

mtc-1396-7227

98

**RECORDATION REQUESTED BY:**

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

**M05-70590**

Klamath County, Oregon

12/07/2005 02:49:07 PM

Pages 3 Fee: \$41.00

**WHEN RECORDED MAIL TO:**

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

*attn: Cindy*

**SEND TAX NOTICES TO:**

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

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

**MODIFICATION OF DEED OF TRUST**



**THIS MODIFICATION OF DEED OF TRUST** dated September 8, 2005, is made and executed between between Owen N Matthews, whose address is 29595 Demerritt Rd., Malin, OR 97632 and Debra G Matthews, whose address is 29595 Demerritt Rd., Malin, OR 97632 ("Grantor") and South Valley Bank & Trust, whose address is 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 November 1, 2000 (the "Deed of Trust") which has been recorded in Klamath County, State of Oregon, as follows:

Deed of Trust dated November 1, 2000 recorded November 30, 2000 in Book M00 at page 43171, modified January 22, 2004 and recorded February 20, 2004 in Book M04 on page 9747-49, modified January 5, 2005 and recorded April 21, 2005 in Book M05 on page 28093-94

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

a tract of land situated in the SE 1/4 of the SE 1/4 of Section 8, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point marked by a P.K. Nail on the South line of said Section 8, said point being South 89 degrees 50' 00" West 640.52 feet from the Southeast corner of said Section 8; thence continuing South 89 degrees 50' 00" West along said Section line, 186.00 feet to a P.K. Nail; thence North 00 degrees 34' 40" East 30.00 feet to a 5/8 inch iron pin on the Northerly right of way line of Demerritt Road; thence continuing North 00 degrees 34' 40" East 377.08 feet to a 5/8 inch iron pin; thence North 89 degrees 50' 00" East 186.00 feet to a 5/8 inch iron pin; thence South 00 degrees 34' 40" West 377.08 feet to a 5/8 inch iron pin on the Northerly right of way line of said Demerritt Road; thence continuing South 00 degrees 34' 40" West 30.00 feet to the point of beginning.

The Real Property or its address is commonly known as 29595 Demerritt Road, Malin, OR 97632.


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

Extend maturity date to July 31, 2006.

**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 SEPTEMBER 8, 2005.**


**GRANTOR:**

X   
Owen N Matthews

X   
Debra G Matthews

**LENDER:**

**SOUTH VALLEY BANK & TRUST**

X   
Authorized Officer

AMERITITLE 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 property that may be described therein.

31.00  
110.00



MODIFICATION OF DEED OF TRUST  
(Continued)

Page 2

INDIVIDUAL ACKNOWLEDGMENT

STATE OF

Oregon

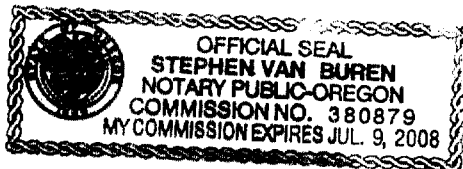
COUNTY OF

Klamath

)

) SS

)



On this day before me, the undersigned Notary Public, personally appeared ~~Owen N. Matthews~~ and Debra G Matthews, 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

9th

day of September, 20 05.

By

[Signature]

Residing at

Klamath Falls

Notary Public in and for the State of

Oregon

My commission expires

9/9/08

LENDER ACKNOWLEDGMENT

STATE OF

Oregon

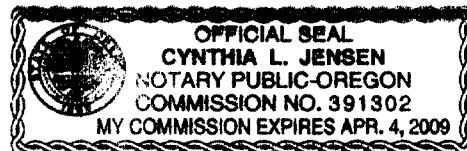
COUNTY OF

Klamath

)

) SS

)



On this 9th day of September, 20 05, before me, the undersigned Notary Public, personally appeared Stephen Van Burden 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

[Signature]

Residing at

Klamath Falls

Notary Public in and for the State of

Oregon

My commission expires

4/4/09

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

SISKIYOU

} ss.

On SEPTEMBER 9, 2005 before me, ROSEANNE BELL, NOTARY PUBLIC

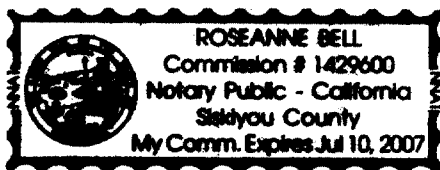
Date

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared OWEN N. MATTHEWS

Name(s) of Signer(s)

- ☒ personally known to me  
☐ proved to me on the basis of satisfactory evidence



to be the person( ) whose name( ) is/ ~~was~~ 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( ) on the instrument the person( ), or the entity upon behalf of which the person( ) acted, executed the instrument.

WITNESS my hand and official seal.

Roseanne Bell

Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: MODIFICATION OF DEED OF TRUST

Document Date: SEPTEMBER 8, 2005 Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER

Top of thumb here