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660

K-48037

Vol. M85 Page 14055

THIS MORTGAGE, Made this 26 day of May, 1995,
between ORIN GORDON KIRK
as mortgagor, and CHARLES COLOMBE

WITNESSETH, That the mortgagor in consideration of Seven thousand one-hundred and no/100ths Dollars (\$ 7,100.00),
to mortgagor paid by the mortgagee, does hereby grant, bargain, sell and convey unto the mortgagee and mortgagee's personal representatives, successors and assigns, that certain real property situated in Klamath County, State of Oregon, bounded and described as follows, to-wit:

The Northerly 40 feet of the S1/2S1/2SE1/4NW1/4 lying Easterly of the Easterly right of way line of Highway 62, in Section 30, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

AND the S1/2NE1/4 of Section 30, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Subject, however, to the following:

1. Reservations contained in Land Status Report, recorded June 7, 1985, in Volume M85 page 8452, Deed records of Klamath County, Oregon, as follows: "The above described property is subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights of way of record; and there is hereby reserved any and all roads, trails, telephone lines, etc., actually constructed by the United States, with the rights of the United States to maintain, operate or improve the same so long as needed or used for or by the United States. (Dept. Instr., January 13, 1916, 44 L.D. 513)." Affects the S1/2NE1/4.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, and which may hereafter thereto belong or appertain, and the rents, issues and profits therefrom, and any and all fixtures upon the premises at the time of the execution of this mortgage or at any time during the term of this mortgage.

TO HAVE AND TO HOLD the premises with the appurtenances unto the mortgagee and the mortgagee's personal representatives, successors and assigns forever.

This mortgage is intended to secure the payment of one (or more) promissory note(s), in substantially the following form(s):

\$ 7,100.00 Klamath Falls, Oregon, May 26, 1995.

ON DEMAND, I (or if more than one maker) we, jointly and severally, promise to pay to the order of CHARLES COLOMBE

at P. O. Box 21, Mission, SD 57555

Seven thousand one hundred and no/100 DOLLARS,

with interest thereon at the rate of 10 percent per annum from May 26, 1995, until paid; interest to be paid Sept. 7, 1995. All or any portion of the principal 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 the 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.

Principal and interest due in full
on or before September 7, 1995.

This note secures a Second Mortgage
of even date.

ORIN GORDON KIRK

FORM No. 846—DEMAND NOTE.

Stevens-Ness Law Publishing Co., Portland, Ore. 54

SECOND MORTGAGE

ORIN GORDON KIRK

TO

CHARLES COLOMBE

After recording return to (Name, Address, Zip):

BLAIR M. HENDERSON, ATTY.426 Main StreetKlamath Falls, OR 97601SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,

County of _____ } ss.

I certify that the within instrument
was received for record on the _____ day
of _____, 19____, at
_____ o'clock _____ M., and recorded in
book/reel/volume No. _____ on page
_____ and/or as fee/file/instru-
ment/microfilm/reception No. _____,
Record of Mortgage of said County.

Witness my hand and seal of
County affixed.

NAME

TITLE

By _____, Deputy

14057

Trust Agreement dated March 30, 1992, and Doris C. Sessom and Ernest R. Sessom Trustee of the Doris C. Sessom Trust Agreement dated March 30, 1992, beneficiary.

Appointment of Successor Trustee, including the terms and provisions thereof, from Ernest R. Sessom and Doris C. Sessom, to William M. Ganong, as new trustee, dated January 3, 1995, recorded January 4, 1995, in Volume M95 page 191, Mortgage records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co the 26th day
of May A.D., 19 95 at 3:21 o'clock P M., and duly recorded in Vol. M95,
of Mortgages on Page 14055.

FEE \$20.00

By Bernetha G. Letsch County Clerk