

84413

07-18-94A10:50 RCVD

Vol 1794 Page 21960

RECORDATION REQUESTED BY:

WESTERN BANK
421 South 7th Street
P.O. Box 669
Klamath Falls, OR 97601-0322

WHEN RECORDED MAIL TO:

WESTERN BANK
421 South 7th Street
P.O. Box 669
Klamath Falls, OR 97601-0322

SEND TAX NOTICES TO:

RICHARD F. BOGATAY and TAMYRA L. BOGATAY
621 LOMA LINDA DRIVE
KLAMATH FALLS, OR 97601

K-45181

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE IS DATED JUNE 30, 1994, BETWEEN RICHARD F. BOGATAY and TAMYRA L. BOGATAY (referred to below as "Grantor"), whose address is 621 LOMA LINDA DRIVE, KLAMATH FALLS, OR 97601; and WESTERN BANK (referred to below as "Lender"), whose address is 421 South 7th Street, P.O. Box 669, Klamath Falls, OR 97601-0322.

MORTGAGE. Grantor and Lender have entered into a mortgage dated April 22, 1993 (the "Mortgage") recorded in KLAMATH County, State of Oregon as follows:

RECORDED MAY 4, 1993, INSTRUMENT 60945, VOLUME 53, PAGE 9725

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property (the "Real Property") located in KLAMATH County, State of Oregon:

SEE ATTACHED EXHIBIT "A"

The Real Property or its address is commonly known as 621 LOMA LINDA DR., KLAMATH, OR 97601. The Real Property tax identification number is 3809-28CA-700.

MODIFICATION. Grantor and Lender hereby modify the Mortgage as follows:

EXTEND MATURITY DATE OF MORTGAGE DATED APRIL 22, 1993 FROM APRIL 22, 1994, TO JULY 1, 1999. REDUCE MORTGAGE AMOUNT FROM \$60,000 TO \$54,353.11.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorser to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

EACH GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE, AND EACH GRANTOR AGREES TO ITS TERMS.

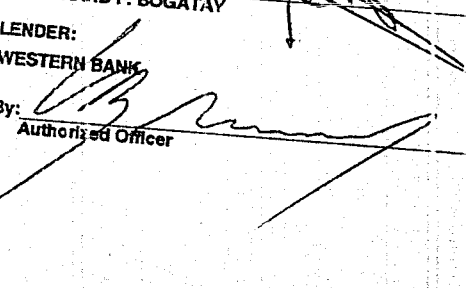
GRANTOR:

x 
RICHARD F. BOGATAY

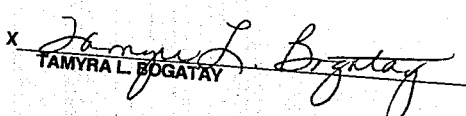
LENDER:

WESTERN BANK

By:


Authorized Officer

x


TAMYRA L. BOGATAY

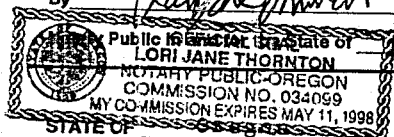
INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oregon)
COUNTY OF Klamath) SS

On this day before me, the undersigned Notary Public, personally appeared RICHARD F. BOGATAY and TAMYRA L. BOGATAY, to me known to be the individuals described in and who executed the Modification of Mortgage, and acknowledged that they signed the Modification as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 30th day of June, 19 94.

By [Signature] Residing at Klamath Falls, Oregon
My commission expires 5-11-1998

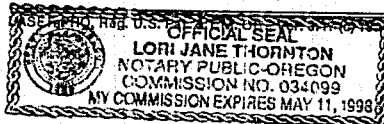


LENDER ACKNOWLEDGMENT

STATE OF Oregon)
COUNTY OF Klamath) SS

On this 30th day of June, 19 94 before me, the undersigned Notary Public, personally appeared Charles R. Skyberg and known to me to be the Assistant Manager, authorized agent for the Lender, that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of the said Lender, duly authorized by the Lender through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this said instrument and that the seal affixed is the corporate seal of said Lender.

By [Signature] Residing at Klamath Falls, Oregon
Notary Public in and for the State of Oregon My commission expires 5-11-1998



21962

EXHIBIT "A"

DESCRIPTION OF PROPERTY

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

All that portion of Tracts 49 and 50 of Loma Linda Heights, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon, more particularly described as follows:

Beginning at the most Westerly corner of said Tract 50, running thence S. 21°14' E. along the Westerly line of said Tract 50, a distance of 50 feet; thence Northeasterly parallel to the Northwestern line of said Tract 50 to the Easterly line of said Lot 50; thence N. 12°14' W. a distance of 50.5 feet, more or less, to the most Northerly corner of said Tract 50; thence N. 21°14' W. along the Easterly line of said Tract 49, a distance of 40 feet, more or less, to the most Easterly corner of tract conveyed to Richard G. Beane, et ux., by deed recorded in Vol. 285 of Deeds, on page 115 thereof; thence Southwesterly parallel to the Northwestern line of said Tract 49 a distance of 139.1 feet to the Easterly line of Loma Linda Drive; thence S. 21°14' E. a distance of 40 feet to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title
of July A.D., 19 94 at 10:50 o'clock A M., and duly recorded in Vol. M94
of Mortgages on Page 21960

FEE \$20.00

Evelyn Biehn County Clerk
By Bernetta Mueller