

04 AUG 24 AM 10:26

**RECORDATION REQUESTED BY:**

Pacific Continental Bank  
P.O. Box 10727  
Eugene, OR 97440-2727

Vol M04 Page 55921

State of Oregon, County of Klamath

Recorded 08/24/04 10:26 a m

Vol M04 Pg 55921-23

Linda Smith, County Clerk

Fee \$ 31.00 # of Pgs 3

**WHEN RECORDED MAIL TO:**

Pacific Continental Bank  
P.O. Box 10727  
Eugene, OR 97440-2727

**SEND TAX NOTICES TO:**

David L. Johnson, Richard A. Becker, Gary S. Christopherson  
and Marvin Brenneman  
32674 Christian Way  
Coburg, OR 97408

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

Aspen: 57274

**MODIFICATION OF DEED OF TRUST**

THIS MODIFICATION OF DEED OF TRUST dated August 13, 2004, is made and executed between David L. Johnson, whose address is 32674 Christian Way, Coburg, OR 97408; Richard A. Becker, whose address is 3200 W. 11th Ave., Eugene, OR 97402; Gary S. Christopherson, whose address is 3865 Yorkshire Ave., Eugene, OR 97405 and Marvin Brenneman, whose address is 3950 Potter, Eugene, OR 97405, vesting shall be as follows: David L. Johnson, Richard A. Becker, Gary S. Christopherson and Marvin Brenneman, as tenants in common. ("Grantor") and Pacific Continental Bank, P.O. Box 10727, Eugene, OR 97440-2727 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated August 5, 2003 (the "Deed of Trust") which has been recorded in Klamath County, State of Oregon, as follows:

Recorded on August 11, 2003 as Book #M-03, Page #58042, in Official Records of Klamath County, State of Oregon.

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

Lot 245, RUNNING Y RESORT, PHASE 3 PLAT, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

The Real Property or its address is commonly known as (Lot 245) NHN Coopers Hawk Road, Klamath Falls, OR 97601. The Real Property tax identification number is R882683

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

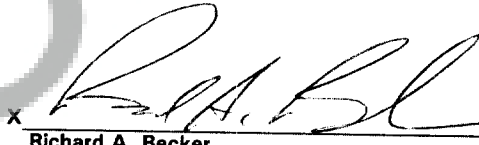
Extend the Maturity date from August 5, 2004 to November 5, 2004.

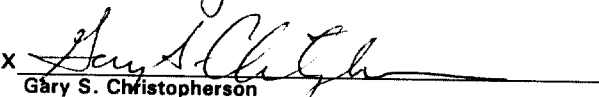
CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender 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 endorser 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.

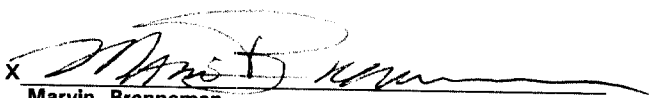
GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED AUGUST 13, 2004.

GRANTOR:

x   
David L. Johnson

x   
Richard A. Becker

x   
Gary S. Christopherson

x   
Marvin Brenneman

LENDER:

PACIFIC CONTINENTAL BANK

x   
Authorized Officer

31A

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF OREGONCOUNTY OF LANE)  
) SS  
)

On this day before me, the undersigned Notary Public, personally appeared **David L. Johnson**, to me known to be the individual described in and who executed the Modification of Deed of Trust, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 18<sup>th</sup> day of AUGUST, 2004.

By Kate CallisterResiding at EUGENE, ORNotary Public in and for the State of OREGONMy commission expires 5/19/08

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF OREGONCOUNTY OF LANE)  
) SS  
)

On this day before me, the undersigned Notary Public, personally appeared **Richard A. Becker**, to me known to be the individual described in and who executed the Modification of Deed of Trust, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 18<sup>th</sup> day of AUGUST, 2004.

By Kate CallisterResiding at EUGENE, ORNotary Public in and for the State of OREGONMy commission expires 5/19/08

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF OREGONCOUNTY OF LANE)  
) SS  
)

On this day before me, the undersigned Notary Public, personally appeared **Gary S. Christopherson**, to me known to be the individual described in and who executed the Modification of Deed of Trust, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 17<sup>th</sup> day of AUGUST, 2004.

By Kate CallisterResiding at EUGENE, ORNotary Public in and for the State of OREGONMy commission expires 5/19/08

## INDIVIDUAL ACKNOWLEDGMENT

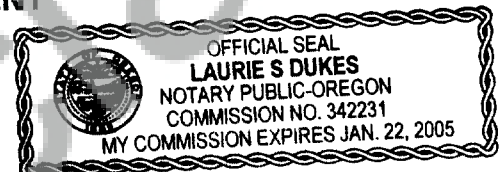
STATE OF OREGON)  
) SSCOUNTY OF LANE

On this day before me, the undersigned Notary Public, personally appeared **Marvin Brennenman**, to me known to be the individual described in and who executed the Modification of Deed of Trust, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 18<sup>th</sup> day of AUGUST, 2004.

By Kate CallisterResiding at EUGENE, ORNotary Public in and for the State of OREGONMy commission expires 5/19/08

## LENDER ACKNOWLEDGMENT

STATE OF Oregon)  
) SSCOUNTY OF Lane

On this 19<sup>th</sup> day of August, 2004, before me, the undersigned Notary Public, personally appeared Cheryl Crow and known to me to be the VP of Pacific Cent. Bank, 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 Laurie S. Dukes  
Notary Public in and for the State of OregonResiding at Spfld, OR  
My commission expires 1-22-05