

Pursuant to ORS 93.740, the undersigned states:

1. As Plaintiff, Klamath Irrigation District has filed an action in the Circuit Court of the State of Oregon for Klamath County, Case No. 8903533 CV.

2. The Defendants are: LYLE W. COPPEDGE, JOHN MEZA, NEAL G. BUCHANAN, WALTER FIELDS dba FIELDS ELECTRIC, JOHN ARTHUR FIELDS dba ART'S ELECTRIC, HAZEL L. LEWIS aka HAZEL LOUISE LEWIS, BILLY T. AUDISS, DOROTHY L. AUDISS, CAROLYN V. CARPENTER, MELVIN L. FIEGI, ROCKNE L. FIEGI, WILLIAM S. HART, HARLEY J. HART, JERRY E. WAGEMAN, TERESA A. WAGEMAN, DONNA LEE SHELLEY aka DONNA LEE WHITMORE, WILLIAM W. WALKER, JAN MARIE WALKER, MERLIN FJARLI, VIRGINIA FIEGI, JERRY A. BURG, EMMA L. KINNEY, EARL KENNETH EMBREY, SHARON LEE EMBREY aka SHARON LEE SHERMAN, KLAMATH FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION, PACIFIC POWER & LIGHT CO., YAMAHA INTERNATIONAL, W. J. MCAULEY, JERRY L. WHITNEY, ANITA D. WHITNEY, WILLIAM L. SISEMORE, BILL B. HARP, ROSELYN HARP, JOHN PAUL WHITMORE, GENERAL ELECTRIC CREDIT, UNITED STATES OF AMERICA, U.S.D.A., FMHA, DEL PARKS and MIKE RATLIFF, BILL BURGESS, COMMERCIAL AGENCY and U.S. NATIONAL BANK, DAVID PAUL HARRIS, LOUISE HARRIS, AXEL-RODS USED AUTO PARTS SALVAGE, INC., STATE OF OREGON, DEPARTMENT OF HUMAN RESOURCES, PRUDENTIAL INSURANCE COMPANY OF AMERICA, LOWELL C. JONES, RUTH L. JONES, SOUTH VALLEY STATE BANK, KLAMATH COUNTY FIRE DISTRICT, NO. 1. KLAMATH COUNTY SCHOOL DISTRICT, POE VALLEY VECTOR CONTROL DISTRICT, KLAMATH COUNTY DRAINAGE DISTRICT, MT. LAKE CEMETARY DISTRICT, KLAMATH UNION DISTRICT NO. 2, BASIN TRANSIT DISTRICT, SOUTH SUBURBAN SANITARY DISTRICT, POE VALLEY PARK DISTRICT, WIARD PARK DISTRICT, CITY OF KLAMATH FALLS, MERRILL CEMETARY DISTRICT, MERRILL FIRE DISTRICT, MALIN PARK DISTRICT., JOHN T. BOWERS, DARLENE M. BOWERS, SAFECO TITLE INSURANCE COMPANY, FIRST AMERICAN TITLE INSURANCE COMPANY, WESTINGHOUSE CREDIT CORPORATION and ROD E. TRAVIS.

3. The object of the action is to foreclose delinquent irrigation assessments which are liens on the real property described below.

4. The description of the real property to be affected is:

#### FIRST CAUSE OF ACTION FOR FORECLOSURE

The E 1/2 of Tract 12 of Altamont Ranch Tracts, in the County of Klamath, State of Oregon.

#### SECOND CAUSE OF ACTION FOR FORECLOSURE

Lots 1, 2, 3, 4, 5, 6, 7 and the East 20 feet of Lot 8, Elmwood Park, except therefrom that portion conveyed to Klamath County by Deed recorded July 6, 1977 in Book M-77 at page 11849, Klamath County, Oregon.

