

**RECORDATION REQUESTED BY:**

'96 NOV 19 P2:50

Vol. 1798 Page 42440

**WHEN RECORDED MAIL TO:**

**SEND TAX NOTICES TO:**

Shield Crest, Inc.  
P O Box 5047  
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 OCTOBER 23, 1998, BETWEEN Shield Crest, Inc., an Oregon Corporation, An estate in fee simple (referred to below as "Grantor"), whose address is P O Box 5047, 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 19, 1997 (the "Deed of Trust") recorded in Klamath County, State of Oregon as follows:

Recorded on March 13, 1998 in the Klamath County Clerk's Office Volume M98 at Page 8293, reception #54679; Modified on July 15, 1998 in the Klamath County Clerk's Office Volume M98 at page 25494, reception #62440

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

## RESIDENTIAL LOTS

**BLOCK 1: LOTS 2, 3, 4, 5 AND 6**

**BLOCK 3: LOTS 19, 21, 23, 24,**

ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

**SPIKER RANCH:**

PARCEL 3 OF MINOR LAND PARTITION 18-96 LOCATED IN THE NE1/4 NE1/4 OF SECTION 7, TOWNSHIP 39 SOUTH, RANGE 10 E.W.M.

PARCEL 3 OF MINOR LAND PARTITION 1-91 LOCATED IN THE NE1/4 NE1/4 OF SECTION 7, AND THE NW1/4 NW1/4 OF SECTION 8, TOWNSHIP 39 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, FILED TO THE OFFICE OF THE COUNTY CLERK.

CONDO: LOT 11, BLOCK 4 OF TRACT 1257, RE-SUBDIVISION OF A PORTION OF FIRST ADDITION TO SHIELD CREST, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, SAVING AND EXCEPTING THAT PORTION LYING WITHIN TRACT 1271 SHIELD CREST CONDOMINIUMS - BUILDING 3, 4, 5 AND 11.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT AN ANGLE POINT ON THE NORTHERLY LINE OF LOT 11, BLOCK 4, TRACT 1257 FROM WHICH POINT THE MOST NORTHERLY LINE OF LOT 11 BEARS NORTH 73 DEGREES 10' 21" W 679.00 FEET; THENCE S 73 DEGREES 10' 24" E 67.27 FEET; THENCE S 31 DEGREES 12' 48" E 277.91 FEET TO AN ANGLE POINT ON THE NORTHERLY BOUNDARY OF SAID LOT 11; THENCE N 39 DEGREES 01' 24" W 331.00 FEET TO THE POINT OF BEGINNING. ALSO TOGETHER WITH AN UNDIVIDED INTEREST IN ALL THOSE PRIVATE ROADS SHOWN ON THE PLAT AND MORE PARTICULARLY DESCRIBED IN DECLARATION RECORDED IN VOLUME M84 ON PAGE 4256, AND IN EASEMENT RECORDED MAY 23, 1990, IN VOLUME M90 ON PAGE 9828, DEED RECORDS OF KLAMATH COUNTY, OREGON.

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

Extend Maturity date to September 16, 1999

**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.

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

**GRANTOR:**

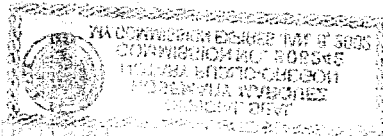
**Shield Crest, Inc.**

By: Helen Cheyne  
Helen Cheyne, President

**LENDER:**

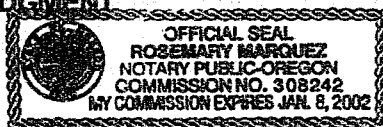
**South Valley Bank & Trust**

By: J. W. Wilbrey VP  
Authorized Officer



CORPORATE ACKNOWLEDGMENT

STATE OF Oregon )  
COUNTY OF Klamath ) SS

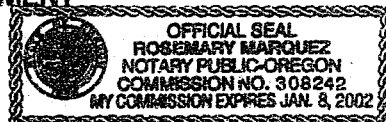


On this 27 day of October, 1998, before me, the undersigned Notary Public, personally appeared Heien Cheyne, President of Shield Crest, Inc., and known to me to be an authorized agent of the corporation that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and 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 Rosemary Marquez Residing at 5215 S 10th St Klamath Falls OR 97603  
Notary Public in and for the State of Oregon My commission expires Jan 8, 2002

LENDER ACKNOWLEDGMENT

STATE OF Oregon )  
COUNTY OF Klamath ) SS



On this 27 day of October, 1998, before me, the undersigned Notary Public, personally appeared Jim Fickel and known to me to be the Vice President, 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 Rosemary Marquez Residing at 5215 S 10th St Klamath Falls OR 97603  
Notary Public in and for the State of Oregon My commission expires Jan 8, 2002

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STATE OF OREGON: COUNTY OF KLAMATH: SS.

Filed for record at request of South Valley Bank the 19th day  
of November A.D., 19 98 at 2:50 o'clock P. M., and duly recorded in Vol. M98,  
of Mortgages on Page 42440.

FEE \$15.00

Bernetha G. Letsch, County Clerk  
By Kathleen Rose