

2007-005183

Klamath County, Oregon



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RETURN TO:
Brandsness, Brandsness & Rudd, P.C.
411 Pine Street
Klamath Falls, OR 97601

NOTICE OF PENDENCY OF AN ACTION

IN THE CIRCUIT COURT OF THE STATE OF OREGON
IN AND FOR THE COUNTY OF KLAMATH

TAYLOR A. DAY and LISA I. DAY,)
)
Plaintiffs,)
)
vs.) Case No. 0701073CV
)
10 BEARS AT CHILOQUIN, INC., aka 10)
Bears of Chiloquin, Inc., an Oregon)
corporation; RAPIDS PROPERTIES, INC.,)
a Nevada corporation; and THOMAS A.)
HUNTSBERGER, Bankruptcy Trustee of)
the bankruptcy estate of 10 Bears at)
Chiloquin, Inc.,)
)
Defendants.)

Pursuant to ORS 93.740, the undersigned states:

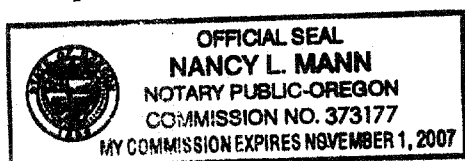
1. Plaintiffs have filed an action in the Circuit Court for Klamath County, State of Oregon;
2. The Defendants are 10 BEARS AT CHILOQUIN, INC., aka 10 Bears of Chiloquin, Inc., an Oregon corporation; RAPIDS PROPERTIES, INC., a Nevada corporation; and THOMAS A. HUNTSBERGER, Bankruptcy Trustee of the bankruptcy estate of 10 Bears at Chiloquin, Inc.;
3. The object of the action is: appointment of a receiver;
4. The description of the real property to be affected is described in the attached Exhibit "A."

BRANDSNESS, BRANDSNESS & RUDD, P.C.

Andrew C. Brandsness
Of Attorneys for Plaintiffs

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared before me this 21 day of March, 2007, the above named Andrew C. Brandsness and acknowledged the foregoing instrument to be his voluntary act and deed.



Notary Public for Oregon
My Commission expires: 11-1-07

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

All of Government Lots 2, 3, 9, 14, 40 and 41 in Section 21, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, lying East of Highway 97 and Northwesterly of the Williamson River.

PARCEL 2:

A part of Lots 33 and 32, Section 16, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, lying East of U.S. Highway Number 97 and being more particularly described as follows:

Beginning at the quarter section corner on the South boundary of Section 16, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon; thence North along the center section line of Section 16 a distance of 1320.0 feet to the Northwest corner of Lot 33, which corner is marked with a 3/4 inch iron pipe; thence East along the North boundary of Lot 33 a distance of 323.30 feet more or less to a point on the Easterly right of way boundary of U.S. Highway Number 97, which point is marked with a 3/4 inch iron pipe; thence South 2° 22' West along said right of way boundary a distance of 333.30 feet to a 3/4 inch iron pipe marking the true point of beginning of this description; thence North 62° 07' East a distance of 395.00 feet to the center of an existing water well; thence continuing North 62° 07' East 234.30 feet to a 3/4 inch iron pipe which bears South 40.00 feet distant from the North boundary of Lot 33; thence East parallel with aforesaid boundary, 454.20 feet to the East boundary of Lot 33; thence South along same, 95.00 feet; thence in Lot 32, East 107.27 feet; thence South 32° 20' East 381.50 feet; thence South 9° 30' West 205.30 feet to a 2 inch iron pipe on the South boundary of Lot 32; thence West along the South boundary of Lots 32 and 33 a distance of 1301.30 feet more or less to the Easterly right of way boundary of U.S. Highway Number 97; thence North 2° 22' East along same, 326.00 feet to the true point of beginning.

Saving and excepting that portion acquired by the State of Oregon in Stipulated Final Judgment filed in Circuit Court Case 90-493CV, and recorded in M-91, page 4868, Records of Klamath County, Oregon.

PARCEL 3:

Government Lots 38 and 39 of Section 16, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, lying East of Highway 97.

Saving and excepting that portion acquired by the State of Oregon in Stipulated Final Judgment filed in Circuit Court Case 90-493CV, and recorded in M-91, page 4868, Records of Klamath County, Oregon.