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AFTER RECORDING RETURN TO:

Nancy K. Cary Hershner, Hunter, Andrews, Neill & Smith, LLP P.O. Box 1475 Eugene, OR 97440

Telephone: (541)686-8511

State of Oregon, County of Klamath	
Recorded 12/18/01 2:59 p	m
Vol M01, Pg 64668-69	_
Linda Smith, County Clerk	
Linda Smith, County Clerk Fee \$ 2600 # of Pgs 2	

NOTICE OF PENDENCY OF AN ACTION

Pursuant to ORS 93.740, the undersigned states:

- 1. As plaintiff, The Fishel Company has filed an action in the Circuit Court for Klamath County, State of Oregon, Case No. 0104618CV.
 - 2. The defendant is: 360Networks (USA), Inc.
- 3. The object of the action is foreclosure of construction lien and breach of contract.
 - 4. The description of the real property to be affected is:

See Exhibit A attached hereto.

DATED this 17th day of December, 2001

Nancy K. Cary, OSB No. 96225

Of Attorneys for Plaintiff

STATE OF OREGON

) ss.

COUNTY OF LANE

The foregoing instrument was acknowledged before me this 17th day of December, 2001, by Nancy K. Cary.

OFFICIAL SEAL
CARRIN R ZOLLINGER
NOTARY PUBLIC-OREGON
COMMISSION NO. A308823
MY COMMISSION EXPIRES JAN 27, 2002

Notary Public for Oregon

My commission expires: 1/27/02

That portion of NE ½ NE ½ of Section 13, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, ling South of Keller Road and Easterly of Country Green Subdivision and Westerly of Enterprise Irrigation Canal and Northerly of that portion in Parcel 2 of Deed Volume M99 page 28091, Deed records of Klamath County, Oregon.

Saving and Excepting any portion in Volume M78 page 8335 and Volume M93 page 23327, Deed records of Klamath County, Oregon.

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