

39046

04-26-95A11:41 RCVD Vol. 1495 Page 10694

## RECORDATION REQUESTED BY:

South Valley State Bank  
801 Main Street  
Klamath Falls, OR 97601

## WHEN RECORDED MAIL TO:

South Valley State Bank  
801 Main Street  
Klamath Falls, OR 97601

## SEND TAX NOTICES TO:

Garter Enterprises, Inc.  
2636 Biehn Street  
Klamath Falls, OR 97601

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MTC 35257

## MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST IS DATED APRIL 20, 1995, BETWEEN Garter Enterprises, Inc. (referred to below as "Grantor"), whose address is 2636 Biehn Street, Klamath Falls, OR 97601; and South Valley State Bank (referred to below as "Lender"), whose address is 801 Main Street, Klamath Falls, OR 97601.

DEED OF TRUST. Grantor and Lender have entered into a Deed of Trust dated October 17, 1994 (the "Deed of Trust") recorded in Klamath County, State of Oregon as follows:

Recorded on October 26, 1994 in Vol. M94 of Mortgages on Page 33310 in the office of the County Clerk of Klamath County, State of Oregon

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

A portion of the SW 1/4 SW 1/4 of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

The Real Property or its address is commonly known as 2636 Biehn Street, Klamath Falls, OR 97601.

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

Principal increase to 225,000.00, and extend the maturity date to June 15, 1998

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:

Garter Enterprises, Inc.

By:

Quin Millon

LENDER:

South Valley State Bank

By:

Authorized Officer

CONFIRMATION OF MODIFICATION

MODIFICATION OF DEED OF TRUST

10694

CORPORATE ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )

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

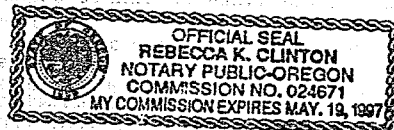
On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned Notary Public, personally appeared Quin Million of Garter Enterprises, Inc., and known to me to be an authorized agent of the corporation that executed the Modification of Deed of Trust and directors, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the corporation.

By \_\_\_\_\_ Residing at \_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_ My commission expires \_\_\_\_\_

LENDER ACKNOWLEDGMENT

STATE OF OREGON )

COUNTY OF CLATSOP ) SS



On this 20th day of APRIL, 1995, before me, the undersigned Notary Public, personally appeared DAVID HUCKINS and known to me to be the SENIOR LOAN OFFICER, authorized agent for the 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.

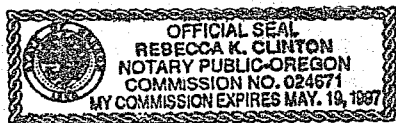
By Rebecca K. Clinton Residing at \_\_\_\_\_  
Notary Public in and for the State of OREGON My commission expires 5/19/97

State of Oregon  
County of Klamath

On APRIL 20, 1995, DAVID HUCKINS  
personally appeared before me, whom I know personally to be the  
person who signed this certificate while under oath, being sworn by  
me, and swears that he/she was present and saw QUIN MILLION  
sign his/her name to the above/attached document and that it is  
his/her signature.

[Signature]

Signed and sworn to before me by DAVID HUCKINS,  
this 20th day of APRIL, 1995.



Rebecca K. Clinton

My commission expires: 5/19/97

This Notary Certificate is prepared on a separate page and is  
attached to the document entitled MODIFICATION OF DEED OF TRUST,  
containing 1 pages and is attached to that document by means of  
STAPLE.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co the 26th day  
of April A.D., 19 95 at 11:41 o'clock A M., and duly recorded in Vol. M95  
of Mortgages on Page 10694

FEE \$20.00

By Bernetha G. Lutsch County Clerk  
[Signature]