

UTC 13916-9805

2009-014404

Klamath County, Oregon



00075190200900144040030035

11/09/2009 03:36:31 PM

Fee: \$47.00

RECORDATION REQUESTED BY:

SCOTT VALLEY BANK
MEDFORD LOAN CENTER
The Estate Building, Suite 26
10 Crater Lake Avenue
Medford, OR 97504

WHEN RECORDED MAIL TO:

SCOTT VALLEY BANK
LOAN SERVICES DEPARTMENT
P.O. BOX 69
YREKA, CA 96097

SEND TAX NOTICES TO:

V S, INC.
4150 S. PACIFIC HWY, SUITE B
MEDFORD, OR 97501

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated October 29, 2009, is made and executed between V S, INC., AN OREGON CORPORATION, whose address is 4150 S. PACIFIC HWY, SUITE B, MEDFORD, OR 97501 ("Grantor") and SCOTT VALLEY BANK, whose address is MEDFORD LOAN CENTER, The Estate Building, Suite 26, 10 Crater Lake Avenue, Medford, OR 97504 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated July 11, 2007 (the "Deed of Trust") which has been recorded in KLAMATH County, State of Oregon, as follows:

DEED OF TRUST RECORDED JULY 17, 2007 AS DOCUMENT #2007-012625.

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

See EXHIBIT "A", which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 3112 AND 3118 WASHBURN WAY, KLAMATH FALLS, OR 97603. The Real Property tax identification number is 3909-009AA-01000-000 AND 3909-009AA-00701-000.

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

THE WORD NOTE NOW MEANS PROMISSORY NOTE DATED OCTOBER 29, 2009 IN THE PRINCIPAL AMOUNT OF 556,000.00 AND PROMISSORY NOTE DATED JULY 18, 2006 IN THE PRINCIPAL AMOUNT OF \$2,100,000.00 FROM GRANTOR TO LENDER TOGETHER WITH ALL RENEWALS OF, EXTENSIONS OF, MODIFICATIONS OF, REFINANCINGS OF, CONSOLIDATIONS OF AND SUBSTITUTIONS FOR THE PROMISSORY NOTE OR AGREEMENT. THE MATURITY DATE OF THIS DEED OF TRUST IS JULY 8, 2016.

NOTICE TO TRUSTOR: THE NOTES CONTAIN VARIABLE INTEREST RATES.

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 OCTOBER 29, 2009.

GRANTOR:

V S, INC.

By:

VINOD MEHTA, President of V S, INC.

By:

SEEMA MEHTA, Secretary of V S, INC.

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.

47007

MODIFICATION OF DEED OF TRUST
(Continued)

Loan No: 8332606002

Page 2

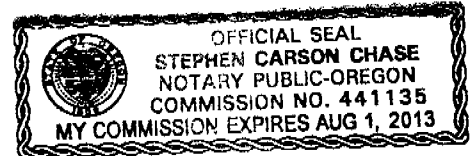
LENDER:

SCOTT VALLEY BANK

X [Signature]
Authorized Officer

CORPORATE ACKNOWLEDGMENT

STATE OF Oregon)
) SS
COUNTY OF Jackson)

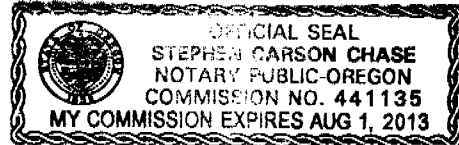


On this 4 day of November, 20 09, before me, the undersigned Notary Public, personally appeared **VINOD MEHTA, President of V S, INC. and SEEMA MEHTA, Secretary of V S, INC.**, and known to me to be authorized agents of the corporation that executed the Modification of Deed of Trust and acknowledged 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 they are authorized to execute this Modification and in fact executed the Modification on behalf of the corporation.

By Stephen Carson Chase Residing at Medford, OR
Notary Public in and for the State of Oregon My commission expires 8/1/13

LENDER ACKNOWLEDGMENT

STATE OF Oregon)
) SS
COUNTY OF Jackson)



On this 4 day of November, 20 09, before me, the undersigned Notary Public, personally appeared Michael W. Bingham and known to me to be the Vice President, authorized agent for **SCOTT VALLEY BANK** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **SCOTT VALLEY BANK**, duly authorized by **SCOTT VALLEY BANK** 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 **SCOTT VALLEY BANK**.

By Stephen Carson Chase Residing at Medford, OR
Notary Public in and for the State of Oregon My commission expires 8/1/13

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1

Lot 4 in Block 1 of TRACT 1239, RE-SUBDIVISION OF LOT 5, BLOCK 1, WASHBURN PARK, TRACT 1080, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 2

Parcel 2 of Land Partition 7-94 located in TRACT 1239, RE-SUBDIVISION OF LOT 5, BLOCK 1, WASHBURN PARK, TRACT 1080, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.