

2013-011099

Klamath County, Oregon

10/01/2013 09:02:29 AM

Fee: \$62.00

Recording Requested By,
And After Recording, Return To:
WELLS FARGO BANK,
NATIONAL ASSOCIATION
1700 Lincoln Street, 3rd Floor
MAC C7300-033
Denver, CO 80203
Attn: Loan Documentation

Tax Account Number(s) of
Subject Property: R585833

**SECOND MODIFICATION OF DEED OF TRUST AND
ASSIGNMENT OF RENTS AND LEASES**

THIS MODIFICATION (this "Modification") is entered into as of October 1, 2013, by and between PAPE' PROPERTIES, INC., AN OREGON CORPORATION ("Grantor"), and WELLS FARGO BANK, NATIONAL ASSOCIATION ("Beneficiary").

RECITALS

This Modification is entered into upon the basis of the following facts and understandings of the parties:

A. This Modification pertains to that certain Deed of Trust and Assignment of Rents and Leases dated as of August 5, 2008, executed by Grantor to WELLS FARGO FINANCIAL NATIONAL BANK, as Trustee, in favor of Beneficiary, and recorded on August 14, 2008, in instrument No. 2008-011566 of the Records of Klamath County, Oregon, as modified ("Deed of Trust").

B. The obligations secured by the Deed of Trust have been modified, and Grantor and Beneficiary have agreed to modify the Deed of Trust to accurately reflect the obligations secured thereby.

NOW, THEREFORE, the parties hereto agree as follows:

1. The Deed of Trust is hereby modified to reflect as obligations secured thereby and included in the definition of Secured Obligations therein, in addition to any other Secured Obligations defined therein or arising thereunder, the payment to Beneficiary of all indebtedness and performance of all obligations evidenced by and arising under that certain promissory note dated as of October 1, 2013, executed by PAPE' PROPERTIES, INC. and payable to Beneficiary or its order, and finally maturing on October 1, 2028, in the principal amount of Twenty Seven Million Dollars (\$27,000,000.00) (which promissory note represents the refinancing of that certain promissory note dated as of May 1, 2009, and secured by the Deed of Trust), together with interest thereon, and any such indebtedness or other obligations incurred under or in connection with the credit accommodation evidenced by said promissory note, even if not specifically referenced therein.

2. The real property and the whole thereof described in the Deed of Trust shall remain subject to the lien, charge or encumbrance of the Deed of Trust and nothing herein contained or done pursuant hereto shall affect or be construed to affect the liens, charges or encumbrances of the Deed of Trust, or the priority thereof over other liens, charges or encumbrances, or to release or affect the liability of any

party or parties who may now or hereafter be liable under or on account of said promissory notes and/or the Deed of Trust.

3. All terms and conditions of the Deed of Trust not expressly modified herein remain in full force and effect, without waiver or amendment. This Modification and the Deed of Trust shall be read together, as one document.

IN WITNESS WHEREOF, the parties hereto have caused this Modification to be executed as of the day and year first above written.

BENEFICIARY:

GRANTOR:

WELLS FARGO BANK,
NATIONAL ASSOCIATION

PAPE' PROPERTIES, INC., AN
OREGON CORPORATION

By: 

Lara T. Gabriel,
Relationship Manager

By: 

Robert J. Riecke, President, Secretary

OBTAIN NOTARY ACKNOWLEDGMENTS

**NOTARY ACKNOWLEDGEMENT
ATTACHED TO DOCUMENT**

STATE OF Oregon)
County of Lane) ss.

This instrument was acknowledged before me on this 27th day of September, 2013
by Robert J. Riecke, as President/Secretary of Pape' Properties, Inc., an Oregon Corporation, on behalf of
said entity.

Kelli G. Cole

Notary Public for Oregon
My commission expires: May 22, 2017



**NOTARY ACKNOWLEDGEMENT
ATTACHED TO DOCUMENT**

STATE OF Oregon)
County of Lane)ss.

This instrument was acknowledged before me on this 27th day of September, 2013
by Lara T. Gabriel, as Relationship Manager of Wells Fargo Bank, National Association, on behalf of said
entity.

Kelli G. Cole

Notary Public for Oregon

My commission expires: May 22, 2017

