

UTC 13916-9289

2009-000757

Klamath County, Oregon

RECORDATION REQUESTED BY:

Sterling Savings Bank
Klamath Falls - Madison
2300 Madison St
Klamath Falls, OR 97603



00059087200900007570020025

01/22/2009 11:30:54 AM

Fee: \$26.00

WHEN RECORDED MAIL TO:

Sterling Savings Bank
Loan Support
PO Box 2224
Spokane, WA 99210

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated January 21, 2009, is made and executed between GLENN R SMITH, AN ESTATE IN FEE SIMPLE ("Grantor") and Sterling Savings Bank, whose address is Klamath Falls - Madison, 2300 Madison St, Klamath Falls, OR 97603 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated July 6, 2006 (the "Deed of Trust") which has been recorded in KLAMATH County, State of Oregon, as follows:

RECORDED JULY 6, 2006 UNDER KLAMATH COUNTY AUDITOR'S FILE #M06-13708.

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

A PORTION OF LOT 4, BLOCK 12, HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 4, BLOCK 12, HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, RUNNING THENCE WEST ALONG THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 51.6 FEET TO THE CENTER OF A DRIVEWAY; THENCE SOUTH AT RIGHTRANGLES TO CANBY STREET, A DISTANCE OF 121 FEET; THENCE EAST TO THE WEST LINE OF THE ALLEY RUNNING THROUGH SAID BLOCK 12; THENCE FOLLOWING THE WESTERLY LINE OF SAID ALLEY IN THE NORTHEASTERLY DIRECTION TO THE POINT OF BEGINNING; TOGETHER WITH AN EASEMENT OVER AND ACROSS A STRIP OF LAND 5 FEET IN WIDTH ADJOINING ABOVE TRACT ON THE WEST AND RESERVING AN EASEMENT OVER AND ACROSS THE WEST FIVE FEET OF THE ABOVE DESCRIBED TRACT, TO BE USED AS A DRIVEWAY.

The Real Property or its address is commonly known as 1436 CANBY ST, KLAMATH FALLS, OR 97603. The Real Property tax identification number is R371528.

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

TERMS OF THE NOTE ARE HEARBY AMENDED AS FOLLOWS: NOTE DATED JANUARY 21, 2009 IN THE PRINCIPAL AMOUNT OF \$43,200.00 WITH A MATURITY DATE OF JANUARY 21, 2039.

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 JANUARY 21, 2009.

GRANTOR:

X Glenn R Smith
GLENN R SMITH

LENDER:

STERLING SAVINGS BANK

X Rebecca Rutz
Authorized Officer

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oregon
COUNTY OF Klamath

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On this day before me, the undersigned Notary Public, personally appeared GLENN R SMITH, to me known to be the individual described in and who executed the Modification of Deed of Trust, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 21st day of January, 2009.
By Rebecca Rutz Residing at 2300 Madison St Klamath Falls
Notary Public in and for the State of Oregon My commission expires May 3, 2012

26AmT

MODIFICATION OF DEED OF TRUST
(Continued)

Loan No: 601221134

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LENDER ACKNOWLEDGMENT

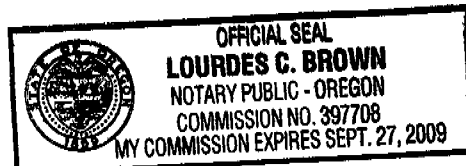
STATE OF

Oregon

COUNTY OF

Klamath

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On this 21 day of January, 20 09, before me, the undersigned Notary Public, personally appeared Rebecca Rutz and known to me to be the authorized agent for Sterling Savings Bank that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of Sterling Savings Bank, duly authorized by Sterling Savings Bank 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 Sterling Savings Bank.

By

Notary Public in and for the State of

Residing at

My commission expires

2300 Madison St
9-27-09

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.