

MTC 1396-8676

RECORDATION REQUESTED BY:

Bank of the Cascades  
Medford Branch  
1220 Corona, Suite 201  
Medford, OR 97504

2007-007675

Klamath County, Oregon



00021165200700076750030036

04/30/2007 11:29:02 AM

Fee: \$31.00

WHEN RECORDED MAIL TO:

Bank of the Cascades  
Medford Branch  
1220 Corona, Suite 201  
Medford, OR 97504

AMERITITLE, has recorded this instrument by request as an accommodation 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.

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated April 25, 2007, is made and executed between KLAMATH FALLS CENTER LLC, whose address is 744 CARDLEY AVENUE, SUITE 100, MEDFORD, OR 97501 ("Grantor") and Bank of the Cascades, whose address is Medford Branch, 1220 Corona, Suite 201, Medford, OR 97504 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated April 14, 2004 (the "Deed of Trust") which has been recorded in KLAMATH County, State of Oregon, as follows:

Recorded May 04, 2004 in volume M04, page #027222-30 Klamath County Official Records.

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

AS SHOWN ON ORIGINAL DEED OF TRUST

The Real Property or its address is commonly known as NYA, KLAMATH FALLS, OR 97603. The Real Property tax identification number is Parcel 2: #3909-001CA-00101-000, 3909-001DB-01300-000 and Parcel 3: 3909-001CA-00102-000, 3909-001DB-01400-000 & 3909-001DC-01100-000.

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

Extend the maturity date to October 25, 2007.

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 APRIL 25, 2007.

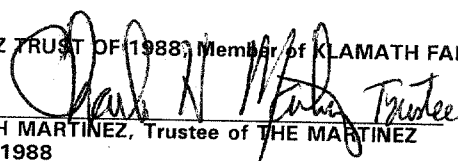
GRANTOR:

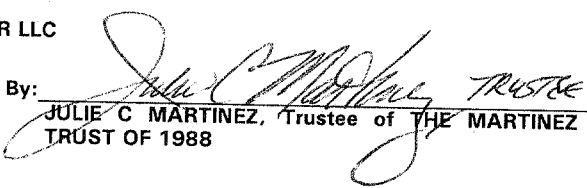
KLAMATH FALLS CENTER LLC

By:   
CRITCHELL A. GALPIN, Member of KLAMATH FALLS CENTER LLC

By:   
SAMUEL L. GRESSETT, Member of KLAMATH FALLS CENTER LLC

THE MARTINEZ TRUST OF 1988, Member of KLAMATH FALLS CENTER LLC

By:   
CHARLES H. MARTINEZ, Trustee of THE MARTINEZ TRUST OF 1988

By:   
JULIE C. MARTINEZ, Trustee of THE MARTINEZ TRUST OF 1988

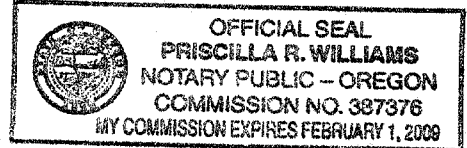
31.00

LENDER:

BANK OF THE CASCADES

X Wally Beckham  
Authorized Officer

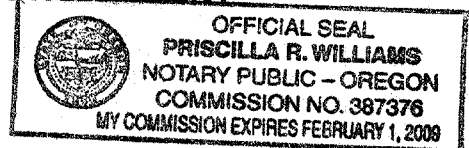
## LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF OregonCOUNTY OF Jackson)  
) SS  
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On this 25th day of April, 2007, before me, the undersigned Notary Public, personally appeared **CRITCHELL A GALPIN, Member of KLAMATH FALLS CENTER LLC**, and known to me to be a member or designated agent 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 he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By Priscilla R. WilliamsResiding at 735 Carolyn AveNotary Public in and for the State of OregonMy commission expires Feb 1, 2009

## LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF OregonCOUNTY OF Jackson)  
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On this 25th day of April, 2007, before me, the undersigned Notary Public, personally appeared **SAMUEL L GRESSETT, Member of KLAMATH FALLS CENTER LLC**, and known to me to be a member or designated agent 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 he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By Priscilla R. WilliamsResiding at 735 Carolyn AveNotary Public in and for the State of OregonMy commission expires Feb 1, 2009

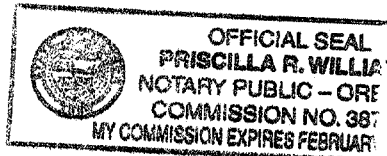
## LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF OregonCOUNTY OF Jackson

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On this 25th day of April, 2007, before me, the undersigned Notary Public, personally appeared **CHARLES H MARTINEZ, Trustee of THE MARTINEZ TRUST OF 1988**, and known to me to be a member or designated agent 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 he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By Priscilla WilliamsResiding at 735 Canby AveNotary Public in and for the State of OregonMy commission expires Feb 1, 2009

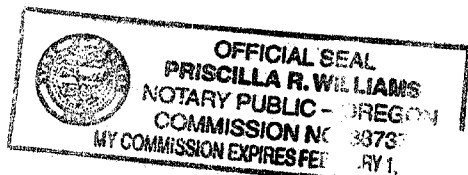
## LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF OregonCOUNTY OF Jackson

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On this 25th day of April, 2007, before me, the undersigned Notary Public, personally appeared **JULIE C MARTINEZ, Trustee of THE MARTINEZ TRUST OF 1988**, and known to me to be a member or designated agent 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 he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By Priscilla WilliamsResiding at 735 Canby AveNotary Public in and for the State of OregonMy commission expires Feb 1, 2009

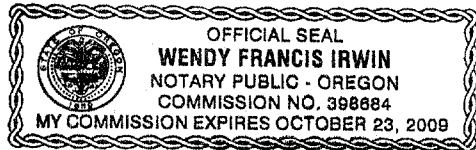
## LENDER ACKNOWLEDGMENT

STATE OF OregonCOUNTY OF Jackson

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On this 27 day of April, 2007, before me, the undersigned Notary Public, personally appeared Kathy Peckham and known to me to be the SVP/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 Wendy Francis IrwinResiding at MedfordNotary Public in and for the State of OregonMy commission expires 10/23/09