T/A 38-23402-5-J

Vol. 79 Page 12111

NOTE AND MORTGAGE

THE MORTGAGOR, KEITH LAVERNE SPICKLER and DELORES EDNA SPICKLER, husband

and wife

Park a las

mortgages to the STATE OF ORIGON, represented and acting by the Director of Veterans' Affairs, pursuant to ORS 407.030, the follow ing described real property locate! in the State of Oregon and County of \_\_\_Klamath

The South half of Tract 27, FAIR ACRES #1, EXCEPTING THEREFROM the Easterly 5 feet conveyed to Klamath County for road purposes, in the City of Klamath Falls, County of Klamath, State of Oregon.

TOGETHER WITH 1: . JELOWING DESCRIBED MOBILE HOME WHICH IS FIRMLY AFFIXED TO THE PROPERTY: Year/1981 Make/Cedarbrook, Serial Number/6710, Size/56x28.

together with the tenements, hericitaments, rights, privileges, and appurtenances including roads and easements used in connection with the premises; electric wiring and fixtures; furnace and heating system, water heaters, fuel storage receptacles; plumbing, eoverings, built-in stoves, ovens, electric sinks, air conditioners, refrigerators, freezers, dishwashers; and all fixtures now or hereafter replacements of any one or more of the foregoing items, in whole or in part, all of which are hereby declared to be appurtenant to the land, and all of the rents, issues, and profits of the mortgaged property;

to secure the payment of Thirty Three Thousand and no/100----

(\$33,000,00----), and interest thereon, evidenced by the following promissory note:

- 19 4	I promise to pay to the STATE OF OREGON  Thirty Three Thousand and no/100  Dollars (\$33,000.00), with interest from the date of the state
	initial disbursement by the State of Oregon, at the rate of 5.2 ———————————————————————————————————
	\$ 217.00and or before August 15, 1981and \$217.00 on the
	and advances shall be fully paid, such payments to be applied first as interest on the unpaid balance, the remainder on the
	The due date of the last rayment shall be on or before July 15, 2006
	the balance shall draw interest is prescribed by ORS 407.070 from date of such transfer.
in the	This note is secured by a nortgage, the terms of which are made a part hereof.
	Dated at Klamath Falls, Oregon Kurth La Verne Spikler
tan Maria da Aria	July 6 19.81 AVERNE SPICKLER (-
	DELORES EDNA SPICKLEB

The mortgagor or subsequent eymer may pay all or any part of the loan at any time without penalty.

The mortgagor covenants that he owns the premises in fee simple, has good right to mortgage same, that the premises are free from encumbrance, that he will warrant and defend same forever against the claims and demands of all persons whomsoever, and this covenant shall not be extinguished by foreviewere, but shall run with the land.

## MORTGAGOR FURTHER COVERANTS AND AGREES:

- 1. To pay all debts and moneys secured hereby:
- Not to permit the buildings to become vacant or unoccupied; not to permit the removal or demolishment of any buildings or improvements 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 hereto;
- 3. Not to permit the cutting or removal of any timber except for his own domestic use; not to commit or suffer any waste;
- 4. Not to permit the use of the promises for any objectionable or unlawful purpose;
- 5. Not to permit any tax, assessment, lien, or encumbrance to exist at any time;
- 6. Mortgagee is authorized to pay all real property taxes assessed against the premises and acd same to the principal, each of the advances to bear interest as proyicled in the note;
- 7. To keep all buildings unceasingly insured during the term of the mortgage, against loss by fire and such other hazards in such companies and in such an amount as shall be satisfactory to the mortgagee; to deposit with the mortgagee all such policies with receipts showing syment in full of all premiums; all such insurance shall be kept in force by the mortgager in case of foreclosure until the period of redemption expires;

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Mortgages 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 virting 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 407.070 on 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 mortgagor, 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 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 mortgage 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

The mobile home described on the face of this document is a portion of the property secured by this Note and Nortgage.

Before me, a Notary Public, personally appeared the within named Keith Laverne Spickler and  Delores Edna Spickler his wife, and acknowledged the foregoing instrument to be their voluntary et and deed.  WITNESS by hand and official seal the day and year last above written.  My Commission expires  MORIGAGE  TO Department of Veterans' Affairs  FEE:\$7.00  EPARTMENT OF VETERANS' AFFAIRS  General Services Building Salem. Oreon 7310  KLAMATH  Better me, a Notary Public, personally appeared the within named Keith Laverne Spickler and  Morigage Methods of their voluntary et and deal of the day and acknowledged the foregoing instrument to be their voluntary et and deal of their volu	일 교육의 교통화를 받아 가장하는 12 분석을 된다. 18 교육의 교육 12 12 12 12 12 12 12 12 12 12 12 12 12				* * : i	
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