

# NOTICE OF PENDENCY OF AN ACTION

**Pursuant to ORS 93.740, the undersigned states:**

1. As plaintiff(s), Boyd C. Yaden, Trustee of the Bankruptcy Estate of Thena, Inc, Case No. 695-61353-aer7, has filed an action in the United States Bankruptcy Court for the District of Oregon;

2. The defendant(s) is/are: Walter A Giavia and Cindy L. Giavia;

3. The object of the action is: To set aside a deed of reconveyance recorded with the Klamath County Clerk on August 3, 1994, recorded in Volume M94, page 23984 as a fraudulent or preferential transfer and to declare that a trust deed executed on November 8, 1993, but not recorded, is a valid lien on the defendants property.

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

Beginning at a ½" iron pin S. 0°30' E. 2011.73 feet and S. 89°58'30" W. 990.0 feet from 1" iron pipe and found in mound of rock for the NE corner of SE ¼ of said Section 8 (East ¼ corner of Section 8) to true point of beginning, thence S 0°30' E. 670.85 feet to ½" iron pin; thence S. 89°58'30" W. 312.00 feet along old line fence (accepted as East line of Said Sec. 8) to 5/8" iron pin; thence N. 0°25' W. 670.95 feet along East right of way to County Road to ½" iron pin; thence N. 89°58'30" E. 311.00 feet to the point of beginning. Said parcel situate in SE ¼ SE ¼ of Section 8, Township 40 South, Range 10 East of the Willamette Meridian.

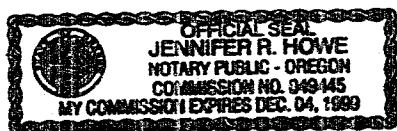
Dated this September 24, 1996.

Plaintiff's attorney

**Name: Michael L. Spencer**  
**Address: 419 Main Street**  
**Klamath Falls, OR 97601**  
**Phone No.: (541) 883-7139**

STATE OF OREGON )  
 ) ss.  
County of Klamath )

The foregoing instrument was acknowledged before me this September 24, 1996 by Michael L. Spencer.



**Notary Public for Oregon**

My commission expires: 12-4-99

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Michael Spencer the 25th day  
of Sept A.D., 19 96 at 3:46 o'clock P M., and duly recorded in Vol. 1996  
of Mortgages on Page 30474.

Bernetha G. Letsch / County Clerk

By

**FEE \$10.00**