τ.Υ	NOTE AND MORTGAGE Voi. <u>79</u> Pag 10165 . THE MORTGAGOR DANIEL J. RICE and MARY P. RICE, husband and wife
mo	prigages to the STATE OF OREGON, represented and acting by the Director of Veterans' Affairs, pursuant to ORS 407.030, the follow- t described real property located in the State of Oregon and County of
L	ots 6, 7 and 8, Block 8, NORTH KLAMATH FALLS, in the City of Klamath Falls, according to the official plat thereof on file in the office of the County Terk of Klamath County, Oregon, a super the county
•	t 1941 in the weight some frequency and the second of the Dr. (1993). The second of th
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toge with vent cove inst: repl land	ther with the tenements, hereditaments, rights, privileges, and appurtenances including roads and easements used in connection the premises: electric wiring and fixtures; furnace and heating system, water heaters, fuel storage receptacles; plumbing, rings, built-in stows, overs, electric aintes, air conditioners, refrigerators, freezers, dishwahers; and all fixtures how on hereafter alled in or on the premises: and any shrubbery, flora, or timber now giving or hereafter planted or growing thereon; and eny f, and all of the rants, issues, and provides of the foregoing items, in whole or in part, all of which are hereby declared to be appurtenant to the private the means of the foregoing items of the foregoing items in whole or in part, all of which are hereby declared to be appurtenant to the the means of the rants, issues. There is a start of the foregoing items of the property;
	evine me payment or rive housand rive Hundred and no/100
(\$5	1,500,00 animal, and interest thereon, and as additional security for an existing obligation upon which the
OWI	a or incited infine mousaing Six Hundred Sixty Four and 47/100 Dollars (29,664,47)
evid	
, i.	I promise to pay to the STATE OF OREGON: <u>Thirty Five Thousand One Hundred Sixty Four and 47/100 Dollars (\$35,164,47</u>
	Dense and a state of Oregon, at the rate of O. Janana and percent per annum
į	interest from the date of initial disbursement by the State of Oregon, at the rate of Interest from percent per annum,
	interest from the date of initial disbursement by the State of Oregon, at the rate of Dollars (\$111111111111111111111111111111111111
	principal and interest to be paid in lawful money of the United States at the office of the Director of Veterans' Affairs
	The second
. 1	the ad valorem taxes for each successive year on the premises described in the mortgage, and continuing until the full impaid principal, interest and advances shall be fully paid, such payments to be applied first as interest on the "The dis data as interest on the principal."
a	The due date of the last payment shall be on or before June: 15; 2009 interest and the balance shall draw interest as prescribed by ORS 407.070 from date of such transfer. This note is secured by a mortgage, the terms of which are made a part hereof.
E	Pated at Klamath Falls, Oregon Daniel Pice
	May 4 1979 May P. Rice
T	The mortgagor or subsequent owner may pay all or any part of the loan at any time without penalty.
	This morigage is given in conjunction with and supplementary to that certain morigage by the morigagors herein to the State of
egor	a, dated Manch 13, 1978 manner, and recorded in Book M78
unty	, Oregon, which was given to secure the payment of a note in the amount of a 29,950,00
į	urity for an additional advance in the amount of \$.5,500.00, together with the balance of indebtedness covered by the
. 1	is note, and the new note is evidence of the entire indebtedness. The mortgager covenants that he owns the premises in fee simple, has good right to mortgage same, that the premises are free noumbranes, that he will warrant and defend same forever against the claims and demands of all persons whomsever, and this is shall not be extinguished by foreolosure, but shall run with the land.

- Not to permit the buildings to become vacant or unoccupied; not to permit the removal or demoliahment of any buildings or im-provements now or hereafter existing; to keep same in good repair; to complete all construction within a reasonable time in accordance with any agreement, made between the parties hereic;
 Not to permit the cutting or removal of any timber except for his own domestic use; not to commit or suffer any waste;
 Not to permit the use of the premise; for any objectionable if unlawful purpose;
 Not to permit any tax, assessment; lien; or encumbrance to exist at any time; advances to bear interest as provided in the note; To keep all buildings uncessing; insured; during the term of the morigage; and add same to the principal, each of the company or companies and in such an emount as shall be satisfactory to the imprise; to deposit with the morigage it is during the morigage;

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- 2U100 a. iit kontroller if des af pictoria mili ise beside for any security volum-8. Morisages shall be entitled to all companying and dapages the sived under right offending or her any security volum-tarily, released, same to be applied upon; the indebtedness; c in under it much bits of the and shall be in a security volum-
- 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 mortgages; a purchaser shall pay interest as prescribed by ORS 407.070 on furnish a copy of the instrument of transfer; in all other respects this mortgage shall remain in full force and effect. all payments due from the date of transfer; in all other respects this mortgage shall remain in full force and effect.

The mortgagee may, at his option, in case of default of the mortgage, perform same in whole or in part and all expenditures made in so doing including the employment 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 espenditures shall be immediately repayable by the 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 mortgages given before the expenditure is made, shall cause the entire indebtedness at the option of the mortgage to become immediately due and payable without notice and this mortgage subject to foreclosure.

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

In case forsclosure 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.

incurred in connection with such foreclosure. Upon the breach of any covenant of the mortgage, the mortgagee 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 Article XI-A.

WORDS: The masculine shall be desmed to include the feminine, and the singular the plural where such connotations are called in the singular the plural where such connotations are called the feminine.

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