

legally taxable as costs or not, and in addition thereto, such attorney's fees as the court may deem reasonable, and such expenses and attorney's fees shall constitute a debt to the Mortgagee and shall be secured hereby and included in any judgment or decree which may be rendered for the foreclosure hereof.

XII

Immediately after the occurrence of any default entitling it to foreclose this indenture, the Mortgagee shall be entitled, as a matter of right, upon a complaint being filed or other proper proceedings to that end being commenced, to the appointment by any court having jurisdiction without notice to any party, of a special receiver for the mortgaged property and the rents, issues and profits thereof, with power to lease the same or any part thereof and with such other powers as may be necessary for the preservation, maintenance and operation of the mortgaged property pending foreclosure. Such receiver shall apply the income received by him from the mortgaged property (1) toward the expenses properly incurred by him as receiver in the operation thereof; (2) toward the expenses of the receivership as such expenses may be fixed and allowed by the court; (3) toward the maintenance of the mortgaged property and its preservation from waste and destruction; (4) toward the payment of any and all delinquent or unpaid taxes, assessments, rates, charges or encumbrances constituting or secured by a lien upon the mortgaged property or any part thereof prior to the lien hereof. Any remaining residue of such income shall be applied, if and to the extent lawful under the laws of the State of Washington, upon the indebtedness secured hereby as the Mortgagee may elect or the law direct; otherwise, such residue shall be