WHEN RECORDED MAIL TO:

Cal-Western Reconveyance Corporation P.O. Box 22004 525 East Main Street El Cajon, CA 92022-9004 2008-000664 Klamath County, Oregon



01/15/2008 03:38:19 PM

Fee: \$76.00

T.S. NO.:	1116095-13
LOAN NO.:	0000607286

ATE: 65204

# AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA COUNTY OF SAN DIEGO }SS -}

Clifton McBride being first duly sworn, depose, say and certify	
Clifton McBride being first duly sworn, depose, say and certify	41
Chiton Webride being hist duty sworn, depose, say and correspond	mai
Cilitur McDitae	LI IM C
1)	

At all times hereinafter mentioned I was and now am a resident of the State of California, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached Notice of Sale given under the terms of that certain trust deed described in said notice.

I gave notice of the sale of the real property described in the attached Notice of Sale by mailing a copy thereof by registered or certified mail and regular mail to each of the following named persons at their last known address, to-wit:

#### SEE ATTACHED

Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice, and any persons requesting notice as provided in ORS 86.785, and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed was certified to be a true copy of the original notice of sale by BETH L JOHNSON, for CAL-WESTERN RECONVEYANCE CORPORATION, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States mail in San Diego County, California, on October 22, 2007. Each of said notices was mailed after the Notice of Default and Election to Sell described in said Notice of Sale was recorded and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale.

Clyton MEBude

STATE OF CALIFORNIA COUNTY OF SAN DIEGO

SUBSCRIBED AND SWORN to me this \_\_\_\_\_

day of \_

DCT 2 4 2007

, 20

Notary Public

DAVID NEAL COMM. #1695606 NOTARY PUBLIC • CALIFORNIA & SAN DIEGO COUNTY Commission Expires Sept. 24, 2010

/R-1116095-13-030-D=N-P=1-10221518-0008-20071022-154527-ANOSOR

Rev. 05/13/04

Loan No: XXXXXX7286 T.S. No: 1116095-13

Reference is made to that certain deed made by

\* CELIA D. HARD, AN UNMARRIED PERSON

as Grantor to \* Cecil O. Hard
AMERITITLE, as Trustee, in favor of

MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC. as Beneficiary,

dated May 26, 2005, recorded May 31, 2005, in official records of KLAMATH County, OREGON in book/reel/volume No. M05 at page No. 40186, fee/file/instrument/microfilm/reception No. XX covering the following described real

property situated in the said County and State, to-wit: A TRACT OF LAND SITUATED IN THE W1/2 OF THE SE1/4 OF SECTION 17, TOWNSHIP 39 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON,

MORE PARTICULARLY MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT A.

Commonly known as:

5975 REEDER ROAD KLAMATH FAL OR 97603

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes: the default for which the foreclosure is made is the grantor's: Failure to pay the monthly payment due June 1, 2007 of principal, interest and impounds and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust.

Monthly payment \$1,052.14 Monthly Late Charge \$42.09

By this reason of said default the beneficiary has declared all obligations secured by said deed of trust immediately due and payable, said sums being following, to-wit; The sum of \$206,193.48 together with interest thereon at the rate of 6.700% per annum, from May 01, 2007 until paid; plus all accrued late charges thereon; and all trustee's fees, foreclosure costs and any sums advance by the beneficiary pursuant to the terms and conditions of the said deed of trust.

Page 1 of 2

Loan No: XXXXXX7286 T.S. No: 1116095-13

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on February 01, 2008 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at

AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY COURTHOUSE 316 MAIN STREET

obligation or trust deed, at any time prior to five days before the date last set for sale.

City of KLAMATH FALLS, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expense of sale, including a reasonable charge by the trustee. Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" includes their respective successors in interest, if any.

Dated: September 26, 2007

CAL-WESTERN RECONVEYANCE CORPORATION 525 EAST MAIN STREET P.O. BOX 22004 EL CAJON CA 92022-9004

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By:

Bethanne L. Johnson

NOSOR.DOC

REV. 04/07/2006

Page 2 of 2

A tract of land situated in the W1/2 of the SE1/4 of Section 17, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the West line of the SE1/4 of said Section 17 which is North 00 degrees 07 58" East 830.00 feet from a brass cap monument marking the S1/4 corner of said Section 17; thence South 89 degrees 52' 02" East 30.00 feet to a 5/8 inch iron pin; thence continuing South 89 degrees 52' 02" East 1272.70 feet to a 5/8 inch iron pin; thence continuing South 89 degrees 52' 02" East 30.00 feet to the East line of the W1/2 of the SE1/4 of said Section 17; thence North 00 ° 07' 21" East along said East line 260.00 feet; thence North 89 degrees 52' 02" West 30.00 feet to a 5/8 inch iron pin; thence continuing North 89 degrees 52' 02" West 1272.65 feet to a 5/8 inch iron pin; thence continuing North 89 degrees 52' 02" West 30.00 feet to the West line of the SE1/4 of said Section 17; thence South 00 degrees 07' 58" West 260.00 feet to the point of beginning.

