

RECORDATION REQUESTED BY:

Sterling Savings Bank
Klamath Falls Commercial Banking Center
540 Main St
Klamath Falls, OR 97601

2007-006543

Klamath County, Oregon



00019782200700065430020027

WHEN RECORDED MAIL TO:

Sterling Savings Bank
Klamath Falls Commercial Banking Center
540 Main St
Klamath Falls, OR 97601

04/09/2007 11:45:05 AM

Fee: \$26.00

SEND TAX NOTICES TO:

Sterling Savings Bank
Klamath Falls Commercial Banking Center
540 Main St
Klamath Falls, OR 97601

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

1st 984776

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated April 6, 2007, is made and executed between between JONES BROS. LLC, whose address is PO BOX 1346, KLAMATH FALLS, OR 97601 ("Grantor") and Sterling Savings Bank, whose address is Klamath Falls Commercial Banking Center, 540 Main St, Klamath Falls, OR 97601 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated March 7, 2006 (the "Deed of Trust") which has been recorded in KLAMATH County, State of Oregon, as follows:

RECORDED APRIL 4, 2006 UNDER KLAMATH COUNTY AUDITOR'S FILE #M06-06474.

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

REAL PROPERTY IN THE COUNTY OF KLAMATH, STATE OF OREGON, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 32, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT NORTH 38°56' EAST 112 FEET DISTANCE FROM THE NORTHEASTERLY CORNER OF BLOCK 78 OF KLAMATH ADDITION TO THE CITY OF KLAMATH FALLS; THENCE NORTH 38°56' EAST 52 FEET; THENCE SOUTH 51°4' EAST 100 FEET; THENCE SOUTH 38°56' WEST 52 FEET; THENCE NORTH 51°4' WEST 100 FEET TO THE PLACE OF BEGINNING; CORRESPONDING TO WHAT IS KNOWN AS LOT 4 OF BLOCK 79 OF KLAMATH ADDITION TO THE CITY OF KLAMATH FALLS, OREGON

The Real Property or its address is commonly known as 808 KLAMATH AVE, KLAMATH FALLS, OR 97601. The Real Property tax identification number is 414224.

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

TERMS OF THE NOTE ARE HEREBY AMENDED AS FOLLOWS: NOTE DATED APRIL 6, 2007 IN THE PRINCIPAL AMOUNT OF \$281,456.00 (WITH A MATURITY DATE OF APRIL 15, 2017) .

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.

FRAUDS DISCLOSURE. UNDER OREGON LAW, MOST AGREEMENTS, PROMISES AND COMMITMENTS MADE BY US (LENDER) CONCERNING LOANS AND OTHER CREDIT EXTENSIONS WHICH ARE NOT FOR PERSONAL, FAMILY OR HOUSEHOLD PURPOSES OR SECURED SOLELY BY THE BORROWER'S RESIDENCE MUST BE IN WRITING, EXPRESS CONSIDERATION AND BE SIGNED BY US TO BE ENFORCEABLE.

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 APRIL 6, 2007.

GRANTOR:

JONES BROS. LLC

By: 

STAN LANGDON, Member of JONES BROS. LLC

By: 

BRYAN IRWIN, Member of JONES BROS. LLC

LENDER:

STERLING SAVINGS BANK

x 
Authorized Officer

26-F

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF OregonCOUNTY OF Klamath)
) SS
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On this 9 day of April, 20 07, before me, the undersigned Notary Public, personally appeared **STAN LANGDON, Member; BRYAN IRWIN, Member of JONES BROS. LLC**, and known to me to be members or designated agents of the limited liability company that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By [Signature]Residing at KlamathNotary Public in and for the State of OregonMy commission expires 11/7/09

LENDER ACKNOWLEDGMENT

STATE OF OregonCOUNTY OF Klamath)
) SS
)

On this 9 day of April, 20 07, before me, the undersigned Notary Public, personally appeared Bethanie Halvorson and known to me to be the Commercial 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 [Signature]Residing at KlamathNotary Public in and for the State of OregonMy commission expires 11/7/09