

2009-012577

Klamath County, Oregon



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**UCC FINANCING STATEMENT AMENDMENT**

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

09/23/2009 10:34:18 AM

Fee: \$31.00

A. NAME & PHONE OF CONTACT AT FILER (optional)  
Phone (800) 331-3282 Fax (818) 662-4141

B. SEND ACKNOWLEDGEMENT TO: (Name and Mailing Address) 8694 IRWIN FRANCHISE

CT Lien Solutions  
P.O. Box 29071  
Glendale, CA 91209-907120204235  
OROR  
FIXTURE

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE #  
VOL M02 PG 43091 07/31/02 CC OR Klamath1b. This FINANCING STATEMENT AMENDMENT is  
to be filed [for record] (or recorded) in the  
REAL ESTATE RECORDS.2. ☐ **TERMINATION:** Effectiveness of the Financing Statement identified above is terminated with respect to security interest(s) of the Secured Party authorizing this Termination Statement.3. ☐ **CONTINUATION:** Effectiveness of the Financing Statement identified above with respect to the security interest(s) of the Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law.4. ☒ **ASSIGNMENT (FULL or partial):** Give name of assignee in item 7a or 7b and address of assignee in 7c; and also give name of assignor in item 9.5. **AMENDMENT (PARTY INFORMATION):** This Amendment affects ☐ Debtor or ☐ Secured Party of record. Check only one of these two boxes.

Also check one of the following three boxes and provide appropriate information in items 6 and/or 7.

☐ **CHANGE** name and/or address: Give current record name in item 6a or 6b; also give new name (if name change) in item 7a or 7b and/or new address (if address change) in item 7c. ☐ **DELETE** name: Give record name to be deleted in item 6a or 6b. ☐ **ADD** name: Complete item 7a or 7b. and also item 7c; also complete items 7d-7g (if applicable)6. **CURRENT RECORD INFORMATION:**

6a. ORGANIZATION'S NAME

OR  
6b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX7. **CHANGED (NEW) OR ADDED INFORMATION:**

7a. ORGANIZATION'S NAME

OR  
BANK OF THE WEST  
7b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX7c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY  
201 NORTH CIVIC DRIVE SUITE 360B WALNUT CREEK CA 945967d. SEE INSTRUCTION ADD'L INFO RE ORGANIZATION DEBTOR 7e. TYPE OF ORGANIZATION 7f. JURISDICTION OF ORGANIZATION 7g. ORGANIZATIONAL ID #, if any ☐ NONE8. **AMENDMENT (COLLATERAL CHANGE):** check only one box.Describe collateral ☐ deleted or ☐ added, or give entire ☐ restated collateral description, or describe collateral ☐ assigned.9. **NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT** (name of assignor, if this is an Assignment). If this is an Amendment authorized by a Debtor which adds collateral or adds the authorizing Debtor, or if this is a Termination authorized by a Debtor, check here ☐ and enter name of DEBTOR authorizing this Amendment.9a. ORGANIZATION'S NAME  
Irwin Franchise Capital CorporationOR  
9b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX10. **OPTIONAL FILER REFERENCE DATA**

20204235 Debtor Name: SOUTHERN OREGON ELMER'S, L.L.C. 4-16799-001 SOUTHERN OREGON ELMER'S, L.L.C.

**UCC FINANCING STATEMENT AMENDMENT ADDENDUM**  
FOLLOW INSTRUCTIONS (front and back) CAREFULLY

11. INITIAL FINANCING STATEMENT FILE # (same as item 1a on Amendment form)

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12. NAME of PARTY AUTHORIZING THIS AMENDMENT (same as item 9 on Amendment form)

12a. ORGANIZATION'S NAME  
Irwin Franchise Capital Corporation

OR

12b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME, SUFFIX

13. Use this space for additional information

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Recorded Owner: Curt Baney, Inc.

Description: SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

43093

## EXHIBIT "A"

A piece or parcel of land in the NW 1/4 of Section 3, Twp. 39 S. R. 9 E.W.M., more particularly described as follows:

Starting at the Northwest corner of Section 3, Twp. 39 S.R. 9 E.W.M., and running thence S.  $0^{\circ} 00' \frac{1}{2}''$  E. along the Westerly boundary of Section 3, 977.8 feet, more or less, to its intersection with a line parallel with and fifty feet distant at right angles Southwesterly from the center line of the Dalles California State Highway, also known as South Sixth Street, as the same is now located and constructed; thence S.  $55^{\circ} 52' \frac{1}{2}''$  E. along said parallel line 1656.6 feet to a point from which the cross on a railroad spike embedded in the asphalt roadway bears N.  $34^{\circ} 07' \frac{1}{2}''$  E. 11. feet; thence at right angles to South Sixth Street S.  $34^{\circ} 07' \frac{1}{2}''$  W. fifty feet to the true point of beginning of this description; thence S.  $55^{\circ} 52' \frac{1}{2}''$  E. parallel to South Sixth Street 358.8 feet to a point from which a cross chiseled in the concrete sidewalk bears N.  $34^{\circ} 07' \frac{1}{2}''$  E. 61 feet; thence at right angles to South Sixth Street S.  $34^{\circ} 07' \frac{1}{2}''$  W. 206.3 feet, more or less, to an iron peg on the Northerly right of way line of the O.C. & E. RR; thence N.  $66^{\circ} 57' \frac{1}{2}''$  W. along said Northerly line 365.4 feet, more or less, to an iron peg which is S.  $34^{\circ} 07' \frac{1}{2}''$  W. from the true point of beginning; thence N.  $34^{\circ} 07' \frac{1}{2}''$  E. 276.6 feet, more or less, to the true point of beginning, but reserving the right of way and the right to replace and maintain the 8 inch sanitary sewer located approximately 106.5 feet at right angles Northerly from the Northerly right of way line of the O.C. & E. RR but granting joint use of this sewer subject to the rules of the South Suburban Sanitary District.

All situate in the county of Klamath, State of Oregon.

JMS:PRN/TAUDACH/JNTSM-HIGHLAND,WA

EXHIBIT "A"

Bryant Lawson Davis

40 N.W. Greenwood • P.O. Box 1151 • Bend, Oregon 97709-1151 • (541) 382-4331 • Fax (541) 382-3286