

87618

09-08-94A11:13 RCVD

Vol 94 Page 28251

## RECORDATION REQUESTED BY:

South Valley State Bank  
5215 South Sixth Street  
Klamath Falls, OR 97603

## WHEN RECORDED MAIL TO:

South Valley State Bank  
5215 South Sixth Street  
Klamath Falls, OR 97603

## SEND TAX NOTICES TO:

Mickey D Cummings and Ester J Cummings  
P O Box 41  
Klamath Falls, OR 97601

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

## MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST IS DATED AUGUST 30, 1994, BETWEEN Mickey D Cummings and Ester J Cummings, Husband and Wife (referred to below as "Grantor"), whose address is P O Box 41, Klamath Falls, OR 97601; and South Valley State Bank (referred to below as "Lender"), whose address is 5215 South Sixth Street, Klamath Falls, OR 97603.

DEED OF TRUST. Grantor and Lender have entered into a Deed of Trust dated July 9, 1991 (the "Deed of Trust") recorded in Klamath County, State of Oregon as follows:

Recorded on August 6, 1991 at the County Clerk's Office Klamath County, Volume M91 at page 15416

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property (the "Real Property") recorded in Klamath County, State of Oregon:

See attached Exhibit A

MODIFICATION. Grantor and Lender hereby modify the Deed of Trust as follows:

Extend Maturity Date to August 30, 2000

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust 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 Deed of Trust 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 Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust 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 Deed of Trust 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 DEED OF TRUST, AND EACH GRANTOR AGREES TO ITS TERMS.

GRANTOR:

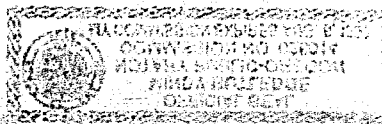
X Mickey D Cummings  
Mickey D Cummings

X Ester J Cummings  
Ester J Cummings

LENDER:

South Valley State Bank

By: Hal Sturgeon  
Authorized Officer



INDIAN/NOT VCKKOM

09-08-94A11:13  
09-30-1994

(continued)  
MODIFICATION OF DEED OF TRUST

SB

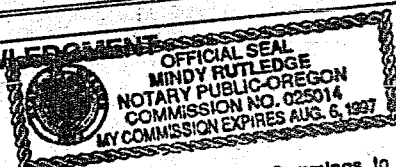
08-30-1994  
Loan No 204635

# MODIFICATION OF DEED OF TRUST (Continued)

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## INDIVIDUAL ACKNOWLEDGMENT



STATE OF OREGON ) SS  
COUNTY OF CLATSOP

On this day before me, the undersigned Notary Public, personally appeared Mickey D Cummings and Ester J Cummings, to me known to be the individuals described in and who executed the Modification of Deed of Trust, 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 31st day of AUGUST, 19 94.  
By Mindy Rutledge  
Notary Public in and for the State of OREGON

Residing at BLANATH FALLS  
My commission expires 8-6-97

## LENDER ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ ) SS  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, 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 \_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_  
My commission expires \_\_\_\_\_

LASER PRO, Reg. U.S. Pat. & T.M. Off., Ver. 3.18 (c) 1994 CFI ProServices, Inc. All rights reserved. [OR-G202 E3.17 F3.17 P3.17 CROOFLING LN C1.OVL]

## MODIFICATION OF DEED OF TRUST

RECEIVED BY \_\_\_\_\_  
DATE \_\_\_\_\_  
SEND FAX NOTICE TO \_\_\_\_\_

RECEIVED BY \_\_\_\_\_  
DATE \_\_\_\_\_  
WHEN RECEIVED MAIL TO \_\_\_\_\_

RECEIVED BY \_\_\_\_\_  
DATE \_\_\_\_\_  
MODIFICATION REQUESTED BY \_\_\_\_\_

28252

08-08-041113 ROAD

NOT RECORDED

## EXHIBIT "A"

534 SPRING STREET

LOTS 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B AND 13A, BLOCK 7, RAILROAD ADDITION TO THE CITY OF KLAMATH FALLS, IN THE COUNTY OF KLAMATH, STATE OF OREGON.

HOMEDALE ROAD

THE SE 1/4 NE 1/4 AND NE 1/4 SE 1/4 OF SECTION 23, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, LYING SOUTHERLY OF THE GREAT NORTHERN RAILROAD RIGHT OF WAY.

SAVING AND EXCEPTING THE FOLLOWING PORTION IN THE NE 1/4 SE 1/4 AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NE 1/4 SE 1/4 OF SECTION 23, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, WHICH POINT OF BEGINNING IS MARKED BY THE INTERSECTION OF OLD FENCE LINES WITH THE CENTER LINE OF THE HOMEDALE-DIXON COUNTY ROAD; THENCE NORTH ALONG THE CENTERLINE OF SAID COUNTY ROAD A DISTANCE OF 145 FEET; THENCE NORTH 89 DEGREES 47' EAST ALONG A LINE PARALLEL TO AND 145 FEET DISTANT FROM THE SOUTH LINE OF THE NE 1/4 SE 1/4 OF SAID SECTION 23 A DISTANCE OF 300 FEET; THENCE SOUTH 145 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID NE 1/4 SE 1/4; THENCE SOUTH 89 DEGREES 47' WEST ALONG SAID SOUTH LINE A DISTANCE OF 300 FEET, MORE OF LESS, TO THE POINT OF BEGINNING. ALSO SAVING AND EXCEPTING THOSE PORTIONS DEEDED TO GREAT NORTHERN RAILWAY COMPANY IN VOLUME 95, PAGE 479 AND VOLUME 97, PAGE 85, ALL DEED RECORDS OF KALAMTH COUNTY, OREGON.

MICKEY D &amp; ESTER J CUMMINGS

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of S. Valley State Bank the 8th day  
of Sept. A.D., 19 94 at 11:13 o'clock A M., and duly recorded in Vol. M94  
of Mortgages on Page 28251.

FEE \$20.00

Evelyn Biehn- County Clerk

By Dorlene Muelendore