

2023-004013

Klamath County, Oregon

05/25/2023 02:51:01 PM

Fee: \$92.00

WHEN RECORDED MAIL TO:
COMMONWEALTH BUSINESS BANK
ATTN: NOTE DEPT.
3435 WILSHIRE BOULEVARD, SUITE 700
LOS ANGELES, CA 90010

SEND TAX NOTICES TO:
KLAMATH FALLS HOTEL CIMARRON INC
3060 SOUTH 6TH STREET
KLAMATH FALLS, OR 97603

FOR RECORDER'S USE ONLY

373229

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated May 2, 2023, is made and executed between **KLAMATH FALLS HOTEL CIMARRON INC, AN OREGON CORPORATION ("Grantor")** and **COMMONWEALTH BUSINESS BANK**, whose address is **3435 WILSHIRE BOULEVARD, SUITE 700, LOS ANGELES, CA 90010 ("Lender")**.

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated December 18, 2017 (the "Deed of Trust") which has been recorded in KLAMATH County, State of Oregon, as follows:

RECORDED JANUARY 3, 2018 AS INSTRUMENT NO. 2018-000127.

REAL PROPERTY DESCRIPTION. The Deed of Trust covers the following described real property located in KLAMATH County, State of Oregon:

TRACT A:

PARCEL 2 OF LAND PARTITION 29-14 LOCATED IN THE S1/2 NW1/4 OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, REPLAT OF PARCEL 1 OF LP 19-12, RECORDED FEBRUARY 17, 2015 IN VOLUME 2015-001353, RECORDS OF KLAMATH COUNTY, OREGON.

TRACT B:

PARCEL 3 OF LAND PARTITION 19-12 LOCATED IN THE S1/2 NW1/4 OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON AND BEING A REPLAT OF PARCEL 2 OF LP 6-11, DULY RECORDED MARCH 18, 2013 IN VOLUME 2013-002884, RECORDS OF KLAMATH COUNTY, OREGON.

The Real Property or its address is commonly known as 3060 SOUTH 6TH STREET, KLAMATH FALLS, OR 97603. The Real Property tax identification number is R-3909-003BD-03000-000, R-3909-003BC-01002-000 & P-064350.

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

THE DEED OF TRUST SECURES THE INDEBTEDNESS AS MODIFIED BY THAT CERTAIN CHANGE IN TERMS AGREEMENT DATED MAY 02, 2023 BETWEEN LENDER AND BORROWER.

BORROWER'S NAME HAS BEEN AMENDED TO KLAMATH FALLS HOTEL CIMARRON INC FROM KLAMATH FALLS HOTEL INC.

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.

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 MAY 2, 2023.

GRANTOR:

KLAMATH FALLS HOTEL CIMARRON INC

By: 

KISHAN NARIA, President & Secretary of KLAMATH FALLS HOTEL CIMARRON INC

MODIFICATION OF DEED OF TRUST
(Continued)

Loan No: 309521-1

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LENDER:

COMMONWEALTH BUSINESS BANK

X *[Signature]*
Authorized Officer

CORPORATE ACKNOWLEDGMENT

STATE OF Oregon)
) SS
COUNTY OF Klamath)



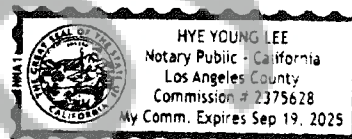
On this 16th day of May, 20 23, before me, the undersigned Notary Public, personally appeared KISHAN NARIA, President & Secretary of KLAMATH FALLS HOTEL CIMARRON INC, and known to me to be an authorized agent of the corporation that executed the Modification of Deed of Trust and acknowledged the Modification to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, 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 corporation.

By *Cathy S. Mason*
Notary Public in and for the State of Oregon

Residing at 2943 S. 6th St. Klamath Falls, OR 97603
My commission expires April 26, 2025

LENDER ACKNOWLEDGMENT

STATE OF CA)
) SS
COUNTY OF Los Angeles)



On this 23rd day of May, 20 23, before me, the undersigned Notary Public, personally appeared Amy Han and known to me to be the FVP & Servicing Manager, authorized agent for COMMONWEALTH BUSINESS BANK that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of COMMONWEALTH BUSINESS BANK, duly authorized by COMMONWEALTH BUSINESS 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 COMMONWEALTH BUSINESS BANK.

By *[Signature]*
Notary Public in and for the State of CA

Residing at California
My commission expires Sept 19, 2025

ACKNOWLEDGMENT

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 Los Angeles

On May 23, 2023 before me, Hye Young Lee, Notary Public
(insert name and title of the officer)

personally appeared Amy Han
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]

(Seal)

