

34391

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DESCHUTES

FILED
NOV 13 1980
ROSEMARY PATTERSON
DESCHUTES COUNTY CLERK

D. G. DeARMOND, doing
business as LA PINE REALTY.

Plaintiff,

vs.

B.W.G. DEVELOPMENT CO., an
Oregon corporation,

Defendant.

No. 27696

MOTION AND ORDER
FOR LIS PENDENS

The Plaintiff hereby moves the Court for an order subjecting
the real property herein described in Attached Exhibits A through
E, to a Notice of Lis Pendens, to be recorded in the official
records of the County of Klamath, State of Oregon, at Klamath
Falls, which refers to an action now pending in Deschutes County
Circuit Court, being Cause No. 27696 therein.

VAN VACTOR, FRANCIS & MARTIN

Daniel E. Van Vactor
DANIEL E. VAN VACTOR
Attorney for Plaintiff

IT IS SO ORDERED.

DATED this 13th day of November, 1980.

Shirley D. [Signature]
CIRCUIT COURT JUDGE

Page 1 - MOTION AND ORDER FOR LIS PENDENS

State of Oregon } ss
County of Deschutes }

I certify that the foregoing *Motion*
and *Order* has been compared with the
original, and that it is a correct transcript
therefrom, and of the whole of such
original, as the same appears of record
at the Clerk's office in Deschutes County,
Oregon.

Dec 22 1980
ROSEMARY PATTERSON, Clerk
By *[Signature]* Deputy

VanVactor
& Francis
Attorneys at Law
115 N.W. Wall Street
Bend, Oregon 97701
(503) 368-4500

52

ROBERT and MARY ANNE FLOODING, husband and wife

Klamath Falls, Oregon

hereinafter called grantor, convey to

all that real property situated in the County

State of Oregon, described as:

Portion of Lots 8 and 9, Block 2, BAILEY TRACTS NO. 2, in the County of Klamath, State of Oregon, described as follows: Beginning at a point on the East line of Lot 9, Block 2, BAILEY TRACTS NO. 2, which bears North 0° 02' 30" East from the Southwest corner of said Lot 9; thence South 89° 59' 10" East to the East line of Lot 8 said Block 2; thence North 0° 02' 30" East along the East line of said Lot 8 a distance of 75 feet; thence North 0° 02' 30" East a distance of 149 feet more or less to the West line of said Lot 9; thence South 0° 02' 30" West along the West line of said Lot 9 a distance of 149 feet, more or less to the point of beginning.

1. Regulations for the City of Klamath Falls. 2. Regulations for the Klamath Irrigation District. 3. Regulations of the South Suburban District.

that grantor is the owner of the above described property free of all encumbrances except those stated above.

that grantor warrants the same against all persons who may lawfully claim the same, except as herein provided.

that the consideration for this transfer is \$ 48,000.00.

15 day of MARCH

1979

ROBERT F. FLOODING

MARY ANNE FLOODING

County of Klamath

On this date, March 15, 1979, personally appeared the above named Robert F. Flooding and Mary Anne Flooding, husband and wife, who acknowledged that they executed the foregoing instrument as their voluntary act and deed.

Before me

JOANNA K. RICK

NOTARY PUBLIC-OREGON

Notary Public for Oregon
My commission expires

The above should include cash plus all encumbrances existing against the property to which the purchase money is subject or which the purchaser agrees to pay or assume. The consideration includes other property or value, and the following: "However, the actual consideration of or includes other property or value given or promised which is part of the whole consideration." (Indicate which)

WARRANTY DEED (INDIVIDUAL)

STATE OF OREGON

County of Klamath

I certify that the within instrument was received for record on the 15th day of March, 1979 at 3:44 o'clock P.M. and recorded in book 1179 on page 3366 Records of Deeds of said County.

Witness my hand and seal of County attested

W. D. Kline

County Clerk

Title

By Jacqueline D. Kline Deputy

Exhibit A

pg 1 of 1

pg 108

21 day of Oct
Wm D. MILNE Klamath County Clerk
By *Henry J. McCaskey* Deputy



GRANTOR COMPANY

hereinafter called grantor, convey(s) to

State of Oregon, described as:

all that real property situated in the County

of Clatsop

including levies, assessments, water and irrigation rights for ditches and canals, of Enterprise Irrigation

including levies, liens, assessments, rights of the South Suburban Sanitary District.

including levies, liens and utility assessments of Klamath Falls.

