

2014-000748

Klamath County, Oregon



01/28/2014 09:52:03 AM

Fee: \$57.00

Recording Requested By:

Britt Miller, Vice President
Nebraska State Bank

And When Recorded Return To:

Nebraska State Bank
P.O. Box 260
Oshkosh, NE 69154

The undersigned hereby affirm that there is no Social
Security number contained in this document

MODIFICATION AND SUPPLEMENT TO TRUST DEED AND NOTICE OF ADDITIONAL ADVANCE

This Modification and Supplement to Trust Deed and Notice of Additional Advance ("Modification and Supplement"), made January 13, 2014, by and between Dennis Hynes trustee of the J & J Family Trust, whose address is 13131 Hwy 39, Klamath Falls, OR 97603 (hereinafter referred to as "Trustor") and Nebraska State Bank, whose address is P.O. Box 260, Oshkosh, NE 69154, hereinafter referred to as "Lender".

WITNESSETH

That whereas, on January 2, 2008 Trustor did make, execute and deliver to Lender that certain Trust Deed recorded January 8, 2008, Instrument No. 2008-000333, official records of Klamath County, State of Oregon securing a promissory note dated January 2, 2008 for the amount of \$102,000 in favor of Lender and covering the following described real property:

Refer to Exhibit "A" attached hereto and incorporated herein by reference thereto

And whereas, the Trust Deed provides that the same is also given to secure the payment of such additional sum or sums that may hereafter be advanced by Lender to Trustor and said Trustor wishes to borrow additional sums and to provide notice of such additional amounts;

And whereas, the parties hereto desire to modify and supplement said Trust Deed as follows:

NOW, THEREFORE, FOR VALUE RECEIVED, NOTICE OF THE FUTURE ADVANCE IS HEREBY GIVEN AS DESCRIBED BELOW AND THE TRUST DEED SHALL BE MODIFIED AND SUPPLEMENTED AS DESCRIBED BELOW:

I. **NOTICE.**

NOTICE IS HEREBY GIVEN that Nebraska State Bank has advanced to Trustor an additional \$100,000; the said amount is payable with interest as prescribed in a promissory note dated January 13, 2014, and that the said advance is acknowledged by the undersigned to be secured by the hereinabove referred to Trust Deed pursuant to the provisions recited therein.

FURTHER NOTICE IS HEREBY GIVEN that the balance owing secured by the hereinabove referred to Trust Deed to the date hereof totals \$202,000.

II. MODIFICATION OF TRUST DEED.

Lender and Trustor hereby modify the Trust Deed as follows:

Increase indebtedness from \$102,000 to \$202,000.

Lender and Trustor do hereby agree that in all other respects not inconsistent herewith the terms of said Trust Deed, which is incorporated therein by reference thereto, shall remain in full force and effect and be binding hereon. Said Trust Deed as herein modified and supplement shall constitute one Trust Deed.

This agreement shall inure to and bind the heirs, devisees, successors and assigns of the parties hereto.

In witness whereof, the parties hereto have executed this agreement the day and year first above written.

Trustor


Dennis R. Hynes, Trustee

Lender

Nebraska State Bank

By: Britt R. Miller, VP

Britt R. Miller
Vice President

[This document must be acknowledged before a Notary Public]

OREGON ALL-PURPOSE ACKNOWLEDGMENT

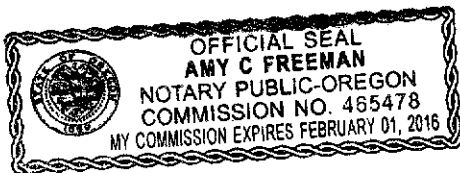
State of Oregon)
) ss.
County of Klamath

On January 23, 2014 before me, Amy C. Freeman, Notary Public

Personally appeared: Dennis R. Hynes

☒ personally known to me
☐ 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.



WITNESS my hand and official seal.

Amy C. Freeman

State of Nebraska)
) ss.
County of Garden)

On January 13, 2014 before me, James R. Levick, Notary Public

Personally appeared: Britt R. Miller, Vice President of Nebraska State Bank

☒ personally known to me
☐ 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.

WITNESS my hand and official seal.

James R. Levick



EXHIBIT A

LEGAL DESCRIPTION:

THE WEST HALF OF THE NORTHEAST QUARTER AND LOTS 1 AND 3 OF SECTION 3, ALL IN TOWNSHIP 41 SOUTH OF RANGE 10 EAST, WILLAMETTE MERIDIAN, OREGON; SAVE AND EXCEPTING APPROXIMATELY 5 ACRES LYING BETWEEN LOST RIVER AND SOUTHERN PACIFIC RAILWAY RIGHT OF WAY AND NORTH OF U.S. IRRIGATION CANAL "C" HERETOFORE CONVEYED BY MILES L. MOORE AND PEARL E. MOORE, HIS WIFE, TO JOHN D. MOORE AND JEAN MOORE, HIS WIFE, RECORDED NOVEMBER 15, 1944 IN VOLUME 170, PAGE 449, RECORDS OF KLAMATH COUNTY, OREGON AND EXCEPTING ALSO APPROXIMATELY 4 ACRES LYING BETWEEN THE SOUTHERN PACIFIC RAILWAY RIGHT OF WAY AND THE QUARTER SECTION LINE OF SAID SECTION 3, AND NORTH OF SAID "C" CANAL, HERETOFORE CONVEYED BY MILES L. MOORE AND PEARL E. MOORE, HIS WIFE, TO MANVILLE PIERSON BY DEED DATED SEPTEMBER 01, 1945 AND RECORDED DECEMBER 11, 1948 IN VOLUME 199, PAGE 427, RECORDS OF KLAMATH COUNTY, OREGON.

FURTHER EXCEPTING 5.04 ACRES DEEDED TO BILLY W. GREEN AND SHARON K. GREEN BY WARRANTY DEED RECORDED DECEMBER 28, 1971 IN VOLUME M71, PAGE 13597, DEED RECORDS OF KLAMATH COUNTY, OREGON.

ALSO FURTHER EXCEPTING A STRIP OF LAND DEEDED TO THE CENTRAL PACIFIC RAILWAY COMPANY RECORDED JANUARY 14, 1929 IN VOLUME 85, PAGE 145, DEED RECORDS OF KLAMATH COUNTY, OREGON.

This legal description was created prior to January 1, 2008.