

1 Recorded at the request of,
2 and when recorded return to

3 Katherine Mottarella, 173702
4 Attorney at Law
5 827 State Street, Suite A
6 Santa Barbara, CA 93101

7 Attorney for Joanne Roberts

8 **IN THE SUPERIOR COURT OF CALIFORNIA,**
9 **COUNTY OF SANTA BARBARA**

10 **IN THE MARRIAGE OF**

11 **JOANNE ROBERTS,**

12 **Petitioner,**

13 **vs.**

14 **ADGER CARLTON ROBERTS,**

15 **Respondent.**

)
) 220513- J. WILLIAM MCLAFFERTY
)

) NOTICE OF PENDENCY
) OF ACTION-LIS PENDENS
)

16 NOTICE IS GIVEN that the above action was commenced on August 25, 1997, in the
17 above court by Joanne Roberts, Petitioner, against Adger Carlton Roberts, Respondent, the action
18 is now pending in the above-named court.

19 The action concerns real property or affects the title or right of real property situated in
20 Klamath County, Oregon, commonly known as 39340 Chiloquin Ridge Rd., Chiloquin, Oregon,
21 Property Identification Number, R205085, Map Tax Lot Number, R-3407-035A0-05300-000 and
22 is described in the attached Exhibit "A".

23 The object of Petitioner's action is to determine the community property and quasi-
24 community property interests of both parties with regard to real property.

25 Dated: March 27, 1998

26 *Katherine Mottarella*
27 KATHERINE MOTTARELLA
28 Attorney for Petitioner

'98 HER 31 ALL:17

35

NOTICE OF LIS PENDENS

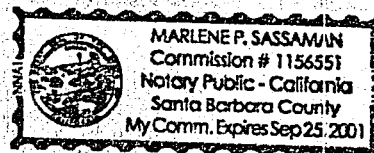
ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss
COUNTY OF SANTA BARBARA)

On this 27 day of March, 1998, before me, the undersigned officer, personally appeared KATHERINE MOTTARELLA, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged to me that she executed it. I declare under penalty of perjury that the person whose name is subscribed to this instrument appears to be of sound mind and under no duress, fraud, or undue influence.

(SEAL)

Notary Public



10289

Exhibit A

19845

PARCEL 1:

The West 65 feet of the South 200 feet of the E $\frac{1}{4}$ of the W $\frac{1}{4}$ of the S $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 2:

That portion of the E $\frac{1}{4}$ of the S $\frac{1}{4}$ of Section 35, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, lying South of the Sprague River, EXCEPTING THEREFROM that portion deeded to William L. Thurman, as is in Deed Volume M66, page 9615, Microfilm Records of Klamath County, Oregon, more particularly described as follows:

The West 65 feet of the South 200 feet of the E $\frac{1}{4}$ of the W $\frac{1}{4}$ of the S $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

TOGETHER WITH the right to use that certain non-exclusive easement for a roadway for ingress and egress as described in that certain Deed recorded September 6, 1966 in Volume M66, page 8900, Microfilm Records of Klamath County, Oregon.

ALSO TOGETHER WITH a non-exclusive easement and right of way for ingress and egress and access to the Sprague River over and across the East 15 feet of the East $\frac{1}{4}$ of the West $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 35, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, lying South of the said Sprague River.

Subject to the following:

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
2. Rights of the public and of governmental bodies in and to that portion of the herein described premises lying below the high water mark of Sprague River, and the ownership of the State of Oregon in and to that portion lying below the high water mark thereof.
3. Reservations as contained in instrument recorded in Volume 285, page 391, Records of Klamath County, Oregon, as follows:
"there is reserved from the lands hereby allotted, a right of way thereon for ditches or canals constructed by the authority of the United States."
(Affects W $\frac{1}{4}$ of Section 35 and other property.)
4. Reservations as contained in instrument recorded in Volume 285, page 391, Records of Klamath County, Oregon, as follows:
"Subject, however to such rights of way for ditches, canals and reservoir sites for irrigation purposes as may have been reserved by the United States or otherwise."

10290

19846

5. Right of way created by instrument, including the terms and provisions thereof,
 Recorded: May 22, 1985
 Volume: 382, page 85, Deed Records of Klamath County, Oregon
 In favor of: Pacific Power and Light Company
 For: Pole and wire lines

6. Reservations as contained in Deed recorded April 9, 1934 in Volume 352 at
 page 238, Deed Records of Klamath County, Oregon, to wit:
 "Reserving unto the Grantor a 50 foot exclusive easement for roadway over
 the property herein conveyed for the benefit of the lands of the grantor
 adjacent on the West."

7. Reservations as contained in Deed recorded September 29, 1968 in Volume 1336,
 page 6815, Microfilm Records of Klamath County, Oregon, to wit:
 "Reserving unto the Grantor a 39 foot non-exclusive easement for roadway
 over the South 30 feet and the East 15 feet of the property herein conveyed."

STATE OF OREGON: COUNTY OF KLAMATH: 11.

Filed for record as request of _____ the _____ day
 of _____ A.D., 19 _____ at _____ o'clock _____ M., and duly recorded in Vol. _____
 of _____ on Page _____

FER

County Clerk

By _____

10291

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA:

I am employed in the County of Santa Barbara, State of California. I am over the age of 18 and not a party to the within action; my business address is 827 State Street, Suite A, Santa Barbara, California 93101.

On March 27, 1998 in Santa Barbara, California, I served the following documents described as:
on all parties of record in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

Adger Carlton Roberts
205 Santa Cruz Blvd.
Santa Barbara, CA 93109

I caused such envelopes with postage thereon fully prepaid to be placed in the United States mail at Santa Barbara, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 27, 1998 at Santa Barbara, California..

Katherine Mottarella
Katherine Mottarella

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of _____ the 31st day
of March A.D., 19 98 at 11:17 o'clock A M., and duly recorded in Vol. M98
of Mortgages on Page 10286.

FEE \$35.00 By Bernetha G. Letsch, County Clerk