

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

SOUTH VALLEY STATE BANK, an
Oregon Banking Corporation,

Plaintiff,

vs.

DAN W. DUNCAN and CONNIE J.
DUNCAN, husband and wife,
CHARLES C. DUNCAN and
LEONE M. DUNCAN, husband
and wife, MICHAEL A.
GRASSMUECK, Trustee in
Bankruptcy,

Defendants.

No. 89-2508CV

NOTICE OF PENDENCY
OF AN ACTION

Pursuant to ORS 93.740, the undersigned states:

1. As plaintiff, South Valley State Bank has filed
Suit to Reform Mortgage and Foreclosure of Mortgage in the
Circuit Court for Klamath County, State of Oregon;

2. The defendants are Dan W. Duncan and Leone M.
Duncan, husband and wife.

3. The object to the action is reformation of
mortgage and foreclosure of mortgage on real property.

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1. NOTICE OF PENDENCY OF AN ACTION
90-06-05.1

1 4. The description of the real property to be
2 affected is attached as Exhibit "A".

3 DATED this 5 day of June, 1990.

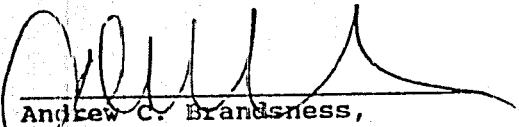
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7 Andrew C. Brandsness,
8 OSB #83159, Of Attorneys
9 for Plaintiff
10 411 Pine Street
11 Klamath Falls, Oregon 97601
12 (503) 882-6616
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EXHIBIT "A"

Parcel 1

All that portion of the SE1/4 SW1/4 lying South of the Irrigation ditch which runs through the said forty in Section 33, Township 40 South, Range 12 East of the Willamette Meridian; SAVING AND EXCEPTING the potato cellar in the Southeast corner of said described tract, being a tract of land 36 feet North and South by 152 feet East and West; and EXCEPTING a right of way 16 feet wide to the Northwest corner of said potato cellar and along the North side of said cellar to the North and South road along the East side of said cellar for ingress and egress from other land as reserved by former owners; AND ALSO EXCEPTING part of the SE1/4 SW1/4 of Section 33, Township 40 South, Range 12 East of the Willamette Meridian, as follows: Beginning at a point on the East line of said SE1/4 SW1/4 of Section 33 and the center line of the irrigation ditch which runs through said SE1/4 SW1/4; thence South along said East line of said SE1/4 SW1/4 a distance of 193 feet; thence West a distance of 250 feet; thence North and parallel with the East line of said SE1/4 SW1/4 a distance of 239 feet to the center line of said irrigation ditch; thence Easterly along said center line to the point of beginning. AND FURTHER EXCEPTING,

A portion of the E1/2 SW1/4 of Section 33, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the West line of the E1/2 SW1/4 of Section 33, Township 40 South, Range 12 East of the Willamette Meridian, in the County of Klamath, State of Oregon, which point is 1309 feet more or less South of the middle of the County Road known as Drazil Road, formerly Turkey Hill Road, said point is also the intersection of the West line of the E1/2 SW1/4 and irrigation ditch running through said section; thence South along said West line of the E1/2 SW1/4 377 feet; thence East 692 feet more or less to the center line of irrigation ditch running through said Section 33; thence following center line of said ditch in a Northwesterly direction to the point of beginning.

Parcel 2

That part of the E1/2 E1/2 of Section 32 and part of the W1/2 SW1/4 of Section 33, Township 40 South, Range 12 East of the Willamette Meridian, described as beginning at the Southwest corner of the E1/2 SE1/4 of Section 32, Township 40 South, Range 12 East of the Willamette Meridian, and running thence North along the forty line a distance of 1300 feet, more or less, to a point where the center line of the East-West Canal of the Shasta View Irrigation District extended meets the forty line; thence East a distance of 65 feet, more or less, to a point on the West bank of said North-South canal of Shasta View Irrigation District; thence South along the West bank of said North-South Canal a distance of 10 feet to a point; thence easterly following the South bank of said East-West Canal, through the E1/2 SE1/4 of Section 32, and the W1/2 SW1/4 of Section 33, both in said Township 40 South, Range 12 East of the Willamette Meridian, to the Easterly line of the W1/2 SW1/4 of Section 33; thence South along the Easterly line of the W1/2 SW1/4 of Section 33 to the Township line;

thence Westerly along the township line to the point of beginning, being in the E1/2 SE1/4 of Section 32 and the W1/2 SW1/4 of Section 33, Township 40 South, Range 12 East of the Willamette Meridian; SAVING AND EXCEPTING tract of land described as beginning at an iron pin on the South section line which lies West 781.5 feet from the Southeast corner of the SW1/4 SW1/4 of Section 33, Township 40 South, Range 12 East of the Willamette Meridian and running thence North a distance of 95 feet to an iron pin; thence North 56 degrees 35' West a distance of 961 feet to an iron pin; thence South 33 degrees 25' West a distance of 45 feet to an iron pin which lies on the East bank of the Shasta View Irrigation Canal; thence South 36 degrees 25' East along the East bank of the above mentioned canal a distance of 200.00 feet to an iron pin; thence continuing along the East bank of the above mentioned canal South 30 degrees 14' East a distance of 492.8 feet to an iron pin which lies on the Section line; thence East along the section line a distance of 460 feet, more or less, to the point of beginning, being in the SW1/4 SW1/4 of Section 33 and in the SE1/4 SE1/4 of Section 32, both Sections in Township 40 South, Range 12 East of the Willamette Meridian, said excepting being for the West Reservoir.

Parcel 3

The NW1/4 SE1/4 of Section 33, Township 40 South, Range 12 East of the Willamette Meridian.

Parcel 4

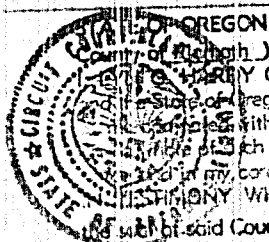
A portion of the E1/2 SW1/4 of Section 33, Township 40 South, Range 12 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the West line of Drazil Road formerly Turkey Hill Road, which point lies 2044 feet more or less South and 30 feet more or less West of the Northeast corner of the E1/2 SW1/4 of Section 33, Township 40 South, Range 12 East of the Willamette Meridian; said point of beginning is also the point of intersection of Drazil Road and irrigation ditch running through said Section 33; thence North along said county road 358 feet; thence West 569 feet more or less to the center of the irrigation ditch; thence following centerline of said ditch in a Southeasterly direction to the point of beginning.

EXCEPTING therefrom any portions lying within the limits of Drazil Road formerly known as Turkey Hill Road.

Tax Account No.: 4012 03300 01800
4012 03300 01500
4012 03300 01000

4012 03300 02000
4012 03200 01800



I, HARRY Clerk of the Circuit Court of the County of Klamath State of Oregon do hereby certify that the foregoing copy has been compared with the original, and that it is a transcript therefrom, and that the same appears on file or of record in my office and in my care and custody.
TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 13th day of June A.D. 1990
LYN G. HADY, Clerk of Court

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Brandsness, Brandsness, Davis the 13th day of June A.D. 1990 at 4:00 o'clock PM., and duly recorded in Vol. M90 of Mortgages on Page 11519

FEE \$23.00

Evelyn Biehn County Clerk

By Douglas M. Anderson