

71000

Vol 198 Page 44704

RECORDATION REQUESTED BY:

South Valley Bank & Trust
P O Box 8210
Klamath Falls, OR 97601

98 DEC -7 P3:39

WHEN RECORDED MAIL TO:

South Valley Bank & Trust
P O Box 8210
Klamath Falls, OR 97601

SEND TAX NOTICES TO:

Walter C Badorek and Sharon D Badorek
4238 Onyx Ave
Klamath Falls, OR 97603

ASPEN 04048707

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST IS DATED NOVEMBER 4, 1998, BETWEEN Walter C Badorek and Sharon D Badorek, husband and wife (referred to below as "Grantor"), whose address is 4238 Onyx Ave, Klamath Falls, OR 97603; and South Valley Bank & Trust (referred to below as "Lender"), whose address is P O Box 8210, Klamath Falls, OR 97601.

DEED OF TRUST. Grantor and Lender have entered into a Deed of Trust dated December 31, 1997 (the "Deed of Trust") recorded in Klamath County, State of Oregon as follows:

Recorded February 23, 1998 in Klamath County recorded in M98 page 5721

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

See attached Exhibit A

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

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

Extend maturity date to December 31, 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 endorers 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:

x Walter C Badorek
Walter C Badorek

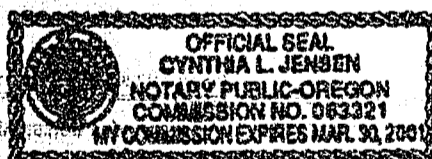
x Sharon D Badorek
Sharon D Badorek

LENDER:

South Valley Bank & Trust

By: Jeff L. Buehl
Authorized Officer

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OregonCOUNTY OF Klamath

On this day before me, the undersigned Notary Public, personally appeared Walter C Badorek and Sharon D Badorek, to me known to be the individuals described in and who executed the Modification of Deed of Trust, and acknowledged that they signed the Modification as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 19th day of November, 1998.

By Cynthia L. JensenResiding at Klamath FallsNotary Public in and for the State of OregonMy commission expires 3/30/2001

21716 01

RENDER ACKNOWLEDGMENT

FORM NO 980032011
11-01-1998

(Continued)

MODIFICATION OF DEED OF TRUST

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Page 3

LENDER ACKNOWLEDGMENT

STATE OF _____) ss

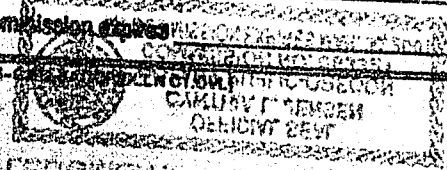
COUNTY OF _____)

On this _____ day of _____, 19____, before me, the undersigned Notary Public, personally appeared _____, 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, she is authorized to execute this said instrument and that the seal affixed is the corporate seal of said Lender.

By _____
Notary Public in and for the State of _____

Residing at _____
My commission expires _____

LAZER PRO, Reg. U.S. Pat. & T.M. Off., Ver. 3.25 (c) 1998 CSI ProServices, Inc. All rights reserved. (OR-CA) 11-04-1999



