

38772

Vol. 1797 Page 17246

## RECORDATION REQUESTED BY:

'97 JUN -5 P2:02

South Valley Bank & Trust  
P O Box 5210  
Klamath Falls, OR 97603

## WHEN RECORDED MAIL TO:

South Valley Bank & Trust  
P O Box 5210  
Klamath Falls, OR 97603

ATTN: Tammy

## SEND TAX NOTICES TO:

Mark J Ericks and Brenda A Ericks  
5189 Round Lake Rd  
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 MAY 29, 1997, BETWEEN Mark J Ericks and Brenda A Ericks, Husband and Wife (referred to below as "Grantor"), whose address is 5189 Round Lake Rd, Klamath Falls, OR 97601; and South Valley Bank & Trust (referred to below as "Lender"), whose address is P O Box 5210, Klamath Falls, OR 97603.

DEED OF TRUST. Grantor and Lender have entered into a Deed of Trust dated April 8, 1992 (the "Deed of Trust") recorded in Klamath County, State of Oregon as follows:

Volume M52, Page 7490, Document #43315, recorded on April 10, 1992 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:

PARCEL 1:  
Tract 4, GIENGER'S HOME TRACTS, in the County of Klamath, State of Oregon.

EXCEPTING from the above described parcels that portion granted to the State of Oregon, by and through its State Highway Commission by Final Judgment filed October 25, 1954 in Case No. 64-163L for the widening of South Sixth Street.

PARCEL 2:  
The Southerly 415 feet of Tract 5, GIENGER'S HOME TRACTS, in the County of Klamath, State of Oregon.

PARCEL 3:  
The Northerly 280 feet of Tract 6 of GIENGER'S HOME TRACTS, in the County of Klamath, State of Oregon, LESS portion thereof contained in the right of way of the Dalles-California Highway.

PARCEL 4:  
Beginning at the Northwest corner of Lot 5 of GIENGER'S HOME TRACTS, in the County of Klamath, State of Oregon, as is shown on the official plat thereof of said addition on file in the office of the County Clerk of Klamath County, Oregon, (being situated in the E1/2 E1/2 SW1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian); thence from said point of beginning running Easterly 100 feet to a point; thence from said point and at right angles running Southerly 225 feet to a point; thence from said point and at right angles running Westerly 100 feet to a point; thence from said point and at right angles to said Southerly line running Northerly to the point of beginning 225 feet; thereby constituting a tract of land 100 x 225 feet, less portion thereof contained in the right of way of the Dalles-California Highway.

LESS FURTHER EXCEPTING from Parcels 3 and 4 above that portion thereof conveyed to the State of Oregon by and through its Highway Commission by Deed recorded April 23, 1964 in Book 352 at Page 443, Deed Records of Klamath County, Oregon.

The Real Property or its address is commonly known as 4710 South 6th Street, Klamath Falls, OR 97603. The Real Property tax Identification number is 3909-2CA-TL-1000, 3909-2CA-TL-1100, 3909-2CA-TL-1200, 3909-2CA-TL-1300 & 3909-1CA-TL-1900.

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

Extend the maturity date to May 15, 2002.

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 Mark J Ericks  
Mark J Ericks

X Brenda A Ericks  
Brenda A Ericks

LENDER:

South Valley Bank & Trust

By: Hal Sturgeon  
Authorized Officer

ck  
15-

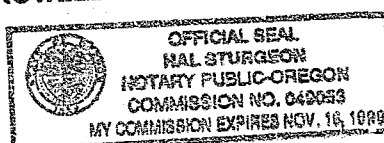


MODIFICATION OF DEED OF TRUST  
(Continued)

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INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oregon )  
COUNTY OF Klamath ) ss

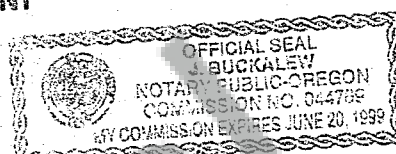


On this day before me, the undersigned Notary Public, personally appeared Mark J Ericks and Brenda A Ericks, to me known to be the individuals described in and who executed the Modification of Deed of Trust, and acknowledged that they signed the Modification as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 30<sup>th</sup> day of May, 19 97.  
By Hal Sturgeon Residing at Klamath Falls  
Notary Public in and for the State of Oregon My commission expires Nov 16, 1999

LENDER ACKNOWLEDGMENT

STATE OF Oregon )  
COUNTY OF Klamath ) ss



On this 30<sup>th</sup> day of May, 19 97, before me, the undersigned Notary Public, personally appeared Hal Sturgeon and known to me to be the 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 J. Buckalew Residing at 801 Main St, Klamath Falls  
Notary Public in and for the State of Oregon My commission expires 6/20/99

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of South Valley Bank the 5<sup>th</sup> day  
of June A.D., 19 97 at 2:02 o'clock P. M., and duly recorded in Vol. M97  
of Mortgages on Page 17246

FEE \$15.00

By Bernetha G. Letsch County Clerk

381110