



33409

Vol. 80 Page 7398

THOMAS J. SANDERS and MAXINE

THIS INDENTURE WITNESSETH: That SANDERS, husband and wife of the County of Klamath State of Oregon, for and in consideration of the sum of Dollars (\$ 5,000.00 ), 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 EARL H. SHORT and FERN D. SHORT, husband and wife of the County of Klamath State of Oregon, the following described premises situated in Klamath County, State of Oregon, to-wit:

All that real property situated in the County of Klamath, State of Oregon, more particularly described as follows:

Being a portion of the NW1/4 NW1/4 of Section 6, Township 40 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Commencing at the Northwest corner of Section 6, Township 40 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, thence South 0°07'06" East, along the West boundary of said Section 6, 256.25 feet to the Southerly boundary line of Ashland-Klamath Falls Highway No. 66; thence Easterly, along said Southerly line 77 feet to the true point of beginning; thence continuing along said Southerly Highway boundary line to the most Northern corner of that parcel of land described in Deed to Keno High School District recorded November 30, 1928 in Volume 82 of Deeds, at page 616, Klamath County Records; thence South 33° West along the Northwesterly line thereof, 264 feet to the most Western corner of said parcel; thence N57°W along the direct extension of the Southerly line of said parcel, to the most Southern corner of that parcel of land described in Deed to Vernon F. Miller etux recorded June 29, 1977 in Volume M77, Page 11451, Klamath County Microfilm Records; thence N10°36'54"E, 136.31 feet to the true 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 Earl H. Short and Fern D. Short, husband and wife heirs and assigns forever.

THIS CONVEYANCE is intended as a Mortgage to secure the payment of the sum of Dollars FIVE THOUSAND & no/100 that certain promissory note of which the (\$ 5,000.00 ) in accordance with the terms of following is a substantial copy:

\$ 5,000.00 On or before May 5, 1980 Klamath Falls, Oregon April 12, 1980 after date, I (or if more than one maker) we jointly and severally promise to pay to the order of Earl H. Short and Fern D. Short, husband & wife at Klamath Falls, Oregon DOLLARS. FIVE THOUSAND & no/100 date hereof with interest thereon at the rate of 10 % per annum from until paid; interest to be paid at maturity 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 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.

*Thomas J. Sanders*  
*Maxine Sanders*

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: May 5, 1980

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 other entity, or 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 Earl H. Short and Fern D. Short, husband and wife

and their 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 Thomas J. Sanders and Maxine Sanders, husband and wife heirs or assigns.

Witness our hand s this 12th day of April, 1980

\*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.

Thomas J. Sanders  
 Maxine Sanders

STATE OF OREGON,

County of Klamath } ss.

BE IT REMEMBERED, That on this 12th day of April, 1980, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Thomas J. Sanders and Maxine Sanders

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.

Judy C. Abbott  
 Notary Public for Oregon.  
 My Commission expires 8-23-81

# MORTGAGE

(FORM No. 7)

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

TO

AFTER RECORDING RETURN TO

Frontier

SPACE RESERVED  
 FOR  
 RECORDER'S USE

STATE OF OREGON

County of Klamath } ss.

I certify that the within instrument was received for record on the 18th day of April, 1980, at 3:54 o'clock P.M., and recorded in book M80 on page 7398 or as file/reel number 83409

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

Wm. D. Milne Title  
 By Bernethard Helscho Deputy.

Fee \$7.00