

42112

Vol. m97 Page 24105

RECORDATION REQUESTED BY:

97 JUL 29 P1:25

South Valley Bank & Trust
P O Box 5210
Klamath Falls, OR 97601

WHEN RECORDED MAIL TO:

South Valley Bank & Trust
P O Box 5210
Klamath Falls, OR 97601

SEND TAX NOTICES TO:

Cummings Roofing, Inc.
P O Box 41
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 23, 1997, BETWEEN Cummings Roofing, Inc., Vested as: Mickey D. Cummings and Ester J Cummings as Tenants by the Entirety (referred to below as "Grantor"), whose address is P O Box 41, Klamath Falls, OR 97601; and South Valley Bank & Trust (referred to below as "Lender"), whose address is P O Box 5210, Klamath Falls, OR 97601.

DEED OF TRUST. Grantor and Lender have entered into a Deed of Trust dated July 1, 1996 (the "Deed of Trust") recorded in Klamath County, State of Oregon as follows:

Volume M96, Page 26750, Recorded August 29, 1996 in the office of the County Clerk of Klamath County, Oregon.

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

Lots 9A, 9B, 10A, 10B, 11B 12A, 12B and 13A, Block 7, Railroad addition to the City of Klamath Falls, in the County of Klamath, State of Oregon.

The Real Property or its address is commonly known as 534 Spring St, Klamath Falls, OR 97601.

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

Extend the maturity date to June 20, 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:

Cummings Roofing, Inc.

By: Mickey D. Cummings
Mickey D. Cummings, President

By: Ester J. Cummings
Ester J. Cummings, Vice President

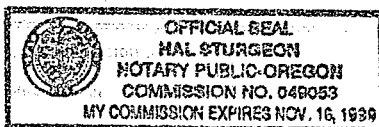
LENDER:

South Valley Bank & Trust

By: Hal Sturgeon
Authorized Officer

CORPORATE ACKNOWLEDGMENT

STATE OF Oregon)
COUNTY OF Klamath) SS



On this 24th day of July, 1997, before me, the undersigned Notary Public, personally appeared Mickey D Cummings, President; and Ester J Cummings, Vice President of Cummings Roofing, Inc., and known to me to be authorized agents 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 they are authorized to execute this Modification and in fact executed the Modification on behalf of the corporation.

By: Hal Sturgeon
Notary Public in and for the State of Oregon

Residing at Klamath
My commission expires Nov 16, 1999

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FORM NO. 985-10
(1-53-1000)

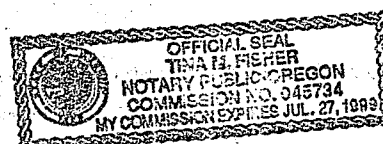
(continued)

MODIFICATION OF DEED OF TRUST

STATE

LENDER ACKNOWLEDGMENT

STATE OF Oregon)
COUNTY OF Klamath) ss



On this 24th day of July, 19 97, before me, the undersigned Notary Public, personally appeared Hol 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 Tina M Fisher Residing at Klamath Falls
Notary Public in and for the State of Oregon My commission expires 7-27-99

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CORROBORATIVE ACKNOWLEDGMENT

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of South Valley State Bank the 29th day of July, A.D., 19 97 at 1:25 o'clock P. M., and duly recorded in Vol. M97 of Mortgages on Page 24105.

FEE \$15.00

Bernetha G. Letsch, County Clerk
By Bernetha G. Letsch

NOTICE TO BORROWER: THIS INSTRUMENT IS A MODIFICATION OF THE DEED OF TRUST OR MORTGAGE INSTRUMENT RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF KLAMATH, OREGON, AND IS SUBJECT TO THE TERMS AND CONDITIONS OF THE ORIGINAL INSTRUMENT. THE BORROWER'S OBLIGATION TO PAY THE DEBT SECURED BY THE INSTRUMENT IS NOT RELEASED BY THE EXECUTION OF THIS INSTRUMENT. THE BORROWER'S OBLIGATION TO PAY THE DEBT SECURED BY THE INSTRUMENT IS NOT RELEASED BY THE EXECUTION OF THIS INSTRUMENT. THE BORROWER'S OBLIGATION TO PAY THE DEBT SECURED BY THE INSTRUMENT IS NOT RELEASED BY THE EXECUTION OF THIS INSTRUMENT.

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