

K-CTC - 4967

NOTICE OF RESTRUCTURING DEBT SECURED BY TRUST DEED

THE UNDERSIGNED, GOLF RESOURCES, INC., a California corporation (Grantor), is the present owner of the Real Property which remains encumbered by the following trust deeds: trust deed among Golf Resources, Inc., a California corporation, Grantor, to Klamath County Title Co., a corporation, Trustee, for the benefit of Shield Crest, Inc., an Oregon corporation, dated April 30, 1992, recorded in Mortgage Records of Klamath County, Oregon, in Vol. M-92, Page 9446, securing the promissory note in the face amount of \$650,000.00, plus interest, and other obligations specified therein, and trust deed among Golf Resources, Inc., a California corporation, Grantor, to Klamath County Title Co., a corporation, trustee, for the benefit of Shield Crest, Inc., an Oregon corporation, dated April 30, 1992, recorded in Mortgage Records of Klamath County, Oregon, in Vol. M-92, Page 9451, securing the promissory note in the face amount of \$500,000.00, plus interest, and other obligations specified therein. The foregoing are collectively referred to as "Trust Deed".

NOTICE IS HEREBY GIVEN that the sum of \$850,000.00 has, pursuant to a Restructure Agreement executed by Grantor, become the unmatured principal balance of Grantor's principal indebtedness to Shield Crest, Inc., an Oregon corporation (Beneficiary), as of October 9, 1992, the payment terms of which have been restructured by the above-mentioned Restructure Agreement. Grantor hereby acknowledges that the \$850,000.00 principal indebtedness, plus interest, is secured by each trust deed which are hereby merged into the Trust Deed recorded in Vol. M-92, Page 9446, which is deemed secondary only to that certain trust deed from Grantor in favor of Forest Products Federal Credit Union recorded in Vol. M-92, Page 9437, Mortgage Records of Klamath County, Oregon.

FURTHER, NOTICE IS GIVEN the trust deeds recorded in Vol. M-92, Page 9446, and Vol. M-92, Page 9451, Mortgage Records of Klamath County, Oregon, now merged into the Trust Deed recorded in Vol. M-92, Page 9446, Mortgage Records of Klamath County, Oregon, secures the payment of: (A) Aggregate principal amount of \$850,000.00; (B) All existing and future indebtedness owned by Grantor to Beneficiary evidenced by a promissory note, guaranty, or otherwise; (C) All interest accrued on indebtedness secured hereby; (D) All substitute notes, renewals, reamortizations, and extensions of indebtedness secured by any trust deed in which Grantor and Beneficiary are debtor-creditor; (e) All other obligations of Grantor under any promissory note(s) evidencing the Grantor's indebtedness to Beneficiary specifically referring to the trust deeds, the Trust Deed, and/or this Notice, and any other document and/or instrument evidentiary and/or implemental of the debtor-creditor relationship between Grantor and Beneficiary, executed by Grantor in favor of Beneficiary.

FURTHER, NOTICE IS GIVEN the Trust Deed is secured by the Real Property situated in Klamath County, Oregon, described in the attached Exhibit "1".

FURTHER, NOTICE IS HEREBY GIVEN:

1. The Trust Deed and this Notice shall be binding upon the parties, their heirs, executors, administrators, any successor to any corporate party, or assigns.

NOTICE OF RESTRUCTURE
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2. All of Grantor's obligations to Beneficiary (however created, evidenced or secured, including, without limiting the generality of the foregoing, those created by the Trust Deed and this Notice) are joint and several.

3. In construing this Notice, the following provisions shall govern: (a) All agreements and covenants contained in this Notice are severable, and in the event that any of them shall be held to be invalid by any competent court, this Notice shall be interpreted as though such invalid agreements or covenants were not contained in it; (b) Pronouns used in this Notice shall be construed in accordance with the appropriate gender, as either singular or plural, as the context requires; (c) Grantor shall mean Golf Resources, Inc., a California corporation; (d) Trustee shall mean Klamath County Title Co., a corporation; and (e) Beneficiary shall mean Shield Crest, Inc., an Oregon corporation; all as the context and circumstances may require.

Date: 10-9-, 1992.

GOLF RESOURCES, INC., a California corporation

By: Steve H. Adams
Steve Adams, President

STATE OF OREGON, County of Klamath) ss:

Personally appeared before me STEVE ADAMS who, being duly sworn, did say that he is the president of GOLF RESOURCES, INC., a California corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of its board of directors; and he acknowledged said instrument to be its voluntary act and deed.

KIRSCHEIDL PROCK
NOTARY PUBLIC - OREGON

My Commission Expires

Kirstine L. Prock
NOTARY PUBLIC FOR OREGON
My Commission Expires: 12/6/92

WHEN RECORDED MAIL TO:

GIACOMINI & KNIIPS
ATTORNEYS AT LAW
706 MAIN STREET
KLAMATH FALLS, OREGON 97601

Return
TO KCTC, Sue

STATE OF OREGON)

County of _____) ss:

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in Book _____ on Page _____ or as filing fee number _____.

Official Records of said County.
Witness my hand and seal of
County affixed.

BY: _____ Title
Deputy

The following described real property situate in Klamath County, Oregon:

PARCEL 1: Lot 10, EXCEPT the Northerly 258.38 feet thereof; The W. 30' of Lot 2, Block 4; Lot 8, Block 5 of Tract No. 1257, Re-subdivision of First Addition to Shield Crest, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

Parcel 2 of Major Partition 1-91 situate in the NE $\frac{1}{4}$ of Section 7, and the NW $\frac{1}{4}$ of Section 8 Township 39 South, Range 10 East of the Willamette Meridian.