That grantor is the owner of the above described property free of all encumbrances except

and against all persons who may lawfully claim the same, except as shown above.

and actual consideration for this transfer is \$ 55,000.00

23

day of November

19 79

Amelia Guidi
AMELIA GUIDI

STATE OF OREGON, County of Klamath

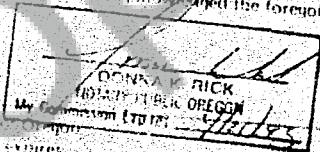
November 23

Amelia Guidi

Instrument to be her

voluntary act and

the above named and acknowledged the foregoing



The dollar amount should include and pay all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume. If consideration includes other property or value, add the following. However, the actual consideration consists of or includes other property or value given or produced which is part of the whole consideration. (Indicate which)

WARRANTY DEED (INDIVIDUAL)

STATE OF OREGON

TO

After Recording Return to: A. Reed
for statements to
1160 Bond Road
Eugene, Ore 97402

Exhibit B

pg 10/2

27566

lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 2, BAILEY TRACTS NO. 2,
Klamath, State of Oregon, EXCEPTING THEREFROM
a portion of lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 2,
Bailey Tracts No. 2, in the County of Klamath, State of Oregon.

beginning at the Southwest corner of Lot 1, Block 2
Bailey Tracts No. 2; thence East 639 feet; thence South 60 feet
to place of beginning; thence North 60 feet to place of beginning,
Bailey Tracts No. 2 which was formerly Nedine

EXCEPTING THEREFROM a portion of Lots 8 and 9, Block 2,
Bailey Tracts No. 2, in the County of Klamath, State of Oregon,
the following:

beginning at a point on the West line of Lot 9, Block 2, Bailey
Tracts No. 2, which bears North $0^{\circ} 02'$ East 135 feet from the
Southwest corner of said Lot 9; thence South $89^{\circ} 59'$ East 149
feet to the East line of Lot 8 said Block 2; thence North $0^{\circ} 02'$
East 75 feet to the West line of said Lot 8 a distance of 75 feet;
thence South $89^{\circ} 59'$ West a distance of 149 feet more or less to
the East line of said Lot 9; thence South $0^{\circ} 02'$ West along the
East line of said Lot 9 a distance of 75 feet, more or less to the
place of beginning.

AND EXCEPTING THEREFROM

beginning at a point on the West line of Lot 9, Block 2, Bailey
Tracts No. 2, which bears North $0^{\circ} 02'$ East 60 feet from the
Southwest corner of said Lot 9; thence South $89^{\circ} 59'$ East 49
feet to the East line of Lot 8 said Block 2; thence North $0^{\circ} 02'$
East 75 feet to the West line of said Lot 8 a distance of 75 feet;
thence South $89^{\circ} 59'$ West a distance of 149 feet, more or less to
the East line of said Lot 9; thence South $0^{\circ} 02'$ West along the
East line of said Lot 9 a distance of 75 feet more or less to the
place of beginning, being a portion of lots 8 and 9 in Block 2 of
Bailey Tracts No. 2.

STATE OF OREGON, COUNTY OF KLAMATH

I, Notary Public for Oregon, do hereby certify that the foregoing

was recorded at my office on the 11th day of October, 1970.

My commission expires on the 11th day of October, 1972.

Witness my hand and seal this 11th day of October, 1970.

W. D. MILNE, County Clerk

STATE OF OREGON)
County of Klamath)

I, Wm. D. Hill, H.E., County Clerk of the above named County and State
and Clerk of the Circuit Court of the County of Klamath and State of
Oregon, do hereby certify that the foregoing copy has been by me com-
pared with the original, and that it is a transcript therefrom and of
whole of such original.

STANLEY C. WASTEN, JR.

do hereby grant, bargain, sell and convey to our heirs, successors and assigns, the above described premises, together with all rights and appurtenances thereto in anywise by law in anywise connected with or pertaining to the same, unto the said Grantees for the use and behoof of the said E.W.G. DEVELOPMENT CO.,

do hereby sell, convey and appertain to the Grantee and Grantee's heirs, successors and assigns forever, with the tenements, hereditaments and appurtenances, situated in the County of Multnomah, State of Oregon, described as follows, to-wit:

is the E4NESE4 of Section 2, Township 36N, Range 12E, Meridian, more particularly

land situated in the E4NEKSE4 of Section 2, Township 9 East of the Willamette Meridian, more particularly as follows: Beginning at a point on the south bank of the Irrigation District Ditch where it crosses the East line of Section 2, Twp. 39 S.R. 9 E.W.M., approximately 1/4 of the quarter corner of the East line of said section; thence South line or bank of said ditch, N. 61°18' E. a distance of 87 feet; thence N. 70°38' W. a distance of 524 feet; thence S. 39°14' W. a distance of 51 feet of Bailey Tracts No. 2 to a point on the easterly line of said ditch, thence following said line to the only recorded plat thereof; thence to an iron pin; thence N. 0°14'30" W. a distance of 322.5 feet to the most Northerly corner; thence to an iron pin marking the most Northerly East a distance of 103.0 feet; thence N. 0°14'30" W. a distance of 160.0 feet to a point on the East line of said Section 2; thence North along said Section 2 line to the beginning.