#### THIRD CAUSE OF ACTION FOR FORECLOSURE

A parcel of land situated in the SE 1/4 of Section 30, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Commencing at the quarter section corner common to Sections 29 and 30, said Township and Range; thence South 0 degrees 18' 51" West along the East line of said Section 30, a distance of 883.9 feet; thence South 89 degrees 22' 40" West a distance of 30.0 feet to the West line of Reeder Road and the true point of beginning of this description; thence South 88 degrees 52' 20" West a distance of 1305 feet to the Northeast corner of parcel described in Volume M-79 at page 20479,

Deed Records of Klamath County, Oregon; thence South 0 degrees 18' 51" West along the East line of last mentioned parcel, a distance of 414.69 feet to the Southeasterly corner thereof; thence North 47 degrees 50' East a distance of 76.69 feet to a 5/8 inch iron pin; thence North 82 degrees 28' 30" East 1072.00 feet to a 5/8 inch iron pin; thence South 34 degrees 30' East, 37.23 feet to a 5/8 inch iron pin; thence North 89 degrees 42' East, 124.45 feet to a 5/8 inch iron pin on the West boundary of Reeder Road; thence North 0 degrees 18' 51" East along said road boundary 356.52 feet to the true point of beginning.

#### FOURTH CAUSE OF ACTION FOR FORECLOSURE

Lot 5, ALTAMONT SMALL FARMS, in the County of Klamath, State of Oregon.

#### FIFTH CAUSE OF ACTION FOR FORECLOSURE

A tract of land located in Lot 9, Section 22, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a 1" iron pin set on the South bank of Lost River, said point being South 89 degrees 30' West a distance of 1054.0 feet from the section corner common to Sections 14, 15, 22 and 23, Township 39 South, Range 10 East of the Willamette Meridian; thence North 89 degrees 30' East a distance of 1054.0 feet to said section corner, said distance being measured along the East West section line between Sections 15 and 22, said section corner being monumented by a 1" iron pin, 3 feet long; thence South along the North South section line between Sections 22 and 23 a distance of 1320.0 feet to a 1" iron pin; thence North 89 degrees 39' West a distance of 1462.5 feet to a fence line, said point being monumented by a 1" iron pin; thence North 1 degree 44' East a distance of 1134.0 feet to the South bank of Lost River, said distance being measured along a North South fence line, said point being monumented by a 5/8" iron pin; thence following the South bank of Lost River upstream in a Northeasterly direction to the point of beginning, EXCEPTING a piece or parcel of land situated in the Northeast quarter of the Northeast quarter (NE 1/4 NE 1/4) of Section 22, Township 39 South, Range 10 East of the Willamette Meridian, in Klamath County, Oregon, and being more particularly described as follows:

Beginning at an iron pin established by Lyle C. Smith, R.L.S. No. 290 on May 10, 1952 as the Southeast corner of that parcel of land deeded in Volume 299 at page 399 of the Deed records of Klamath County, Oregon; thence North 89 degrees 39' West along the Southerly boundary of said parcel of land, according to existing monuments established therefor, 1362.2 feet to an iron pipe on the Easterly right of way boundary of the County Road as the same is presently located and constructed; thence North 21 degrees 04' East along the Easterly right of way boundary of the said County Road 553.2 feet to an iron pipe; thence South 89 degrees 39' East 1163.3 feet to an iron pipe; thence South 517.3 feet, more or less, to the point of beginning.

EXCEPTING that portion of the above described properties heretofore conveyed to Klamath County for road purposes in Volume 230 at Page 490 and to the United States of America for canal right of way in Volume 37 at Page 389, Deed Records of Klamath County, Oregon.

#### ALSO SAVING AND EXCEPTING THEREFROM:

A parcel of land situated in Government Lot 9 in the NE 1/4 NE 1/4 of Section 22, Township 39 South, Range 10 East of the Willamette Meridian, as follows:

Beginning at the Northeast corner of said Section 22; thence South along the East boundary of said Section 802.7 feet, more or less, to the Northeast corner of Deed Volume 332 at Page 562, recorded September 27, 1961; thence North 89 degrees 39' West 1163.3 feet to the Easterly right of way line of County Road; thence Northeasterly along said right of way line to the North section line of said Section 22; thence East along said section line to the point of beginning.