PARCEL 2: A parcel of land located in the W $\frac{1}{2}$ of the E $\frac{1}{2}$ of Section 8, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the one-quarter corner common to Sections 5 and 8, Township 39 South, Range 10 East of the Willamette Meridian; thence along the North line of said Section 8, North 89°45'14" East 953.75 feet to the Northwest corner of a parcel of land described in Volume M84 page 3240, Deed records of Klamath County, Oregon; thence, along the boundaries of said parcel South 00°13'00" East 185.00 feet; thence North 89°45'14" East 348.05 feet; thence South 00°13'00" East 372.07 feet; thence East 30.00 feet to a point on the East line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8; thence along said East line South 00°13'00" East 504.96 feet to the Northeast corner of a parcel of land described in Volume M87 page 15532, Deed records of Klamath County, Oregon; thence along the boundaries of said parcel, South 88°00'16" West 220.52 feet; thence North 85°19'47" West 286.02 feet; thence South 8°45'58" West 551.68 feet to the Southwest corner of said parcel; thence South 8°48'39" West 1935.93 feet to the Northeasterly corner of a parcel of land described in Volume 203 page 199, Deed records of Klamath County, Oregon; thence North 65°45'28" West 199.82 feet to the Northwesterly corner of said parcel and the Northeasterly corner of a parcel of land described in Volume M83 page 13511, Deed records of Klamath County, Oregon; thence along the Northerly boundary of said parcel North 80°36'19" West 274.21 feet to a point on the West line of the E $\frac{1}{2}$ of Section 8; thence along said East line North 00°03'03" East 3372.34 feet to the point of beginning.

together with easement retained by Grantor in Deed to Donald C. Griffith and Carol J. Griffith recorded September 12, 1991, in M-91 on page 18360, records of Klamath County, Oregon, more particularly described as follows:

A strip of land located in Parcel 1 of Major Partition 1-91 in the NE $\frac{1}{4}$ of Section 7 and the NW $\frac{1}{4}$ of Section 8, Township 39 South, Range 10 E.W.M. for the purpose of ingress, egress, and the construction and maintenance of utilities over, across and under said strip of land, more particularly described as follows:

Beginning at the northeasterly corner of Parcel 1 of Major Partition 1-91 from which the Section corner common to Sections 5, 6, 7 and 8 bears N. 13°45'05" W. 30.89 feet; thence along the easterly boundary of said Parcel 1, S. 26°21'17" E. 310.74 feet; thence N. 88°49'47" W. 33.83 feet; thence N. 26°21'17" W. 252.10 feet; thence N. 77°15'19" W. 97.06 feet; thence S. 89°45'36" W. 155.00 feet to the Westerly boundary of said Parcel 1, thence N. 2°07'07" E. 30.04 feet to the Northwest corner of said Parcel 1, thence N. 89°45'36" E. 256.35 feet to the point of beginning.

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together with an undivided interest in that private road shown on the plat as Shield Crest Drive and more particularly described in Declaration recorded in M-84 on page 4256 from a beginning point on Highway 140 to the terminus of said right at a point which is the south line of Lot 9, Block 4, Tract No. 1257, Re-subdivision of First Addition to Shield Crest.

Reserving to Grantor, their heirs, successors and/or assigns the following described easements:

1. A strip of land 20.00 feet wide located in the NW $\frac{1}{4}$ of Section 8, Township 39 South, Range 10 E.W.M., Klamath County, Oregon, for the construction and maintenance of utilities over, across and under said strip of land, more particularly described as follows:

Beginning at the most westerly corner of Lot 10 Block 4, Tract 1257, Re-Subdivision of a portion of the First Addition to Shield Crest from which point the Northwest corner of Section 8, T. 39 S. R. 10 E.W.M. bears N. 26°21'17" W. 304.94 feet and N. 00° 21'06" E. 15.00 feet; thence S. 88°49'47" E. 296.31 feet; thence S. 28°27'45" E. 205.76 feet to a point on the northwesterly line of Lot 11 of said Block 4; thence along said lot line S. 34°33'34" W. 22.44 feet to the most westerly corner of said Lot 11; thence N. 28°27'45" W. 204.31 feet; thence N. 88°49'47" W. 274.26 feet to the Westerly boundary of said Block 4; thence N. 26°21'17" W. 22.55 feet to the point of beginning.

2. A strip of land 30.00 feet wide located in parcel 2 of Major Partition 1-91 in the NE $\frac{1}{4}$ of Section 7, T. 39 S. R. 10 E.W.M., Klamath County, Oregon, for the purpose of ingress, egress and the construction and maintenance of utilities over, across and under said strip of land, more particularly described as the Northerly 30.00 feet of Parcel 2 of Major Partition 1-91.

Reserving also to the Grantor, their heirs, successors and/or assigns the right to use that easement retained by Grantor to Donald C. Griffith and Carol J. Griffith recorded September 12, 1991, in M-91 on page 18360, records of Klamath County, Oregon, and conveyed herein.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 16th day
of Oct. A.D., 19 92 at 11:42 o'clock A.M., and duly recorded in Vol. M92,
of Mortgages on Page 24272.

FEE \$25.00

Evelyn Biehn, County Clerk

By Douglas Muelender