

94115

Recording requested by:

CENTRAL VALLEY PRODUCTION CREDIT  
ASSOCIATION

When recorded mail to:

CENTRAL VALLEY PRODUCTION  
CREDIT ASSOCIATION  
Post Office Box 459  
Oakdale, California 95361

MTC 31886 &amp; 31887

**MODIFICATION AGREEMENT**

This Agreement is made as of November 23, 1994, by and between M & B CATTLE COMPANY, a California General Partnership, Grantors, and CENTRAL VALLEY PRODUCTION CREDIT ASSOCIATION ("CVPCA").

**RECITALS**

1. BERT R. ELWORTHY and SHEILA R. ELWORTHY, Husband and Wife, are indebted to CVPCA under the Promissory Note dated November 23, 1994, for the original principal sum of \$1,265,538.00, and MARK R. ELWORTHY is indebted to CVPCA under Promissory Note dated November 23, 1994, for the original principal sum of \$933,925.00, and M & B CATTLE COMPANY, a California General Partnership is indebted to CVPCA under Promissory Note dated November 23, 1994, for the original principal sum of \$4,322,205.00 ("Notes").

2. The Notes are to be secured by two Deeds of Trust dated December 17, 1993, executed by M & B CATTLE COMPANY, a California General Partnership, as Trustor, in favor of CVPCA as Beneficiary, with CVPCA named as Trustee, which Deeds of Trust were recorded on December 30, 1993, in the Official Records of Klamath County, State of Oregon, at Volume M93 of Mortgages, Page 35406, and recorded on January 10, 1994, in the Official Records of said County Clerk at Volume M94 of Mortgages, Page 912 ("Deeds of Trust").

3. All of the above parties mutually desire and it would be to their mutual benefit to modify certain terms and conditions of the Deed of Trust.

**AGREEMENT**

In view of the Recitals and for other valuable consideration, receipt of which is hereby acknowledged, the undersigned do hereby agree as follows:

1. Those certain paragraphs found near the bottom of Page 1 of said Deeds of Trust and Assignments of Rent commencing with the "For the Purpose of Securing. . ." shall be modified so as to include the above-referenced Notes in the sums of \$1,265,538.00, \$933,925.00 and \$4,322,205.00, dated November 23, 1994.

2. All other terms and conditions of the Deeds of Trust and Assignments of Rent are unaltered and said Deeds of Trust and Assignments of Rent and any security agreements remain in full force and effect.

Dated: ✓ 12/16/94

M & B CATTLE COMPANY, a  
California General Partnership

By ✓ Bert R. Elworthy  
BERT R. ELWORTHY, Partner

Dated: ✓ 12/15/94

By ✓ Mark R. Elworthy  
MARK R. ELWORTHY, Partner

Dated: 12/16/94

CENTRAL VALLEY PRODUCTION  
CREDIT ASSOCIATION

By 3/ [Signature]  
Its VICE PRESIDENT/BRANCH MANAGER

STATE OF CALIFORNIA  
COUNTY OF Glenn } S.S.

On December 15, 1994 before me,  
Starla Perez

a Notary Public in and for said County and State, personally appeared

Mark R. Elworthy

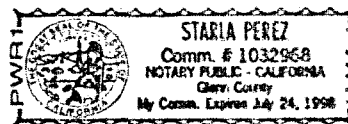
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature  
F 2492 (5-91)

Starla Perez

FOR NOTARY SEAL OR STAMP



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

1927

No. 5907

State of California

County of Stanislaus

On 12-16-94 before me, Cindy A. Martin  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Bert R. Elworthy  
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Cindy A. Martin  
SIGNATURE OF NOTARY

## OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

### CAPACITY CLAIMED BY SIGNER

- ☐ INDIVIDUAL  
☐ CORPORATE OFFICER

TITLE(S)

- ☒ PARTNER(S) ☐ LIMITED  
☒ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER:

### DESCRIPTION OF ATTACHED DOCUMENT

Modification Agreement  
TITLE OR TYPE OF DOCUMENT

2  
NUMBER OF PAGES

11-23-94  
DATE OF DOCUMENT

### SIGNER IS REPRESENTING:

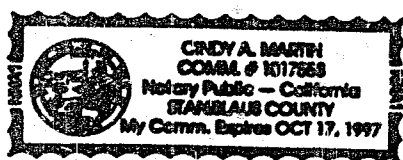
NAME OF PERSON(S) OR ENTITY(IES)  
M&B Cattle Co. a Calif.  
general ptnship

Mark R. Elworthy  
SIGNER(S) OTHER THAN NAMED ABOVE

## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of CaliforniaCounty of StanislausOn 1/11/95 before me, Cindy A. Martin  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"personally appeared Walter Gray  
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Cindy A. Martin  
SIGNATURE OF NOTARY

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- ☐ PARTNER(S) ☐ LIMITED  
☐ GENERAL

- ☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER: \_\_\_\_\_

## SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

Central Valley PCA

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 DATE OF DOCUMENT

Bert R. Elworthy & Mack R. Elworthy  
 SIGNER(S) OTHER THAN NAMED ABOVE

STATE OF OREGON: COUNTY OF KLAMATH: SS.

Filed for record at request of Mountain Title Co the 26th day  
 of Jan A.D., 19 95 at 1:37 o'clock P. M., and duly recorded in Vol. M95  
 of Mortgages on Page 1925

Bernetha G. Letsch County Clerk

By Pauline Mullender

FEE \$25.00