the Eastern 30 feet thereof lying within the Right of
and Van Street.

the Eastern 30 feet thereof, and easements and
reservations and restrictions of record, and easements and
restrictions of record and those apparent on the land.
to rules, regulations and assessments of South Suburban Sanit
To liens and assessments of Klamath Project and Enterpr
regulations, assessments, contracts, water and

TO: observations and restrictions of record, and
of record and those apparent on the land.
rules, regulations and assessments of South Suburban Sanitary
District.
ALSO To liens and assessments of Klamath Project and Enterprise
District, and regulations, assessments, contracts, water and
rights in connection therewith.
The above are the same as the original source and Grants
and with the said Grants are lawful

ALSO to liens and assignments in the District, and regulations
tion rights in connection therewith.

TO HAVE AND TO HOLD the above premises and with the said Grants
successors and assigns forever, that Grants are lawfully
And said Grants hereby certify that Grants are lawfully
And said Grants successors and assigns free from all encum-
brances in fee simple of the above premises and that Grants will warrant
and defend in fee simple of the above premises and every part and parcel
thereof except as hereinafore set forth and every person whomsoever.
forever defend the lawful claims and demands of all persons
against the lawful claims and demands of all persons whomsoever.
of those claiming under the above premises paid for this transfer, stated
for actual consideration of \$100.00.

Witness my hand and seal of office this 10th day of November, 1979.

forever defend the lawful claims of
 of against the lawful claims of
 pt those claiming under the above covering
 The true and actual consideration paid for this
 terms of dollars, is \$60,000.00.
 WITNESS Grantor hand this 21 day of November 1979.

The true and actual content
of dollars, is \$60,000.00.

and in fee simple, heretofore set a record and
except as hereinafter set a record and
forever defend the lawful claim and demands of all persons
of against the lawful claim and demands of all persons
pt those claiming under the above described encumbrance, stated
The true and actual consideration paid for this transfer, stated
in terms of dollars, is \$60,000.00.
WITNESS Grantor hand this 21 day of November, 1979.

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27568

STANLEY C. MASTEN,)
 of Klamath.) ss.

November 27, 1979.

Personally appeared the above-named STANLEY C. MASTEN,
 and ROBERT D. PUCKETT, and acknowledged the foregoing
 instrument to be their voluntary act and deed.

Before me:

Thomas S. Deets
 Notary Public for Oregon.
 My Commission Expires: 12-28-81

SEND TAX STATEMENTS TO: S. C. L. Co.

E.W.G. DEVELOPMENT CO.
 1160 Garfield
 Eugene, Oregon 97401

Transferred Title Co.
 27th day of November A.D. 1979 at 2:00 P.M.
 duly recorded in Vol. 214 of Bonds on Page 27567

W. D. MILNE, County Clerk
W. D. Milne

STATE OF OREGON

County of Klamath

Wm. D. MILNE, County Clerk of the above named County and State
and Clerk of the Circuit Court of the County of Klamath and State of
Oregon do hereby certify that the foregoing copy has been by me com-
pared with the original, and that it is a transcript therefrom, and a
true and correct copy of the same as the same appears on file or of record in
my office and in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the
seal of said Court, this 5th day of Nov. A.D. 1922.

Wm. D. MILNE Klamath County Clerk

By Georgia McCaskey Deputy

15.9 feet to a point on the West line of Madison
North along said West line a distance of 136.7
feet to the point of beginning
of Enterprise Irrigation District, Regulations of
Enterprise District. Reservations and restrictions recorded
Book 100 page 619

in the center of the above described property free of all encumbrances except

and same against all persons who may lawfully claim the same except as shown above

consideration for this transfer is \$ 40,000.00

day of November 1927

Donald A. Fry
DONALD A. FRY 189
NOTARY PUBLIC

Klemath

November 2, 1927

Donald A. Fry personally appeared the above named
and acknowledged the foregoing

Before me

Emerg. Klemath
Notary Public for Oregon
My commission expires 11/18/28

The above amount should include cash plus all encumbrances existing against the property to which the
purchase money is to be applied of which the purchaser agrees to pay or assume
or to secure other property or value, and the following: However, the actual consideration
may be in cash or other property or value given or promised which is part of the whole
purchase money which

STATE OF OREGON (INDIVIDUAL)

STATE OF OREGON

County of Klemath

Subscribed and sworn to within the instrument was received by me on the
15th day of November 1927 at 1:25 o'clock P.M. and recorded in book
on page 13342 Records of Deeds of said County

Witness my hand and seal of County aforesaid

15. D. 1111

15. D. 1111

Donald A. Fry

Exhibit D

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(STATE OF OREGON)

County of Klamath)

I, Wm. D. MILNE, County Clerk of the above named County and State and Clerk of the Circuit Court of the County of Klamath and State of Oregon do hereby certify that the foregoing copy has been by me compared with the original and that it is a transcript therefrom, and a true and correct copy of such original as the same appears on file or of record in my office and in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed seal of said Court, this 24 day of Nov. A.D. 1920

Wm. D. MILNE Klamath County Clerk

By Gertie J. M. Cashley Deputy

WARRANTY DEED (INDIVIDUAL)

JOHN AND DOROTHY L. FRANCISCO, HUSBAND AND WIFE

hereinafter called grantors conveyed to

TRUST COMPANY

all that real property situated in the County

State of Oregon described as

See attached Exhibit A.

