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K-31808

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AGREEMENT

Vol. <sup>M</sup> 79 Page 10203

WHEREAS, James H. Patton and William C. Ransom, have entered into a sale agreement and receipt for earnest money dated March 27, 1979 providing for sale to Thomas R. Holm, Lawrence S. Caldwell and Suzanne L. Down, parties in interest in C, D and H Enterprises, of the following described real property situated in Klamath County, State of Oregon, to-wit:

Lot E, Subdivision of Enterprise Tract No. 24, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, EXCEPTING THEREFROM the Northerly 60 feet and the Westerly 150 feet of the Southerly 85.44 feet,

and

WHEREAS, by warranty deed dated November 10, 1977, said deed being filed at Volume 77, Page 22415 of the Deed Records of Klamath County, State of Oregon, a purported covenant running with the land was imposed upon the aforementioned real property,

and

WHEREAS, James H. Patton and William C. Ransom entered into negotiation for a novation to release said covenant contemporaneously with their purchase of the above-described real property, now, therefore,

KNOW ALL MEN BY THESE PRESENTS, that we, James H. Patton and William C. Ransom, for and in consideration of the purchase of:

Lot E, Subdivision of Enterprise Tract No. 24, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, EXCEPTING THEREFROM the Northerly 60 feet and the Westerly 150 feet of the Southerly 85.44 feet,

and good and valuable consideration in hand paid to the undersigned, the receipt of which is hereby acknowledged, agree to indemnify, hold and save harmless, and defend Thomas R. Holm, Lawrence S. Caldwell and Suzanne L. Down, parties in interest in C, D and H Enterprises, against any suit or claim brought or instituted against Thomas R. Holm, Lawrence S. Caldwell and Suzanne L. Down, parties in interest in C, D and H Enterprises, upon said covenant or restriction of November 10, 1977, whether such suit or claim be rightfully or wrongfully brought or instituted, and in case suit shall be brought, either James H. Patton and William C. Ransom or Thomas R. Holm, Lawrence S. Caldwell and Suzanne L. Down, parties in interest in C, D and H Enterprises, shall be at liberty to employ an attorney of their own selection to appear and defend the suit in their behalf at the expense of James H. Patton and William C. Ransom.

IN WITNESS WHEREOF, James H. Patton and William C. Ransom have executed this instrument this 3 day of May, 1979.

William C. Ransom  
William C. Ransom

James H. Patton  
James H. Patton

STATE OF OREGON, County of Klamath) ss. Date: 5-3-79

Personally appeared the above-named William C. Ransom and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

[Signature]  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 8-5-79

STATE OF OREGON, County of Klamath) ss. Date: 5-3-79

Personally appeared the above-named James H. Patton and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

[Signature]  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 8-5-79

AGREEMENT

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Return to KCTC

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STATE OF OREGON; COUNTY OF KLAMATH; ss.

Recorded for record at request of Klamath County Title Co.

on 4th day of May A. D. 1979 at 2:53 clock P. M.,

and duly recorded in Vol. M79, of Deeds on Page 10203

Wm D. MILNE, County Clerk

*Bernetha H. Hetch*

Fee \$6.00