

NTC1396-9225  
RECORDATION REQUESTED BY:

South Valley Bank & Trust  
Commercial Medford Branch  
891 O'Hare Parkway  
Medford, OR 97504

2008-016425

Klamath County, Oregon



00057459200800164250020026

12/12/2008 11:26:23 AM

Fee: \$31.00

WHEN RECORDED MAIL TO:

South Valley Bank & Trust  
Commercial Medford Branch  
891 O'Hare Parkway  
Medford, OR 97504

SEND TAX NOTICES TO:

South Valley Bank & Trust  
Commercial Medford Branch  
891 O'Hare Parkway  
Medford, OR 97504

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST



THIS MODIFICATION OF DEED OF TRUST dated December 5, 2008, is made and executed between C & L Development, LLC, An Oregon Limited Liability Company ("Grantor") and South Valley Bank & Trust, whose address is Commercial Medford Branch, 891 O'Hare Parkway, Medford, OR 97504 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated March 7, 2007 (the "Deed of Trust") which has been recorded in Klamath County, State of Oregon, as follows:

recorded March 19, 2007 as Doc. No. 2007-004731 and a Modification of Deed of Trust dated October 10, 2008 recorded October 17, 2008 as Doc. No. 2008-014251.

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

Parcels 1, 2 and 3 of Land Partition 5-04, situated in the SW 1/4 of the NE 1/4 of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon

The Real Property or its address is commonly known as Balsam Dr., Klamath Falls, OR 97601. The Real Property tax identification number is 3908-012A0-04800-494753, 3908-012A0-04801-890270 & 3908-012A0-04802-890271.

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

Extend maturity from November 15, 2008 to May 15, 2009.

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 DECEMBER 5, 2008.

GRANTOR:

C & L DEVELOPMENT, LLC

By: Curtis V. Womelsdorf  
Curtis V Womelsdorf, Member of C & L  
Development, LLC

By: LaVonne M Womelsdorf  
LaVonne M Womelsdorf, Member of C & L  
Development, LLC

LENDER:

SOUTH VALLEY BANK & TRUST

x Julia B. Biatti  
Authorized Officer

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.

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MODIFICATION OF DEED OF TRUST  
(Continued)

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LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Oregon

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) SS

COUNTY OF Jackson



On this 8<sup>th</sup> day of December, 20 08, before me, the undersigned Notary Public, personally appeared Curtis V Womelsdorf, Member of C & L Development, 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 Rachel Campbell  
Notary Public in and for the State of Oregon

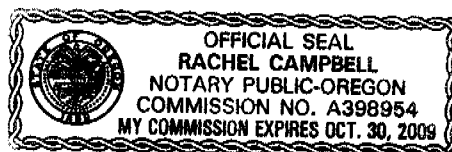
Residing at 2910 Harte Parkway, Medford  
My commission expires 10/30/09

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Oregon

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) SS

COUNTY OF Jackson



On this 8<sup>th</sup> day of December, 20 08, before me, the undersigned Notary Public, personally appeared LaVonne M Womelsdorf, Member of C & L Development, 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 Rachel Campbell  
Notary Public in and for the State of Oregon

Residing at 2910 Harte Parkway, Medford  
My commission expires 10/30/09

LENDER ACKNOWLEDGMENT

STATE OF Oregon

)  
) SS

COUNTY OF Jackson



On this 8<sup>th</sup> day of December, 20 08, before me, the undersigned Notary Public, personally appeared June B Beattie and known to me to be the VP & Senior Loan Officer authorized agent for South Valley Bank & Trust that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of South Valley Bank & Trust, duly authorized by South Valley Bank & Trust 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 in fact executed this said instrument on behalf of South Valley Bank & Trust.

By Rachel Campbell  
Notary Public in and for the State of Oregon

Residing at 2910 Harte Parkway, Medford  
My commission expires 10/30/09