## COFDATION PERIODS

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# WHEN RECORDED MAIL TO:

South Velley Bent & Trust P O Box Sote Kleinath Pale, CRI 97001

### SEND TAX NOTICES TO:

Elbert G Henderson and Annotte M Handerson

AMERITILE, has recorded this Instrument by request as an accomodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real properly ing may be described therein:

99 JM II Al 10 Vol. 7099 Page \_ 734

MTC 13960-9632

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

### MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST IS DATED NOVEMBER 27, 1998, BETWEEN Elbert G Henderson and Annette M Henderson (referred to below as "Grantor"), whose address is 3007 Anderson Ave, Klamath Falls, OR 97603; and South Valley Bank & Trust (referred to below as "Lender"), whose address is P O Box 5219, Klamath Falls, OR 97601.

DEED OF TRUST. Grantor and Lender have entered into a Deed of Trust dated August 25, 1987 (the "Deed of Trust") recorded in Klamath County,

Original Trust Deed Recorded on September 3, 1987 in the Klamath County Clerk's Office Volume M87 at page 15982; Modified on September 29, 1997 recorded on October 24, 1997 Volume M97 at page 34979; Modified on December 30, 1997 recorded February 20, 1998, Volume M98 at page 5496, Modified February 27, 1998 recorded March 11, 1998 Volume M98 page 7937

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

See attached Exhibit A

The Real Property or its address is commonly known as 3007 Anderson Ave, Klamath Falls, OR 97601.

MODIFICATION. Grantor and Lender hereby modify the Deed of Trust as follows: Extend the Maturity date to May 1, 1999.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and 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 obtgate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agraement 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, significant makers, shell 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 itso to all such subsequent actions.

LENDER:		4		<u> </u>	Annelte M Hender	<u>=7))</u> son	442	
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# LENDER ACKNOWLEDGMENT

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On this day, of	19 before me, the undersigned Notany Bublic passage.
that executed the within and foregoing instrument and and duly authorized by the Lender through its board of direct	authorized agent for the Lenda cknowledged 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	ors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he of the seal of said Lender.
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# EXHIBIT "A" DESCRIPTION SHEET

#### PARCEL 1

A portion of Tracts 6, 7, and 8, and the Easterly one-half of vacated Avalon Street of the re-subdivision of Tracts 25 to 32, inclusive, of Altamont Ranch Tracts, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8-inch iron pin on the Northerly right of way line of Anderson Avenue and the centerline of vacated Avalon Street; thence North 00 degrees 06' 00" West along said centerline 535.89 feet to a 5/8-inch iron pin on the Southwesterly right of way line of the Burlington Northern Railway Company tracks, said right of way being parallel to and 125 feet (measured at right angles) from the centerline of the main line of said Railway Company tracts, as now located and constructed; thence along said right of way line South 48 degrees 02' 10" East 244.63 feet to a 5/8-inch iron pin; thence South 02 degrees 00' 40" West 303.03 feet to a P-K hail set in concrete: thence South 88 degrees 52' 44" East 2.60 feet to the Easterly edge of a corner post on a chain link fence; thence South 02 degrees 00, 40" West generally along the Easterly side of said fence and its extension 72.80 feet to a 5/8-inch iron pin on the Northerly right of way line of said Anderson Avenue: thence along said right of way line North 88 degrees 52' 40" West 170.42 feet to the point of beginning, with bearings based on record of survey No. 2031 as recorded in the office of the Klamath County Surveyor.

SAVING AND EXCEPTING that portion deeded to Great Northern Railway by deed dated February 8, 1961, recorded February 15, 1961, in Volume 327, page 339 and recorded July 21, 1960 in Volume 323, page 20 Deed Records of Klamath County, Oregon.

### PARCEL 2

A portion of Tracts 6, 7, and 10 of Tracts 25 to 32, inclusive, of Altamont Ranch Tracts, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8-inch iron pin on the Northerly right of way line of Anderson Avenue, being South 88 degrees 52' 40" East 170.42 feet from the centerline of vacated Avalon Street; thence North 02 degrees 00' 40" East along the Easterly side of chain link fence 72.80 feet to the Easterly edge of a corner post; thence North 88 degrees 52' 40" West 2.60 feet to a P-K nail set in concrete; thence North 02 degrees 00' 40" East 303.03 feet to a 5/8-inch iron pin on the Southwesterly right of way line of the Burlington Northern Railway Company tracks, said right of way being parallel to and 125 feet (measured at right angles) from the centerline of the main line of said Railway Company tracks, as now located and constructed; thence South 48 degrees 02' 10" East 286.90 feet along said right of way line to a 5/8-inch iron pin on the Westerly line of said Tract 10; thence South 00 degrees 06' 00" East along the Westerly line of said Tract 10 to a 5/8-inch iron pin, said (continued)

iron pin being on the Southwesterly right of way line of the said Railway Company tracks and being 150 feet (measured at right angles) from the centerline of the main line of said Railway Company tracks; thence South 48 degrees 02' 10" East along said Southwesterly right of way line 236.23 feet to a 5/8-inch iron pin on the Northerly right of way line of said Anderson Avenue; thence North 88 degrees 52' 40" West 399.70 feet to the point of beginning, with bearings based on record of survey No. 2031, as recorded in the office of the Klamath County Surveyor.

SAVING AND EXCEPTING that portion deeded to Great Northern Railway by deed recorded February 15, 1961, in Volume 327, page 339 and recorded July 21, 1960 in Volume 323, page 20, Deed Records of Klamath County, Oregon.

### PARCEL 3

STATE OF OREGON COUNTY OF KLAWATU

A tract of land situated in Lots 2, 3, 4, and 5 of the Re-Subdivision of Blocks 25 to 32 inclusive of ALTAMONT RANCH TRACTS,

Beginning at the Southwest corner of Lot 5 of said Re-Subdivision; thence North 135 feet along the West line of Lot 5 to the true point of beginning; thence East 170 feet; thence South 135 feet to the North line of Anderson Avenue; thence East along the North line of Anderson Avenue to the center line of Avalon Avenue; thence North along said—center line to the Southerly right-of-way line of the Great Northern Railway as now located; thence Northwesterly along said right-of-way to the West line of Lot 2 of said subdivision; thence South along the West line of Lots 2, 3, 4, and 5 of said subdivision to the point of beginning, including vacated portion of Avalon Avenue West of the center line and South of Great Northern Railway's right-of-way.

SAVING AND EXCEPTING that portion deeded to Great Northern Railway by deed dated February 8, 1961, recorded February 15, 1961, in Volume 327, page 339, Deed Records of Klamath County, Oregon.

Filed for record at request of		Amerititle		11th day
of January	A.D., 99	at 11:10	o'clockA.M., and duly recorded in Vol.	M99 day
	- of	Mortgages	on Page 734	v. Clark
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