The grantors are the owner of the above described property free of all encumbrances except as shown in Exhibit A.

The grantors warrant and defend the same against all persons who may lawfully claim the same.

For and in consideration for this transfer of \$ 120,000.00

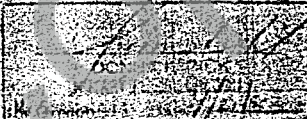
Given this 13 day of December 1971

JOHN L. FRANCISCO

DOROTHY L. FRANCISCO

STATE OF OREGON, County of

Notary Public for Oregon
My commission expires



The grantors should include any other interests in the property in which they have an interest in the deed. The grantors should also include any other property in which they have an interest in the deed. The grantors should also include any other property in which they have an interest in the deed.

WARRANTY DEED (INDIVIDUAL)

and send

Exhibit E

Pg 1 of 1

Exhibit E

pg. 191

Exhibit A

of the NE 1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point which is 10 feet West and 30 feet South of the corner between Sections 1 and 2, Township 39 South, Range 9 East of the Willamette Meridian, and being the true point of beginning of this description; thence South 308.88 feet to a point; thence West 56.4 feet to a point; thence North 308.88 feet to a point; thence East 56.4 feet to the point of beginning.

Containing within that portion deeded to State of Oregon by and through the State Highway Commission by Deed Volume 357 at page 139.

Beginning at a point 10 feet South and 56.4 feet West of the corner between Sections 1 and 2, Township 39 South, Range 9 East of the Willamette Meridian; thence South 376.0 feet; thence West 107.19 feet; thence North 355.6 feet; thence East 56.4 feet to the place of beginning.

Containing within that portion deeded to State of Oregon by and through the State Highway Commission by Deed Volume 354 at page 251.

Containing beginning from the above described parcels a portion of the NW 1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a one-half iron pin in the West line of Madison Street and the Northern bank of the Klamath River, and being the true point of beginning of this description; thence South 376.0 feet; thence West 107.19 feet; thence North 355.6 feet; thence East 56.4 feet to the place of beginning.

STATE OF OREGON)

County of Klamath)

I, Wm D. MILNE, County Clerk of the above named County and State and Clerk of the Circuit Court of the County of Klamath, and State of Oregon do hereby certify that the foregoing copy has been by me compared with the original, and that it is a transcript therefrom, and is a true and correct copy of such original as the same appears on file or of record in my office and in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affix

my seal of said Court, this 5th day of Nov, A.D. 1980

Wm D. MILNE Klamath County Clerk

By George J. Oakley Deputy

WHEREOF, I have hereunto set my hand and affix
of said Court, this 5 day of Nov, A.D. 1980
Win D. MILNE Klamath County Clerk
By [Signature] Deputy

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I certify that the foregoing Motion and Order For Lis
Pendens is a true, exact and full copy of the original.

Dated: November 12, 1980.

Attorney for Plaintiff

I certify that on _____, 1980, I personally served a
true, exact and full copy of the within
on _____, Attorney of record for
the _____ by leaving the copy with his
clerk in his absence at his office at _____,
Oregon.

Attorney for _____

I certify that I served the foregoing Motion and Order For
Lis Pendens on Bob Hamilton by depositing a true, full and exact
copy thereof in the United States Post Office at Bend, Oregon, on
November 12, 1980, enclosed in a sealed envelope, with postage
paid, addressed to:

Bob Hamilton
Attorney t Law
292 Main Street
Klamath Falls, Oregon 97601

Attorney(s) of record for the Defendant.

[Signature]
Attorney for Plaintiff

Return
VAN VACTOR, FRANCIS & MARTIN
Attorneys at Law
1199 N.W. Wall Street
P.O. Box 343
Bend, Oregon 97701
Telephone 389-4500

STATE OF OREGON; COUNTY OF KLAMATH;ss.

I hereby certify that the within instrument was received and filed for record on the

5th day of January A.D., 1981 at 3:21 o'clock p M., and duly recorded in

Vol M81 of Deeds on page 135.

Fee: \$52.50

EVELYN BIEHN
ACTING COUNTY CLERK
by [Signature] deputy

This recording is a very poor certified copy.