EXCEPTING THEREFROM a parcel of land situated in the W1/2 of the SE1/4 of Section 17 Township 39 South, Range 10 East of the Williamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8" from pin on the Easterly right of way line at that certain road known as Reeder Road, from which the S1/4 corner of said Section 17 bears the following two bearings and distances: North 89 degrees 52' 02" West 30.00 feet, South 00 degrees 07' 58" West 830.00 feet; thence from said point of beginning South 89 degrees 52' 02" East 624.69 feet to a 5/8" iron pin, thence North 00 degrees 44' 18" East 260.02 feet to a 5/8" iron pin, thence North 89 degrees 52' 02" West 627.43 feet to a 5/8" iron pin on the Easterly right of way line of said Reeder Road, thence South 00 degrees 07' 58" West along the Easterly right of way of said Reeder Road, 260.00 feet to the point of beginning.

Account No.:

3910-01700-02300-000

Key No.:

597606

CalWestern Reconveyance 525 E Main El Cajon CA 92020 Sender: 10/23/2007 9:58:08 PM

First Class Postal Class:

Affidavit Attachment: 1116095-13 030 10221518 CWR Type of Mailing: NOS

Postal Number Sequence Recipient Name 11041994141007530615

11041994141007530622 2

CECIL D HARD

OCCUPANT 11041994141007530639 3

THE BANK OF NEW YORK AS TRUSTEE FOR

SHELLY RENEE HARD

11041994141007530646

STATE OF OREGON/OREGON DEPT OF JUSTICE-

11041994141007530653 5

MERS, INC. 11041994141007530660 6 PRENTISS K. PUCKETT

11041994141007530677 7

5975 REEDER ROAD

Address Line 1/3

5975 REEDER ROAD

KLAMATH FALLS OR 97603

KLAMATH FAL OR 97603

Address Line 2/4

EQUITY ONE INC. MORTGAGE/PASS ALTOONA PA 16602

**4015 EZELL AVENUE** 

1495 EDGEWAER STREET N.W. SUITE 170

KLAMATH FALLS OR 97603

1017 LOGAN BLVD.

DIVISION OF CHILD SUPPORT SALEM OR 97304

P.O. BOX 2028

ATTORNEY AT LAW MERRILL OR 97633

FLINT MI 48501-2066

P.O. BOX 15

10/23/2007 9:58:09 PM Senv Postal Class: Certified - Ret	Sender: CalWestern Reconveyance 525 E Main El Cajon CA 92020		
Type of Mailing: NOS			
Affidavit Attachment: 11160	Affidavit Attachment: 1116095-13 030 10221518 CWR		
Postal Number Sequence Recipient Name	e Recipient Name	Address Line 1/3	Address Line 2/4
71041994141010284705 1	CECIL D HARD	5975 REEDER ROAD	KLAMATH FAL OR 97603
71041994141010284712 2	OCCUPANT	5975 REEDER ROAD	KLAMATH FALLS OR 97603
71041994141010284729 3	THE BANK OF NEW YORK AS TRUSTEE FOR	EQUITY ONE INC. MORTGAGE/PASS ALTOONA PA 16602	1017 LOGAN BLVD.
71041994141010284736 4	SHELLY RENEE HARD	4015 EZELL AVENUE	KLAMATH FALLS OR 97603
71041994141010284743 5	STATE OF OREGON/OREGON DEPT OF JUSTICE-	DIVISION OF CHILD SUPPORT SALEM OR 97304	1495 EDGEWAER STREET N.W. SUITE 170
71041994141010284750 6	MERS, INC.	P.O. BOX 2028	FLINT MI 48501-2066
71041994141010284767 7	PRENTISS K. PUCKETT	ATTORNEY AT LAW MERRILL OR 97633	P.O. BOX 15

## Affidavit of Publication

# STATE OF OREGON, COUNTY OF KLAMATH

I, Jeanine P. Day, Business Manager, being first duly sworn, depose and say that I am the principal clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state; that I know from my personal knowledge that the

