

RECORDATION REQUESTED BY:

South Valley Bank & Trust  
Commercial Branch  
P O Box 5210  
Klamath Falls, OR 97601

Vol 1901 Page 43637

WHEN RECORDED MAIL TO:

South Valley Bank & Trust  
Commercial Branch  
P O Box 5210  
Klamath Falls, OR 97601

SEND TAX NOTICES TO:

South Valley Bank & Trust  
Commercial Branch  
P O Box 5210  
Klamath Falls, OR 97601

mtc 1396 - 3097

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated July 27, 2001, is made and executed between Kenneth S A Cooney and Maria Cooney, as Tenants by the Entirety ("Grantor") and South Valley Bank & Trust, Commercial Branch, P O Box 5210, Klamath Falls, OR 97601 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated May 27, 1993 (the "Deed of Trust") which has been recorded in Klamath County, State of Oregon, as follows:

Recorded on July 29, 1993, in the office of the County Clerk, Klamath County, Oregon. In Volume M93, Page 18603. Modified on August 30, 1994, Recorded on September 14, 1994, in the office of the County Clerk, Klamath County, Oregon. In Volume M94, Page 28912. Modified on July 20, 1995, Recorded on August 11, 1995 in the office of the County Clerk, Klamath County, Oregon. Page M95, Page 21391. Modified on August 23, 1996, Recorded on September 23, 1996 in the office of the County Clerk, Klamath County, Oregon. In Volume M96, Page 30086. Modified on August 06, 1998, Recorded on August 13, 1998 in the office of the County Clerk, Klamath County, Oregon. Volume M98, Page 29798. Modified on July 21, 1999, Recorded on July 26, 1999 in the office of the County Clerk, Klamath County, Oregon. Volume M99, Page 29779. Modified on August 23, 2000, Recorded on August 28, 2000 in the office of the County Clerk, Klamath County, Oregon. Volume M00, Page 31443.

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

Lots 10 and 11, block 209, Mills Second Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon.

The Real Property or its address is commonly known as 2109, 2111, 2113, 2121 Radcliffe, Klamath Falls, OR 97601.

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

Renewal of an existing Line of Credit.

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 JULY 27, 2001.

GRANTOR:

CBA CONSTRUCTION

By: Maria Cooney  
Maria Cooney, Sec/Tres of CBA Construction

LENDER:

x Stephen Von Buren  
Authorized Officer

CORPORATE ACKNOWLEDGMENT

STATE OF Oregon )  
 ) SS  
COUNTY OF Klamath )



On this 30th day of July, 20 01, before me, the undersigned Notary Public, personally appeared Maria Cooney, Sec/Tres of CBA Construction, 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 Catherine L. Smeltzer  
Notary Public in and for the State of Oregon

Residing at Klamath Falls, OR  
My commission expires July 5, 2002

## LENDER ACKNOWLEDGMENT

STATE OF Oregon )  
COUNTY OF Klamath ) SS



On this 27th day of July, 20 01, before me, the undersigned Notary Public, personally appeared Stephen van Curen and known to me to be the Lending 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 Catherine L. Smeltzer  
Notary Public in and for the State of Oregon

Residing at Klamath Falls  
My commission expires July 5, 2002

LASER PRO Lending, Ver. 5.17.00.03 Copr. Harland Financial Solutions, Inc. 1997, 2001 All Rights Reserved - OR F:\LPWINCFILPL\10202 FC TR-2400 PR-STDPD12

State of Oregon, County of Klamath  
Recorded 08/27/01 at 3:23 p.m.  
In Vol. M01 Page 43638  
Linda Smith.  
County Clerk Fee \$ 26<sup>00</sup>