

2009-010348

Klamath County, Oregon



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07/30/2009 03:37:52 PM

Fee: \$26.00

ATE 65147

RECORDATION REQUESTED BY:

South Valley Bank & Trust
Commercial Bend Branch
572 SW Bluff Drive, Suite 100
Bend, OR 97702

WHEN RECORDED MAIL TO:

South Valley Bank & Trust
Commercial Bend Branch
572 SW Bluff Drive, Suite 100
Bend, OR 97702

SEND TAX NOTICES TO:

South Valley Bank & Trust
Commercial Bend Branch
572 SW Bluff Drive, Suite 100
Bend, OR 97702

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST



THIS MODIFICATION OF DEED OF TRUST dated July 28, 2009, is made and executed between Kenneth J. Wilson ("Grantor") and South Valley Bank & Trust, whose address is Commercial Bend Branch, 572 SW Bluff Drive, Suite 100, Bend, OR 97702 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated August 24, 2007 (the "Deed of Trust") which has been recorded in Klamath County, State of Oregon, as follows:

Recorded August 24, 2007 in Klamath County, Book 2007, Page 015028.

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

A tract of land situated in Block 8, CHEMULT and in the SW 1/4 SW 1/4 of Section 21, Township 27 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the intersection of the Easterly right of way line of the Dalles-California Highway and the Northerly line of Block 8, CHEMULT; said point also being the Northwest corner of Block 8, CHEMULT; thence Northeasterly along the Northerly line of said Block, 150 feet to the true point of beginning; thence continuing Northeasterly along said Northerly line 151.5 feet to the Northeasterly corner of said Block; thence South 20° 54' East along the Easterly line of said Block, 421.8 feet; thence South 70° 36' West 312.8 feet to the Easterly right of way line of said highway; thence Northwest along said highway right of way line 272.2 feet; thence Northeasterly parallel to the Northerly line of said Block, 150 feet; thence Northwesterly parallel to said highway 150 feet to the point of beginning.

CODE 055 MAP 2708-021CB TL 05000 KEY #168623
CODE 055 MAP 2708-021CC TL 00100 KEY #168749

The Real Property or its address is commonly known as 109315, 109319 and 109323 Highway 97 North, Chemult, OR 97731. The Real Property tax identification number is R2708 021CB 05000 000 / R2708 021CC 00100 000.

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

Increase in loan amount to \$160,805.00. Transfer from loan #830922416.

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 endorers 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 28, 2009.

GRANTOR:

X
Kenneth J. Wilson

LENDER:

SOUTH VALLEY BANK & TRUST

X
Authorized Officer

26 ATE



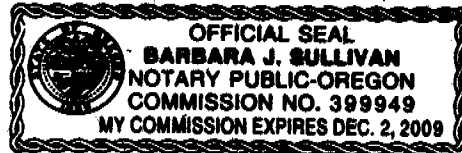
MODIFICATION OF DEED OF TRUST
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INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oregon
COUNTY OF Klamath

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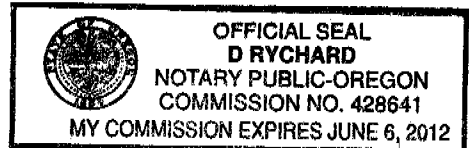
On this day before me, the undersigned Notary Public, personally appeared Kenneth J. Wilson, to me known to be the individual described in and who executed the Modification of Deed of Trust, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the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

Given under my hand and official seal this 28 day of July, 2009.
By Ken Wilson B. Sullivan Residing at SVB
Notary Public in and for the State of Oregon My commission expires 12-2-2009

LENDER ACKNOWLEDGMENT

STATE OF Oregon
COUNTY OF Deschutes

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On this 29th day of July, 2009, before me, the undersigned Notary Public, personally appeared Jonathan Lertz and known to me to be the Comptroller, 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 D Rychar Residing at Bend OR
Notary Public in and for the State of Oregon My commission expires June 6, 2012