

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

ALAN SCHNEIDER,

Plaintiff,

vs.

ROBERT AULT and DORIS AULT,
Defendants.

Case No. 9603466CV

NOTICE OF PENDENCY OF AN
ACTION

Pursuant to ORS 93.740, the undersigned states:

1. Plaintiff has filed an action in the Circuit Court for Klamath County, State of Oregon;
2. The Defendants are Robert Ault and Doris Ault;
3. The object of the action is: interference with easement;
4. The description of the real property to be affected is attached as Exhibit "A", Exhibit "B" and Exhibit "C" and by this reference incorporated herein.

DATED this 3 day of February, 1997.

BRANDSNESS, BRANDSNESS & RUDD, P.C.

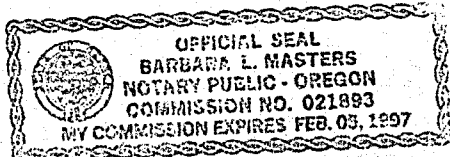
Michael P. Rudd
Michael P. Rudd
OSB #93418
of Attorneys for Plaintiff
411 Pine Street
Klamath Falls, OR 97601
(541) 882-6616

STATE OF OREGON)

County of Klamath)

ss. February 3, 1997

Personally appeared, Michael P. Rudd, and acknowledged the foregoing instrument to be his voluntary act and deed. Before me:



Barbara L. Masters
Notary Public for Oregon
My Commission expires: 2-5-97

EXHIBIT "A"
LEGAL DESCRIPTION

A tract of real property in Government Lot Numbers 32 and 29 in Section 16, Township 35 South, Range 7 East of the Willamette Meridian, particularly described as follows:

Beginning at the quarter section corner on the South boundary of Section 16, Township 35 South, Range 7 East of the Willamette Meridian; thence North along the center line of Section 16, a distance of 1320.0 feet, more or less, to the Northwest corner of Government Lot Number 33, which corner is monumented with a 3/4 inch iron pipe; thence East along the North boundary of Lot 33, a distance of 323.30 feet, more or less, to a point on the Easterly right of way boundary of U.S. Highway No. 97, which point is monumented with a 3/4 inch iron pipe; thence South 2°22' West along said right of way boundary of 333.30 feet to a 3/4 inch iron pipe marking the Northwest corner of that parcel of land recorded in Volume 363 at page 58 of Deed Records of Klamath County, Oregon; thence following along the bounds of said parcel of land, North 62°07' East, 629.30 feet; thence East a distance of 454.20 feet; thence South a distance of 95.00 feet; thence East 107.27 feet; thence leaving said bounds and bearing North 41°3½' East 155.48 feet to a ½ inch steel rod which marks the Northerly corner of that tract of land described in Volume M69 at page 8199, Microfilm Records of Klamath County, Oregon and amended description thereof; thence North 51°10' West 56 feet to the South line of a roadway and being the true point of beginning of this description; thence South 51°10' East along the Easterly boundary of said tract of land in M69 at page 8199, Microfilm Records of Klamath County, Oregon, a distance of 786.00 feet, more or less, to the water line of Williamson River; thence North 26°47' East along said water line a distance of 165 feet; thence in a Northwesterly direction 708.5 feet, more or less, to a point on the Southerly line of a roadway and that is also North 45°50' East 132.7 feet from the true point of beginning; thence South 45°50' West 132.7 feet to a ½ inch steel rod to the point of beginning.

Together with the following described easement:

The right for ingress and egress as set forth as follows:

"ALSO the right to use and maintain an existing roadway for ingress and egress to and from the land above described from U.S. Highway No. 97, the centerline of said roadway being particularly described as follows:

Beginning at a 3/4 inch iron pipe at the intersection of the Easterly right of way boundary of U.S. Highway No. 97 and the North boundary of Lot 33, Section 16, Township 35 South, Range 7 East of the Willamette Meridian; thence South 2°22' West along said right of way boundary a distance of 178.4 feet to the true point of beginning of this description; thence North 73°56'40" East a distance of 572.20 feet to a point which bears South 20.00 feet from the North boundary of Lot 33; thence East parallel with the North boundary of Lots 33 and 32 a distance of 552.87 feet, more or less, to a point from which a line bearing North 45°50' East will be parallel with and 20.0 feet Northerly from the North boundary of land being conveyed; thence North 45°50' East, parallel with and lying 20.0 feet Northerly of the North boundary of land being conveyed, a distance of 335.3 feet.

