

51017

98 JAN -2 P2:25

Vol. 198 Page 58

## RECORDATION REQUESTED BY:

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

## SEND TAX NOTICES TO:

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

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

## MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST IS DATED DECEMBER 24, 1997, BETWEEN K-FALLS DISTRIBUTING, a Co-Partnership, consisting of Eugene D Rosterolla, Jerry D Rosterolla and Yolanda Rosterolla (referred to below as "Grantor"), whose address is P O Box 1059, 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 November 24, 1995 (the "Deed of Trust") recorded in Klamath County, State of Oregon as follows:

Recording date; December 7, 1995, in the Office of the County Clerk of Klamath County, in Vol.M95, of Mortgages, on Page 33419, microfilm #10207.

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

LOTS 13, 14, AND 15 IN BLOCK 4 OF FIRST ADDITION TO ALTAMONT ACRES, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, TOGETHER WITH VACATED MARYLAND AVENUE (FORMERLY TAPPAN AVENUE) WHICH ADJOINS LOTS 13, 14, AND 15 ON THE SOUTH LINE.

The Real Property or its address is commonly known as 2859 Avalon St, Klamath Falls, OR 97603.

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

Extend maturity date to October 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 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:

K-FALLS DISTRIBUTING, a Co-Partnership.

By: Eugene D Rosterolla  
Eugene D Rosterolla, General Partner

By: Jerry D Rosterolla  
Jerry D Rosterolla, General Partner

By: Yolanda Rosterolla  
Yolanda Rosterolla, General Partner

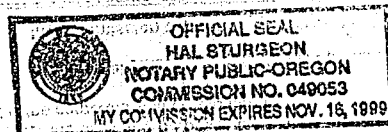
## LENDER:

South Valley Bank & Trust

By: Hal Sturgeon  
Authorized Officer

## PARTNERSHIP ACKNOWLEDGMENT

STATE OF Oregon ) 88  
COUNTY OF Klamath



On this 24th day of December, 1997, before me, the undersigned Notary Public, personally appeared Eugene D Rosterolla, Jerry D Rosterolla and Yolanda Rosterolla, and known to me to be partners or designated agents of the partnership that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the partnership, by authority of statute or its Partnership Agreement, 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 partnership.

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

Residing at Klamath  
My commission expires Nov 15, 1999

LENDER ACKNOWLEDGMENT

FORM NO 500203  
12-27-1981

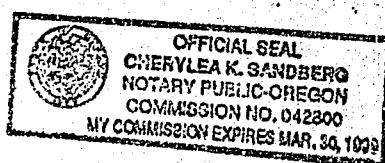
(continued)  
MODIFICATION OF DEED OF TRUST

22 5405



State of Oregon  
County of Klamath

This instrument was acknowledged before me on 12/26/97  
by Jerry D. Koster.



Cheryl K. Sandberg  
My commission expires: 3-30-99

This Notary Certificate is prepared on a separate page  
and is attached to the document entitled Decl  
of Trust containing 1 pages  
and is attached to that document by means of Staple.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of S. Valley the 2nd day  
of Jan A.D., 19 98 at 2:25 o'clock P M., and duly recorded in Vol. M98  
of Mortgages on Page 58

FEE \$20.00

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