

TC

60601

THIS INDENTURE WITNESSETH: That O. C. WEBB-BOWEN, and MARIE R. WEBB-BOWEN, husband and wife, of the County of Klamath, State of Oregon, for and in consideration of the sum of Fourteen Thousand Four Hundred & No/100ths Dollars (\$14,400.00), to him in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant bargain, sell and convey unto FRANK J. BORESEK,

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

A parcel of land lying in the SW 1/4 of NE 1/4 of Section 30, Township 39 South, Range 9 East of the Willamette Meridian, described as follows:

Beginning at a point on the Northwestern right of way line of the Klamath Falls-Weed State Highway in the SW 1/4 of NE 1/4 of Section 30, Township 39 South, Range 9 East of the Willamette Meridian, which point of beginning is North 1320 feet; thence South 89°44' West 1,015 feet along the South line of the NE 1/4 of the SW 1/4 of Section 30, to the Northwestern right of way line of said highway; and thence along said highway right of way as follows: North 36°34' East 1,792.17 feet South 53°26' East 25.0 feet and North 36°34' East 867.43 feet from the one quarter corner common to Sections 30 and 31 of said township and range; thence North 53°26' West 487.8 feet, more or less, to the Southeasterly right of way line of the Southern Pacific Railroad; thence North 33°38' East 276.0 feet along said railroad right of way line to the North line of said SW 1/4 of NE 1/4 of Section 30; thence South 89°49' East 624.1 feet along said North line of the SW 1/4 of the NE 1/4 of Section 30, to the Northwestern right of way line of said highway; thence South 36°34' West 646.6 feet along said right of way line to the point of beginning.

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 FRANK J. BORESEK,

his heirs and assigns forever.

THIS CONVEYANCE is intended as a Mortgage to secure the payment of the sum of Fourteen Thousand Four Hundred and No/100ths Dollars (\$14,400.00) in accordance with the terms of that certain promissory note of which the following is a substantial copy:

\$14,400.00 Klamath Falls, Or., January 5, 1979  
I (or if more than one maker) we, jointly and severally, promise to pay to the order of FRANK BORESEK at Klamath Falls, Oregon Fourteen Thousand Four Hundred & No/100ths (\$14,400.00) DOLLARS, with interest thereon at the rate of 10 percent per annum from January 5, 1979 until paid, payable in monthly installments of not less than \$305.96 in any one payment; interest shall be paid monthly and ~~is included in~~ the minimum payments above required; the first payment to be made on the 5th day of February 1979, and a like payment on the 5th day of each month thereafter, until the whole sum, principal and interest has been paid; if any of said installments is not so paid, all principal and interest to become immediately due and collectible at the option of the holder of this note. 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; however, if a suit or an 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.  
\* Strike words not applicable.

/s/ O. C. WEBB-BOWEN

/s/ MARIE R. WEBB-BOWEN

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: January 5, 1984.

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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.

Now, if the sum of money due upon said instrument shall be paid according to the agreement therein expressed, this conveyance shall be void; but in case default shall be made in payment of the principal or interest or any part thereof as above provided, then the said FRANK J. BORESEK,

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 O. C. WEBB-BOWEN his heirs or assigns.

Witness my hand this 5th day of January, 1979.

*O. C. Webb-Bowen*  
*Marie R. Webb-Bowen*

STATE OF OREGON,

County of Klamath } ss.

BE IT REMEMBERED, That on this 5th day of January, 1979, before me, the undersigned a Notary Public in and for said County and State, personally appeared the within named O. C. WEBB-BOWEN, and MARIE R. WEBB-BOWEN, husband and wife, known to me to be the identical individuals 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.

*Merle R. Swartz*  
 Notary Public for Oregon  
 My Commission expires 9-16-81

# MORTGAGE

(FORM No. 7)

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

TO

AFTER RECORDING RETURN TO

*William P. Brandness*  
*411 Pine Street*  
*K Falls, Or.*

SPACE RESERVED  
 FOR  
 RECORDER'S USE

Fee \$6.00

STATE OF OREGON

County of Klamath } ss.

I certify that the within instrument was received for record on the 4th day of January, 1979, at 9:14 o'clock A.M., and recorded in book 1-79 on page 421 or as file/reel number 60601 Record of Mortgages of said County. Witness my hand and seal of County affixed.

*Wm. D. Milne* Title  
*Jacqueline J. Metler* Deputy.