

23064

RECORDATION REQUESTED BY:

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

Vol. m96 Page 24796

WHEN RECORDED MAIL TO:

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

SEND TAX NOTICES TO:

Western Homes, Inc.
5729 Altamont Dr.
Klamath Falls, OR 97603
Glenn G Justus
2040 Lakeshore Dr.
Klamath Falls, OR 97601

Joanna L Justus
2040 Lakeshore Dr.
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 JULY 29, 1996, BETWEEN Western Homes, Inc., whose address is 5729 Altamont Dr, Klamath Falls, OR 97603; Glenn G Justus, whose address is 2040 Lakeshore Dr, Klamath Falls, OR 97601 and Joanna L Justus, whose address is 2040 Lakeshore Dr, Klamath Falls, OR 97601, Vested as: Western Homes, Inc., an Oregon Corporation as to an undivided 1/2 interest and Glenn G Justus and Joanna L Justus, Husband and Wife, as to an undivided 1/2 interest (referred to below individually and collectively as "Grantor"); 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 January 16, 1996 (the "Deed of Trust") recorded in Klamath County, State of Oregon as follows:

Recorded on January 22, 1996 at the Klamath County Clerk's Office at Page M96, Volume 1776

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

A piece or parcel of land situated in the S1/2 SW 1/4 of Section 30, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:
Commencing at the point of intersection of the section line marking the Southerly boundary of said Section 30, with a line parallel with and 50 feet distant at right angles Southeasterly from the center line of the Klamath Falls-Midland section of the section of the Oregon State Highway, as the same is now located and constructed from which point of intersection the Southwesterly corner of the said Section 30 bears South 89 degrees 42 1/2' West, 127.1 feet, more or less, and running thence North 89 degrees 42 1/2' East 344.87 feet along said section line to the true point of beginning of this description; thence North 36 degrees 49 1/2' East 163.03 feet, more or less, to a point in a line parallel with and 130.04 feet distant at right angles Northerly from said section line; thence North 89 degrees 42 1/2' East along said parallel line 74.32 feet; thence South 0 degrees 17 1/2' East 130.5 feet, more or less, to a point in the said section line; thence South 89 degrees 42 1/2' West along said section line 172.70 feet, more or less, to the said point of beginning.

The Real Property or its address is commonly known as 89 Del Fattio Lane, Klamath Falls, OR 97601.

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

Extend Maturity date to January 15, 1997

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:

Western Homes, Inc.
By: Cathy King, President

X Glenn G Justus

X Joanna L Justus

LENDER:

South Valley State Bank

By: [Signature]
Authorized Officer

CORPORATE ACKNOWLEDGEMENT

FORM NO 305803
01-58-1988

(continued)
MODIFICATION OF DEED OF TRUST

23064

CORPORATE ACKNOWLEDGMENT

STATE OF Oregon
COUNTY OF Klamath) ss



On this 1st day of August, 1996, before me, the undersigned Notary Public, personally appeared Cathy King, President of Western Homes, Inc., and known to me to be an authorized agent of the corporation that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of 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 Leota Westlund
Notary Public in and for the State of Oregon

Residing at 5011 Harbor Dr Klamath Falls OK
My commission expires February 14, 2000

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oregon
COUNTY OF Klamath) ss



On this day before me, the undersigned Notary Public, personally appeared Glenn G Justus, to me known to be the individual described in and who executed the Modification of Deed of Trust, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 1st day of August, 1996.

By Leota Westlund
Notary Public in and for the State of Oregon

Residing at 5011 Harbor Dr, Klamath Falls OK
My commission expires February 14, 2000

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oregon
COUNTY OF Klamath) ss



On this day before me, the undersigned Notary Public, personally appeared Joanna L Justus, to me known to be the individual described in and who executed the Modification of Deed of Trust, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 1st day of August, 1996.

By Leota Westlund
Notary Public in and for the State of Oregon

Residing at 5011 Harbor Dr Klamath Falls OK 97603
My commission expires February 14, 2000

INDIVIDUAL ACKNOWLEDGMENT

STATE OF _____
COUNTY OF _____) ss

MODIFICATION OF DEED OF TRUST

On this day before me, the undersigned Notary Public, personally appeared Joanna L Justus, to me known to be the individual described in and who executed the Modification of Deed of Trust, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this _____ day of _____, 19____.

By _____
Notary Public in and for the State of _____

Residing at _____
My commission expires _____

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of South Valley State Bank the 13th day of August A.D., 19 96 at 9:33 o'clock A M., and duly recorded in Vol. M96 of Mortgages on Page 24796.

FEE \$15.00

Bernetha G Letsch, County Clerk
By Christy Swannell