

## RECORDATION REQUESTED BY:

Washington Mutual Bank dba Western Bank  
 South Sixth Branch  
 2885 South Sixth Street  
 P.O. Box 1864  
 Klamath Falls, OR 97601-0234

Vol M00 Page 44966

## WHEN RECORDED MAIL TO:

Washington Mutual Bank dba Western Bank  
 South Sixth Branch  
 2885 South Sixth Street  
 P.O. Box 1864  
 Klamath Falls, OR 97601-0234

## SEND TAX NOTICES TO:

Julia E. Wells  
 Jeffrey J. Wells  
 4028 Summers Lane  
 Klamath Falls, OR 97603

This instrument is being recorded as an accommodation only, and has not been examined as to validity, sufficiency or effect it may have upon the herein described property. This courtesy recording has been requested of ASPEN TITLE & ESCROW, INC.

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

## MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated December 6, 2000, is made and executed between Julia E. Wells and Jeffrey J. Wells, 4028 Summers Lane, Klamath Falls, OR 97603 ("Grantor") and Washington Mutual Bank dba Western Bank, South Sixth Branch, 2885 South Sixth Street, P.O. Box 1864, Klamath Falls, OR 97601-0234 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated April 27, 2000 (the "Deed of Trust") which has been recorded in Klamath County, State of Oregon, as follows:

Recorded May 12, 2000 in Klamath County, State of Oregon as Instrument No. 00-17375, Volume No. M 00 and Page No. 17375, as modified from time to time.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in Klamath County, State of Oregon:

See Exhibit "A", which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 4028 Summers Lane, Klamath Falls, OR 97603.

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

Pursuant to the execution of that certain Credit Agreement and Disclosure Change in Terms Agreement of even date herewith, Grantor hereby agrees that the Deed of Trust is increased to \$46,000.00.

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 ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED DECEMBER 6, 2000.

NOTICE TO THE GRANTOR: Do not sign this loan agreement before you read it. This loan agreement provides for the payment of a penalty if you wish to repay the loan prior to the date provided for repayment in the loan agreement.

GRANTOR:

x Julia E. Wells, Individually

x Jeffrey J. Wells, Individually

LENDER:

x Michelle Temple  
 Authorized Officer

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF OREGON )  
 ) SS  
 COUNTY OF KLAMATH )



On this day before me, the undersigned Notary Public, personally appeared Julia E. Wells and Jeffrey J. Wells, 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 6TH day of DECEMBER, 20 00.

By Michelle Temple

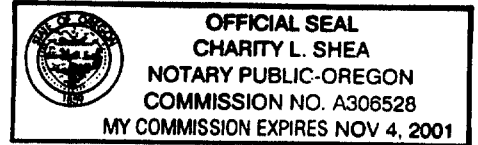
Residing at WESTERN BANK

Notary Public in and for the State of OREGON

My commission expires NOV. 11, 2001

LENDER ACKNOWLEDGMENT

STATE OF OREGON )  
 ) SS  
COUNTY OF KLAMATH )



On this 6TH day of DECEMBER, 2000, before me, the undersigned Notary Public, personally appeared MICHELLE TEMPLE and known to me to be the LOAN 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 Charity L. Shea Residing at Western Bank  
Notary Public in and for the State of Oregon My commission expires 11-04-01

## EXHIBIT "A"

A portion of the NE 1/4 of the SE 1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point on the West line of Summers Lane, which point is South 1 degree 08' East 887.91 feet and South 88 degrees 57' West 30 feet from the quarter corner common to Sections 10 and 11 of said Township and Range; thence South 88 degrees 57' West, 150 feet; thence South 1 degree 08' East, 75 feet; thence South 88 degrees 57' West 235 feet to the East line of Lot 33 Summers Park; thence North 1 degree 08' West, 163.41 feet; thence North 88 degrees 57' East 415 feet to the West line of Summers Lane; thence South 1 degree 08' East along the West line of Summers Lane, 88.41 feet to the point of beginning.

CODE 41 MAP 3909-10DA TL 4100

State of Oregon, County of Klamath  
Recorded 12/15/00, at 10:49 a.m.  
In Vol. M00 Page 44966  
**Linda Smith,**  
County Clerk Fee \$ 31<sup>00</sup>