#### SIXTH CAUSE OF ACTION FOR FORECLOSURE

A tract of land situated in Section 19 and 20, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Commencing at a 5/8 inch iron pin at the intersection of the Northerly right of way line of Joe Wright Road (County) with the Easterly right of way line of the Dalles-California Highway, U.S. 97 in the NE 1/4 NE 1/4 of Section 19, Township 39 South, Range 9 East of the Willamette Meridian, the true point of beginning; thence North 03 degrees 38' 00" East 568.68 feet to a point being a 1/2 inch iron pin; thence East 679.56 feet to a point being a 1/2 inch iron pin; thence South 789.22 feet to a 1/2 inch iron pin on the Northerly right of way line of Joe Wright Road; thence South 89 degrees 28' 26" West 272.50 feet along the Northerly right of way of Joe Wright Road to a 5/8 inch iron pin on the Northerly right of way line of Joe Wright Road; thence North 63 degrees 09' 52" West 496.60 feet along the Northerly right of way line of Joe Wright Road to said 5/8 inch iron pin being the point of beginning.

#### SEVENTH CAUSE OF ACTION FOR FORECLOSURE

The N 1/2 of Lot 19, Altamont Small Farms, in the County of Klamath, State of Oregon, Excepting therefrom that portion lying within the right of way of Avalon Street.

#### EIGHTH CAUSE OF ACTION FOR FORECLOSURE

That portion of the NE 1/4 NE 1/4 of Section 6, Township 40 S., Range 10 E. W.M., in the County of Klamath, State of Oregon, lying East of the "G" Canal, SAVING AND EXCEPTING any portion lying within the right of way of the Griffith Lateral.

#### NINTH CAUSE OF ACTION FOR FORECLOSURE

All that portion of the SE 1/4 SW 1/4 of Section 6, Township 41 S., Range 11 E., W.M. in the County of Klamath, State of Oregon, lying Northerly of the U.S.R.S. Drain No. 8 and lying southerly of the Great Northern Railway Boundary; EXCEPTING THEREFROM the Easterly 33 feet thereof, reserved in Deed recorded in Volume 29 at page 39, Deed Records of Klamath County, Oregon.

#### TENTH CAUSE OF ACTION FOR FORECLOSURE

A parcel of land situated in Government Lot 1, Section 20, Township 40 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at 5/8" rebar on the North line of Government Lot 1, from which a 5/8" rebar marking the Northwest corner of said Government Lot 1 bears South 89 degrees 45' 24" West 325.00 feet; thence South 00 degrees 05' 00" East 400.00 feet, parallel to the West line of Government Lot 1, to a 1/2" rebar; thence North 89 degrees 45' 24" East 823.84 feet to a 1/2" rebar on the high right bank of Lost River; thence North 50 degrees 18' 13" West 623.07 feet; along the surveyed meander line of the right bank of Lost River, to a 1/2 inch rebar on

the North line of Government Lot 1; thence South 89 degrees 45' 24" West 345.00 feet, along the North line of Government Lot 1, to the point of beginning.

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#### ELEVENTH CAUSE OF ACTION FOR FORECLOSURE

The North half of the following described parcel of land:

All that portion of the E 1/2 of the NE 1/4 of the SE 1/4, Section 9, Township 39 South, Range 9 E., W.M. in the County of Klamath, State of Oregon which lies Southerly of a line drawn parallel to and a distance 330 feet Northerly of the Southerly boundary of the said E 1/2 NE 1/4 SE 1/4, Klamath County, Oregon; SAVING AND EXCEPTING THEREFROM the East 20 feet thereof conveyed for road.

