

50660

## RECORDATION REQUESTED BY:

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

'97 DEC 24 P1:42 Vol. M97 Page 41994

## WHEN RECORDED MAIL TO:

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

## SEND TAX NOTICES TO:

Timm Burr, Inc.  
12952 Crystal Springs Rd  
Klamath Falls, OR 97603

AMERITITLE, has recorded this  
Instrument by request as an accommodation only,  
and has not examined it for regularity and sufficiency  
or as to its effect upon the title to any real property  
that may be described therein.

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

## MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST IS DATED DECEMBER 23, 1997, BETWEEN Timm Burr, Inc., an Oregon Corporation (referred to below as "Grantor"), whose address is 12952 Crystal Springs Rd, Klamath Falls, OR 97603; 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 June 3, 1996 (the "Deed of Trust") recorded in Klamath County, State of Oregon as follows:

Recorded in the office of the County Clerk of Klamath County Oregon, Volume M96, page 18985, Microfilm #20455

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

Together with an Easement 30 feet in width and being 15 feet on each side of the following described center line.

Beginning at the intersection of said center line and the West right of way line of U.S. Highway 97, said center line being 15 feet North of the Southerly line of the N1/2 S1/2 NE1/4 NE1/4; thence from point of beginning West to a point 15 feet East of the Westerly line of the N1/2 S1/2 NE1/4 NE1/4; thence North 680 feet to a point that is 15 feet North of the Southerly line of the N1/2 N1/2 NE1/4 NE1/4; thence West 690 feet; thence South 15 feet to the Northerly line of the S1/2 NW1/4 NW1/4 NE1/4, Section 28, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

K.C. Repo 9  
Lot 9, Block 7, Chiloquin Drive addition to the City of Chiloquin, Klamath County, Oregon.

The Real Property or its address is commonly known as Klamath County, Klamath Falls, OR 97603.

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

The maturity of the Note has been extended to April 30, 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 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:

Timm Burr, Inc.

By: Randy L. Shaw  
Randy L Shaw, President

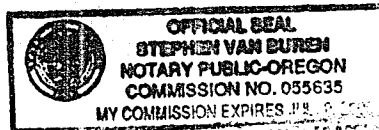
## LENDER:

South Valley Bank & Trust

By: [Signature]  
Authorized Officer

## CORPORATE ACKNOWLEDGMENT

STATE OF Oregon ) ss  
COUNTY OF Klamath

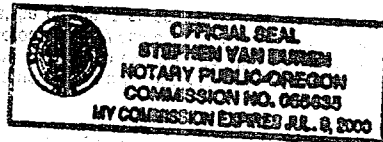


On this 23rd day of December, 19 97, before me, the undersigned Notary Public, personally appeared Randy L Shaw, President of Timm Burr, Inc., and known to me to be an authorized agent of the corporation that executed the Modification of Deed of Trust and acknowledged the Modification to be the free 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: Stephen Van Buren Residing at Klamath Falls  
Notary Public in and for the State of Oregon My commission expires July 9, 2000

LENDER ACKNOWLEDGMENT

STATE OF Oregon  
COUNTY OF Klamath



On this 2nd day of December, 1997, before me, the undersigned Notary Public, personally appeared John Frederick Doty and known to me to be the ending 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 Steph Van Buren Residing at Klamath Falls  
Notary Public in and for the State of Oregon My commission expires July 9, 2000

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 24th day  
of December A.D., 1997 at 1:42 o'clock P. M., and duly recorded in Vol. M97  
of Mortgages on Page 41994.

FEE \$15.00

By Bernetha G. Letsch, County Clerk  
Kathleen Ross