

NOTICE OF PENDENCY OF AN ACTION

Pursuant to ORS 93.740, the undersigned states:

1. As Plaintiffs, David S. Kurtz and Betty J. Kurtz, have filed an action in the Circuit Court for Klamath County, State of Oregon;

2. The Defendants are: Brendan Capital Corp., Wray Partnership, Michael B. Wray, John W. Dey, Vernon Durant, and Ronald R. Sticka, as Trustee in Bankruptcy;

3. The object of the action is: Foreclosure of a Land Sale Contract;

4. The description of the real property to be affected is: See Exhibit A, attached hereto and incorporated herein by this reference.

Dated this 11th day of March, 1992.

William M. Ganong
Plaintiff's Attorney

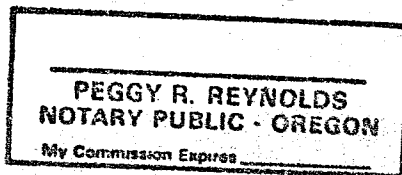
Name: William M. Ganong, OSB No. 78213

Address: 635 Main Street
Klamath Falls, OR 97601

Phone No.: (503) 884-1721

STATE OF OREGON)
) ss
County of Klamath)

The foregoing instrument was acknowledged before me this 11th day of March, 1992, by William M. Ganong.



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

EXHIBIT "A"
LEGAL DESCRIPTION

The S 1/2 SE 1/4 of Section 26, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, EXCEPT the following parcels thereof, to wit:

PARCEL 1

That portion of said property conveyed by Frank D. Miles, a single man, to P. J. Elliott, by Deed dated December 21, 1937, recorded December 22, 1937 in Volume 133 page 443, Deed Records of Klamath County, Oregon, described as follows, to wit:

Beginning at a point on the East boundary of said Section 26 from which the Southeast corner of said Section 26 bears South 1193.0 feet distant and running; thence South 89 degrees 49' West 100 feet; thence North 50.0 feet; thence South 89 degrees 49' West 2559.0 feet to the West boundary of the SE 1/4 of said Section 26; thence North 60.0 feet; thence North 89 degrees 49' East 2479.0 feet; thence South 64 degrees 50' East 88.5 feet; thence South 72.0 feet to the point of beginning.

PARCEL 2

EXCEPTING ALSO that portion of said property described as Parcel Four (Unit No. 11) in the United States of America, Plaintiff vs Charles E. Drew, et al., Defendants, Civil No. 4253. In the District Court of the United States for the District of Oregon in Judgment of Declaration of Taking and Order Granting Possession, recorded March 11, 1949 in Volume 229, page 308, Deed Records of Klamath County, Oregon, and also described in United States of America, Plaintiff vs Jack C. Hayes, et al., Defendants, Civil No. 4726. In the District Court of the United States for the District of Oregon in Order Fixing Value, Final Judgment in Condemnation and Order Disbursing Funds, recorded March 9, 1951 in Volume 246, page 73, Deed Records of Klamath County, Oregon, and described as follows, to wit:

Beginning at a point in the Easterly boundary of the SE 1/4 of said Section 26, distant there along North 126.7 feet from the Southeast corner of said Section 26, said point being also distant North 165 feet from the center line of Lost River Diversion Channel Enlargement running thence from said point of beginning, South 89 degrees 58' West 2658.0 feet to a point in the Westerly boundary of the SE 1/4 of said Section 26, distant there along North 128.2 feet from the South Quarter corner of said Section 26, said point being also North 165 feet from said center line of Lost River Diversion Channel Enlargement; EXCEPTING THEREFROM all that portion thereof lying within the present boundaries of the right of way for Lost River Diversion Channel owned by the United States of America.

(continued)

LEGAL DESCRIPTION
(continued)

PARCEL 3

EXCEPTING ALSO that portion of said property conveyed to City of Klamath Falls, a municipal corporation of the State of Oregon by Deed dated February 15, 1955, recorded February 16, 1955 in Volume 272, page 328, Deed Records of Klamath County, Oregon, described as follows:

Beginning at the Northwest corner of the SW 1/4 SE 1/4 of Section 26, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, said corner being on the center line of the U.S.B.R. drainage canal; thence South 89 degrees 57' 15" East along the centerline of said canal, a distance of 1026.63 feet to a point; thence South 88 degrees 29' 45" West a distance of 1107.04 feet to an iron pin; said pin being on the Westerly one-quarter section line of the SE 1/4 of said Section 26; thence North 0 degrees 27' 45" East along said one-quarter section line a distance of 406.77 feet to the point of beginning.

PARCEL 4

EXCEPTING ALSO that portion of said property conveyed to City of Klamath Falls, a municipal corporation of the State of Oregon by Deed dated September 16, 1955, recorded September 21, 1955 in Volume 277, page 468, Deed Records of Klamath County, Oregon, described as follows, to wit:

Beginning at an iron pin on the West line of the SW 1/4 of the SE 1/4 of Section 26, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, said pin being South 0 degrees 27' 45" West a distance of 408.54 feet from the Northwest corner of said SW 1/4 SE 1/4 of Section 26, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence North 68 degrees 29' 45" East a distance of 1107.04 feet to a point on the North line of the said SW 1/4 SE 1/4, and said point being also the center line of the U.S.R.S drainage ditch; thence South 89 degrees 57' 15" East along said North line of the SW 1/4 SE 1/4 a distance of 53.50 feet to a point; thence South 21 degrees 30' 15" East a distance of 1312.11 feet to an iron pin; said pin being on the Northerly right of way line of the Lost River Diversion Canal and being within the SE 1/4 of the SE 1/4 of said Section 26; thence North 89 degrees 49' 09" West along said Northerly right of way line a distance of 1571.10 feet to an iron pipe, said pipe being on the West line of said SW 1/4 SE 1/4 of Section 26; thence North 0 degrees 27' 25" East along said West line a distance of 809.83 feet to the point of beginning.

END OF LEGAL DESCRIPTION

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Wm. M. Ganong the 11th day
of March A.D., 19 92 at 4:23 o'clock P.M., and duly recorded in Vol. M92
of Mortgages on Page 5150.

FEE \$20.00

Evelyn Biehn - County Clerk

By Dorlene Mulholland