

2007-019597

Klamath County, Oregon



11/19/2007 09:12:25 AM

Fee: \$26.00

After Recording Return To:

Diane Weisheit
800 Willamette Street, Suite 800
Eugene, OR 97401

NOTICE OF PENDENCY OF AN ACTION

Pursuant to ORS 93.740, the undersigned states:

1. Defendant/Third-Party Plaintiff LibertyBank, a state chartered banking institution, has filed a Cross Claim and Third Party Complaint in the Circuit Court for Klamath County State of Oregon; Case No. 07-03836-CV.

2. The Defendants are: Thomas J. Purtzer aka Thomas John Purtzer; Regina M. Purtzer aka Regina May Purtzer; Pine Flat, LLC; Citi Financial, Inc.; and the Third Party Defendant is Basin Fertilizer & Chemical, Co.

3. The object of the action is suit of foreclosure of trust deed.

4. The real property to be affected is 19314 Highway 140 E, Dairy, Klamath County, Oregon as more particularly described below:

PARCEL 1:

A PARCEL OF LAND LOCATED IN PORTIONS OF SECTIONS 31 AND 32, TOWNSHIP 38 SOUTH, RANGE 11 1/2 EAST OF THE WILLAMETTE MERIDIAN, AND SECTION 5, TOWNSHIP 39 SOUTH, RANGE 11 1/2 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SECTION 32, TOWNSHIP 38 SOUTH, RANGE 11 1/2 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON FROM WHICH POINT THE SOUTHWEST CORNER OF SAID SECTION 32 BEARS SOUTH 0° 39' 08" WEST 173.01 FEET DISTANT; THENCE NORTH 0° 30' 08" EAST 1130.97 FEET TO THE SOUTH 1/16 CORNER COMMON TO SECTIONS 31 AND 32; THENCE NORTH 89° 23' 45" WEST 1324.66 FEET TO THE SOUTHEAST 1/16 CORNER OF SECTION 31; THENCE ALONG THE 1/16 SECTION LINE NORTH 0° 31' 29' EAST 1821.16 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF THE O.C. & E. RAILROAD; THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 89° 51' 30" EAST 1323.97 FEET TO ITS INTERSECTION WITH THE WEST LINE OF SECTION 32; THENCE NORTH 0° 30' 08" EAST 100.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE O.C. & E. RAILROAD; THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 89° 51' 30" EAST 238.48 FEET; THENCE, LEAVING SAID RIGHT OF WAY LINE, NORTH 0° 58' 27" WEST 663.55 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY 140; THENCE ALONG SAID RIGHT OF WAY LINE NORTH 87° 48' 03" EAST 74.28 FEET; THENCE 223.07 FEET ALONG THE ARC OF A 5699.58 FOOT RADIUS CURVE TO THE RIGHT, THE LONG CHORD OF WHICH BEARS NORTH 88° 58' 20" EAST 233.04 FEET; THENCE SOUTH 89° 51' 22" EAST 793.02 FEET; THENCE NORTH 89° 57' 40" EAST 3972.46 FEET TO A POINT ON THE EAST LINE OF SECTION 32; THENCE, LEAVING SAID HIGHWAY RIGHT OF WAY LINE, SOUTH 0° 38' 57" WEST ALONG THE EAST LINE OF SECTION 32 3388.87 FEET TO A POINT; THENCE, ALONG AN EXISTING FENCE LINE, SOUTH 79° 47' 33" WEST 451.44 FEET; THENCE SOUTH 69° 53' 43" WEST 797.73 FEET; THENCE SOUTH 40° 15' 25" WEST 236.92 FEET; THENCE SOUTH 5° 08' 47" WEST 253.49 FEET TO A POINT IN AN EXISTING FENCE LINE; THENCE, ALONG SAID FENCE LINE, SOUTH 22° 34' 24" WEST 384.64 FEET; THENCE SOUTH 51° 14' 35" WEST 528.50 FEET; THENCE SOUTH 74° 03' 10" WEST 284.95 FEET; THENCE NORTH 76° 10' 34" WEST 256.59 FEET; THENCE NORTH 52° 15' 26" WEST 201.63 FEET; THENCE NORTH 84° 32' 50" WEST 574.37 FEET; THENCE LEAVING SAID FENCE LINE, NORTH 50° 17' 38" WEST 319.51 FEET; THENCE NORTH 77° 13' 10" WEST 222.13 FEET; THENCE SOUTH 87° 22' 56" WEST 173.85 FEET TO A POINT IN A NORTH-SOUTH FENCE LINE; THENCE ALONG SAID NORTH-SOUTH FENCE LINE, NORTH 0° 16' 05" EAST 711.54 FEET TO THE CENTER OF AN EAST-WEST DITCH; THENCE ALONG THE CENTER LINE OF SAID DITCH AND THE WESTERLY EXTENSION THEREOF, NORTH 89° 34' 20" WEST 1472.26 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE RIGHT OF WAY OF THE O.C. & E. RAILROAD.

