

AGREEMENT TO ASSUME PAYMENTS AND HOLD HARMLESS

As and for partial consideration of Ronald M. Colitti and Anthony P. Colitti, hereinafter referred to as "Colitti," assigning to Jeld-Wen, Inc. their vendees interest in the following described real property, which said real property is a portion of that real property set out in that contract between John C. Horton, Robert L. Horton and Louisa L. Horton, hereinafter referred to as "Hortons," as vendors and Accurate Electronics, Inc. as vendee, dated the 19th day of May, 1972, and recorded in Volume M-72, page 5469, Klamath County Deed Records, which said real property being assigned is located in Klamath County, Oregon, and is described as follows:

That portion of Section 6, lying Easterly and adjoining the Sycan River,

That portion of the W $\frac{1}{2}$ of Section 5, lying Easterly and adjoining the Sycan River,

That portion of the W $\frac{1}{2}$ of Section 8, lying Easterly and Northerly adjoining the Sycan River, and the N $\frac{1}{2}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 8,

The SW $\frac{1}{4}$ of Section 9,

The E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 16, all in Township 35 South, Range 12, East of the Willamette Meridian

Jeld-Wen, Inc. does hereby warrant and guaranty that they shall hereby assume and pay all of the payments owed on the above referred to Horton-Accurate Electronics contract to Hortons, the present balance of which is Seventy Thousand and No/100 Dollars (\$70,000.00) principal and \$ 3,262.40 interest and shall forever hold

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harmless therefrom Accurate Electronics, Inc., Ronald M. Colitti, and Anthony P. Colitti. Also, Jeld-Wen, Inc. does hereby agree to become directly responsible and liable to Hortons for the balance of the above described payments, hereby making Hortons third party beneficiaries to this agreement to assume payments and hold harmless.

Dated this 17th day of February, 1978.

JELD-WEN, INC.

By L. V. Wetter

STATE OF OREGON)
COUNTY OF KLAMATH) ss:

February 17, 1978

Personally appeared L. V. Wetter who, being duly sworn, did say that he is the executive vice president of Jeld-Wen, Inc., a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and acknowledged said instrument to be its voluntary act and deed.



Martha A. Smith
Notary Public for Oregon

My Commission Expires: 7-2-81

Return to Transamerica Title

STATE OF OREGON, COUNTY OF KLAMATH ss
for record at request of Transamerica Title Co.
this 27th day of February A D 19 78 at 4:00 P.M.
uly recorded in Vol M78 of Deeds on Page 3691
Wm D. MILNE, County Clerk
By Suzanne V. Helich

Fee \$6.00