

**2018-007518****Klamath County, Oregon**

06/22/2018 09:12:00 AM

Fee: \$92.00

**RECORDATION REQUESTED BY:**

Columbia State Bank  
CBC Portland  
805 SW Broadway, Suite 780  
Portland, OR 97205

**WHEN RECORDED MAIL TO:**

Columbia State Bank  
25977 SW CANYON CREEK RD, SUITE J  
Wilsonville, OR 97070

**FOR RECORDER'S USE ONLY****MODIFICATION OF DEED OF TRUST**

**THIS MODIFICATION OF DEED OF TRUST** dated March 1, 2018, is made and executed between Dunham Holdings, LLC, an Oregon Limited Liability Company ("Grantor") and Columbia State Bank, whose address is CBC Portland, 805 SW Broadway, Suite 780, Portland, OR 97205 ("Lender").

**DEED OF TRUST.** Lender and Grantor have entered into a Deed of Trust dated October 31, 2016 (the "Deed of Trust") which has been recorded in Klamath County, State of Oregon, as follows:

Recorded November 10, 2016 as Recording #2016-012078 in 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 6600 Arnold Ave, Klamath Falls, OR 97603. The Real Property tax identification number is R897734 & R893694.

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

**Amend the definition of Beneficiary in the Deed of Trust as follows: the word "Beneficiary" means Columbia State Bank, a Washington state bank as successor by merger to Pacific Continental Bank.**

**Extend the maturity date to June 5, 2029.**

**Amend the definition of Note in the Deed of Trust as follows: "that certain Promissory Note dated March 1, 2018, in the original amount of \$550,000.00, together with all renewals of, extensions of, modifications of, refinancings of, consolidations of, and substitutions for the note or credit agreement.**

**Increase the Note and lien amount on the Deed of Trust to \$550,000.00 effective August 4, 2017..**

**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 endorsers 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.

**ORAL AGREEMENTS DISCLAIMER.** This Agreement represents the final agreement between the parties and may not be contradicted by evidence of prior, contemporaneous or subsequent oral agreements of the parties. There are no unwritten oral agreements between the parties.

**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 MARCH 1, 2018.**

**GRANTOR:**

**DUNHAM HOLDINGS, LLC**

By: 

Brian W. Dunham, Member of Dunham Holdings, LLC

MODIFICATION OF DEED OF TRUST  
(Continued)

Loan No: 25943

Page 2

LENDER:

COLUMBIA STATE BANK

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Authorized Officer

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF

Washington

COUNTY OF

Clark

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On this 18 day of June, 2018, before me, the undersigned Notary Public, personally appeared Brian W. Dunham, Member of Dunham Holdings, LLC, and known to me to be a member or designated agent of the limited liability company that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By

Winni Drake

Residing at

Vancouver

Notary Public in and for the State of

WA

My commission expires

6/29/19

LENDER ACKNOWLEDGMENT

STATE OF

Washington

COUNTY OF

Clark

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On this 18 day of June, 2018, before me, the undersigned Notary Public, personally appeared Dominique Merriwether and known to me to be the Vice President, authorized agent for Columbia State Bank that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of Columbia State Bank, duly authorized by Columbia State 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 Columbia State Bank.

By

Winni Drake

Residing at

Clto Vancouver

Notary Public in and for the State of

WA

My commission expires

6/29/19

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

**Parcel 2**

Lot 3, KLAMATH FALLS INDUSTRIAL PARK - TRACT 1463, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

**Parcel 3**

A parcel of land being the South 84.50 feet of Lot 4 of KLAMATH FALLS INDUSTRIAL PARK, TRACT 1463, a duly recorded subdivision at the Klamath County Clerk's Office, situated in the SW1/4 of Section 15 and the NW1/4 of Section 22, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon being more particularly described as follows:

Beginning at the Northwest corner of Lot 3 of said Tract 1463, said point being marked by a 5/8" x 30" rebar with a yellow plastic cap stamped "Rhine-Cross Group LLC", thence along the Westerly boundary line of Lot 4 of said Tract 1463, North 01°21'39" East 84.50 feet to a 5/8" x 30" rebar with a yellow plastic cap stamped "Rhine-Cross Group LLC", thence leaving said Westerly boundary line, South 88°38'21" East 604.57 feet to a point on the Westerly Right-of-Way line of Altamont Drive, said point being marked by a 5/8" x 30" rebar with a yellow plastic cap stamped "Rhine-Cross Group LLC", thence along said Westerly Right-of-Way line along an offset spiral curve to the left, a chord distance of South 00°24'47" West 84.51 feet to the Northeast corner of said Lot 3, said point being marked by a 5/8" x 30" rebar with a yellow plastic cap stamped "Rhine-Cross Group LLC", thence along the North line of said Lot 3, South 88°38'21" East 605.97 feet to the point of beginning.