

40871

MTC #4806-811 Page 24874

NOTE AND MORTGAGE

THE MORTGAGOR, ADRIAN P. KUNZLER and JUDITH A. KUNZLER, husband and wife

mortgagors to the STATE OF OREGON, represented and acting by the Director of Veterans' Affairs, pursuant to CRS 407.030, the following described real property located in the state of Oregon and County of Klamath

Lot 19 in Block 1, NELENE GARDENS, according to the official plat thereof, on file in the office of the County Clerk of Klamath County, Oregon.

177
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
7010
7011
7012
7013
7014
7015
7016
7017
7018
7019
7020
7021
7022
7023
7024
7025
7026
7027
7028
7029
7030
7031
7032
7033
7034
7035
7036
7037
7038
7039
7040
7041
7042
7043
7044
7045
7046
7047
7048
7049
7050
7051
7052
7053
7054
7055
7056
7057
7058
7059
7060
7061
7062
7063
7064
7065
7066
7067
7068
7069
7070
7071
7072
7073
7074
7075
7076
7077
7078
7079
7080
7081
7082
7083
7084
7085
7086
7087
7088
7089
7090
7091
7092
7093
7094
7095
7096
7097
7098
7099
70100
70101
70102
70103
70104
70105
70106
70107
70108
70109
70110
70111
70112
70113
70114
70115
70116
70117
70118
70119
70120
70121
70122
70123
70124
70125
70126
70127
70128
70129
70130
70131
70132
70133
70134
70135
70136
70137
70138
70139
70140
70141
70142
70143
70144
70145
70146
70147
70148
70149
70150
70151
70152
70153
70154
70155
70156
70157
70158
70159
70160
70161
70162
70163
70164
70165
70166
70167
70168
70169
70170
70171
70172
70173
70174
70175
70176
70177
70178
70179
70180
70181
70182
70183
70184
70185
70186
70187
70188
70189
70190
70191
70192
70193
70194
70195
70196
70197
70198
70199
70200
70201
70202
70203
70204
70205
70206
70207
70208
70209
70210
70211
70212
70213
70214
70215
70216
70217
70218
70219
70220
70221
70222
70223
70224
70225
70226
70227
70228
70229
70230
70231
70232
70233
70234
70235
70236
70237
70238
70239
70240
70241
70242
70243
70244
70245
70246
70247
70248
70249
70250
70251
70252
70253
70254
70255
70256
70257
70258
70259
70260
70261
70262
70263
70264
70265
70266
70267
70268
70269
70270
70271
70272
70273
70274
70275
70276
70277
70278
70279
70280
70281
70282
70283
70284
70285
70286
70287
70288
70289
70290
70291
70292
70293
70294
70295
70296
70297
70298
70299
70300
70301
70302
70303
70304
70305
70306
70307
70308
70309
70310
70311
70312
70313
70314
70315
70316
70317
70318
70319
70320
70321
70322
70323
70324
70325
70326
70327
70328
70329
70330
70331
70332
70333
70334
70335
70336
70337
70338
70339
70340
70341
70342
70343
70344
70345
70346
70347
70348
70349
70350
70351
70352
70353
70354
70355
70356
70357
70358
70359
70360
70361
70362
70363
70364
70365
70366
70367
70368
70369
70370
70371
70372
70373
70374
70375
70376
70377
70378
70379
70380
70381
70382
70383
70384
70385
70386
70387
70388
70389
70390
70391
70392
70393
70394
70395
70396
70397
70398
70399
70400
70401
70402
70403
70404
70405
70406
70407
70408
70409
70410
70411
70412
70413
70414
70415
70416
70417
70418
70419
70420
70421
70422
70423
70424
70425
70426
70427
70428
70429
70430
70431
70432
70433
70434
70435
70436
70437
70438
70439
70440
70441
70442
70443
70444
70445
70446
70447
70448
70449
70450
70451
70452
70453
70454
70455
70456
70457
70458
70459
70460
70461
70462
70463
70464
70465
70466
70467
70468
70469
70470
70471
70472
70473
70474
70475
70476
70477
70478
70479
70480
70481
70482
70483
70484
70485
70486
70487
70488
70489
70490
70491
70492
70493
70494
70495
70496
70497
70498
70499
70500
70501
70502
70503
70504
70505
70506
70507
70508
70509
70510
70511
70512
