

MITC 80792
RECORDATION REQUESTED BY:

2010-014187
Klamath County, Oregon



12/14/2010 03:15:00 PM

Fee: \$47.00

WHEN RECORDED MAIL TO:

BANK OF STOCKTON
Attn: Loan Center
P.O. Box 1110
Stockton, CA 95201

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated December 7, 2010, is made and executed between Marcus Bacchi and Shannon Bacchi, husband and wife, as tenants by the entirety, whose address is 5300 Hwy. 49 South, El Dorado, CA 95623 ("Grantor") and BANK OF STOCKTON, whose address is Rio Vista Office, 230 Main Street, Rio Vista, CA 94571 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated December 21, 2009 (the "Deed of Trust") which has been recorded in Klamath County, State of Oregon, as follows:

Recorded December 23, 2009 as Instrument No. 2009-16047.

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 31130 Modoc Point Rd., Chiloquin, OR 97624. The Real Property tax identification number is 3507-029C0-00400-000, 3507-029C0-00900-000, 3507-029C0-00901-000, 3507-03000-01200-000, 3507-03000-01700-000, 3507-03100-00100-000, 3507-03200-00800-000, 3507-03200-00801-000, 3507-03200-00900-000, 3507-03200-00901-000.

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

Maximum principal amount to be advanced pursuant to the Note is \$1,000,000.00.

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 endorser 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 DECEMBER 7, 2010.

GRANTOR:

x Marcus Bacchi
Marcus Bacchi

x Shannon Bacchi
Shannon Bacchi

LENDER:

BANK OF STOCKTON

x Mandy Elder
Authorized Officer

479147

INDIVIDUAL ACKNOWLEDGMENT

STATE OF California)
) SS
COUNTY OF Solano)

On this day before me, the undersigned Notary Public, personally appeared **Marcus Bacchi and Shannon Bacchi**, to me known to be the individuals described in and who executed the Modification of Deed of Trust, and acknowledged that they signed the Modification as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 8 day of December, 2010.

By Mary Taylor Residing at 230 Main St. Rio Vista, CA

Notary Public in and for the State of California My commission expires 8/28/2013

LENDER ACKNOWLEDGMENT

STATE OF _____)
) SS
COUNTY OF _____)

On this _____ day of _____, 20____, before me, the undersigned Notary Public, personally appeared _____ and known to me to be the _____, authorized agent for **BANK OF STOCKTON** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **BANK OF STOCKTON**, duly authorized by **BANK OF STOCKTON** 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 **BANK OF STOCKTON**.

By _____ Residing at _____
Notary Public in and for the State of _____ My commission expires _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Solano

On

8/8/10

Date

before me,

Mary Taylor, Notary Public

Here Insert Name and Title of the Office

personally appeared

Marcus & Shannon Bacchi

Name(s) of Signer(s)

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 paragraph is true and correct.

WITNESS my hand and official seal.

Signature:

Mary Taylor

Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Modification of Trust Deed

Document Date:

December 1, 2010

Number of Pages:

3

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

Signer's Name:

☐ Corporate Officer — Title(s):

☐ Corporate Officer — Title(s):

☐ Individual

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Attorney in Fact

☐ Trustee

☐ Trustee

☐ Guardian or Conservator

☐ Guardian or Conservator

☐ Other:

☐ Other:

Signer Is Representing:

Signer Is Representing:

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here