EXHIBIT "B"
LEGAL DESCRIPTION

The following described real property is situate in Klamath County, Oregon, being more particularly described as follows:
A tract of real property in Government Lot 32 in Section 16, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the quarter section corner on the South boundary of Section 16, Township 35 South Range 7 East of the Willamette

Meridian, Klamath County, Oregon; thence North along the center line of Section 16 a distance of 1320.0 feet, more or less, to the Northwest corner of Government Lot 33, which corner is monumented with a 3/4" iron pipe; thence East along the North boundary of Lot 33 a distance of 323.30 feet, more or less, to a point on the Easterly right of way boundary of U.S. Highway No. 97, which point is monumented with a 3/4" iron pipe; thence South 2°22' West along said right of way boundary a distance of 333.30 feet to a 3/4" iron pipe marking the Northwest corner of that parcel of land recorded in Volume 363, page 58 of Deed Records of Klamath County, Oregon; thence following along the bounds of said parcel of land North 62°07' East 629.30 feet; East 454.20 feet; South 95.00 feet; and East 107.27 feet to the true point of beginning of this description; thence continuing along the bounds of said parcel of land South 32°20' East 381.50 feet and South 9°30' West 205.30 feet to the South boundary of government Lot 32; thence East along same 443.30 feet, more or less, to the East boundary of same monumented by the waterline of Williamson River; thence North 22°50' East along same a distance of 200.00 feet; thence North 51°10' West 695.53 feet; thence South 57°40' West 177.60 feet to the true point of beginning.

TOGETHER WITH A 1980 FUQUA HT Mobile Home, Oregon License #X162699, and Serial #6363 which is situated on the real property described herein. Klamath County Tax Account #M162699

ALSO the right to use and maintain an existing roadway for ingress and egress to and from the land above described for U.S. Highway No. 97, the centerline of said roadway being particularly described as follows:

Beginning at a 3/4" iron pipe at the intersection of the Easterly right of way boundary of U.S. Highway No. 97 and the North boundary of Lot 33, Section 16, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon; thence South 2°22' West along said right of way boundary a distance of 178.4 feet to the true point of beginning of this description; thence North 73°56'40" East a distance of 572.20 feet to a point which bears South 20.00 feet from the North boundary of Lot 33; thence East parallel with the North boundary of Lots 33 and 32 a distance of 687.85 feet; thence South 51°10' East 35.00 feet, more or less, to a point on the North boundary of that tract of real property being conveyed 20.00 feet distant from the Northwest corner thereof.

EXHIBIT "C" LEGAL DESCRIPTION

A parcel of land situated in Government Lots 29, 32 and 33, Section 16, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a 1/2" iron pin marking the Northeast corner of that certain parcel of land described in Deed Volume M75, page 7623, Microfilm Records of Klamath County, Oregon, on the Northerly line of said Lot 33 from which a 3/4" pipe marking the intersection of the Easterly right of way line of U.S. Highway No. 97 with said Northerly line of Lot 33 bears South 89°49'56" West, 542.29 feet; thence South 00°08'48" East along the East line of said described parcel, 40.41 feet to a 3/4" iron pipe on the Northerly line of that certain parcel described in Deed Volume 363, page 58, Deed Records of Klamath County, Oregon; thence along said parcel boundary the following courses and distances: North 89°46'48" East parallel to but 40.00 feet South of said North line of Lot 33, 454.20 feet to a 3/4" iron pipe on the East line of said Lot 33; South 00°08'48" East along said East line, 95.00 feet to a 1/2" iron pin; North 89°49'56" East 107.41 feet to a 5/8" iron pin marking the Northwest corner of that certain parcel described in Deed Volume M76, page 17502, Microfilm Records of Klamath County, Oregon; thence North 41°53'10" East along the Northwest line thereof, 151.74 feet to a 5/8" iron pin marking the Northeast corner thereof; thence North 51°10'25" West along the Southwest

line of that certain parcel described in Deed Volume M75, page 4969, Microfilm Records of Klamath County, Oregon, 56.00 feet to a 1/2" iron pin marking the Northwest corner thereof; thence North 45°48'35" East, 265.63 feet along the Northwest line of the aforesaid parcel and the Northwest line of that certain parcel described in Deed Volume M74, page 14340, Microfilm Records of Klamath County, Oregon to a 1/2" iron pin marking the Northeast corner thereof; thence North 23°36'00" East along the Northwest line of that certain parcel described in Deed Volume M76, page 3844, Microfilm Records of Klamath County, Oregon, 329.90 feet to a 1/2" iron pin marking the Northeast corner thereof; thence North 55°40'18" West along the Southwest line of that certain parcel described in Deed Volume M76, page 13692, Microfilm Records of Klamath County, Oregon, 281.84 feet to a 5/8" pin marking the most Westerly corner thereof; thence West along the North line of said Lot 29, 256.91 feet to the Northwest corner thereof; thence South 00°08'48" East, 659.79 feet to a 1/2" iron pin marking the Southwest corner thereof; thence South 89°49'56" West along said North line of Lot 33, 454.20 feet to the point of beginning.

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Brandsness et al
 of February A.D., 19 97 at 1:13 o'clock P. M., and duly recorded in Vol. M97
 of Mortgages on Page 3549

FEE \$25.00

Bernetha G. Letsch, County Clerk

by Kathleen Rosa