

34163

Vol. 77 Page 5203

This Indenture Witnesseth, That Frank L. Fine and Frances I. Fine

his wife

for and in consideration of the sum of Two thousand One hundred thirty three and 23/100 Dollars, the receipt whereof is hereby acknowledged, do hereby give, grant, bargain, sell and convey unto Joseph F. Coburn and Margaret M. Coburn all that parcel of real estate in Klamath County, Oregon, described as follows:

Beginning at the Southeast corner of Lot 3 of Block 104, Buena Vista Addition thence South along the Westerly line of California Avenue 50 feet; thence Westerly parallel to and 50 feet distant from the South line of Lot 3 to intersect the East line of Stanford Street (extended); thence Northwesterly along Stanford Street to the Southwesterly corner of said Lot 3; thence Easterly along the Southerly line of said Lot 3 to place of beginning. The Southerly line of said tract herein conveyed being a straight line running approximately East and West from California Avenue to Stanford Street.

To Have and to Hold the same with all rights, easements, and appurtenances thereto belonging, unto the said parties of the second part, their heirs and assigns forever.

This Conveyance is intended as a mortgage to secure the payment of the sum of Two Thousand one hundred thirty three and 23/100 Dollars in accordance with the tenor of a certain promissory note of which the following is a substantial copy to-wit:

\$ 2133.23 May 1st 1972
June 1st and monthly thereafter after date, without grace, we promise to pay to the order of Joseph F. Coburn and Margaret M. Coburn or either of them at them

Two Thousand One Hundred thirty three and 23/100 DOLLARS.
in Gold Coin of the United States of America, of the present standard value, with interest thereon in like Gold Coin at the rate of 7 per cent. per annum from date until paid, for value received. Interest to be paid monthly and if not so paid, the whole sum of both principal and interest to become immediately due and collectible, at the option of the holder of this note. And in case suit or action is instituted to collect this note, or any portion thereof, promise and agree to pay in addition to the costs and disbursements provided by statute, such additional sum in like Gold Coin, as the Court may adjudge reasonable, for attorney's fees to be allowed in said suit or action.

Frank L. Fine

Frances I. Fine

And the said mortgagor.s. covenant and agree with said mortgagee.s. their heirs and assigns; that they will pay at maturity all sums mentioned in said note and will pay, before delinquency, all taxes, assessments or liens upon or against said premises having precedence of this mortgage.

Now Therefore, if the said mortgagor.s. shall satisfy and perform all said covenants, this conveyance shall be void; but upon default hereunder, all sums hereby secured shall become due and payable and said mortgagee.s. may foreclose this mortgage for the full amount thereof in the manner by law provided.

It Is Further Agreed that said mortgagee.s. may, at their option, pay any taxes, assessments or liens upon or against said premises and all such sums so paid, with interest thereon at 7 per cent. per annum, shall be secured by this mortgage, without waiver of any rights from breach of the aforesaid covenants and the said mortgagor.s. agree to pay such sum as the Court may adjudge reasonable as attorney's fees in any foreclosure suit.

In Witness Whereof, We have hereunto set our hands and seals, this 9th day of May A. D. 1972.

Executed in the Presence of us as Witnesses:

Frank L. Fine (SEAL)
Frances I. Fine (SEAL)
(SEAL)

MAY 16 10:10 AM 1972

5204

STATE OF OREGON, }
County of Klamath } ss.

This Certifies, That on this _____ day of May _____ A. D. 1972
before me the undersigned, a _____ Notary Public
in and for said County and State, personally appeared the within named _____
Frank L. Fine and Frances I. Fine, his wife
_____ who _____ are _____ known
to me to be the identical individual _____s described in and who executed the within instrument, and
acknowledged to me that _____ they _____ executed the same.

In Testimony Whereof, I have hereunto set my hand and
official seal the day and year last above written.

Gertrude M. Schroeder
Notary Public for Oregon
My Commission expires 6/21/74



Mortgage

TO

STATE OF OREGON, }
County of Klamath } ss.
I certify that the within instrument
was received for record on the 16th
day of MAY _____ A. D. 1972
at 10:50 o'clock A. M., and
recorded in M 72 _____ on page
5203 Record of Mortgages of said
County.

Witness my hand and seal of
County affixed.

WM. L. MILNE
County Clerk.
By *Delegated Deputy*
FEE \$1.00 Deputy.

FROM THE OFFICE OF
Schroeder Realty
1321 Paige Avenue
Astoria