

2011-012287

Klamath County, Oregon



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11/02/2011 08:30:27 AM

Fee: \$62.00

Prepared by/Return to:
CitiMortgage, Inc.
14700 Citicorp Dr., MC 4112
Hagerstown, MD 21742
Attn: Sheree Wyand
Loan # 0650782776

SUBSTITUTION OF TRUSTEE AND MODIFICATION AND PARTIAL RELEASE OF DEED OF TRUST

This Agreement, made this 18th day of October 2011, by and between Dean M. Baker, and Patricia B. Baker, whose address is 5251 Highway 66, Klamath Falls, OR 97601, Verdugo Trustee Service Corporation, a California Corporation, substituted Trustee whose address is 14700 Citicorp Dr., Hagerstown, MD 21742 and CitiMortgage, Inc. Successor in Interest by Merger to ABN AMRO Mortgage Group, Inc., beneficiary, whose address is 14700 Citicorp Dr., MC 4112, Hagerstown, MD 21742 and the present owner and holder of the indebtedness secured by said Deed of Trust:

WITNESSETH:

Whereas, Trustors did execute a Deed of Trust dated September 23, 2005, encumbering real property described as follows:

BEGINNING AT THE NORTH QUARTER SECTION CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 8 E.W.M., ACCORDING TO THE PETITIONED SURVEY BY WILLIAM CANTON, COUNTY SURVEYOR FOR ANDREW ZUDELL, SR., AND ANDREW ZUDELL, JR., PETITIONERS AND GUY A. HAND AND MILDRED HAND, PETITIONERS; WHICH IS ON RECORD IN THE COUNTY SURVEYOR'S OFFICE IN FILE NO. 231; THENCE EAST ALONG THE SECTION LINE 1051.69 FEET TO THE WEST RIGHT OF WAY OF STATE HIGHWAY #66; THENCE SOUTH 27° 37' WEST 320.88 FEET; THENCE SOUTH 67° 25 ½' WEST 335.9 FEET; THENCE SOUTH 24° 12' WEST 454.90 FEET; THENCE SOUTH 52° 07 ½' EAST 178.68 FEET TO THE WESTERLY RIGHT OF WAY OF STATE HIGHWAY #66; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID RIGHT OF WAY ON A 10.5524 DEGREE CURVE TO THE RIGHT, 296.20 FEET; THENCE SOUTH 71°00' WEST 284.78 FEET TO THE WEST LINE OF THE NE ¼ OF SECTION 13; THENCE NORTH 1°46'; WEST 1197.05 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, SUBJECT TO EASEMENTS, RIGHTS OF WAY AND ENCUMBRANCES OF RECORD, AND THOSE APPARENT ON THE LAND.

For the purpose of securing an indebtedness of \$97,000.00 in favor of ABN AMRO Mortgage Group, Inc., beneficiary, said Deed of Trust was granted and conveyed to First American Title, Trustee, recorded on October 14, 2005, as Instrument No. M05-66592 in the Records of Klamath County, in the State of Oregon; and;

Whereas, the undersigned, CitiMortgage, Inc Successor in Interest by Merger to ABN AMRO Mortgage Group, Inc., desires to substitute a new Trustee under said Deed of Trust in the place and stead of said original Trustee thereunder, and any subsequently appointed trustee.

Now, THEREFORE, the undersigned Beneficiary hereby substitutes Verdugo Trustee Service Corporation, a California Corporation as Trustee under said Deed of Trust.

Whereas, after the date of the recording of said Deed of Trust, the legal description for said property was modified.

Whereas, Trustors desires to modify the above-described property and to do so it is necessary for said Deed of Trust to encumber all of the Modified property.

Now, Therefore, in consideration of the foregoing and other valuable consideration, the parties hereto do hereby amend and modify, said Deed of Trust by deleting therefrom the entire description of real property set forth on the face thereof and substituting in place thereof the following description:

A TRACT OF LAND SITUATED IN THE SW ¼ SE ¼ OF SECTION 12, TOWNSHIP 39 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIN LOCATED EASTERLY A DISTANCE OF 1147.0 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 12, TOWNSHIP 39 SOUTH, RANGE 8 E.W.M., SAID DISTANCE BEING MEASURED ALONG THE SECTION LINE BETWEEN SECTIONS 12 AND 13, SAID IRON PIN ALSO BEING LOCATED ON THE NORTHWEST RIGHT-OF-WAY OF STATE HIGHWAY #66; THENCE WESTERLY ALONG THE SECTION LINE BETWEEN SECTIONS 12 AND 13 A DISTANCE OF 400.00 FEET TO AN IRON PIN; THENCE NORTHERLY AT RIGHT ANGLES TO SAID SECTION LINE A DISTANCE OF 150.0 FEET TO AN IRON PIN; THENCE EASTERLY PARALLEL TO SAID SECTION LINE A DISTANCE OF 475.00 FEET TO AN IRON PIN; LOCATED ON THE NORTHWEST RIGHT-OF-WAY OF STATE HIGHWAY #66; THENCE SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY A DISTANCE OF 167.6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Trustors hereby grants to said Trustee the real property described on attached Exhibit "A", in trust, with Power of Sale, for the purpose and under all of the provisions contained in said Deed of Trust, to the same effect as if said real property last described had been originally described thereon; and Trustee hereby reconveys to the persons legally entitled thereto the following described property:

