

ASSUMPTION OF TRUST DEED

K-31146

THIS AGREEMENT, Made and entered into on the 3 day of October, 1978, by and between DAVID RICHARD MONGAR and JUANITA CAROLYN MONGAR, husband and wife, hereinafter referred to as SELLERS, and ROBERT BENJAMIN and ~~SHERAL~~ BENJAMIN, husband and wife, hereinafter referred to as BUYERS.

W I T N E S S E T H

SELLERS hereby agree to sell to BUYERS, and the latter hereby agree to purchase from the former, the following parcel of real property, situated in Klamath County, State of Oregon, more particularly described as follows:

Lot 6, Block 15, City of Merrill, Klamath County, Oregon; according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The above conveyed real property is presently subject of a Trust Deed, dated January 9, 1976, wherein DAVID RICHARD MONGAR and JUANITA CAROLYN MONGAR, husband and wife, are Grantors, to KLAMATH COUNTY TITLE COMPANY as trustee, for FRANCES G. FOX and MARGARET MARY WHITE, as beneficiaries. BUYERS hereby agree to assume said trust deed from SELLERS as partial consideration for this transfer and to hold SELLERS harmless therefrom.

It is understood and agreed to by all parties to this transaction that the firm of Parks & Ratliff, Attorneys at Law, 207 Boivin Building, Klamath Falls, OR 97601, are the attorneys for the SELLERS, and are acting in that capacity, even though BUYERS have agreed to pay part of all fees as part of their costs in this transaction.

The covenants, conditions and terms of this assumption shall extend to and be binding upon and inure to the benefit of the heirs, administrators, executors, and assigns of the parties hereto, provided, however, that nothing contained in this paragraph shall alter the restrictions hereinabove contained.

IN WITNESS WHEREOF, said parties hereunto set their hands
the day and year first hereinabove written.

SELLERS:

BUYERS:

David Richard Mongar
David Richard Mongar

Robert Benjamin
Robert Benjamin

Juanita Carolyn Mongar
Juanita Carolyn Mongar

Sherral Benjamin
Sherral Benjamin

STATE OF OREGON)
County of Klamath) ss.

Personally appeared before me the above named DAVID RICHARD MONGAR and JUANITA CAROLYN MONGAR, husband and wife, on this 14th day of October, 1978, and acknowledged the foregoing instrument to be their voluntary act and deed.

Deane M. Kippel
Notary Public for Oregon
My Commission Expires: Nov. 3, 1980

STATE OF OREGON)
County of Klamath) ss.

Personally appeared before me on the 3 day of October, 1978, the above named ROBERT BENJAMIN and SHERRAL BENJAMIN, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Harold E. Young
Notary Public for Oregon
My Commission Expires: May 7, 1980

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Title Co.

this 17th day of November A. D. 1978 at 3:28 clock PM., and

fully recorded in Vol. M78, of Mortgages on Page 26069

Wm D. MILNE, County Clerk
By Bernice Chitich

Fee \$6.00