

File No. 35249

Tom Johnson, Ernest B. Pyle,)
R. W. Crawshaw, James R. Larson)
Barney Grill and L. E. Cook)
dba Diamond S. Cattle Company)
and)
George M. Smiraldo and)
Alma Smiraldo)

ASSUMPTION AGREEMENT

ASSUMPTION AGREEMENT

TOM JOHNSON, ERNEST B. PYLE; R. W. CRAWSHAW, JAMES R. LARSON and BARNEY GRILL, all of San Gabriel, California, and L. E. COOK, of Bakersfield, California, a co-partnership, doing business as DIAMOND S CATTLE CO., having by contract made and entered into as of the 2nd day of February, 1961, agreed to purchase that certain real property described in the Real Mortgage dated June 2, 1958, executed by GEORGE M. SMIRALDO and ALMA SMIRALDO, his wife, as Mortgagors, in favor of THE CONNECTICUT MUTUAL LIFE INSURANCE COMPANY, as Mortgagee, which Real Mortgage was recorded in Book H, Real Mortgages, Page 597, Records, Eureka County Recorder's Office, Eureka, Nevada, and which Mortgage was given to secure a Promissory Note upon which there is now owing the sum of \$16,200.00, with interest paid to December 12, 1960, and having agreed as a part of the purchase price of said property to assume and pay the present unpaid principal of said Note in the sum of \$16,200.00, together with interest accruing thereon from and including February 20, 1961, said TOM JOHNSON, ERNEST B. PYLE, R. W. CRAWSHAW, JAMES R. LARSON and BARNEY GRILL, all of San Gabriel, California, and L. E. COOK, of Bakersfield, California, a co partnership, doing business as DIAMOND S CATTLE CO., do hereby assume to pay the indebtedness evidenced by said Promissory Note, in the present unpaid principal sum of \$16,200.00, together with interest accruing thereon from and including February 20, 1961, and to be bound by and perform all of the covenants of said Real Mortgage at the time and in the manner provided therein.

DATED: February 20th, 1961

DIAMOND S CATTLE CO.
A Co-Partnership

By /s/ Tom Johnson	/s/ James R. Larson
TOM JOHNSON	JAMES R. LARSON
/s/ Ernest B. Pyle	/s/ Barney Grill
ERNEST B. PYLE	BARNEY GRILL
/s/ R. W. Crawshaw	/s/ L. E. Cook
R. W. CRAWSHAW	L. E. COOK

STATE OF CALIFORNIA, }
COUNTY OF LOS ANGELES. } SS.

On this 18 day of February, 1961, personally appeared before me, a Notary Public in and for said County and State, TOM JOHNSON, ERNEST B. PYLE, R. W. CRAWSHAW, JAMES R. LARSON and BARNEY GRILL, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

(Official Seal)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this Certificate last above written.

/s/ Robert L. Johnson
NOTARY PUBLIC

STATE OF CALIFORNIA, }
COUNTY OF KERN. } SS.

On this 21 day of February, 1961, personally appeared before me, a Notary Public in and for said County and State, L. E. COOK, known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

(Official Seal)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this Certificate last above written.

/s/ Russell 'C' Phillips

NOTARY PUBLIC

Recorded at the request of Orville R. Wilson, March 1, A. D. 1961, at 07 minutes past 8 o'clock A. M.

Willis A. DePaoli, Recorder