

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

KENNETH H. KINSMAN and LINDA
KINSMAN; and DAN KINSMAN and
CYNTHIA KINSMAN,

Plaintiffs,

vs.

BRENDAN CAPITAL CORP., an
Oregon corporation, aka
BRENDAN CAPITAL CORPORATION; and
MICHAEL EDWARD BURKE and
DARLYNE KAY BURKE,
husband and wife,

Defendants.

Case No. 9003³⁷⁹²~~972~~CV

NOTICE OF PENDENCY
OF ACTION

PURSUANT TO ORS 93.740, the undersigned states:

1. As plaintiffs, Kenneth H. Kinsman and Linda Kinsman;
and Dan Kinsman and Cynthia Kinsman, have filed an action in the
Circuit Court for Klamath County, State of Oregon.

2. The defendants are: Brendan Capital Corp., an Oregon
corporation, aka Brendan Capital Corporation, and Michael Edward
Burke and Darlyne Kay Burke, husband and wife.

3. The object of the action is:

- (1) Strict Performance of Land Sale Contract; and
- (4) Foreclosure of Trust Deed.

4. The description of the real property to be affected

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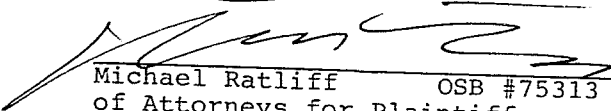
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1 attached hereto as Exhibit "A" and "B," and incorporated hereby by
2 reference.

3 DATED this 20 day of November, 1990.

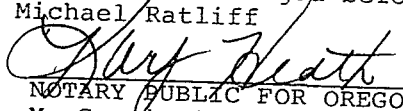
4 PARKS & RATLIFF

5
6 
7 Michael Ratliff OSB #75313
of Attorneys for Plaintiffs

8 Name: PARKS & RATLIFF
9 Address: 228 North Seventh Street
Klamath Falls OR 97601
10 Phone: (503) 882-6331

11 STATE OF OREGON)
12) ss.
13 County of Klamath)

14 The foregoing instrument was acknowledged before me this
15 20 day of November, 1990, by Michael Ratliff

16 
17 NOTARY PUBLIC FOR OREGON
18 My Commission expires: 5-24-90

19 AFTER RECORDING RETURN TO:

20 PARKS & RATLIFF
21 228 North 7th Street
22 Klamath Falls OR 97601
23
24
25
26

PARKS & RATLIFF
ATTORNEYS AT LAW
228 NORTH SEVENTH
KLAMATH FALLS, OREGON 97601
(503) 882-6331

EXHIBIT "A"
DESCRIPTION OF REAL PROPERTY

23260

A tract of land situated in the N1/2 NW1/4 of Section 25, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the North line of Henley Road, said point being North 00 degrees 11' 20" East 30.00 feet and South 89 degrees 33' 00" West 707.00 feet from the Southeast corner of the NE1/4 NW1/4 of said Section 25; thence South 89 degrees 33' 00" West, along the North line of Henley Road, a distance of 1465.54 feet to a 1/2 inch iron rod; thence North 00 degrees 39' 00" East a distance of 563.83 feet to a 1/2 inch iron rod on the Northwesterly line of the A-4-B Lateral; thence North 51 degrees 28' 00" East on said Northwesterly line a distance of 739.12 feet; thence South 89 degrees 58' 00" West a distance of 1062.98 feet to the West line of Section 25; thence North 00 degrees 14' 07" East along said West line a distance of 269.82 feet to the Northwest corner of Section 25; thence South 89 degrees 44' 02" East along the North line of Section 25 a distance of 1582.80 feet to the Southwesterly right of way line of the Burlington Northern Railroad; thence South 47 degrees 56' 22" East, along said right of way line, a distance of 526.45 feet; thence South 01 degrees 55' 00" West a distance of 922.42 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the United States of America by Deed dated April 26, 1933, recorded June 7, 1933 in Volume 101, page 138, Deed Records of Klamath County, Oregon.

AND FURTHER EXCEPTING the following described parcel: Commencing at the Northwest corner of Section 25; thence South 89 degrees 44' 02" East on the North line of said Section 25, 1582.80 feet to a point on the Westerly right of way line of the Burlington Northern Railroad; thence South 47 degrees 56' 22" East on said Westerly right of way line, 186.62 feet to the true point of beginning of this description; thence continuing along said Westerly right of way line South 47 degrees 56' 22" East 339.83 feet; thence South 01 degrees 55' 00" West, 922.42 feet to a point on the Northerly right of way line of Henley Road; thence South 89 degrees 33' 00" West on said Northerly right of way line, 260.00 feet; thence North 01 degrees 55' 00" East, 1152.26 feet to the point of beginning.

Tax Account No: 3909 02500 00600

EXHIBIT "B"
LEGAL DESCRIPTION

A tract of land situated in the N1/2 NW1/4 of Section 25, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Commencing at the Northwest corner of said Section 25; thence South 89 degrees 44' 02" East on the North line of said Section 25, 1582.80 feet to a point on the Westerly right of way line of the Burlington Northern Railroad; thence South 47 degrees 56' 22" East on said Westerly right of way line, 186.62 feet to the true point of beginning of this description; thence continuing along said Westerly right of way line South 47 degrees 56' 22" East 339.83 feet; thence South 01 degrees 55' 00" West 922.42 feet to a point on the Northerly right of way line of Henley Road; thence South 89 degrees 33' 00" West on said Northerly right of way line, 260.00 feet; thence North 01 degrees 55' 00" East, 1152.26 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the United States of America by Deed dated April 26, 1933, recorded June 7, 1933 in Volume 101, page 138, Deed Records of Klamath County, Oregon.

Tax Account No: 3909 02500 00601

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Parks & Ratliff the 20th day
of Nov. A.D., 19 90 at 4:11 o'clock P M., and duly recorded in Vol. M90,
of Mortgages on Page 23258.

Evelyn Biehn County Clerk

FEE \$23.00

By Cauline Muelender