

27003

Vol. 91 / Page 4714

NOTICE OF LIS PENDENS

Notice is hereby given that litigation is pending in  
Deschutes County Circuit Court under the following caption:

CIRCUIT COURT, STATE OF OREGON, COUNTY OF DESCHUTES

In the Matter of the Marriage of )

BETTY JANE SMEDLEY, )

Petitioner, )

and )

WILLIAM D. SMEDLEY, )

Respondent. )

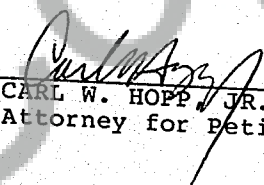
Case No. 91-DO-0085-TM

and that said litigation involves property in Klamath County  
described as follows:

Attached hereto as Exhibit A and by this  
reference incorporated herein.

and that a restraining order is in effect which prohibits trans-  
fer, sale or other disposition of that property. A copy of the  
restraining order is attached to this Notice.

DATED this 11<sup>th</sup> day of March, 1991.

  
CARL W. HOPP, JR. OSB#75176  
Attorney for Petitioner

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HOPP & PAULSON  
ATTORNEYS AT LAW  
160 N.W. Irving, Suite 103  
Bend, Oregon 97701  
(503) 388-3606

Rev:

91 MAR 15 AM 10 07

## EXHIBIT "A"

pertaining, situated in the County of Klamath

and State of Oregon, described as follows, to-wit:

A parcel of land situated in the N $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 16, Township 23 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:  
beginning at the West quarter corner of said Section 16; thence South along the West line of said Section 16 a distance of 312.0 feet to the Northwest corner of parcel described in Deed Volume M-69 at page 6733, Microfilm Records of Klamath County, Oregon; thence East along the North line of said parcel a distance of 312.0 feet to the Northeast corner thereof; thence North along the West line of parcel described in Deed Volume M-66 at page 9785, a distance of 312.0 feet to the North line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 16; thence West along said North line a distance of 312.0 feet to the point of beginning. SAVING AND EXCEPTING the North 30 feet reserved for roadway.

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

In the Matter of the Marriage of )

BETTY JANE SMEDLEY, )

Petitioner, )

and )

WILLIAM D. SMEDLEY, )

Respondent. )

Case No. 91-DO-0085TM

MOTION AND ORDER  
TO SHOW CAUSE

TEMPORARY RESTRAINING ORDER

Petitioner moves the court for an order granting the following relief:

1. Awarding Petitioner temporary possession of the family residence located on Michael Road, Antelope Meadows, Lapine, Oregon, during the pendency of this suit.

2. Restraining Respondent from coming around said residence or coming around Petitioner or harrasing her.

3. Further restraining Respondent from coming around the residence of Lon and Barbara McVay, 15969 Jacobson Road, Lapine, Oregon, as Petitioner is staying at said residence and Respondent has harrassed Petitioner while she has been at said residence.

4. Restraining Respondent from disposing of any marital assets, banking accounts or real or personal property.

5. Awarding Petitioner temporary spousal support in a reasonable monthly amount.

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HOPP & PAULSON  
ATTORNEYS AT LAW  
160 N.W. Third, Suite 101  
Portland, Oregon 97201  
(503) 485-0680

1           6. Ordering Respondent to pay Petitioner's reasonable  
2 attorney fees pursuant to ORS 107.105.

3           DATED this 28 day of February, 1991.  
4

5                               /s/ Carl W. Hopp, Jr.

6                               CARL W. HOPP, JR.   OSB#75176  
7                               Attorney for Petitioner

8  
9                               ORDER

10           The following relief is granted immediately:

11           1. Petitioner is awarded temporary possession of the  
12 family residence located on Michael Road, Antelope Meadows,  
13 LaPine, Oregon, during the pendency of this suit.

14           2. Respondent is restrained from coming around said  
15 residence or coming around Petitioner or harrassing her.

16           3. Respondent is further restrained from coming around the  
17 residence of Lon and Barbara McVay, 15969 Jacobson Road, LaPine,  
18 Oregon, where Petitioner is staying.

19           4. Respondent is restrained from disposing of any marital  
20 assets, banking accounts or real or personal property.

21           The following relief will be granted in 21 days if no  
22 objection is filed:

23           1. Petitioner is granted a reasonable monthly amount as  
24 and for spousal support during the pendency of this suit.

25           2. Respondent is ordered to pay Petitioner's reasonable  
26 attorney fees and court costs.

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1 If you wish to object to the relief requested above you must  
 2 file and serve an affidavit in opposition to this motion within  
 3 21 days from the date of service of this order, or within such  
 4 additional time as allowed by the court upon a showing of good  
 5 cause. If you fail to file the opposing affidavit within the  
 6 time allowed, the Petitioner shall forthwith submit an order  
 7 allowing the relief requested in this order to show cause. The  
 8 court reserves the right to require the taking of testimony of  
 9 the moving party in such default matters. The court reserves the  
 10 right to enter the order requested if the opposing party does not  
 11 file the required affidavit and may do so upon its own motion if  
 12 the moving party fails to present for signature, the order  
 13 required above.

14 If you file an opposing affidavit, either party shall forth-  
 15 with, by motion, request a hearing date to be set to determine  
 16 the issues raised by this order to show cause and the affidavits.  
 17 A copy of the order setting the date shall be served upon the  
 18 moving party by the opposing party. If either party fails to  
 19 submit a motion requesting such hearing date, the court reserves  
 20 the right to set such date on its own motion.

21 DATED this 29 day of February, 1991.

22  
 23  
 24 /s/ Michael C. Sullivan  
 25 CIRCUIT COURT JUDGE  
 26

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Hopp & Paulson the 15th day  
 of March A.D., 19 91 at 10:07 o'clock A M., and duly recorded in Vol. M91  
 of Mortgages on Page 4714.

FEE \$28.00

Evelyn Biehn County Clerk

By Pauline Muelenders