

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

MARY ANN HASSETT, TRUSTEE OF THE)
MARY ANN HASSETT 1994 TRUST, and)
EVELYN E. EWELL, SUCCESSOR TRUSTEE)
OF THE HOWARD CHARLES HASSETT 1994)
TRUST,)

Case No. 9900406CV

NOTICE OF PENDENCY
OF AN ACTION

Plaintiffs,)

vs.)

MSI ENTERPRISES, INC., an Oregon)
corporation; MARY S. INGALLS and)
ANDREW A. INGALLS; STATE OF OREGON,)
DEPARTMENT OF REVENUE; KLAMATH)
COUNTY TAX COLLECTOR; and UNITED)
STATES OF AMERICA, INTERNAL REVENUE)
SERVICE,)

Defendants.)

PURSUANT TO CRS 93.740, the undersigned states:

1. As Plaintiffs, Mary Ann Hassett, trustee of the Mary Ann Hassett 1994 Trust, and Evelyn E. Ewell, Successor Trustee of the Howard Charles Hassett 1994 Trust, have filed an action in the Circuit Court of Klamath County, State of Oregon;

2. The Defendants are MSI Enterprises, Inc., an Oregon corporation; Mary S. Ingalls and Andrew A. Ingalls; State of Oregon, Department of Revenue; Klamath County Tax Collector; and United States of America, Internal Revenue Service.

3. The object of the action: Judicial Foreclosure of Trust Deed, Foreclosure of Security Interest

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

See the attached Exhibits A and B.

DATED this 25th day of February, 1999.

Neal G. Buchanan

NEAL G. BUCHANAN, OSB #77127
Attorney for Plaintiffs
435 Oak Avenue
Klamath Falls, Oregon 97601

STATE OF OREGON, County of Klamath) ss.

SUBSCRIBED AND SWORN to before me this 3rd day of February, 1999.



Marsha Cosine
NOTARY PUBLIC FOR OREGON

Lien Claimant/Plaintiff:
Hassett Trusts

Defendants' Names:
MSI Enterprises, Inc., et al.

After Recording Return to:
Neal G. Buchanan, Attorney
435 Oak Avenue
Klamath Falls, Oregon 97601

EXHIBIT "A"
LEGAL DESCRIPTION

4427

5769

PARCEL 1

The following described real property situated in Klamath County, Oregon:

A piece or parcel of land situated in the NE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and more particularly described as follows:

Beginning at an iron pipe which is South 0 degrees 06' West 323.4 feet and North 89 degrees 49' West 234.2 feet from the NE Section Corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon which point of beginning is also the NE corner of that certain tract of land conveyed to Elmer W. and Flora M. Zigler on page 238 Deed Volume 278 of the records of Klamath County, Oregon; thence North 89 degrees 49' West along the Northerly boundary of said tract of land conveyed on page 238 Deed Volume 278, a distance of 334.8 feet to an iron pipe set at its intersection with a line which is parallel to and 192.77 feet Northeasterly of, when measured at right angles to, the Northeasterly right of way line of the Dalles-California Highway (No. US97) as the same is now located across said Section 19; thence North 38 degrees 52' West parallel to and 192.77 feet distant from said Northeasterly highway right of way line a distance of 147.25 feet to an iron pipe; thence South 89 degrees 49' East a distance of 427.3 feet to an iron pipe; thence South 0 degrees 06' West a distance of 114.35 feet more or less, to the point of beginning.

PARCEL 2

Beginning at a point which is South 0 degrees 06' West a distant 477.4 feet and North 89 degrees 49' West a distance of 234.2 feet from the Northeast corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence North 0 degrees 06' East a distance of 154 feet to a point; thence North 89 degrees 49' West a distance of 336 feet, more or less, to a point on a line which is parallel to and distant 192.77 feet at right angles from the Northeasterly right of way line of the Dalles-California Highway; thence South 38 degrees 52' East a distance of 200 feet, more or less, to a point which is North 0 degrees 06' East a distance of 211.1 feet from the North line of Byrd Avenue in Chelsea Addition; thence South 89 degrees 49' East a distance of 210.2 feet to the place of beginning, being in the NE 1/4 NE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 3

