

MTCL396-9305

2009-003172

Klamath County, Oregon

RECORDATION REQUESTED BY:

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



00061862200900031720020021

03/03/2009 03:33:24 PM

Fee: \$46.00

WHEN RECORDED MAIL TO:

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

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 February 25, 2009, is made and executed between **EVERETT VETERINARY HOSPITAL & BOARDING HOUSE, INC.**, an Oregon Corporation ("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 August 23, 2002 (the "Deed of Trust") which has been recorded in Klamath County, State of Oregon, as follows:

Recorded on August 23, 2002 in Volume M02 on page 47622-27, Modified on May 16, 2003, recorded on June 5, 2003 in Volume M03 on page 38296, Modified on July 25, 2003, recorded on July 29, 2003 in Volume M03 on page 53762, Modified on February 6, 2004, recorded on February 18, 2004 in Volume M04 on page 09258, Modified on April 1, 2008 in Volume 2008-004923 in the Office of the County Clerk, Klamath Falls, Oregon 97601.

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

PARCEL 1:

Lots 1 and 2 in Block 94, KLAMATH ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 2:

Lot 3 in Block 94 of KLAMATH ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The Real Property or its address is commonly known as 632 Oak Avenue, Klamath Falls, OR 97601. The Real Property tax identification number is 3809-032AD-04100-000 & 3809-032AD-04200-000 & 3809-032AD-04300-000 & 3809-032AD-04400-000.

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

Extended Maturity Date.

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 FEBRUARY 25, 2009.

GRANTOR:

EVERETT VETERINARY HOSPITAL & BOARDING HOUSE, INC.

By: 

Sheree W. Everett, President of Everett Veterinary Hospital & Boarding House, Inc.

LENDER:

SOUTH VALLEY BANK & TRUST

x 

Authorized Officer

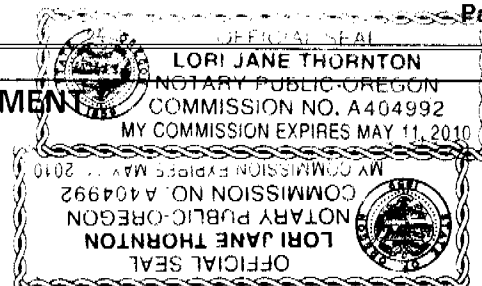
AMERITITLE has recorded this
Instrument by request as an accommodation only,
and has not examined it for regularity and sufficiency
or as to its effect upon the title to any real property
that may be described therein.

4/10/09

MODIFICATION OF DEED OF TRUST
(Continued)

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CORPORATE ACKNOWLEDGMENT



STATE OF Oregon)
) SS
COUNTY OF Klamath)

On this 25th day of February, 20 09, before me, the undersigned Notary Public, personally appeared Sheree W. Everett, President of Everett Veterinary Hospital & Boarding House, Inc., and known to me to be an authorized agent of the corporation that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the corporation, by authority of its bylaws or by resolution of its board of directors, 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 corporation.

By [Signature] Residing at Klamath Falls, Oregon 97601
Notary Public in and for the State of Oregon My commission expires 5/11/2010

LENDER ACKNOWLEDGMENT



STATE OF Oregon)
) SS
COUNTY OF Klamath)

On this 25th day of February, 20 09, before me, the undersigned Notary Public, personally appeared Angalee Barry and known to me to be the 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 [Signature] Residing at Klamath Falls, Oregon 97601
Notary Public in and for the State of Oregon My commission expires 5/11/2010