PARCEL 2:

A PORTION OF SECTION 32, TOWNSHIP 38 SOUTH, RANGE 11 1/2 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SECTION 32 AT ITS INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF THE O.C. & RAILROAD, FROM WHICH POINT THE 1/4 CORNER TO SECTIONS 31 AND 32 BEARS SOUTH 0° 30' 08" WEST, 627.87 FEET DISTANT; THENCE ALONG THE SECTION LINE NORTH 0° 30' 08" EAST 654.38 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 140; THENCE ALONG SAID RIGHT OF WAY LINE NORTH 87° 48' 03" EAST 221.63 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE SOUTH 0° 58' 27" EAST 663.55 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF OF THE O.C. & E. RAILROAD; THENCE ALONG THE SAID RIGHT OF WAY NORTH 89° 51' 30" WEST 238.48 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

THAT PORTION OF THE SOUTHEAST QUARTER OF NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 38 SOUTH, RANGE 11 1/2 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF SAID SECTION 32 WITH THE NORTHERLY LINE OF GRANTOR'S 100 FOOT RAILROAD RIGHT OF WAY ("NORTHERLY RIGHT OF WAY LINE"); THENCE RUN NORTHERLY ALONG THE EAST LINE OF SAID SECTION 32 A DISTANCE OF 25 FEET TO THE TRUE POINT OF BEGINNING; THENCE RUN WESTERLY ALONG A LINE THAT IS 25 FEET NORTHERLY OF, AND PARALLEL WITH, SAID NORTHERLY RIGHT OF WAY LINE A DISTANCE OF 526 FEET; THENCE RUN NORTHERLY, AT RIGHT ANGLES TO SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 150 FEET; THENCE RUN EASTERLY, PARALLEL WITH SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 466 FEET, MORE OR LESS, TO A POINT 60 FEET WESTERLY OF SAID EAST LINE OF SAID FEET, MORE OR LESS, TO THE SOUTHERLY RIGHT OF WAY LINE OF THE KLAMATH FALLSLAKEVIEW HIGHWAY; THENCE RUN EASTERLY ALONG SAID SOUTHERLY HIGHWAY RIGHT OF WAY LINE TO THE EAST LINE OF SAID SECTION 32; THENCE RUN SOUTHERLY ALONG SAID EAST LINE OF SAID SECTION 32 TO THE TRUE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

PARCEL 4:

THE EAST HALF OF THE NORTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 38 SOUTH, RANGE 11 1/2 OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

Tax Parcel Number: R26572, R872885, R483952, R811170 and R483881

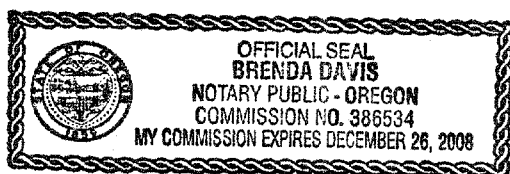
DATED: November 13, 2007.




Diane Weisheit, OSB #04445
Attorney for Plaintiff
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541-484-0188

STATE OF OREGON, County of Lane) ss.

The foregoing instrument was acknowledged before me this 13th day of November, 2007 by Diane Weisheit.




Notary Public for Oregon
My Commission Expires: 12-26-08