70513
70514
70515
70516
70517
70518
70519
70520
70521
70522
70523
70524
70525
70526
70527
70528
70529
70530
70531
70532
70533
70534
70535
70536
70537
70538
70539
70540
70541
70542
70543
70544
70545
70546
70547
70548
70549
70550
70551
70552
70553
70554
70555
70556
70557
70558
70559
70560
70561
70562
70563
70564
70565
70566
70567
70568
70569
70570
70571
70572
70573
70574
70575
70576
70577
70578
70579
70580
70581
70582
70583
70584
70585
70586
70587
70588
70589
70590
70591
70592
70593
70594
70595
70596
70597
70598
70599
70600
70601
70602
70603
70604
70605
70606
70607
70608
70609
70610
70611
70612
70613
70614
70615
70616
70617
70618
70619
70620
70621
70622
70623
70624
70625
70626
70627
70628
70629
70630
70631
70632
70633
70634
70635
70636
70637
70638
70639
70640
70641
70642
70643
70644
70645
70646
70647
70648
70649
70650
70651
70652
70653
70654
70655
70656
70657
70658
70659
70660
70661
70662
70663
70664
70665
70666
70667
70668
70669
70670
70671
70672
70673
70674
70675
70676
70677
70678
70679
70680
70681
70682
70683
70684
70685
70686
70687
70688
70689
70690
70691
70692
70693
70694
70695
70696
70697
70698
70699
70700
70701
70702
70703
70704
70705
70706
70707
70708
70709
70710
70711
70712
70713
70714
70715
70716
70717
70718
70719
70720
70721
70722
70723
70724
70725
70726
70727
70728
70729
70730
70731
70732
70733
70734
70735
70736
70737
70738
70739
70740
70741
70742
70743
70744
70745
70746
70747
70748
70749
70750
70751
70752
70753
70754
70755
70756
70757
70758
70759
70760
70761
70762
70763
70764
70765
70766
70767
70768
70769
70770
70771
70772
70773
70774
70775
70776
70777
70778
70779
70780
70781
70782
70783
70784
70785
70786
70787
70788
70789
70790
70791
70792
70793
70794
70795
70796
70797
70798
70799
70800
70801
70802
70803
70804
70805
70806
70807
70808
70809
70810
70811
70812
70813
70814
70815
70816
70817
70818
70819
70820
70821
70822
70823
70824
70825
70826
70827
70828
70829
70830
70831
70832
70833
70834
70835
70836
70837
70838
70839
70840
70841
70842
70843
70844
70845
70846
70847
70848
70849
70850
70851
70852
70853
70854
70855
70856
70857
70858
70859
70860
70861
70862
70863
70864
70865
70866
70867
70868
70869
70870
70871
70872
70873
70874
70875
70876
70877
70878
70879
70880
70881
70882
70883
70884
70885
70886
70887
70888
70889
70890
70891
70892
70893
70894
70895
70896
70897
70898
70899
70900
70901
70902
70903
70904
70905
70906
70907
70908
70909
70910
70911
70912
70913
70914
70915
70916
70917
70918
70919
70920
70921
70922
70923
70924
70925
70926
70927
70928
70929
70930
70931
70932
70933
70934
70935
70936
70937
70938
70939
70940
70941
70942
70943
70944
70945
70946
70947
70948
70949
70950
70951
70952
70953
70954
70955
70956
70957
70958
70959
70960
70961
70962
70963
70964
70965
70966
70967
70968
70969
70970
70971
70972
70973
70974
70975
70976
70977
70978
7

- 124874
8. Mortgagors shall be entitled to all compensation and damages received under right of eminent domain, or for any security voluntarily released, same to be applied upon the indebtedness;
9. Not to lease or rent the premises, or any part of same, without written consent of the mortgagee;
10. To promptly notify mortgagee in writing of a transfer of ownership of the premises, or any part or interest in same, and to furnish a copy of the instrument of transfer to the mortgagee; a purchaser shall pay interest as prescribed by ORS 407.010 on all payments due from the date of transfer; in all other respects this mortgage shall remain in full force and effect.

