' 10" West 300.00 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its Department of Transportation, Highway Division, recorded August 16, 1976 in Deed Volume M-76 at page 12646, Microfilm Records of Klamath County, Oregon.

PARCEL 2:

A Tract of land situated in Lot 2, Block 3, Tract 1080, WASHBURN PARK, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the Easterly right of way line of Washburn Way, said point being North 00 degrees 04' 50" East 57.80 feet from the Northwest corner of Lot 1, Block 3; thence South 89 degrees 25' 10" East 300.00 feet to the true point of beginning; thence South 89 degrees 25' 10" East a distance of 100.08 feet to a point; thence South 89 degrees 56' 30" East a distance of 51.67 feet to the Northwest corner of parcel conveyed to Ronald T. Williams, et ux., by Deed Volume M-77 at page 17511; thence South 0 degrees 04' 50" West along the West line of last mentioned parcel a distance of 253.26 feet to the North line of Crosby Avenue; thence North 89 degrees 25' 10" West along said North line a distance of 151.76 feet to the Southeast corner of Lot 1, Block 3; thence North 0 degrees 04' 50" East a distance of 252.8 feet, more or less, to the point of beginning.

PARCEL 3:

A tract of land being a portion of Lot 2, Block 3, of Tract 1080, WASHBURN PARK, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at the Southwest corner of said Lot 2; thence North 00 degrees 04' 50" East 57.80 feet to the true point of beginning; thence North 00 degrees 04' 50" East 96.35 feet; thence South 89 degrees 56' 30" East 400.03 feet to the East line of said Lot 2; thence South 00 degrees 03' 30" West 100.00 feet; thence North 89 degrees 25' 10" West 400.08 feet to the true point of beginning.

AKA: Washburn Plaza

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 21st day of Feb. A.D., 19 90 at 11:31 o'clock AM., and duly recorded in Vol. M90 of Mortgages on Page 3304.

FEE \$38.00

Evelyn Biehn County Clerk

By *Aurine Mulladore*

Return: A.T.C.