Legal # 9645 Notice of Sale/Ge	<del>lia D. Hard</del>	Cecil (	D. Hard
a printed copy of was published in newspaper for:	the entire is	reto annexe ssue of said	ed, 1
Constitution of the contract of the constitution of the contract of the contra	Four		
Insertion(s) in the	he following	issues:	
October 26, Nov	vember 2, 9	, 16, 2007	
Total Cost:	\$1,001.6	<u> </u>	
Veenin	i PA		
Supscribed and	sworn by <i>ld</i> ea	anine P Day	
before me on:	Nov	ember 16,	2007
Wha Notary Public of	a GI	rbble	
My commission	expires Ma	rch 15, 20	800
MY COMM	OFFICIAL S DEBRA A. G NOTARY PUBLIC COMMISSION NO ISSION EXPIRES M	RIBBLE OREGON	

TRUSTEE'S NOTICE OF SALE Loan No: xxxxxx7286 T.S. No.: 1116095-13

Reference is made that certain deed made by Celia D Hard, An Unmarried Person, as Amerittile, as Trustee, in favor of Mortgage Electronic Registration System, Inc., as Beneticiary, dated May 26, 2005, recorded May 31, 2005, in official records of Klamath, Oregon In book/reel/volume No. m05 at page No. 40186, fee/file/instrument/microfilm/reception No. xx covering the following described real property situated in said County and State, to-wit: A tract of land situated in the w1/2 of the sel/4 of section 17, formship 39 south, range 10 east of the Williamette to fire Idlan, Klamath County, Oregon, more particularly described as follows. Beginning at a point on the West line of the SE of said Section 17, which is North 0 deg, 7, 58" East 830 feet from a brass cap monument marking the S\_corner of said Section 17, thence South 89 deg, 52', 02" East 30 feet from a brass cap monument marking the S\_corner of said Section 17, thence South 89 deg, 52', 02" East 30 feet from a brass cap monument marking the S\_corner of said Section 17, thence South 89 deg, 52', 02" East 30 feet for a 5/8 inch iron pin, thence continuing South 89 deg, 52', 02" East 30 feet for a 5/8 inch iron pin, thence continuing South 89 deg, 52', 02" East 30 feet for a 5/8 inch iron pin, thence continuing South 89 deg, 52', 02" East along south 89 deg, 52', 02" East 30 feet for the East line of the W\_of the SE1/4 opt said Section 17; thence North 0 deg 7', 21 East along said East line 20 feet, thence North 89 deg, 52' 02" West 30 feet for a 5/8 inch iron pin thence North 89 deg, 52' 02" West 30 feet for a 5/8 inch iron pin thence North 89 deg, 52' 02" West 30 feet for a 5/8 inch iron pin thence North 89 deg, 52' 02" West 30 feet for a 5/8 inch iron pin thence North 89 deg, 52' 02" west 30 feet for a 5/8 inch iron pin thence North 89 deg, 52' 02" west 30 feet for a 5/8 inch iron pin thence North 89 deg, 52' 02" west 30 feet for a 5/8 inch iron pin thence North 89 deg, 52' 02" west 30 feet for a 5/8 inch iron pin thence North 89 deg, 52' 02" west 30 feet for a 5/8 inch ir 30 feet to a 5/8 inch iron pin; thence continuing North 89 deg, 52'm 02 West 30 feet to the West line of the SE of said Section 17; thence South 0 deg, 07', 58" West 260 feet to the point of beginning.

Excepting therefrom a parcel of land situated in the W of the SE of Section 17, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at a 5/8" iron pin on the Easterly right of way line at that certain road known as Reeder Rd, from which the S corner of said Section 17 dears the following two bearings and distances: North 89 deg, 52', 02" West 30 feet; South 0 deg, 07', 58" West 830 feet; thence from said point of begging South 89 deg, 52', 02 East 624.69 feet to a 5/8" iron pin, thence North 0 deg, 44', 18" East 260.02 feet to a 5/8 iron pin, thence North 89 deg, 52', 02" West 627, 43 feet to a 5/8 iron pin, thence North 89 deg, 52', 02" West 627, 43 feet to a 5/8 iron pin on the Easterly right of way line of said Reeder Rd, thence South 9 deg, 07', 58" West along the Easterly right of way of said Reeder Rd, 260 feet to the point of beginning. Commonly known as: 5975 Reeder Road, Klamath Falls, OR 97603.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said trust deed and notice has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes: the default for which the fore closure is made is the grantor's: Failure to pay the monthly payment due June 1, 2007 of principal, interest and impounds and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust Monthly payment \$1,052.14 Monthly Late Charge \$42.09.

By this reason of said default the beneficiary has declared all obligations secured by said Deed of Trust immediately due and payable, said sums being the followers.

sums being the tollowing, to-wit; The
sum of \$206,193,48
together with interest thereon at
6.700% per annum
from May 01, 2007
until paid; plus all
accrued late charges thereon; and all
trustee's fees, foreclosure costs and
any sums advance
by the beneficiary
pursuant to the
terms and conditions of the said
deed of trust.