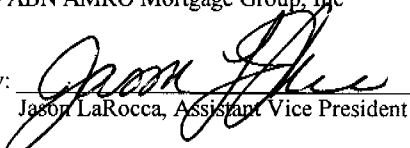
BEGINNING AT THE NORTH QUARTER SECTION CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 8 E.W.M., ACCORDING TO THE PETITIONED SURVEY BY WILLIAM CANTON, COUNTY SURVEYOR FOR ANDREW ZUDELL, SR., AND ANDREW ZUDELL, JR., PETITIONERS AND GUY A. HAND AND MILDRED HAND, PETITIONERS; WHICH IS ON RECORD IN THE COUNTY SURVEYOR'S OFFICE IN FILE NO. 231; THENCE EAST ALONG THE SECTION LINE 1051.69 FEET TO THE WEST RIGHT OF WAY OF STATE HIGHWAY #66; THENCE SOUTH 27° 37' WEST 320.88 FEET; THENCE SOUTH 67° 25 ½' WEST 335.9 FEET; THENCE SOUTH 24° 12' WEST 454.90 FEET; THENCE SOUTH 52° 07 ½' EAST 178.68 FEET TO THE WESTERLY RIGHT OF WAY OF STATE HIGHWAY #66; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID RIGHT OF WAY ON A 10.5524 DEGREE CURVE TO THE RIGHT, 296.20 FEET; THENCE SOUTH 71°00' WEST 284.78 FEET TO THE WEST LINE OF THE NE ¼ OF SECTION 13; THENCE NORTH 1°46'; WEST 1197.05 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, SUBJECT TO EASEMENTS, RIGHTS OF WAY AND ENCUMBRANCES OF RECORD, AND THOSE APPARENT ON THE LAND.

Except, as hereby modified, said Deed of Trust shall remain in full force and effect.

This Agreement shall inure to the benefit of and be binding upon the parties hereto and the personal representatives and successors in interest of each of them.

In Witness Whereof, the parties have executed this instrument the day and year first described above.

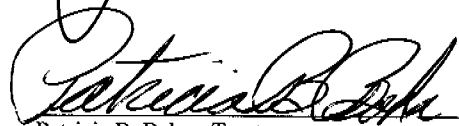
CitiMortgage, Inc Successor in Interest by Merger
to ABN AMRO Mortgage Group, Inc

By:  10/20/11
Jason LaRocca, Assistant Vice President Date

Dean M. Baker
Dean M. Baker 10-25-11
Dean M. Baker, Trustor Date

Verdugo Trustee Service Corporation, Trustee

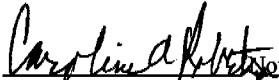
By:  10-18-11
Yolanda S. Yudovich, Vice President Date

 10-25-11
Patricia B. Baker, Trustor Date

State of Maryland
County of Washington

On Oct 20, 2011 before me, Caroline A. Robertson, Notary Public personally appeared Jason LaRocca, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed same in his capacity, and that by his signature on the instrument the person or entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.



Caroline A. Robertson, Notary Public Signature
Caroline A. Robertson
My Commission expires July 9, 2013

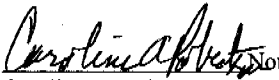


Caroline A. Robertson, Notary Public
Frederick County
State of Maryland
My Commission Expires July 9, 2013

State of Maryland
County of Washington

On Oct 18, 2011 before me, Caroline A. Robertson, Notary Public personally appeared Yolanda S. Yudovich, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed same in her capacity, and that by her signature on the instrument the person or entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.



Caroline A. Robertson, Notary Public Signature
Caroline A. Robertson
My Commission expires July 9, 2013



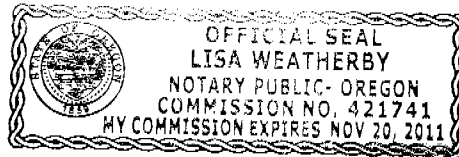
Caroline A. Robertson, Notary Public
Frederick County
State of Maryland
My Commission Expires July 9, 2013

State of Oregon
County of *Klamath*

On *10/25/11* before me, *Lisa Weatherby*, Notary Public personally Dean M. Baker, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed same in his capacity, and that by his signature on the instrument the person or entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Lisa Weatherby
Notary Public Signature
My Commission expires *11/20/2011*



State of Oregon
County of *Klamath*

On *10/25/11* before me, *Lisa Weatherby*, Notary Public personally Patricia B. Baker, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed same in her capacity, and that by her signature on the instrument the person or entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Lisa Weatherby
Notary Public Signature
My Commission expires *11/20/2011*

