

RECORDING REQUESTED BY
and when recorded mail to:

880 Carillon Pkwy
St Petersburg FL
33716

2021-004367

Klamath County, Oregon

03/23/2021 01:35:00 PM

Fee: \$102.00

AMENDMENT TO DEED OF TRUST

THIS AMENDMENT TO DEED OF TRUST ("Amendment"), is made and effective as of February 19, 2021, between **California Giant, Inc.**, a California corporation ("Trustor"), whose address is 75 Sakata Lane, Watsonville, California 95076, and **Raymond James Trust, N.A.** as successor(s) to the Patrick M. Riordan Revocable Trust dated May 11, 2005, as amended and restated (collectively, "Trustee"), whose address is 880 Carillon Parkway, St. Petersburg, FL 33716, for the benefit of **Michael Riordan Non-Exempt GST Trust under the Patrick M. Riordan Revocable Trust and Alexa Riordan Non-Exempt GST Trust under the Patrick Riordan M. Riordan Revocable Trust** as successor trusts of the Patrick M. Riordan Revocable Trust dated May 11, 2005, as amended and restated (collectively, "Beneficiary").

WITNESSETH THAT,

WHEREAS, Trustor, for the benefit of Beneficiary (including its successors and assigns) executed and caused to be recorded that certain Deed of Trust, dated December 31, 2017 (the "Deed of Trust"), to secure Trustor's full and complete performance of all obligations due Beneficiary under that certain Secured Promissory dated December 31, 2017 (the "Note") made by Trustor in the original principal amount of \$ 14,425,202.24.

AND WHEREAS, the Deed of Trust was recorded in the County of Klamath, Oregon on February 13, 2018 as Document No. 2018-001723.

AND WHEREAS, one of the assets pledged by Trustor to secure its performance under the Note is a certain real property located in the County of Klamath, Oregon, known commonly as 19333 & 1891 Maupin Rd, Malin, Oregon 97632, as more fully described in **Exhibit "A"** hereto (the "Property").

AND WHEREAS, Trustor is selling the Property, and Trustee has agreed to release the Property from the lien of the Deed of Trust effective as of the date the deed transferring title to the Property is sold and this Amendment to Deed of Trust is recorded in the Official Records of the County of Klamath, Oregon.

NOW THEREFORE, in consideration of the premises, for good and valuable consideration, and for the purpose aforesaid, Trustee, on behalf of the Trust, does by this Amendment to Deed of Trust consent to the release of the Property as security pledged under the Deed of Trust to secure Trustor's performance under Note.

ANYTHING ELSE IN THIS FIRST AMENDMENT TO DEED OF TRUST TO THE CONTRARY NOTWITHSTANDING, the Deed of Trust shall remain in full force and effect in accordance with its terms, except as expressly modified by the terms of this Amendment to Deed of Trust and all prior amendments, if any.

Executed as of the date first written above.

"Beneficiary":

Raymond James Trust, N.A. as successor(s) to the Patrick M. Riordan Revocable Trust dated May 11, 2005, as amended and restated

By: [Signature]

Name: J. Michael Brown

Title: Vice President

"Trustor":

CALIFORNIA GIANT, INC., a California corporation

By: [Signature]

Name: Jay Brown

Title: CFO

[Signatures to be notarized]

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, who is personally known to me or produced _____ as identification, on this 10th day of Feb, 2021 (year), by J. Michael Brown (name of person) as Vice President (title such as Trust Officer) for Raymond James Trust, N.A.

NOTARY PUBLIC

PRINTED NAME: Karen S. Apodaca

COMMISSION EXPIRES: _____



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

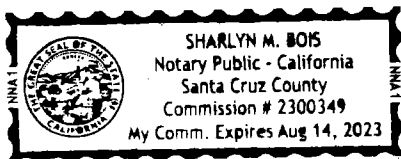
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Santa Cruz)
On February 19, 2021 before me, Sharlyn Bois, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Jay Brown
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) 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.

WITNESS my hand and official seal.



Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

MALIN RANCH

PARCEL 1:

THE NW1/4 OF THE NE1/4 AND THE N1/2 OF THE SW1/4 OF THE NE1/4 OF SECTION 3, TOWNSHIP 41 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

PARCEL 2:

THAT THE PORTION OF THE NE1/4 NE1/4 OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NE1/4 NE1/4; THENCE EAST ALONG THE NORTH LINE TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE SOUTHEAST CORNER OF THE NE1/4 NE1/4; THENCE IN A STRAIGHT LINE NORTHWESTERLY TO THE NORTHWEST CORNER OF THE NE1/4 NE1/4, THE TRUE POINT OF BEGINNING.

PARCEL 3:

A TRACT OF LAND SITUATED IN THE SE1/4 SE1/4 OF SECTION 27, TOWNSHIP 40 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 SE1/4; THENCE NORTH ALONG THE WEST LINE OF SAID SE1/4 SE1/4 A DISTANCE OF 208.71 FEET; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID SE1/4 SE1/4 A DISTANCE OF 417.42 FEET; THENCE SOUTH PARALLEL TO THE WEST LINE OF SAID SE1/4 SE1/4 A DISTANCE OF 208.71 FEET; THENCE WEST ALONG THE SOUTH LINE OF SAID SE1/4 SE1/4 A DISTANCE OF 417.42 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

THE SW1/4 SW1/4 OF SECTION 26, TOWNSHIP 40 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

PARCEL 5:

UNSURVEYED PARCEL 1 OF LAND PARTITION 31-10 IN THE S1/2 SE1/4, SE1/4 SW1/4 SECTION 27, TOWNSHIP 40 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN; THE NE1/4, W1/2 SE1/4, E1/2 W1/2 SECTION 34, TOWNSHIP 40 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN; THE NE1/4 NW1/4, NW1/4, NW1/4 NE1/4 SECTION 3, TOWNSHIP 41 SOUTH, RANGE 12 EAST OF THE WILLAMETTE

MERIDIAN, KLAMATH COUNTY, OREGON, BEING RECORDED AUGUST 16, 2011 IN 2011-009433, RECORDS OF KLAMATH COUNTY, OREGON.

UNSURVEYED PARCEL 2 OF LAND PARTITION 31-10 IN THE S1/2 SE1/4, SE1/4 SW1/4 SECTION 27, TOWNSHIP 40 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN; THE NE1/4, W1/2 SE1/4, E1/2 W1/2 SECTION 34, TOWNSHIP 40 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN; THE NE1/4 NW1/4, NW1/4, NW1/4 NE1/4 SECTION 3, TOWNSHIP 41 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING RECORDED AUGUST 16, 2011 IN 2011-009433, RECORDS OF KLAMATH COUNTY, OREGON.