

91750

11-29-14P03:03 RCVD

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MTC 33119-KR
AGREEMENT

HMR, Inc., for valuable consideration, grants to Hank Albertson the following rights:

In the event of a default by Old Fort Road Sand & Gravel, Inc., (Old Fort Road) under the terms of that certain Sale Agreement and Promissory Note dated November 4, 1994 between HMR, Inc. and Old Fort Road, HMR, Inc. agrees to give written notice setting forth the default to Hank Albertson (Albertson) by certified mail, return receipt requested, postage prepaid, and addressed to Albertson at:

Hank Albertson, President
Albertson Investments, Ltd.
HC 60 Box 4700
Lakeview OR 97630

Albertson may then cure the default described in the notice within 20 days after said notice is deposited in the U. S. Mail by HMR, Inc. If the default is cured, HMR, Inc. will not take action to enforce its rights under the said Sale Agreement and Promissory Note or the Trust Deed for the default described in the Notice. If the default is not cured within said 20 days, HMR, Inc. may pursue any remedies for the default it deems appropriate.

2. HMR, Inc. does hereby assign to Albertson 20% of the mineral rights interest retained by HMR, Inc. (10% of the total mineral rights) in the Deed from HMR, Inc. to Old Fort Road Sand & Gravel, Inc. recorded in Volume 11 94 at Page 36357 of the Deed Records of Klamath County, Oregon; provided, however, that if Albertson, or any entity in which Albertson directly or indirectly owns not less than a 10% interest, succeeds to any of the rights of Old Fort Road in the property described in said deed, then Albertson shall have no further rights under this Agreement.

Albertson's rights under this Agreement are personal to Albertson and may not be sold, transferred, assigned or otherwise alienated without the prior written consent of HMR, Inc.

Dated: November 4, 1994.

HMR, Inc.

By: Thomas J. Shaw
Its President

Hank Albertson
Hank Albertson

Upon recording return to:

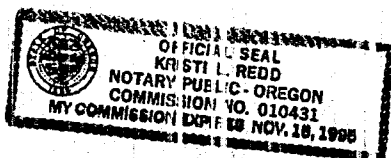
HMR, Inc.
3216 S. Sixth St.
Klamath Falls, OR 97601

36360

STATE OF OREGON)
)County of Klamath)
)

ss.

This instrument was acknowledged before me on November 14, 1994 by Hank Albertson.

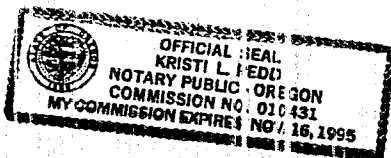


Kristi L. Redd
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/16/95

STATE OF OREGON)
)County of Klamath)
)

ss.

This instrument was acknowledged before me on November 15, 1994 by Thomas J. Shaw, as President of HMR, Inc., an Oregon corporation.



Kristi L. Redd
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/16/95

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of _____ Nov _____ A.D., 19 94 at 3:03 o'clock _____ P.M., and duly recorded in Vol. M94
of _____ Deeds _____ the 29th day
on Page 36359

FEE \$15.00

Evelyn Biehn
By _____ County Clerk