

01 DEC 18 PM 2:59

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**AFTER RECORDING RETURN TO:**

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State of Oregon, County of Klamath  
Recorded 12/18/01 2:59 P m.  
Vol M01, Pg 64668-69  
Linda Smith, County Clerk  
Fee \$ 26<sup>00</sup> # of Pgs 2

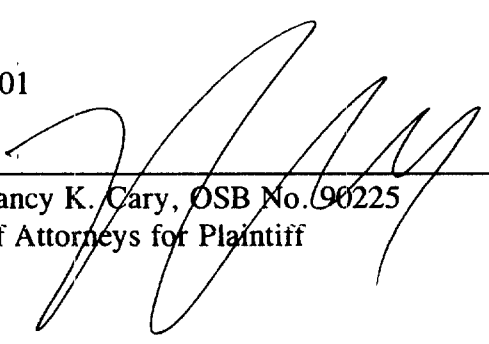
**NOTICE OF PENDENCY OF AN ACTION**

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:

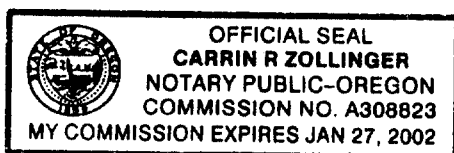
See Exhibit A attached hereto.


DATED this 17<sup>th</sup> day of December, 2001

  
\_\_\_\_\_  
Nancy K. Cary, OSB No. 90225  
Of Attorneys for Plaintiff

STATE OF OREGON           )  
  ) ss.  
COUNTY OF LANE         )

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



  
\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: 1/27/02

K26

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That portion of NE ¼ NE ¼ of Section 13, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying 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.