

91786

11:30 94A10:33 RCVD

Vol. M94 Page 36445

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:

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

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE IS DATED NOVEMBER 23, 1994, BETWEEN K-FALLS DISTRIBUTING, a Co-Partnership, consisting of Eugene D Rosterolla, Jerry D Rosterolla and Yolanda Rosterolla (referred to below as "Grantor"), whose address is P O Box 1018, 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.

MORTGAGE. Grantor and Lender have entered into a mortgage dated May 19, 1993 (the "Mortgage") recorded in Klamath County, State of Oregon as follows:

Recording date: June 9, 1993, in the Office of the County Clerk of Klamath County, in Vol. M93, of Mortgages, on Page 13283

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

LOTS 13, 14, AND 15 IN BLOCK 4 OF FIRST ADDITION TO ALTAMONT ACRES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, TOGETHER WITH VACATED MARYLAND AVENUE (FORMERLY TAPPAN AVENUE) WHICH ADJOINS LOTS 13, 14, AND 15 ON THE SOUTH LINE.

The Real Property or its address is commonly known as 2859 Avalon St, Klamath Falls, OR 97603.

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

(page 13284, section 2, Purpose)

Eighty Five Thousand Seven Hundred Twenty Seven and No/ One Hundredths..

To increase the Principal amount to \$385,777.00 (Three Hundred

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 Lender in writing. Any modification of the original Mortgage does not sign this Modification, then all persons signing below acknowledge that 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:

K-FALLS DISTRIBUTING, a Co-Partnership.

By: Eugene D Rosterolla
Eugene D Rosterolla, General Partner

By: Jerry D Rosterolla
Jerry D Rosterolla, General Partner

By: Yolanda Rosterolla
Yolanda Rosterolla, General Partner

LENDER:

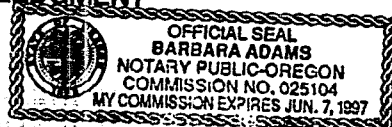
South Valley State Bank

By: Hal Sturgeon
Authorized Officer

PARTNERSHIP ACKNOWLEDGMENT

STATE OF OREGON

COUNTY OF KLAMATH



On this 23RD day of NOVEMBER, 19 94, before me, the undersigned Notary Public, personally appeared Eugene D Rosterolla, Jerry D Rosterolla and Yolanda Rosterolla, and known to me to be partners or designated agents of the partnership that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of the partnership, by authority of statute or its Partnership Agreement, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this Modification and in fact executed the Modification on behalf of the partnership.

By: Barbara Adams
Notary Public in and for the State of OREGON

Residing at KLAMATH FALLS

My commission expires _____

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of S. Valley State Bank the 30th day of Nov A.D., 19 94 at 10:33 o'clock A.M., and duly recorded in Vol. M94 of Mortgages on Page 36445.

FEE \$10.00

Evelyn Biehn County Clerk

By: Barbara Adams