

'96 OCT 28 P3:52

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NOTICE OF PENDENCY OF AN ACTION

Pursuant to ORS 93.740, the undersigned states:

1. As plaintiffs, LEROY TOTTEN and DELTA TOTTEN, have filed an action in the Circuit Court for Klamath County, State of Oregon;
2. The defendants are: CHRISTINE STRAIN, HOLMAN REALTY, INC., an Oregon corporation, dba COLDWELL BANKER HOLMAN REALTY, INC., and JOHN BOWERS and DARLENE BOWERS;
3. The object of the action is the specific performance of a contract to convey real property;
4. The description of the property is set forth on Exhibit "A", attached hereto and by this reference incorporated herein.

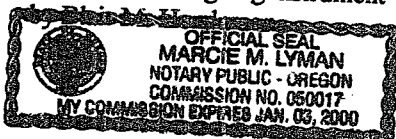
DATED this 25th day of October, 1996


BLAIR M. HENDERSON, OSB #69074
Attorney for Plaintiffs

BLAIR M. HENDERSON
Henderson, Molatore & Klein
426 Main Street
Klamath Falls, OR 97601
(541) 884-7731

STATE OF OREGON)
) ss.
County of Klamath)

The foregoing instrument was acknowledged before me this 25th day of October, 1996,




NOTARY PUBLIC FOR OREGON
My Commission Expires: January 3, 2000

AFTER RECORDING, RETURN TO:
Blair M. Henderson, Attorney
426 Main St., Klamath Falls, OR 97601

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EXHIBIT "A" **LEGAL DESCRIPTION**

PARCEL 1:

A tract of land situated in the SW1/4 SE1/4 of Section 6, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southeast corner of the SW1/4 SE1/4 of said Section 6, said point being the Northeast corner of JUNCTION ACRES SUBDIVISION; thence South 89 degrees 07' 30" West along the South line of said Section 6, which is also the North line of said subdivision, a distance of 30 feet; thence Northerly, parallel with the East line of the SW1/4 SE1/4 of said Section 6 a distance of 175 feet to the true point of beginning of this description; thence Northerly parallel with the East line of the SW1/4 SE1/4 of said Section 6 a distance of 175 feet, more or less to the intersection with the centerline of the Enterprise Irrigation District canal as it is presently located and constructed; thence Northwesterly and Southwesterly along the centerline of said canal to a point that is Northerly, measured on a line parallel with the East line of the SW1/4 SE1/4 of said Section 6, a distance of 350 feet from the South line of said Section 6; thence South 89 degrees 07' 30" West parallel with the South line of said Section 6, which is the North line of said subdivision, to the intersection with the East line of that tract of land deeded to Heaton, as described in Deed Volume 359 at page 448; thence South 28 degrees 23' 30" East and South 00 degrees 21' 45" East along the East line of said Heaton Tract to a point that is Northerly, measured on a line parallel with the East line of the SW1/4 SE1/4 of said Section 6, a distance of 175 feet from the South line of said Section 6; thence North 89 degrees 07' 30" East parallel with the South line of said Section 6; which is the North line of said subdivision, to the true point of beginning of this description.

EXCEPT that portion lying within the boundaries of the Enterprise Irrigation District Canal.

PARCEL 2:

A tract of land situated in the SW1/4 SE1/4 of Section 6, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the South line of said Section 6, said point being on the North line of JUNCTION ACRES SUBDIVISION and being South 89 degrees 07' 30" West a distance of 30 feet from the Northeast corner of said subdivision which is also the Southeast corner of the SW1/4 SE1/4 of said Section 6; thence Northerly parallel with the East line of the SW1/4 SE1/4 of said Section 6 a distance of 175 feet; thence South 89 degrees 07' 30" West parallel with the South line of said Section 6, which is the North line of said subdivision to the intersection with the East line of the tract of land deeded to Heaton as described in Deed Volume 359 at page 448; thence South 00 degrees 21' 45" East along the East line of Heaton tract a distance of 175 feet, more or less, to the South line of said Section 6, which is the North line of said subdivision; thence North 89 degrees 07' 30" East along the South line of said Section 6, and along the North line of said Subdivision to the point of beginning.

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PRELIMINARY REPORT

PRELIMINARY REPORT ONLY

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Blair M. Henderson the 28th day
of October A.D., 19 96 at 3:52 o'clock P.M., and duly recorded in Vol. M96
of Deeds on Page 34030
Bernetha G. Letsch
By Kathleen County Clerk

FEE \$15.00