The mortgagor may, at his option, in case of default of the mortgagor, perform same in whole or in part and all expenditures made in so doing including the payment of an attorney to secure compliance with the terms of the mortgage, or the note shall draw interest at the rate provided in the note and all such expenditures shall be immediately repayable by the mortgagor without demand and shall be secured by this mortgage.

Default in any of the covenants or agreements herein contained or the expenditure of any portion of the loan for purposes other than those specified in the application except by written permission of the mortgagee given before the expenditure is made, shall cause the entire indebtedness at the option of the mortgagee to become immediately due and payable without notice and this mortgage subject to foreclosure.

The failure of the mortgagee to exercise any options herein set forth will not constitute a waiver of any right arising from a breach of the covenants.

In case foreclosure is commenced, the mortgagor shall be liable for the cost of a title search, attorney fees, and all other costs incurred in connection with such foreclosure.

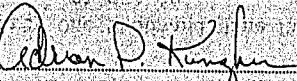
Upon the breach of any covenant of the mortgage, the mortgagor shall have the right to enter the premises, take possession, collect the rents, issues and profits and apply same, less reasonable costs of collection, upon the indebtedness and the mortgagee shall have the right to the appointment of a receiver to collect same.

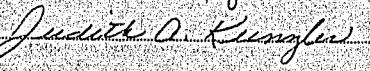
The covenants and agreements herein shall extend to and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

It is distinctly understood and agreed that this note and mortgage are subject to the provisions of Article XI-A of the Oregon Constitution, ORS 407.010 to 407.210 and any subsequent amendments thereto and to all rules and regulations which have been issued or may hereafter be issued by the Director of Veterans' Affairs pursuant to the provisions of ORS 407.020.

WORDS: The masculine shall be deemed to include the feminine and the singular the plural where such connotations are applicable herein.

IN WITNESS WHEREOF, The mortgagors have set their hands and seals this 23rd day of December 1977

 (Seal)

 (Seal)

 (Seal)

ACKNOWLEDGMENT

STATE OF OREGON,

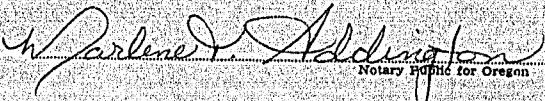
County of Klamath

} ss.

Before me, a Notary Public, personally appeared the within named ADRIAN P. KUNZLER and JUDITH A. KUNZLER

, his wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

WITNESS by hand and official seal the day and year last above written.


Notary Public for Oregon

My Commission expires March 22, 1981

L M79643

FROM TO Department of Veterans' Affairs

STATE OF OREGON,

County of Klamath

} ss.

I certify that the within was received and duly recorded by me in Klamath County Records, Book of Mortgages.

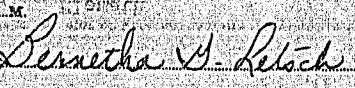
No. M77 Page 124874 on the 23rd day of December 1977 WM. D. MILNE Klamath County Clerk

By:  Deputy.

Filed December 23, 1977 at o'clock 3:39 P.M.

Klamath Falls, Oregon

County Klamath

By  Deputy.

After recording return to:
DEPARTMENT OF VETERANS' AFFAIRS
General Services Building
Salem, Oregon 97310

Fee \$6.00

Form L-4 (Rev. 8-71)

10831
SVCNT