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State of Oregon, County of Klamath
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Linda Smith, County Clerk
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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF KLAMATH

ELIZABETH J. BENNETT and
GERALD F. BENNETT,

Plaintiffs,

vs.

RENA PETERSON, individually, and
RENA PETERSON, Trustee for the Trust
Management Group, which is Trustee for
the Highway 66 Trust, and U.S. TRUST
UNITED, LLC,

Defendants.

Case No. 0401092 CV

NOTICE OF PENDENCY
OF AN ACTION

Pursuant to ORS 93.740, the undersigned states:

1. As defendant, U.S. Trust United, has filed a counterclaim in the Circuit Court for Klamath County, State of Oregon;
2. The plaintiffs are: Elizabeth J. Bennett and Gerald F. Bennett.
3. The object of the action is: Creation of a statutory lien pursuant to ORS 95.270(5)(a) and strict foreclosure of same.

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NOTICE OF PENDENCY OF AN ACTION

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LAW OFFICES OF
DAVIS, GILSTRAP, HEARN, SALADOFF & SMITH
A Professional Corporation
515 EAST MAIN STREET
ASHLAND, OREGON 97520
(541) 482-3111 FAX (541) 488-4455

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

2 See Exhibit "A" attached.

3 DATED this 4th day of November, 2004.

4 DAVIS, HEARN, SALADOFF & SMITH
5 A Professional Corporation

6
7 Jack Davis, OSB #75090
8 Attorney for Defendant U.S. Trust United

9 STATE OF OREGON)
10) ss.
11 County of Jackson)

12 On this 4th day of November, 2004, the foregoing instrument was personally
13 acknowledged before me by Jack Davis, attorney for Defendant U.S. Trust United.



16 Tonya L. Anderson
17 Notary Public for Oregon
18 My Commission Expires: 6/22/07

19 JACK DAVIS, OSB #75090
20 DAVIS, HEARN, SALADOFF & SMITH
21 A Professional Corporation
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Exhibit A

That portion of Government Lot 3 and the SE 1/4 of the NW 1/4 of Section 1, Township 40 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at a 1" iron pipe marking the Northeast corner of the Northwest corner of said Section 1, said point being the Northeast corner of that tract conveyed to Norma Jean Howard by Deed recorded in Book 74, Page 12620, Records of Klamath County, Oregon; thence North 89° 18' 19" West along the North line of said NW 1/4 110.00 feet to a 5/8" iron rod marking the Northeast corner of that tract conveyed to Elizabeth J. Bennett by Deed recorded in Book M-94, Page 5019, Records of Klamath County, Oregon; thence South 00° 07' 22" West along the East line of said Bennett Tract 1276.52 feet to a 5/8" iron rod at the Southeast corner thereof; thence North 89° 19" West along the South line of said Bennett Tract 110.00 feet to the true point of beginning of the tract herein described; thence South 00° 07' 22" West 75.24 feet to a 5/8" iron rod; thence South 30° 11' 15" East 217.91 feet to a 5/8" iron rod on the Northwestern right of way line of State Highway 66; thence Southwesterly along the Northwestern right of way line of State Highway 66 to the Southwest corner of said Howard Tract; thence North along the West line of said Howard Tract to the Southwest corner of said Bennett Tract; thence South 89° 18' 19" East along the South line of said Bennett Tract 110.00 feet, more or less, to the true point of beginning.