INDIVIDUAL ACKNOWLEDGMENT

NAME OF BORROWER _____

DATE _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

TELEPHONE _____

CHURCH _____

CHURCH ADDRESS _____

CHURCH CITY _____

CHURCH STATE _____

CHURCH ZIP _____

CHURCH TELEPHONE _____

CHURCH FAX _____

CHURCH E-MAIL _____

CHURCH WEBSITE _____

CHURCH OTHER _____

CHURCH COMMENTS _____

CHURCH SIGNATURE _____

CHURCH DATE _____

CHURCH ADDRESS _____

CHURCH CITY _____

CHURCH STATE _____

CHURCH ZIP _____

CHURCH TELEPHONE _____

CHURCH FAX _____

CHURCH E-MAIL _____

CHURCH WEBSITE _____

CHURCH OTHER _____

CHURCH COMMENTS _____

CHURCH SIGNATURE _____

CHURCH DATE _____

CHURCH ADDRESS _____

CHURCH CITY _____

CHURCH STATE _____

CHURCH ZIP _____

CHURCH TELEPHONE _____

CHURCH FAX _____

CHURCH E-MAIL _____

CHURCH WEBSITE _____

CHURCH OTHER _____

CHURCH COMMENTS _____

CHURCH SIGNATURE _____

CHURCH DATE _____

CHURCH ADDRESS _____

CHURCH CITY _____

CHURCH STATE _____

CHURCH ZIP _____

NAME OF BORROWER _____

DATE _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

TELEPHONE _____

CHURCH _____

CHURCH ADDRESS _____

CHURCH CITY _____

CHURCH STATE _____

CHURCH ZIP _____

CHURCH TELEPHONE _____

CHURCH FAX _____

CHURCH E-MAIL _____

CHURCH WEBSITE _____

CHURCH OTHER _____

CHURCH COMMENTS _____

CHURCH SIGNATURE _____

CHURCH DATE _____

CHURCH ADDRESS _____

CHURCH CITY _____

CHURCH STATE _____

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CHURCH COMMENTS _____

CHURCH SIGNATURE _____

CHURCH DATE _____

CHURCH ADDRESS _____

CHURCH CITY _____

CHURCH STATE _____

CHURCH ZIP _____

CHURCH TELEPHONE _____

CHURCH FAX _____

CHURCH E-MAIL _____

CHURCH WEBSITE _____

CHURCH OTHER _____

CHURCH COMMENTS _____

CHURCH SIGNATURE _____

SEND TAX NOTICES TO:

WHEN RECORDED MAIL TO:

RECORDATION REQUESTED BY:

AT000

THREE WHOLE THIS TIME IS FOR RECORDING OF DEED OF TRUST

10/10/1999

PARCEL 3:

Lots 5, 6, 7, 8, 9 and 10, Block 2; and Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 32 and 33, Block 4, SIXTH STREET ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

ALSO part of Lot 30, Block 4, SIXTH STREET ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, described as follows:

Beginning at the Northwest corner of Lot 30, Block 4, SIXTH STREET ADDITION; thence Southeasterly along alley parallel to Sixth Street a distance of 11.71 feet; thence Southwest at right angles to alley 17.25 feet to the Westerly line of Lot 30; thence Northerly along West line of Lot 30, 20.86 feet to the point of beginning, being a portion of Lot 30, Block 4, Sixth Street Addition.

Part of Lot 30, Block 4, SIXTH STREET ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, described as follows:

Beginning at the Northwest corner Lot Lot 30, Block 4, Sixth Street Addition; thence Southeasterly along the Northeasterly line of said lot, 11.71 feet to the true point of beginning; thence Southeasterly along said lot line 33.28 feet; thence South 34 degrees 07 1/2' West 17.25 feet to the South line of said lot; thence Westerly along the South line to its intersection with the Southeasterly line of Lot 31, Block 4, Sixth Street Addition; thence North 34 degrees 07 1/2' East 17.25 feet to the point of beginning.

All that portion of Lot 31, Block 4, SIXTH STREET ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, EXCEPT that part conveyed to Alfred D. Collier and V. E. O'Neill by deed dated December 9, 1937, recorded December 14, 1937 in Book 113 at Page 347, Deed Records of Klamath County, Oregon, described as follows:

Continued on next page

Beginning at a point in line marking the Southwesterly boundary of said Lot 31, 55 feet Southeasterly from the most Westerly corner of said Lot 31; thence at right angles to the center line of South Sixth Street (The Dalles-California Highway) as the same is now located and constructed Northeasterly 33.63 feet, more or less, to a point in the Easterly boundary of said Lot 31; thence Southerly along the said Easterly boundary of said Lot 40.63 feet, more or less, to the Southeasterly corner of said Lot 31; thence Northwesterly along the above mentioned Southwesterly boundary of said Lot 31, 22.80 feet, more or less, to the point of beginning.

Part of Lot 802, ENTERPRISE TRACTS, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point in the Easterly boundary of Lot 31, Block 4, SIXTH STREET ADDITION from which the Southeasterly corner of said lot bears South 0 degrees 00 1/2' East 40.63 feet distant; running thence North 34 degrees 07 1/2' East at right angles to the center line of Sixth Street (The Dalles-California Highway) as now located to the South line of Lot 30, Block 4, of said Addition; thence West on said South line of Lot 30 to its intersection with the Southeasterly line of Lot 31, Block 4, said addition; thence South 0 degrees 00 1/2' East on said Southeasterly line of Lot 31 to the point of beginning.

