

08/31 PM3:18

MTT-65866

Vol M04 Page 58156

Recording Requested by

**Countrywide Home Loans, Inc.**

AND WHEN RECORDED MAIL TO:

Document Control  
1800 Tapo Canyon Road, SV-79  
Simi Valley, CA 93063

State of Oregon, County of Klamath  
Recorded 08/31/04 3:18 P m  
Vol M04 Pg 58156-140  
Linda Smith, County Clerk  
Fee \$ 41 # of Pgs 5  
+5

Space Above for Recorder's Use

Document ID # 00395262782005N

**MODIFICATION TO DEED OF TRUST AND PARTIAL RECONVEYANCE**

*1290*  
This Modification to Deed of Trust and Partial Reconveyance ("Modification"), is made this 3rd day of July, 2004 among Mortgage Electronic Registration Systems, Inc. ("Beneficiary"), AmeriTitle ("Trustee") and James M. Peterson and Pamela H. Petersen (the "Borrower(s)") (collectively referred to herein as the "parties").

**RECITALS**

This Modification is made with reference to the following facts:

A. The Borrower(s) made, executed, and delivered to Countrywide Bank, a Division of Treasury Bank, N.A. ("Lender") and Beneficiary that certain Deed of Trust dated October 10, 2003, and recorded on October 21, 2003, at Book M03, Page 78239-58, in the Official Records in the Office of the County Recorder of Klamath County, State of Oregon ("Deed of Trust"), securing a Note dated October 10, 2003, in the principal amount of One Hundred Eighty Seven Thousand Nine Hundred Dollars and 00/100 (\$187,900.00) in favor of the Beneficiary and legally describing the real property as follows:

LOT 319 OF REPLAT OF RUNNING Y RESORT PHASE 4, FIRST ADDITION,  
ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF  
THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

B. The purpose of this Modification is acquisition and partial release of property.

**TERMS OF MODIFICATION**

1. For value received, the parties hereto do hereby modify said Deed of Trust to provide that the legal description therein shall be as follows ("Secured Property"):

LOT 1106, TRACT 1427, A REPLAT OF LOTS 318, 319, 320, 321, 323  
AND COMMON AREA "A" OF TRACT 1363, REPLAT OF RUNNING Y  
RESORT, PHASE 4, FIRST ADDITIONS, ACCORDING TO THE OFFICIAL

4/10 am  
44500

PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF  
KLAMATH COUNTY, OREGON.

2. The Borrower(s) irrevocably grant(s) and convey(s) the Secured Property to Trustee under the Deed of Trust together with power of sale subject to each and all of the terms and conditions of the Deed of Trust, including this Modification thereto.

3. The Borrower(s), the Trustee and the Beneficiary do hereby reconvey, without warranty, to the person or persons legally entitled thereto, all the estate in and to any portion of the legal description first described hereinabove, which is not included within the description to the Secured Property.

4. The terms of the Deed of Trust, which are incorporated herein by reference, shall remain in full force and effect and be binding thereon to the extent they are not inconsistent with the provisions of this Modification. In the event of any inconsistency between the provisions of this Modification and the original Deed of Trust, the provisions of this Modification shall control. The Deed of Trust, herein modified, when signed by all parties hereto, shall constitute one Deed of Trust.

5. This Modification shall inure to and bind the heirs, devisees, successors and assigns of the parties hereto.

6. This Modification may be executed in counterparts, but shall be of no force and effect unless and until all parties to this Modification have duly executed this document.

IN WITNESS WHEREOF, the parties hereto have executed this Modification the day and year first above written.

AmeriTitle, as Trustee

By:  
Its:

Mortgage Electronic Registration  
Systems, Inc., as Beneficiary

Terri Stallings, Vice President

James M. Petersen, Borrower

Pamela H. Petersen, Borrower

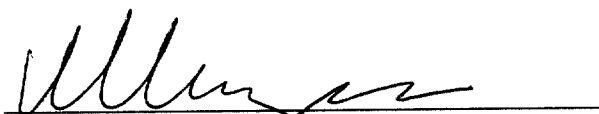
(ALL SIGNATURES MUST BE ACKNOWLEDGED)

## CERTIFICATE OF ACKNOWLEDGMENT

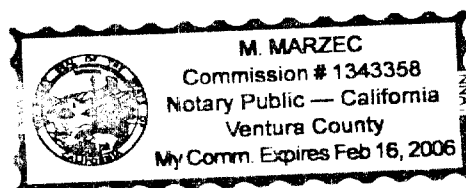
STATE OF CALIFORNIA                     )  
  )  
COUNTY OF VENTURA                    )       ss.

On this 26 day of July, 2004, before me, M. Marzec, Notary Public, personally appeared Terri Stallings, personally known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



M. Marzec  
Notary Public - Commission No. 1343358  
Commission Expires: February 16, 2006



TYPE OF DOCUMENT:

DOCUMENT DATE:

NUMBER OF PAGES:

SIGNER(S) OTHER THAN ABOVE:

CAPACITY(IES) CLAIMED BY SIGNER:

SIGNER IS REPRESENTING:

Modification to Deed of Trust  
and Partial Reconveyance

July \_\_\_\_, 2004

2

AmeriTitle, James M. Peterson  
and Pamela H. Peterson

Vice President

Mortgage Electronic  
Registration Systems, Inc.

## CERTIFICATE OF ACKNOWLEDGMENT

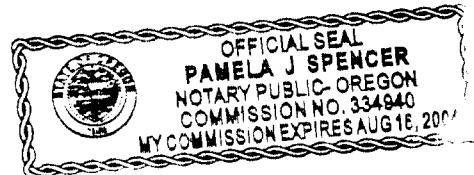
STATE OF Oregon )  
 )  
COUNTY OF Klamath ) ss.

On this 3rd day of August, 2004, before me, Pamela J Spencer, Notary Public, personally appeared Jean Phillips as Vice President of AmeriTitle, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he she they executed the same in his/her/their authorized capacity(ies), and that by his her their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Pamela J Spencer

Notary Public - Commission No.: 334940  
Commission Expires: 8/16/2004



# CERTIFICATE OF ACKNOWLEDGMENT

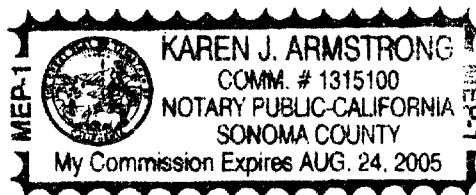
STATE OF California )  
COUNTY OF Sonoma ) ss.

On this 27 day of AUGUST, 2004, before me, KAREN J ARMSTRONG, Notary Public, personally appeared JAMES M AND PAMELA H PETERSEN, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Karen J. Armstrong

Notary Public - Commission No.: 1315100  
Commission Expires: AUGUST 24 2005



# CERTIFICATE OF ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2004, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_

Notary Public - Commission No.:  
Commission Expires: