

Plaintiff's Name:

Susan E. Fairclo and David P. Fairclo
c/o Neal G. Buchanan, Attorney

Respondent's Name:

Paul J. Arritola, Trustee and
Drew Ronald Hill

After Recording Return to:

Neal G. Buchanan, Attorney
435 Oak Avenue
Klamath Falls, Oregon 97601

State of Oregon, County of Klamath
Recorded 01/30/2004 3:51 P m
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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF KLAMATH

SUSAN E. FAIRCLO and DAVID P. FAIRCLO,

Plainfiffs,

vs.

PAUL J. ARRITOLA, Trustee of THE PAUL J. ARRITOLA TRUST dated 7/3/2002, and DREW RONALD HILL,

Defendants.

CASE NO. 0400342 CV

NOTICE OF PENDENCY
OF AN ACTION

- PURSUANT TO ORS 93.740, the undersigned states:
1. As Plaintiffs, Susan E. Fairclo and David P. Fairclo, have filed an action in the Circuit Court of Klamath County, State of Oregon;
 2. The Defendants are Paul J. Arritola, Trustee of The Paul J. Arritola Trust dated 7/3/2002, and Drew Ronald Hill.
 3. The object of the action is suit for partition and sale and breach of contract.
 4. The description of the real property to be affected is:

See the attached Exhibit A.
 5. The Case Number assigned to the above referenced action is: 0400342 CV.

DATED this 30th day of January, 2004.

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 30th day of January, 2004.



Marsha Cobine
NOTARY PUBLIC FOR OREGON

26v cc: Susan Haase

DESCRIPTION

06146

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

All in Township 39 South, Range 10 East of the Willamette Meridian:

Section 2: S $\frac{1}{2}$ S $\frac{1}{2}$ EXCEPTING the North 60 feet lying West of the U. S. Highway 140 and EXCEPTING that portion lying East of the O. C. & E. Railroad.

Section 11: All EXCEPTING that portion lying Northeast of Highway 140 and East of the O. C. & E. Railroad.

Section 12: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Lot 1, N $\frac{1}{2}$ SW $\frac{1}{4}$, and that portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ lying South of a line 200 feet due North of the centerline of Oregon Highway 66 and running parallel to said highway to a point on the South boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ which is 200 feet due North of said centerline.

SAVING AND EXCEPTING that portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 12 more particularly described as follows: Beginning at a point 30 feet South of the Northeast corner of said SW $\frac{1}{4}$; running thence West along the South edge of the county road 810 feet; thence South 24°00' East 263 feet; thence South 38°00' East 310 feet; thence South 49°00' East 335 feet; thence South 75°00' East 273 feet; thence due North 778 feet to the point of beginning.

ALSO SAVING AND EXCEPTING that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 12 more particularly described as follows: Beginning at a point 1120 feet North and 230 feet East of the Southwest corner of said Section 12; running thence East 320 feet to the Westerly line of Highway 140; thence Northerly along the West line of Highway 140; 115 feet; thence West 395 feet; thence South 110 feet to the point of beginning.

ALSO SAVING AND EXCEPTING that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 12 lying North of the Klamath Irrigation District "E" Canal.

Section 13: Lot 1, EXCEPT the East 500 feet thereof, and all of Lots 2, 3, 4 and 5. SAVINGS AND EXCEPTING therefrom that portion conveyed to Klamath County for park purposes, as described in deed recorded March 27, 196; in Volume 344 page 228, Deed records of Klamath County, Oregon.

Section 14: NW $\frac{1}{4}$

SAVING AND EXCEPTING from the above described parcels any portion thereof lying within the right of way of the Klamath Falls-Lakeview Highway and lying within the right of way of the O. C. & E. Railway.

ALSO SAVING AND EXCEPTING portion conveyed to Klamath County for road purposes, as described in Deed recorded March 4, 1955 in Volume 272 page 555, Deed records of Klamath County, Oregon.

ALSO SAVING AND EXCEPTING portion conveyed to United States of America as described in Volume 38 page 308, Deed records of Klamath County, Oregon.

EXHIBIT A