

**MODIFICATION OF DEED OF TRUST**

**The Marshall Living Trust, Michael C. Marshall and Sally A. Marshall as trustees of the Marshall Living Trust**

**DATE:** October 3, 1997

**GRANTOR:** The Marshall Living Trust, Michael C. Marshall and Sally A. Marshall as trustees of the Marshall Living Trust  
2013 South 6th Street  
Klamath Falls, OR 97601

**BENEFICIARY:** Klamath County  
403 Pine Street, STE #300  
Klamath Falls, OR 97601

**TRUSTEE:** Aspen Title & Escrow, Inc.  
525 Main Street  
Klamath Falls, OR 97601  
(541) 834-5137

This instrument is being recorded as an accommodation only, and has not been examined as to validity, sufficiency, or effect it may have upon the herein described property. This courtesy recording has been requested of ASPEN TITLE & ESCROW, INC.

- A. Grantor and Beneficiary have entered in a Deed of Trust dated August 10, 1994 ("Deed of Trust") and recorded August 12, 1994, in Book M-94, Page 27057 in Klamath County, State of Oregon. This Deed of Trust covers the real property described below.

**LAND IN KLAMATH COUNTY, OREGON DESCRIBED AS FOLLOWS —** Lots 10 and 11 in Block 203 of Mills Second Addition to the City of Klamath Falls, County of Klamath, State of Oregon, saving and excepting therefrom that portion conveyed to State of Oregon, by and through its State Highway Commission, by Deed dated November 1, 1943, recorded November 10, 1943, in Volume 159, Page 542, Deed Records of Klamath County, Oregon.

- B. Grantor and Beneficiary hereby modify the Deed of Trust as follows: The maturity date is changed to September 10, 2004.
- C. 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 Beneficiary to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as modified nor obligate Beneficiary to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the Promissory Note ("Note") or other credit agreements secured by the Deed of Trust.

It is the intention of Beneficiary to retain as liable all parties to the Deed of Trust and all parties, makers, and endorser in 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 Beneficiary that the non-signing person(s) 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.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS  
MODIFICATION OF DEED OF TRUST, AND GRANTOR AGREES TO ITS TERMS.

GRANTOR: The Marshall Living Trust, Michael C. Marshall and Sally A. Marshall as  
trustees of the Marshall Living Trust.

Michael C. Marshall, Trustee  
Michael C. Marshall, Trustee

10/3/97  
Date

Sally A. Marshall, Trustee  
Sally A. Marshall, Trustee

10/3/97  
Date

### ACKNOWLEDGMENT

STATE OF OREGON )

County of Klamath )

) ss.

On 10/3/97, personally appeared the above named MICHAEL C. & SALLY A.  
MARSHALL, Trustees of the Marshall Living Trust, and acknowledged the foregoing instrument to  
be their voluntary act.

Before me:



Kelley J. Harris  
Notary Public for Oregon  
My Commission Expires: March 20, 2000

BENEFICIARY: KLAMATH COUNTY

By: [Signature]  
Al Switzer, Chair

10-8-97  
Date

After Recording Return to:  
COIC  
P.O. Box 575  
Redmond, OR 97756

STATE OF OREGON, )  
County of Klamath ) ss.

Filed for record at request of:

Aspen Title & Escrow

on this 21st day of October A.D. 1997  
at 1:56 o'clock P.M. and duly recorded  
in Vol. 157 of Mortgages Page 34667

Bernetha G. Lusch, County Clerk

By: Kathleen Rose

Fee \$15.00

Deputy