#### TWELFTH CAUSE OF ACTION FOR FORECLOSURE

The sum of \$10,916.91 on that portion of the following described property located in Government Lots 1, 8 and 9, Section 3 and Lot 13, Section 2 and the sum of \$5,487.83 on that portion of the following described land located in Government Lots 4, 5 and 12, Section 2; to-wit:

Lots 1, 8 and 9, Section 3, and Lot 13, Section 2, Township 40 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and a portion of Lots 4, 5 and 12, Section 2, said Township and Range, being described as follows:

Beginning at a point on the North line of Section 2, said point being West 524.4 feet from the Northeast corner of Government Lot 3; thence West along said North line of Section 2, a distance of 1832 feet; thence South 407 feet; thence West 50 feet; thence South 618 feet; thence East 537 feet; thence Southeasterly a distance of 1008 feet, more or less, to an iron pin; thence South 01 degrees 40' East a distance of 824.2 feet to the Southwest corner of that parcel described in Volume M-72 at page 7365, Microfilm Records of Klamath County, Oregon; thence North 88 degrees 45' East along the Southerly boundary of said parcel to the Northwest corner of that parcel described in Volume 357 at Page 339, Deed Records of Klamath County, Oregon, said point being on the West line of Government Lot 11 and the East line of Government Lot 12; thence South along said boundary line of Lots 11 and 12 to the Southeast corner of Lot 12; thence West to the West line of said Section 2; thence North along said West line to the North line of said Section 2; thence East along said North line to the point of beginning.

SAVING AND EXCEPTING a parcel of land situated in Government Lots 5, 12 and 13 in Section 2, Government Lots 8 and 9, Section 3, Township 40 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the North 1/16 corner common to said Sections 2 and 3; thence North 1365.49 feet to a 1/2 inch pipe described in Volume 2 at Page 183 of the Klamath County Road Records; thence North 1350.00 feet to the true point of beginning of this description; thence West 1367 feet, more or less, to the West line of said Government Lot 8; thence Southerly along the Westerly line of said Government Lots 8 and 9, 1359.01 feet to a point in the centerline of Schaupp Road; thence North 89 degrees 37' 20" East 1360.07 feet to said 1/2 inch pipe; thence South 1365.49 feet to said North 1/16 corner; thence South 89 degrees 04' 32" eEast along the centerline of Bedfield Road as constructed, 1297.4 feet, more or less, to the East line of Government Lot 13; thence Northerly, along the East line of said Government Lots 13, 12 and 5, 2736.50 feet to a point; thence West 1279.40 feet to the true point of beginning.

### THIRTEENTH CAUSE OF ACTION FOR FORECLOSURE

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The SW 1/4 SW 1/4 and Lot 12, Section 35, Township 39 South, Range 11 1/2 East of the Willamette Meridian, in the County of Klamath, State of Oregon. SAVING AND EXCEPTING any portion thereof lying Northerly and Easterly of Lost River.

ALSO SAVING AND EXCEPTING any portion of Lot 12 lying within the following described parcel:

Beginning at a point on the South line of Section 35, Township 39 South, Range 11 1/2 East of the Willamette Meridian, which lies North 89 degrees 53' West along the section line a distance of 803.4 feet from the Southeast corner of Section 35, Township 39 South, Range 11 1/2 East of the Willamette Meridian an running thence: Continuing North 89 degrees 53' West along the South line of Section 35 a distance of 1402.6 feet to a point; thence North 0 degrees 11' East, a distance of 829 feet to a point; thence South 76 degrees 36' West a distance of 262.6 feet to an iron pin; thence North 62 degrees 16' West a distance of 177.4 feet to an iron pin; thence South 44 degrees 37' West a distance of 202.5 feet to an iron pin; thence South 85 degrees 26' West a distance of 213.7 feet to an iron pin on the East bank of a farm drain; thence North 65.0 feet to the center of Lost River; thence Northeasterly following the center line of Lost River upstream a distance of 1125 feet more or less to its intersection with that certain line shown as North 59 degrees 19' West 850 feet more or less, in the description on page 37, Book 218, Deed Records of Klamath County, Oregon, extended thence along the following courses: South 59 degrees 19' East a distance of 953 feet to a point and South 33 degrees 29' East a distance of 869 feet to the point of beginning.

