

20588

TIA #M-38-25384-4
AGREEMENT TO ASSUME CONTRACT

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THIS AGREEMENT made and entered into this 31st day of January, 1983, executed in five duplicate originals, by and between MARGARET B. TAYLOR, BERNICE B. JOHNSTON, and CAROLYN L. SCROGGS, Trustees, hereinafter referred to as "Trustees", and AMOS H. DOLLARD, hereinafter referred to as "Vendee-assignor", and LEON R. ANDRIEU and MINNIE R. ANDRIEU, husband and wife, hereinafter referred to as "Assignees".

WHEREAS, Assignees desire to purchase from Vendee-assignor the following described real property situated in the County of Klamath, State of Oregon, as follows:

PARCEL 1

Tract 4, GIENGER'S HOME TRACTS, in the County of Klamath, State of Oregon.

PARCEL 2

The Southerly 415 feet of Tract 5, GIENGER'S HOME TRACTS, in the County of Klamath, State of Oregon.

WHEREAS, part of the consideration to be given by Assignees to Vendee-assignor is the assumption of Vendee-Assignor's obligation to Trustees as evidence by the contract dated the 1st day of August, 1974, and recorded the 2nd day of August, 1974, in Book M74, page 9497, Klamath County, Oregon Deed Records, wherein Neta P. Bullard is personal representative of the will of W. L. Bullard, deceased, and Neta P. Bullard, individually, was vendor, and Amos H. Dollard and Wanda L. Dollard, husband and wife, were purchasers, and the contract dated the 1st day of August, 1974, and recorded the 2nd day of August, 1974, in Book M74, page 9491, Klamath County, Oregon Deed

Records, wherein Suburban Lumber Company, an Oregon corporation, was vendor, and Amos H. Dollard and Wanda L. Dollard, husband and wife, were purchasers, and,

WHEREAS, the vendors' interest in the two contracts above-described were assigned to Trustees, and,

WHEREAS Vendee-assignor's payments to Trustees are delinquent according to the terms of the two above-described contracts; now, therefore,

IT IS HEREBY MUTUALLY UNDERSTOOD AND AGREED by and between the parties hereto that Trustees hereby consent to the assignment by Vendee-assignor to Assignees of all of Vendee-assignor's right, title and interest in and to the two above-described contracts, together with Vendee-assignor's interest in the real property which is the subject of said contract upon the following terms and conditions:

(1) The Vendee-assignor shall bring all payments of principal and accrued interest current through, and including, the payments due January 1, 1983.

(2) The Vendee-assignor shall bring the real property tax payments current.

(3) That the interest rate as provided in the two above-described contracts be increased from seven percent (7%) per annum to eight percent (8%) per annum, but that the monthly installment payments required in the sum of \$327.77 and \$525.13 shall remain unchanged.

(4) That Assignees shall assume and agree to fulfill all the obligations and responsibilities of Vendee-assignor

according to the terms of the two above-described contracts.

(5) That Vendee-assignor shall remain liable for the fulfillment of the responsibilities and obligations of Vendee according to the terms of the two above-described contracts in the event that Assignees herein fail to fulfill said responsibilities and obligations.

(6) Vendee-assignor hereby bargains, sells, conveys, sets over, and assigns to Assignees all of Vendee-assignor's right, title and interest in and to the two above-described contracts together with all of Vendee-assignor's right, title and interest to the real property which is the subject of said contracts.

(7) Assignees hereby assume Vendor-assignees' responsibilities and obligations according to the terms of the above-described contracts.

DATED the day, month and year first above written.

TRUSTEES:

Margaret B. Taylor
Margaret B. Taylor

Bernice B. Johnston
Bernice B. Johnston

Carolyn L. Scroggs
Carolyn L. Scroggs

Neta P. Bullard
Neta P. Bullard

By their attorney-in-fact:

VENDEE-ASSIGNOR:

Amos Dollard
Amos Dollard

ASSIGNEES:

Leon R. Andriin

2567

Leon R. Andrieu

Minnie R. Andrieu
Minnie R. Andrieu

STATE OF OREGON)
MULTIDISTRICT) ss.
County of Klamath)

Before me this 7th day of ~~January~~ ^{FEBRUARY}, 1983, personally appeared the above-named NETA P. BULLARD, attorney-in-fact for MARGARET B. TAYLOR, BERNICE B. JOHNSTON, and CAROLYN L. SCROGGS, and acknowledged the foregoing instrument to be their voluntary act and deed.

V.J. Killoran
V.J. KILLORAN
NOTARY PUBLIC-OREGON
My Commission Expires 12/28/86

Notary Public for Oregon
My Commission Expires: _____

(S E A L)
STATE OF OREGON)
County of Klamath) ss.

Before me this 17th day of ~~January~~ ^{February}, 1983, personally appeared the above-named AMOS H. DOLLARD, and acknowledged the foregoing instrument to be his voluntary act and deed.

Charles J. Addington
Notary Public for Oregon
My Commission Expires: 3-22-85

(S E A L)
STATE OF OREGON)
County of Klamath) ss.

Before me this 17th day of ~~January~~ ^{February}, 1983, personally appeared the above-named LEON R. ANDRIEU and MINNIE R. ANDRIEU, and acknowledged the foregoing instrument to be their voluntary act and deed.

Charles J. Addington
Notary Public for Oregon
My Commission Expires: 3-22-85

(S E A L)

STATE OF OREGON, COUNTY OF KLAMATH; ss.

Filed for record
on 17 day of feb. A.D. 19 83 at 2:55 o'clock P.M. and
duly recorded in Vol. MB3 of Deeds on Page 2564

Fee \$16.00

By Evelyn Biehn
EVELYN BIEHN, County Clerk