

MTC 1396-1104

RECORDATION REQUESTED BY:

PremierWest Bank  
Airport Road Business Banking Center  
1463 E. McAndrews Road Ste 3  
Medford, OR 97504

2013-004346

Klamath County, Oregon

04/24/2013 10:05:15 AM

Fee: \$47.00

WHEN RECORDED MAIL TO:

PremierWest Bank  
Airport Road Business Banking Center  
1463 E. McAndrews Road Ste 3  
Medford, OR 97504

SEND TAX NOTICES TO:

Kevin L. Hamilton, Dirk G. DeGroot and Wendy A. DeGroot  
5819 Haven Crest Dr  
Klamath Falls, OR 97603

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated April 3, 2013, is made and executed between Dirk G DeGroot and Wendy A DeGroot, as tenants by the entirety, as to an undivided 1/2 interest, and Kevin L Hamilton, as an individual, as to a 1/2 interest, all as tenants in common, whose address is 5819 Haven Crest Dr., Klamath Falls, OR 97504 ("Grantor") and PremierWest Bank, whose address is Airport Road Business Banking Center, 1463 E. McAndrews Road Ste 3, Medford, OR 97504 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated April 19, 2006 (the "Deed of Trust") which has been recorded in Klamath County, State of Oregon, as follows:

Deed of Trust in the amount of \$240,000.00, recorded on April 21, 2006 as recording number M06-07840, Klamath County, Oregon.

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 5711 South Sixth Street, Klamath Falls, OR 97603. The Real Property tax identification number is 3909-002AD-08000-000.

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

It is hereby agreed to release Tana M. Hamilton as a Grantor and amend the vesting on Dirk G. DeGroot and Wendy A. DeGroot from husband and wife to as tenants by the entirety.

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 APRIL 3, 2013.

GRANTOR:

X Kevin L. Hamilton  
Kevin L. Hamilton

X Dirk G. DeGroot  
Dirk G. DeGroot

X Wendy A. DeGroot  
Wendy A. DeGroot

LENDER:

PREMIERWEST BANK

X Susan M. King  
Authorized Officer

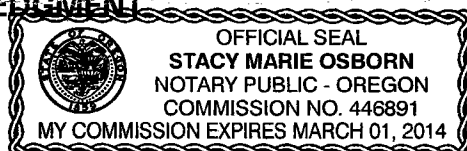
AMERITITLE has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OREGON

COUNTY OF Klamath

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On this day before me, the undersigned Notary Public, personally appeared Kevin L. Hamilton, to me known to be the individual described in and who executed the Modification of Deed of Trust, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 4<sup>th</sup> day of April, 20 13.

By Stacy M Osborn

Residing at 626 S 7<sup>th</sup> St Klamath Falls, OR

Notary Public in and for the State of OREGON

My commission expires March 01, 2014

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MODIFICATION OF DEED OF TRUST  
(Continued)

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INDIVIDUAL ACKNOWLEDGMENT

STATE OF OREGON

COUNTY OF Klamath

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On this day before me, the undersigned Notary Public, personally appeared Dirk G. DeGroot, to me known to be the individual described in and who executed the Modification of Deed of Trust, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 4<sup>th</sup> day of April, 20 13.

By Stacy M Osborn

Residing at 626 S. 7<sup>th</sup> St. Klamath Falls, OR

Notary Public in and for the State of OREGON

My commission expires March 01, 2014

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OREGON

COUNTY OF Klamath

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On this day before me, the undersigned Notary Public, personally appeared Wendy A. DeGroot, to me known to be the individual described in and who executed the Modification of Deed of Trust, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 4<sup>th</sup> day of April, 20 13.

By Stacy M Osborn

Residing at 626 S. 7<sup>th</sup> St. Klamath Falls, OR

Notary Public in and for the State of OREGON

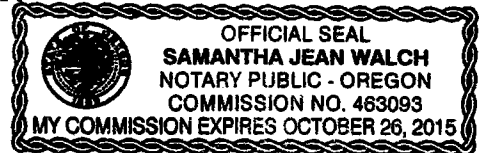
My commission expires March 01, 2014

LENDER ACKNOWLEDGMENT

STATE OF Oregon

COUNTY OF Jackson

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On this 15<sup>th</sup> day of April, 20 13, before me, the undersigned Notary Public, personally appeared Susan King and known to me to be the AVP, authorized agent for PremierWest Bank that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of PremierWest Bank, duly authorized by PremierWest 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 PremierWest Bank.

By Sam Walch

Residing at Medford

Notary Public in and for the State of Oregon

My commission expires 10-26-15

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Tract 14 of PLEASANT HOME TRACTS NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, EXCEPTING THEREFROM the South 10 feet thereof deeded to the State of Oregon for highway purposes.

AND

The South 71 feet of Tract 21, PLEASANT HOME TRACTS NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Tax Account No: 3909-002AD-08000-000

Key No: 513563