ALSO SAVING AND EXCEPTING any portion of Lot 12 lying within the following described parcel:

Commencing at the Southeast corner of Section 35, Township 39 South, Range 11 1/2 East of the Willamette Meridian, in the County of Klamath, State of Oregon; thence North 89 degrees 53' West, along the South boundary of said Section, 2206.00 feet; thence North 0 degrees 11' East, 30.00 feet to the North boundary of the South Poe Valley Road for the true point of beginning; thence North 0 degrees 11' East 799.0 feet; thence South 76 degrees 36' West 262.6 feet; thence North 62 degrees 16' West, 177.4 feet; thence South 44 degrees 37' West 202.5 feet; thence South 85 degrees 26' West 213.7 feet to the East bank of a farm drain; thence South 1 degree 07' West along said drain bank 658.1 feet to the North boundary of the South Poe Valley Road; thence South 89 degrees 53' East along said Road boundary 778.0 feet to the true point of beginning.

### FOURTEENTH CAUSE OF ACTION FOR FORECLOSURE

The SE 1/4 SE 1/4, Section 34, Township 39 S., Range 11 1/2 E., W.M. in Klamath County, Oregon.

### FIFTEENTH CAUSE OF ACTION FOR FORECLOSURE

The SE 1/4 NW 1/4 and that portion of the E 1/2 SW 1/4 and SW 1/4 SE 1/4 lying North of the Klamath Falls-Lakeview Highway and North of the right of way of the OC&E Railway, all in Section 15, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon,

SAVING AND EXCEPTING THEREFROM the following described real property in Klamath County, Oregon: Beginning at the Northeast corner of the SW 1/4 SE 1/4 of Section 15, Township 39 South, Range 10 East of the Willamette Meridian; thence South along the East line of said SW 1/4 SE 1/4 to the North line of OC&E Railway; thence West along said OC&E



Railway to the intersection of the South extension of the East line of a tract of land conveyed to Matt H. Obenchain and wife, by Deed recorded August 17, 1965 in Book M-65, Page 964; thence North along said South extension and the East line of said Obenchain tract and the North extension of said East line to the North line of the said SW 1/4 SE 1/4; thence East along said North line to the point of beginning.

ALSO SAVING AND EXCEPTING THEREFROM a tract of land situated in the SW 1/4 SE 1/4 Section 15, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon:

Beginning at a point from which the Northwest corner of the SW 1/4 SE 1/4 of Section 15, Township 39 South, Range 10 East of the Willamette Meridian, bears North 17 degrees 10' West a distance of 722 feet; thence North 138 feet; thence North 81 degrees 30' East 157 feet; thence South 138 feet; thence South 81 degrees 39' West 157 feet to the place of beginning.

#### SIXTEENTH CAUSE OF ACTION FOR FORECLOSURE

A tract of land situated in the SW 1/2 of Section 11, 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 on the South right of way line of Bristol Avenue, said point being North 89 degrees 32' 55" East (North 89 degrees 38' East by record) 996.15 feet and South 00 degrees 27' 55" East (South 00 degrees 22' East by record) 30.00 feet from the Northwest corner of the S 1/2 S 1/2 N 1/2 SW 1/4 of said Section 11 (the last described corner is the intersection of the centerlines of Bristol Avenue and Summers Lane); thence North 89 degrees 32' 55" East along the South line of Bristol Avenue 520 feet, more or less, to the Westerly line of the plat of Tract No. 1026, THE MEADOWS; thence Southerly along said Westerly line to its intersection with the Northwesterly line of the USBR 1-C-3 Drain right of way; thence Southwesterly along said Northwesterly line to its intersection with the Northeasterly line of the USBR F-7 (A-C-3) lateral right of way; thence Northwesterly along said Northeasterly right of way to the Westerly line of that property described in Deed Volume 284 at page 485, Deed Records of Klamath County, Oregon; thence following said Westerly line: Northerly 00 degrees 27' 05" West 60.00 feet; thence North 67 degrees 54' 55" East 202.89 feet; thence North 00 degrees 27' 05" West 107.00 feet to the point of beginning.

SAVING AND EXCEPTING THEREFROM that portion thereof lying East of the East line of the W 1/2 SW 1/4.

