

RECORDATION REQUESTED BY:

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

05-17-95 A11:10 RCVD

Vol. M95 Page 12818

WHEN RECORDED MAIL TO:

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

SEND TAX NOTICES TO:

THE ESTATE OF CHARLES W BIAGGI, MATTHEW C BIAGGI,
KIMBERLY A BIAGGI and ERIC B NEWELL
17000 West Langell Valley Rd
Bonanza, OR 97632

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST IS DATED FEBRUARY 24, 1995, BETWEEN THE ESTATE OF CHARLES W BIAGGI, MATTHEW C BIAGGI, KIMBERLY A BIAGGI and ERIC B NEWELL, Vested as: The Estate of CHARLES W BIAGGI, as to an undivided 57.1428% interest, MATTHEW C BIAGGI and KIMBERLY A BIAGGI, husband and wife, as Joint Tenants, as to an undivided 28.5715% interest and ERIC B NEWELL, an unmarried man, as to an undivided 14.2857% interest (referred to below as "Grantor"), whose address is 17000 West Langell Valley Rd, Bonanza, OR 97632; 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 May 2, 1994 (the "Deed of Trust") recorded in Klamath County, State of Oregon as follows:

Recorded June 2, 1994 in Vol. M94 of Mortgages on Page 17359 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:

See attached Exhibit "C"

The Real Property or its address is commonly known as **Henley Road, Klamath Falls, OR 97603.**

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

To extend to maturity date to February 28, 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 endorsers 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 THE ESTATE OF CHARLES W BIAGGI

x MATTHEW C BIAGGI

x KIMBERLY A BIAGGI

x ERIC B NEWELL

LENDER:

South Valley State Bank

By: [Signature]
Authorized Officer

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oregon

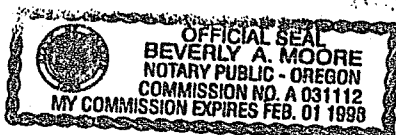
COUNTY OF Klamath) SS

On this day before me, the undersigned Notary Public, personally appeared THE ESTATE OF CHARLES W BIAGGI, MATTHEW C BIAGGI, KIMBERLY A BIAGGI and ERIC B NEWELL, 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 14th day of MARCH, 19 95.

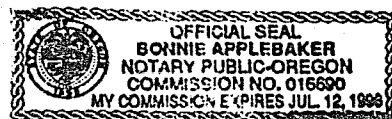
By: Beverly A. Moore Residing at Marion, OR

Notary Public in and for the State of Oregon My commission expires 2-1-98



LENDER ACKNOWLEDGMENT

STATE OF Oregon)
COUNTY OF Klamath) SS



On this 15th day of May, 19 95, before me, the undersigned Notary Public, personally appeared David A. Jenkins and known to me to be the Senior Loan Officer, 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 Bonnie Applebaker Residing at 9425 Dellinger Lane, K Falls
Notary Public in and for the State of Oregon My commission expires 7-12-96

THE FOLLOWING DESCRIBED REAL PROPERTY SITUATE IN KLAMATH COUNTY, OREGON.

A TRACT OF LAND SITUATED IN THE N1/2 NW1/4 OF SECTION 25, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF KLAMATH, STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF HENLEY ROAD, SAID POINT BEING NORTH 00 DEGREES 11' 20" EAST 30.00 FEET AND SOUTH 89 DEGREES 33' 00" WEST 707.00 FEET FROM THE SOUTHEAST CORNER OF THE NE1/4 NW1/4 OF SAID SECTION 25; THENCE SOUTH 89 DEGREES 33' 00" WEST, ALONG THE NORTH LINE OF HENLEY ROAD, A DISTANCE OF 1465.54 FEET TO A 1/2 INCH IRON ROD; THENCE NORTH 00 DEGREES 39' 00" EAST A DISTANCE OF 563.83 FEET TO A 1/2 INCH IRON ROD ON THE NORTHWESTERLY LINE OF THE A-4-B LATERAL; THENCE NORTH 51 DEGREES 28' 00" EAST ON SAID NORTHWESTERLY LINE A DISTANCE OF 739.12 FEET; THENCE SOUTH 89 DEGREES 58' 00" WEST A DISTANCE OF 1062.98 FEET TO THE WEST LINE OF SECTION 25; THENCE NORTH 00 DEGREES 14' 07" EAST ALONG SAID WEST LINE A DISTANCE OF 269.82 FEET TO THE NORTHWEST CORNER OF SECTION 25; THENCE SOUTH 89 DEGREES 44' 2" EAST ALONG THE NORTH LINE OF SECTION 25 A DISTANCE OF 1582.80 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD; THENCE SOUTH 47 DEGREES 56' 22" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 526.45 FEET; THENCE SOUTH 01 DEGREES 55' 00" WEST A DISTANCE OF 922.42 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE UNITED STATES OF AMERICA BY DEED DATED APRIL 26, 1933, RECORDED JUNE 7, 1933, IN VOLUME 101 AT PAGE 138, DEED RECORDS OF KLAMATH COUNTY, OREGON.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of South Valley State Bank the 17th day
of May A.D., 19 95 at 11:10 o'clock A M., and duly recorded in Vol. M95
of Mortgages on Page 12818.

FEE \$20.00

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By Bernetha G. Letsch County Clerk