

K24006 54559

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THIS INDENTURE WITNESSETH: That J. E. JOHNSON and EVELYN M. JOHNSON, husband and wife, of the County of Klamath, State of Oregon, for and in consideration of the sum of Dollars (\$25,000.00), to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant bargain, sell and convey unto DONALD M. ROBERTS,

of Oregon, the following described premises situated in Klamath County, State of Oregon, to-wit:

Beginning at a point which is 426 feet East of the Northwest corner of Lot 5 of Section 29, Township 39 South, Range 9 E.W.M.; thence East along the North line of said Lot 5 to the Northeast corner thereof; thence South to the Southeast corner of Lot 2; thence West along the South line of said Lot 2 to a point South along a line parallel to the East line of Lots 1 and 6 from the point of beginning; thence North parallel to the East line of Lots 1 and 6 to the point of beginning. Saving and excepting therefrom that portion lying within the right of way of Miller Island Road.

COUNTY OF KLAMATH
STATE OF OREGON

TO HAVE AND TO HOLD the above described premises unto the said DONALD M. ROBERTS, his heirs and assigns forever.

Together with the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining. To have and to hold the same with the appurtenances, unto the said DONALD M. ROBERTS,

THIS CONVEYANCE is intended as a Mortgage to secure the payment of the sum of Twenty Five Thousand and NO/100ths (\$25,000.00) in accordance with the terms of that certain promissory note of which the following is a substantial copy:

\$ 25,000.00
On or before Sept. 15, 1980 Klamath Falls, Ore. 1978
severally promise to pay to the order of DONALD M. ROBERTS, at Klamath Falls, Oregon
Twenty Five Thousand and no/100ths (\$25,000.00) DOLLARS,
with interest thereon at the rate of 9 % per annum from September 15, 1978
at maturity until paid; interest to be paid
and if not so paid, all principal and interest, at the option of the holder of this note, to become immediately due and collectible. Any part hereof may be paid at any time. If this note is placed in the hands of an attorney for collection, I/we promise and agree to pay holder's reasonable attorney's fees and collection costs, even though no suit or action is filed hereon; if a suit or action is filed, the amount of such reasonable attorney's fees shall be fixed by the court or courts in which the suit or action, including any appeal therein, is tried, heard or decided.
/s/ J. E. JOHNSON
/s/ EVELYN M. JOHNSON

The date of maturity of the debt secured by this mortgage is the date on which the last scheduled principal payment becomes due, to-wit: September 15, 1978

The mortgagor warrants that the proceeds of the loan represented by the above described note and this mortgage are:

- (a)* primarily for mortgagor's personal, family, household or agricultural purposes (see Important Notice below),
- (b) ~~for an organization or (even if mortgagor is a natural person) are for business or commercial purposes other than agricultural purposes.~~

and his legal representatives, or assigns may foreclose the Mortgage and sell the premises above described with all and every of the appurtenances or any part thereof, in the manner prescribed by law, and out of the money arising from such sale, retain the said principal, interest and attorney's fees as provided in said note, together with the costs and charges of making such sale and the surplus, if there be any, pay over to the said J. E. JOHNSON and EVELYN M. JOHNSON, husband and wife, their heirs or assigns.

Witness our hand S this 6 day of Sept 19 78

***IMPORTANT NOTICE:** Delete, by lining out, whichever warranty (a) or (b) is not applicable; if warranty (a) is applicable and if the mortgagee is a creditor, as such word is defined in the Truth-in-Lending Act and Regulation Z, the mortgagee **MUST** comply with the Act and Regulation by making required disclosures; for this purpose, if this instrument is to be a **FIRST** lien to finance the purchase of a dwelling, use **Stevens-Ness Form No. 1305** or equivalent; if this instrument is **NOT** to be a first lien, use **Stevens-Ness Form No. 1306**, or equivalent.

STATE OF OREGON.

County of.....Klamath

BE IT REMEMBERED, That on this 6 day of Sept, 1978,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within
named J. E. JOHNSON and EVELYN M. JOHNSON, husband and wife,

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 freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public for Oregon
My Commission expires

MORTGAGE

FORM No. 571

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE

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1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.

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STATE OF OREGON

County of Klamath

I certify that the within instrument was received for record on the 6th day of September, 1978, at 4:10 o'clock P.M., and recorded in book M78 on page 19695 or as file/roll number 54559

Record of Mortgages of said County.
Witness my hand and seal of
County affixed.

Wm. D. Milne.....Title

By Sernando K. Kuydos, Deputy.

~~789 46.00~~