All that portion of the NE 1/4 NE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a section corner common to Sections 17, 18, 19, and 20, said Township and Range; thence South 0 degrees 06' West along the East line of said Section 19, a distance of 388.5 feet to a point; thence North 89 degrees 49' West a distance of 174.2 feet to a point; thence South 0 degrees 06' West a distance of 300.0 feet to a point on the North line of Byrd Avenue; thence West along said North line a distance of 60 feet to a point; thence North 0 degrees 06' East a distance of 479.45 feet to a point; thence North 89 degrees 44' West a distance of 427.3 feet to a point; thence North 38 degrees 46' West a distance of 268.15 feet to a point on the North line of said Section 19; thence South 89 degrees 44' East along said North line a distance of 833.95 feet to the point of beginning.

EXCEPTING THEREFROM a tract of land situated in the NE 1/4 NE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the section corner common to Sections 17, 18, 19 and 20, said Township and Range; thence South 0 degrees 06' West along the East line of said Section 19, a distance of 388.5 feet to a point; thence North 89 degrees 49' West a distance of 174.2 feet to a point; thence South 0 degrees 06' West a distance of 89 feet to the True Point of Beginning of this description; thence continuing South 0 degrees 06' West a distance of 211 feet to a point on the North line of Byrd Avenue; thence West along said North line a distance of 60 feet to a point; thence North 0 degrees 06' East a distance of 211 feet to a point; thence South 89 degrees 49' East 60 feet to the point of beginning.

PARCEL 4

Beginning at a point on the Northeasterly right of way line of State Highway No. 97 which lies South 0 degrees 06' West along the East section line a distance of 688.5 feet and North 89 degrees 49' West along the North line of Byrd Avenue in Chelsea Addition, a distance of 521.6 feet and North 38 degrees 52' West along the Northeasterly right of way line of State Highway No. 97 (Note: State Highway bearing of this line shows North 39 degrees 7 1/2' West) a distance of 130.55 feet from the iron axle which marks the Northeast corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, running thence; continuing North 38 degrees 52' West along the Northeasterly right of way line of State Highway No. 97, a distance of 250 feet to a point; thence North 51 degrees 08' East a distance of 192.77 feet to a point; thence South 38 degrees 52' East a distance of 250 feet to a point; thence South 51 degrees 08' West a distance of 192.77 feet, more or less to the point of beginning, in the NE 1/4 NE 1/4 of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

EXHIBIT A

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1 Garbled to match an existing list
 2 Shar. micro wave ovens
 2 Hobart micro wave ovens
 1 Refrigerated condiment line
 1 7'0" grill
 1 4-burner gas COOK top
 2 36" Wolf gas broilers
 3 30" Wolf gas ranges
 2 Chicken broaster
 2 Utility tables for burner units
 3 27" reach in under-counter refrigerators
 2 27" reach in under-counter freezers
 1 stainless steel hoods with exhaust fans and
 chemical fire retardent wash down
 1 Waitress stations-complete
 1 Milk shake mixer
 1 Small micro wave
 2 Glenco pie cases
 2 Taylor ice cream machines
 2 Hatco revolving toasters
 1 Jackson dishwasher with SS counter and booster
 26' Serving counter with stools
 12 Booths
 12 Wood chairs
 10 Stack chairs
 10 Tables
 4 Bar stools
 1 T V monitors
 60" TV with VCR
 2 400# ice machines
 1 Portable buffet units
 1 Sink units
 Convection oven
 4 French fryers
 1 20qt universal mixer with attachments
 Misc. small kitchen equipment
 Misc. pots and pans
 Glasses and dishware
 1 4'0" grill
 2 Steam tables (1 new)
 1 Portable condiment center (new)
 3 Cash registers
 1 Pull-tab dispenser
 1 Champion under counter glass washer
 1 Liquor dispenser assembly
 1 Front and back lounge bar complete
 1 Lot office and apartment furniture
 Misc. replacement parts
 1 AC 4-WD tractor with equipment

4428

EXHIBIT B

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Neal G. Buchanan the 5th day
 of February A.D. 1999 at 2:15 o'clock P. M., and duly recorded in Vol. M99
 of Mortgages on Page 4426

FEE \$20.00

Linda Smith, County Clerk

by Kathleen Row