or without any other act by Seller to be performed, and without any right of the Buyer of reclamation or compensation for money paid or for improvements made as absolutely, fully and parfectly as if this Contract had never been made. Any waiver by Seller of any breach or default of this Contract shall not be construed to be a continuing waiver.

In the event suit or action is instituted by either of the parties hereto to enforce any of the terms, conditions, covenants or agreements herein contained, the prevailing party in such suit or action shall be entitled to a reasonable sum as attorney's fees, in addition to costs and disbursements provided by statute, against the losing party in such suit or

Time is of the essence of this agreement, and this agreement shall be binding on the parties hereto, their heirs, assigns and legal representatives.

IN WITHESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Esned & Pays

STATE OF OREGON, County of Klamath ss.

Filed for record at request of:
Ernest R. Reyes

on this 5th day of Febuary A. D., 1974 at 2:41 O'clock recorded in Vol. M-74

WM. D. MILNE, County Clerk

By Dazel Livant

Page 4 - Contract

17

- 15
 - 26