WC57168

**2012-006251**Klamath County, Oregon



06/08/2012 11:34:02 AM

Fee: \$72.00

### RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

Pepple Cantu Schmidt PLLC 1501 Western Avenue, Suite 600 Seattle, WA 98101 attn. Thomas L. Palotas

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

## This instrument is executed in duplicate for simultaneous recording in Lake County and in Klamath County

# THIRD MODIFICATION OF ASSIGNMENT OF RENTS, LEASES, CONTRACTS AND AUTHORIZATIONS

THIS THIRD MODIFICATION OF ASSIGNMENT OF RENTS, LEASES, CONTRACTS AND AUTHORIZATIONS (this "Modification"), dated June 4, 2012, for reference purposes is entered into by: COLLINS TIMBER COMPANY LLC, an Oregon limited liability company ("Assignor") having an address at 1618 S.W. First Avenue, Suite 500, Portland, Oregon 97201; and AMERICAN AGCREDIT, FLCA, an Agricultural Credit Association chartered pursuant to the Farm Credit Act of 1971, as amended, ("AgCredit") having an address at 5560 South Broadway, Eureka, California 95503; and THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, a New Jersey corporation ("Prudential", and together with AgCredit, "Assignee" or "Assignees") having an address at 2998 Douglas Blvd, Suite 225, Roseville, California 95661.

This Modification amends the Assignment of Rents, Leases, Contracts and Authorizations dated September 7, 2002, from Assignor in favor of Assignees recorded September 10, 2002, in Lake County, Oregon in Book 130 at Page 508, Lake County Mortgage Records and in Klamath County, Oregon in Volume M02, Page 51416, Klamath County Mortgage Records, as amended to date (together, the "Assignment").

The Assignment affects the Land in Lake County and Klamath County, Oregon, legally described in the original Assignment. Capitalized terms used but not defined herein are defined in the Assignment.

The Assignment is hereby amended to incorporate by this reference the amendment to the Deed of Trust by the Third Modification of Line of Credit Deed of Trust, Assignment of Rents and

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Leases, Security Agreement and Fixture Filing dated the same as this Modification between Assignor as Borrower and Assignees as Lenders (the "3<sup>rd</sup> DOT Modification"), which 3<sup>rd</sup> DOT Modification is being recorded in Lake County and Klamath County, Oregon concurrently herewith.

The terms and conditions of the Assignment, as amended by this Modification, are hereby affirmed and ratified. This Modification is not intended and shall not be construed to impair the validity, priority or enforceability of the Assignment.

This Modification may be executed in any number of counterparts and by the parties hereto on different counterparts. Each such counterpart shall be deemed to be an original and all such counterparts together shall constitute one and the same instrument.

This Modification is being executed in duplicate originals for simultaneous recording in both Lake County and Klamath County. The duplicates together constitute a single instrument.

The rest of this page is left blank intentionally.

IN WITNESS WHEREOF, Assignor has signed this Modification as of the date first written above.

"Assignor"

COLLINS TIMBER COMPANY LLC, an Oregon limited liability company

By: Marilyn Hendrick, Chief Financial Officer

### Assignor Acknowledgment

STATE OF OREGON

) SS **COUNTY OF MULTNOMAH** 

The foregoing instrument is acknowledged before me this June 5<sup>4h</sup>, 2012, by Marilyn Hendrick, the Chief Financial Officer of COLLINS TIMBER COMPANY LLC, an Oregon limited liability company, on its behalf.

OFFICIAL SEAL BARBARA ANN SIPLES NOTARY PUBLIC - OREGON COMMISSION NO. 436525 MY COMMISSION EXPIRES FEBRUARY 09, 2013 Before me:

Notary Public in and for the State of Oregon, residing at 915 Waison St Perflave 0297203 Name (printed or typed): Borbara Ann Siplas

My Commission Expires: February 09.

IN WITNESS WHEREOF, Assignee Prudential has signed this Modification as of the date first written above.

"Assignee"

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, a New Jersey corporation

By: Mula Beyer, Vice President Agnicalist

To South

Prudential Acknowledgment

STATE OF CALIFORNIA
) ss.
COUNTY OF Placer
)

On June 5, 2012, before me, Nicole Pedro, a Notary Public, personally appeared William Beyer, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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.

(notary stamp or seal)

WITNESS my hand and official seal.

Mich Pedro Notary Public NICOLE PEDRO
Commission # 1887232
Notary Public - California
Placer County
My Comm. Expires May 23, 2014

IN WITNESS WHEREOF, Assignee AgCredit has signed this Modification as of the date first written above.

"Assignee"

AMERICAN AGCREDIT, FLCA, an Agricultural Credit Association chartered pursuant to the Farm Credit Act of 1971, as amended

By: Janice T. Thede, Vice President

#### AgCredit Acknowledgment

STATE OF OREGON	)
(11 /	) SS
COUNTY OF Clackamas	)

The foregoing instrument is acknowledged before me this June \_\_\_\_\_\_, 2012, by Janice T. Thede, the Vice President of AMERICAN AGCREDIT, FLCA, an Agricultural Credit Association chartered pursuant to the Farm Credit Act of 1971, as amended, on its behalf.

Before me:



Notary Public in and for the State of Oregon, residing at 5000 Meadows Pd. St. 365, Lake Oswego, OR Name (printed or typed): Aue N. Auen My Commission Expires: 5/17/2015