

27662

RECORDATION REQUESTED BY:

South Valley State Bank
P O Box 631
Gilchrist, OR 97737

WHEN RECORDED MAIL TO:

South Valley State Bank
P O Box 631
Gilchrist, OR 97737

SEND TAX NOTICES TO:

Ernst Brothers L. L. C.
P O Box 637
Gilchrist, OR 97737

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SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST IS DATED OCTOBER 16, 1996, BETWEEN Ernst Brothers L. L. C., an Oregon Limited Liability Company, as estate in fee simple (referred to below as "Grantor"), whose address is P O Box 637, Gilchrist, OR 97737; and South Valley State Bank (referred to below as "Lender"), whose address is P O Box 631, Gilchrist, OR 97737.

DEED OF TRUST. Grantor and Lender have entered into a Deed of Trust dated December 28, 1995 (the "Deed of Trust") recorded in Klamath County, State of Oregon as follows:

Recorded on February 15, 1996 at the Klamath County Clerk's Office, Volume M95 at Page 4398

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

Parcel 1 of Minor Partition 52-91 filed in the office of the Klamath County Clerk on September 27, 1991, located in Section 19 and 20 in Township 24 South, Range 9 East of the Willamette Meridian.

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

Extend Maturity date to October 31, 2000

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:

Ernst Brothers L. L. C.

By: Wayne G Ernst

Wayne G Ernst

ATTEST:

Secretary of Assistant Secretary

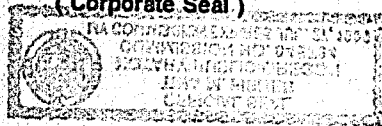
LENDER:

South Valley State Bank

By: Authorized Officer

Authorized Officer

(Corporate Seal)



CORPORATE ACKNOWLEDGMENT

STATE OF OREGON

COUNTY OF KLAMATH

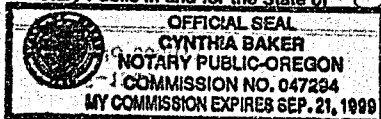
On this 18th day of OCTOBER, 1996, before me, the undersigned Notary Public, personally appeared Wayne G Ernst of Ernst Brothers L. L. C., and known to me to be an authorized agent of the corporation that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and 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 Cynthia Baker

Residing at Gilchrist OR

Notary Public in and for the State of OREGON

My commission expires 9/21/1999



(Copied)

MODIFICATION OF DEED OF TRUST

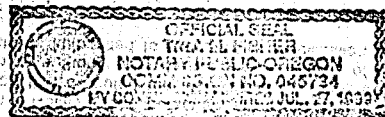
34225

6005 3

LENDER ACKNOWLEDGMENT

STATE OF Oregon

COUNTY OF Klamath



On this 18th day of October, 1996, before me, the undersigned Notary Public, personally appeared David A. Hukins and known to me to be the 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.

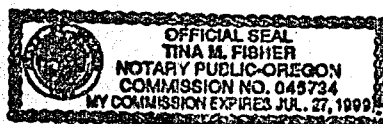
By Tina M. Fisher

Residing at Klamath

Notary Public in and for the State of Oregon

My commission expires 7-27-99

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ 1st day of November, A.D., 1996 at 1:21 o'clock P.M., and duly recorded in Vol. M96 of _____ Mortgages on Page 34551.

FEE \$15.00

Bernetha G. Letsch, County Clerk

By Kathleen Rose

EXHIBIT MATERIAL DATE 10 OCTOBER 01 2000
MODIFICATION OF DEED OF TRUST: This document is a modification of the deed of trust recorded in the office of the County Clerk of Klamath County, Oregon, on October 18, 1996, at 1:21 P.M., and duly recorded in Vol. M96 of Mortgages on Page 34551. The deed of trust covers the following described real property (the "Property") located in Klamath County, Oregon: [Description of Property]. This modification of deed of trust is being recorded in the office of the County Clerk of Klamath County, Oregon, on October 18, 1996, at 1:21 P.M., and duly recorded in Vol. M96 of Mortgages on Page 34551. This modification of deed of trust is being recorded in the office of the County Clerk of Klamath County, Oregon, on October 18, 1996, at 1:21 P.M., and duly recorded in Vol. M96 of Mortgages on Page 34551.

MODIFICATION OF DEED OF TRUST

BY AND FOR THE LENDER: [Signature]

CHIEF OF BANK
P.O. BOX 831
2001 1st Ave S.W.
SEND TAX NOTICE TO:

CHIEF OF BANK
P.O. BOX 831
2001 1st Ave S.W.
WHEN RECORDED MAIL TO:

CHIEF OF BANK
P.O. BOX 831
2001 1st Ave S.W.
RECORDATION REQUESTED BY:

Stees

10-18-96 10:18 AM 34552