

MTL 57879-KL
NOTICE OF RELEASE OF LIS PENDENS

State of Oregon, County of Klamath
Recorded 10/07/2002 3:07 p. m.
Vol M02, Pg 57238-42
Linda Smith, County Clerk
Fee \$ 47.00 # of Pgs 5

TO ALL WHOM THIS MAY CONCERN, notice is hereby given that:

1. The following action affecting the title to the real property described below, previously pending in the Arbitration Service of Portland as ASP Number 020823, has been settled in full.

John M. Archer,)	ASP No. 020823
)	
Claimant,)	
)	
v.)	
)	
Richard Bogatay and Nine Pine)	
Properties,)	
<u>Respondents.</u>)	

1. The object of the above-captioned action was specific performance of a sale agreement or damages. The property affected is as follows:

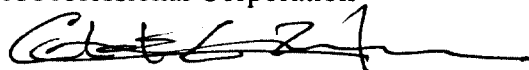
COMMON DESCRIPTION: 824 Pine Street, Klamath Falls, OR
LEGAL DESCRIPTION: See Attached Exhibits A, B and 1

2. All matters at issue between the parties have been settled and the pending action and Notice of Lis Pendens, recorded in the official records of Klamath County, Oregon on August 27th, 2002, as Document Number 020823, is hereby released and discharged.

This notice is given pursuant to the provisions of ORS 93.740.

Dated this 27th day of SEPT., 2002.

DAVIS, GILSTRAP, HEARN,
SALADOFF & SMITH, P.C.
A Professional Corporation

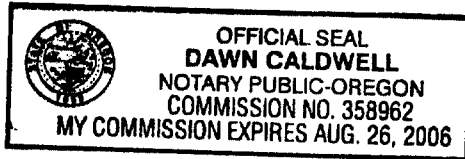


CHRISTIAN E. HEARN, OSB 91182
Of Attorneys for Claimant

STATE OF OREGON)
) ss:
County of Jackson)

57239

On September 27, 2002, the foregoing instrument was personally acknowledged before me by Christian E. Hearn.



Dawn Caldwell
Notary Public for Oregon
My Commission Expires: 8/26/06

After recording return to:

Christian E. Hearn
Davis, Gilstrap, Hearn
Saladoff & Smith, P.C.
515 E. Main Street
Ashland, OR 97520

57240

EXHIBIT A

Lots 7 and 8 in Block 13 of ORIGINAL TOWN OF LINKVILLE, now city of Klamath Falls, Oregon, according to the official plat thereof on file in the records of Klamath County, Oregon, EXCEPTING the Southeasterly 8 feet thereof heretofore deeded to the City of Klamath Falls for alley purposes.

SUBJECT TO:

1. Easement, including the terms and provisions thereof, given by A.M. Collier and Georgia L. Collier, husband and wife, to the California Oregon Power Company, dated June 26, 1940, recorded August 28, 1940 in Vol. 131, page 453, deed records of Klamath County, Oregon.
2. Any unpaid charges or assessments of the City of Klamath Falls for sewer or water services.

AND:

Except Reservations, Restrictions, Rights-of-Way, Easements of Records and Those Apparent Upon the Land.

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EXHIBIT B

All that portion of Lots 5 and 6 in Block 13 of Original Town of Linkville, now City of Klamath Falls, Oregon, more particularly described in Exhibit #1 attached hereto and made a part hereof.

EXHIBIT #1

All that portion of Lots 5 and 6 in Block 13 of Original Town of Linkville, now City of Klamath Falls, Klamath County, Oregon, more particularly described as follows:

Beginning at the most westerly corner of Lot 5 in Block 13 of said addition, being at the intersection of the southeasterly line of Pine Street and the northeasterly line of 8th Street, 75 feet;

Thence, northeasterly at right angles to 8th Street, 130 feet to a line between Lots 6 and 7 in said Block 13;

Thence, northwesterly on said line, 75 feet to Pine Street;

Thence, southwesterly on Pine Street, 130 feet to the point of beginning.

EXCEPTING THEREFROM the following described property:

Beginning at the most westerly corner of said Lot 5 in Block 13 of Original Town of Linkville, now City of Klamath Falls, Oregon, being the intersection of the southeasterly line of Pine Street and northeasterly line of 8th Street;

Thence, south 50 degrees 55 feet east along the northeasterly line of 8th Street, a distance of 45.01 feet to an "X" set in a concrete sidewalk and the point of beginning of this description.

Thence, north 38 degrees 33 feet east and along the southeasterly edge of a concrete curb, a distance of 67.10 feet to the interior corner of said curb;

Thence, south 52 degrees 07 feet east and along the southeasterly edge of a concrete curb and said curb line extended, a distance of 30.62 feet the northwesterly line of that property described in Deed recorded in Vol. 107 at page 606 of Klamath County, Oregon Deed Records;

Thence, south 39 degrees 05 feet west along the northwesterly line of said property, a distance of 67.74 feet to an "X" set in a concrete sidewalk on the northeasterly line of 8th Street;

Thence, north 50 degrees 55 feet west along the northeasterly line of 8th Street, a distance of 29.99 feet to the point of beginning of this description.