

2009-014232

Klamath County, Oregon



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11/04/2009 02:04:06 PM

Fee: \$52.00

WHEN RECORDED RETURN TO:

DRI

8130 SW Beaverton-Hillsdale Hwy.
Portland, OR 97225

MODIFICATION OF DEED OF TRUST

Reference is made to that certain deed of trust made by Heaton Steel & Supply, Inc., an Oregon corporation ("Grantor") to AmeriTitle ("Trustee") dated September 19, 2007, and recorded on September 19, 2007, as Document No. **2007-016520** in the official real property records of Klamath County, Oregon ("Trust Deed"). The Trust Deed grants beneficiary an interest in the real property more fully described as:

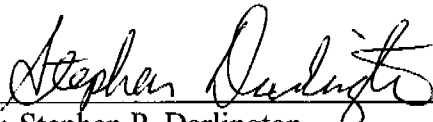
See **Exhibit A** attached hereto and made a part hereof

NOTICE IS HEREBY GIVEN that effective January 1, 2008, the offices of **BFI Business Finance, a California corporation**, beneficiary under that certain Trust Deed, have moved. The Deed of Trust is hereby modified to reflect that the address to which all beneficiary notices and correspondence are to be directed is as follows:

BFI Business Finance
Attn: Robert Gonzalez, General Counsel
851 East Hamilton Avenue, Second Floor
Campbell, CA 95008

Dated this 28th day of October, 2009.

BFI Business Finance
a California corporation

By: 
Name: Stephen P. Darlington
Its: Vice President

State of California

County of Santa Clara

On October 29, 2009 before me, Pamela A. Roy, a notary public, personally appeared STEPHEN P. DARLINGTON, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.

Witness my hand and official seal.

Signature

Pamela A. Roy

(Seal)

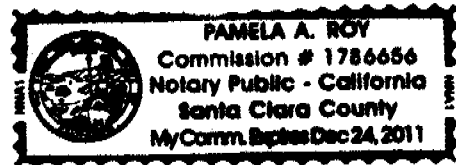


Exhibit A
Legal Description

PARCEL 1:

Lots 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 5A, 5B, 35A, 35B, 36A, 36B, 37A, 37B, 38A, 38B, 39A, 39B, 39C, 40A, and 40B in Block 7, RAILROAD 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:

A portion of Alley Lot "C" in Block 7 of RAILROAD 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, described as follows:

Beginning at the Northwestern corner of said Alley Lot "C" in Block 7, thence Easterly along the Northerly line of said Alley Lot "C", being also the Southerly line of Oak Avenue, 40 feet to a point in the Easterly line of said Alley Lot "C"; thence southerly along said Easterly line, 160 feet; thence Westerly at right angles to last described course, 40 feet to a point in the Westerly line of said Alley Lot "C"; thence Northerly along said Westerly line, 160 feet to the point of beginning.

PARCEL 3:

A portion of Alley Lot "C" in Block 7 of RAILROAD 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, described as follows:

Beginning at a point in the Westerly line of said Alley Lot "C", distant thereon 160 feet Southerly from the Southerly line of Oak Avenue, said point being the Southwesterly corner of that certain 0.147 of an acre parcel of land described in deed dated November 10, 1955, from Central Pacific Railway Company and Southern Pacific Company to Charles Heaton, et ux.; thence Easterly, at right angles from said Westerly line, being along the Southerly line of said 0.147 of an acre parcel of land, a distance of 40 feet to the Easterly line of said Alley Lot "C"; thence Southerly along said Easterly line 97.3 feet; thence Westerly, at right angles from said Easterly line, 40 feet to said Westerly line; thence Northerly along said Westerly line 97.3 feet to the point of beginning.

EXCEPTING THEREFROM that portion thereof lying below a depth of 500 feet, measured vertically, from the contour of the surface of said property.

PARCEL 4:

Lots 1 and 2 in Block 8, RAILROAD ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, EXCEPTING THEREFROM that portion conveyed to Southern Pacific Transportation Company, a Delaware corporation, by deed recorded June 24, 1980 in Volume M80, page 11591, Microfilm Records of Klamath County, Oregon, described as follows:

Beginning at the Northeast corner of said Lot 1, being in the Westerly line of Southern Pacific Transportation Company's land described in deed dated February 11, 1908, from W. A. Wright, et ux., and Hot Springs Investment Company to the California Northeastern Railway Company, recorded March 11, 1908, in Book 23, page 616, Deed Records of Klamath County, Oregon; thence Southerly along said Westerly line, being also the Easterly line of said Lots 1 and 2, a distance of 68.5 feet to the Southeast corner of said Lot 2; thence Westerly along the Southerly line of said Lot 2, a distance of 1.5 feet to a point in a line parallel with and distant 8.5 feet Westerly, measured radially, from the center line of said Transportation Company's existing drill track; thence Northerly along said parallel line to a point in the Northerly line of said Lot 1, distant thereon 2.25 feet Westerly from the Northeast corner of said Lot 1; thence Easterly along said Northerly line, being also the Southerly line of Oak Avenue, 2.25 feet to the point of beginning.

AND TOGETHER WITH that portion of said Lots 1 and 2 as conveyed to Southern Pacific Transportation Company by deed recorded June 24, 1980 in Volume M80, page 11591, Microfilm Records of Klamath County, Oregon, lying below a depth of 500 feet, measured vertically, from the contour of the surface of said property.

PARCEL 5:

Lot 3 in Block 8, RAILROAD ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.