ALSO beginning at the Northeast corner of Section 4, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and running thence South 0 degrees 00' 30" East along the East line of said Section 4, 862.01 feet; thence West 29.92 feet to an iron pipe marking the former intersection of the North line of South Sixth Street and the West line of Washburn Way, which iron pipe is a distance of 29.52 feet at right angles from the center line of the Klamath Falls Lakeview Highway at Engineers Station 15+58.91; and continuing thence from said iron pipe North 0 degrees 00' 30" West 62.53 feet along the West line of Washburn Way to the true beginning point of the description; running thence from said true beginning point North 0 degrees 00' 30" West 58.42 feet along the West line of Washburn Way to the South line of the alley in Block 4 of the Sixth Street Addition; thence North 55 degrees 50' 30" West along the South line of said alley 136.30 feet to the Northeasterly corner of that tract of land heretofore conveyed to W. Badorek and Nellie Badorek by Alfred D. Collier et ux., and V. E. O'Neill et ux., by deed recorded in Book 113 at Page 349, Deed Records of Klamath County, Oregon; thence South 34 degrees 09' 30" West along the Easterly line of said tract of land and the Westerly line of that certain tract of land conveyed to Alfred D. Collier and V. E. O'Neill by W. Badorek and Nellie Badorek and recorded in Book 113 at Page 347, Deed Records of Klamath County, Oregon, a distance of 89.55 feet to the Northerly right of way line of the Klamath Falls Lakeview State Highway as the same is presently

Continued on next page

EXHIBIT "A" CONTINUED

constructed; thence along said Northerly right of way line on an 80 foot radius curve left (the long chord of which bears South 60 degrees East 11.60 feet) a distance of 11.61 feet; thence South 64 degrees 09' 30" East 150.70 feet; thence on a twelve foot radius curve left (the long chord of which bears North 57 degrees 55' East 20.34 feet) a distance of 24.26 feet to the true point of beginning.

SAVING AND EXCEPTING any portion thereof conveyed to State of Oregon, by and through its State Highway Commission, by Deeds recorded August 3, 1943 in Book 157 at Page 285, and June 5, 1946 in Book 190 at Page 237, Deed Records of Klamath County, Oregon.

ALSO SAVING AND EXCEPTING any portion conveyed to State of Oregon, by and through its State Highway Commission, by Deed recorded July 23, 1942 in Book 148 at Page 508, and in Book 146 at Page 181, all in Deed Records of Klamath County, Oregon.

PARCEL 4:

Lots 34, 35, 36, 37, 38, 39 and the Easterly 1/4 of Lot 40, Block 4, SIXTH STREET ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

SAVING AND EXCEPTING that portion conveyed to State of Oregon, by and through its State Highway Commission, by deed recorded March 28, 1942 in Book 146 at Page 264, by deed recorded April 3, 1942 in Book 146 at Page 379, and by deed recorded February 1, 1945 in Book 173 at Page 97, all in Deed Records of Klamath County, Oregon.

CODE 1 MAP 3909-4AA TL 1200
 CODE 1 MAP 3909-4AA TL 1300
 CODE 1 MAP 3909-4AA TL 2500
 CODE 1 MAP 3909-4AA TL 2600
 CODE 1 MAP 3909-4AA TL 2700
 CODE 1 MAP 3909-4AA TL 2800
 CODE 1 MAP 3909-4AA TL 2900
 CODE 1 MAP 3909-4AA TL 3000
 CODE 1 MAP 3909-4AA TL 3100
 CODE 1 MAP 3909-4AA TL 3200
 CODE 1 MAP 3909-4AA TL 5200
 CODE 1 MAP 3909-4AA TL 5300

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 7th day
 of December A.D., 19 98 at 3:39 o'clock P. M., and duly recorded in Vol. M98
 of Mortgages on Page 44704

FEE \$30.00

By Bernetha G. Leisch County Clerk
Kathleen Ross