

NTC 8/30/09

2009-009059

Klamath County, Oregon



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07/01/2009 03:36:28 PM

Fee: \$26.00

**RECORDATION REQUESTED BY:**

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

**WHEN RECORDED MAIL TO:**

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

**SEND TAX NOTICES TO:**

Kenneth L. Dencer and Patricia A. Dencer, Trustees of Dencer  
Family Trust under the provisions of a trust agreement dated  
April 30, 1990  
22505 S. Merrill Road  
Merrill, OR 97633

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

**MODIFICATION OF DEED OF TRUST**

THIS MODIFICATION OF DEED OF TRUST dated July 1, 2009, is made and executed between KENNETH L. DENCER AND PATRICIA A. DENCER, TRUSTEES OF THE DENCER FAMILY TRUST ("Grantor") and South Valley Bank & Trust, whose address is Consumer Branch, P O Box 5210, Klamath Falls, OR 97601 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated December 6, 2007 (the "Deed of Trust") which has been recorded in Klamath County, State of Oregon, as follows:

recorded December 12, 2007 as document No. 2007-020827.

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

Blocks 6, 7, 9, 10, 11, and Lots 3 through 6 inclusive, Block 8, all in TOWNSITE OF CLINTON, 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 22505 S. Merrill Road, Merrill, OR 97633. The Real Property tax identification number is R123262.

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


Reduce the maximum principal amount to be advanced from \$230,000.00 to \$183,000.00.


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 JULY 1, 2009.

NOTICE TO THE GRANTOR: Do not sign this loan agreement before you read it. This loan agreement provides for the payment of a penalty if you wish to repay the loan prior to the date provided for repayment in the loan agreement.


GRANTOR:

x   
Kenneth L. Dencer, Trustee of Dencer Family Trust  
under the provisions of a Trust Agreement dated April  
30, 1990

x   
Patricia A. Dencer, Trustee of Dencer Family Trust  
under the provisions of a Trust Agreement dated April  
30, 1990

LENDER:

SOUTH VALLEY BANK & TRUST

x   
Authorized Officer

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MODIFICATION OF DEED OF TRUST  
(Continued)

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TRUST ACKNOWLEDGMENT



OFFICIAL SEAL  
JENNIFER M ENGELBRECHT  
NOTARY PUBLIC - OREGON  
COMMISSION NO. 434339  
MY COMMISSION EXPIRES NOVEMBER 17, 2012

STATE OF Oregon

COUNTY OF Klamath

On this 1<sup>st</sup> day of July, 20 09, before me, the undersigned Notary Public, personally appeared Kenneth L. Dencer, Trustee of Dencer Family Trust, and known to me to be authorized trustees or agents of the trust that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the trust, by authority set forth in the trust documents or, by authority of statute, 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 trust.

By Jennifer M Engelbrecht  
Notary Public in and for the State of Oregon

Residing at Klamath Falls, OR  
My commission expires 11/17/2012

LENDER ACKNOWLEDGMENT



OFFICIAL SEAL  
JENNIFER M ENGELBRECHT  
NOTARY PUBLIC - OREGON  
COMMISSION NO. 434339  
MY COMMISSION EXPIRES NOVEMBER 17, 2012

STATE OF Oregon

COUNTY OF Klamath

On this 1<sup>st</sup> day of July, 20 09, before me, the undersigned Notary Public, personally appeared Bridgette Griffin and known to me to be the VP Regional Credit Admin, 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 Jennifer M Engelbrecht  
Notary Public in and for the State of Oregon

Residing at Klamath Falls, OR  
My commission expires 11/17/2012