ALSO SAVING AND EXCEPTING THEREFROM the following described 3 parcels:

(a) A parcel of land situated in the SW 1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and more particularly described as follows:

Beginning at a point on the South line of Bristol Avenue which is North 89 degrees 32' 55" East a distance of 1,356.15 feet and South 0 degrees 27' 05" East a distance of 30.0 feet from the Northwest corner of the S 1/2 S 1/2 N 1/2 SW 1/4 of said Section 11; thence continuing South 0 degrees 27' 05" East parallel to the West line of THE MEADOWS a distance of 145.0 feet to a point; thence South 89 degrees 32' 55" West, parallel with the South line of Bristol Avenue a distance of 100.00 feet to a point; thence North 0 degrees 27' 05" West, parallel with the West line of THE MEADOWS, a distance of 145.0 feet to a point on the South line of Bristol Avenue; thence North 89 degrees 32' 55" East along said South line a distance of 100.0 feet to the point of beginning.

(b) A parcel of land situated in the SW 1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and more particularly described as follows:

Beginning at a point on the South line of Bristol Avenue which is North 89 degrees 32' 55" East a distance of 1,356.15 feet and South 0 degrees 27' 05" East a distance of 30.0 feet from the Northwest corner of the S 1/2 S 1/2 N 1/2 SW 1/4 of said Section 11; thence continuing South 0 degrees 27' 05" East parallel to the West line of THE MEADOWS a distance of 145.0 feet to a point; said point being the true point of beginning; thence South 89 degrees 32' 55" West, parallel with the South line of Bristol Avenue a distance of 100.00 feet to a point; thence South 0 degrees 27' 05" East a distance of 150.0 feet to a point; thence North 89 degrees 32' 55" East a distance of 100.0 feet to a point; thence North 0 degrees 27' 05" West 150.0 feet to the true point of beginning.

(c) A portion of the S 1/2 S 1/2 NW 1/4 SW 1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and more particularly described as follows:

Beginning at a point on the South line of Bristol Avenue which bears North 89 degrees 38' East a distance of 1012.15 feet and South 0 degrees 22' East a distance of 30.0 feet from the Northwest corner of the S 1/2 S 1/2 NW 1/4 SW 1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, and running thence South 39 degrees 38' West along the South line of Bristol Avenue a distance of 16.0 feet; thence South 0 degrees 22' East a distance of 107.0 feet to a point; thence South 68 degrees 00' West a distance of 202.89 feet to a point on the Northeasterly line of a 50 foot roadway easement, said line being 50 feet Northeasterly from, and parallel to, the Northeasterly right of way line of the U.S.B.R.A.-3-C Lateral; thence South 59 degrees 18' East along said roadway a distance of 240.0 feet, more or less, to a point which lies South 0 degrees 22' East from the point of beginning; thence North 0 degrees 22' West a distance of 308.0 feet, more or less, to the point of beginning.

Dated this 9 day of January, 1990.

William M. Ganong  
William M. Ganong, OSB No. 78213  
Attorney for Plaintiff

Name: William M. Ganong  
Address: 292 Main Street  
Klamath Falls, OR 97601  
Telephone: (503) 882-7228

STATE OF OREGON )  
 ) ss  
County of Klamath )

The foregoing instrument was acknowledged before me this 9th day of January, 1990, by William M. Ganong.

(SEAL)

PEGGY R. REYNOLDS  
NOTARY PUBLIC - OREGON

My Commission Expires \_\_\_\_\_

Peggy R. Reynolds  
Notary Public for Oregon  
My commission expires: 12-5-92

After recording return to: William M. Ganong, 292 Main Street,  
Klamath Falls, OR 97601.

NOTICE OF PENDENCY OF ACTION - Page 7

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Wm. M. Ganong the 10th day  
of Jan. A.D., 19 90 at 4:21 o'clock PM., and duly recorded in Vol. M90,  
of Mortgages on Page 658

Evelyn Biehn County Clerk  
By Pauline Muelendare

FEE \$38.00