Whereof, notice hereby is given that, Cal-Western Reconveyance Corporation the undersigned trustee will on February 01, 2008 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, At the main street entrance to Klamath county courthouse 316 Main Street City of Klamath Falls, County of Klamath, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expense of sale, including a reasonable charge by the trustee. Notice is

Page 1

further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

Main Street, P.O. Box 22004, El Cajon, Ca 92022-9004. Cal-Western Reconveyance Corporation Signature/By: Bethanne Johnson. R. 152862 10/26/07, 11/09/07, 11/16/07. #9645 October 26, November 2, 9, 16, 2007.

last set for sale.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "grantor" includes any successor in interest to the grantor as well as any other persons owing an obligation, the performance of which is secured by said trust deed, the words "trustee" and "beneficiary" includes their respective successors in interest, if any.

Dated: September 26, 2007. Cal-Western Reconveyance Corporation, 525 East

PAGE 02

Klamath County, Oregon
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC, beneficiary
CELIA D HARD, grantor
CAL-WESTERN RECONVEYANCE CORP, trustee/successor trustee
TS # 1116095-13
REF # 152862

# AFFIDAVIT OF SERVICE

I hereby certify that I am a competent person 18 years of age or older and meet the requirements in the state of service, am not the beneficiary of the trustee named in the original trustee's Notice of Sale, nor the successor of either, nor an officer, director, employee of or attorney for the beneficiary or trustee, or successor of either, I further certify that service was made of the foregoing TRUSTEE'S NOTICE OF SALE upon the corporate or otherwise. OCCUPANTS at 5975 REEDER RD, KLAMATH FALLS, OR 97603, by delivering or leaving true copies of said documents, as follows: , by delivering PERSONAL SERVICE: Upon Cecil Hard such true copy to him/her personally and in person, on October 03, 2007, at 5:53 P.M. \_\_\_\_\_, by delivering such SUBSTITUTED SERVICE: Upon true copy to his/her dwelling house or usual place of abode, to \_\_\_\_\_ who is a person over the age of 14 years and a member of the household of the person served \_\_\_\_\_, at \_\_\_\_\_,M. on\_\_\_\_, the property was found to be unoccupied. NON-OCCUPANCY: On\_ MARGARET A NIELSEN ROBERT W. BOLENBAUGH NOTARY PUBLIC - OREGON COMMISSION NO. 377801 MY COMMISSION EXPIRES AFFIL 12,2008 (print name) JEFFERSON STATE ADJUSTERS STATE OF OREGON, County of

CLIENT: RELIABLE POSTING & PUBLISHING REF # 152862 IPS# 41689

Signed and affirmed before me on

NOTARY PUBLIC - OREGOI

INTERSTATE PROCESS SERVING, INC.\* PO Box 156, Beaverton OR 97075 \* 503/452-7179 members of

Oregon Association of Process Servers National Association of Professional Process Servers Washington State Process Servers Association

152862

Loan No: XXXXXX7286 T.S. No: 1116095-13

Whereof, notice hereby is given that, CAL-WESTERN RECONVEYANCE CORPORATION the undersigned trustee will on February 01, 2008 at the hour of 1:00pm, Standard of Time, as established by Section 187.110, Oregon Revised Statutes, at

AT THE MAIN STREET ENTRANCE TO KLAMATH COUNTY COURTHOUSE 316 MAIN STREET

City of KLAMATH FALLS, County of KLAMATH, State of Oregon, sell at public auction to the highest bidder for cash the interest in the said described real property which grantor had or had power to convey at the time of the execution by him of the said trust deed, together with any interest which the grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations thereby secured and the costs and expense of sale, including a reasonable charge by the trustee. Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right to have the foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of said principal as would not then be due had no default occurred), together with the costs, trustee's and attorney's fees and curing any other default complained of in the Notice of Default by tendering the performance required under the obligation or trust deed, at any time prior to five days before the date last set for sale.

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Dated: September 26, 2007

CAL-WESTERN RECONVEYANCE CORPORATION 525 EAST MAIN STREET P.O. BOX 22004 EL CAJON CA 92022-9004

CAL-WESTERN RECONVEYANCE CORPORATION

Signature/By:

Bethanne L. Johnson

Page 2 of 2

Loan No: XXXXXX7286 T.S. No: 1116095-13

Reference is made to that certain deed made by

★ CELIA D. HARD, AN UNMARRIED PERSON

as Grantor to \* Cecil D. Hard

AMERITITLE, as Trustee, in favor of

MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC. as Beneficiary,

dated May 26, 2005, recorded May 31, 2005, in official records of KLAMATH County, OREGON in book/reel/volume No. M05 at

page No. 40186, fee/file/instrument/microfilm/reception No. XX covering the following described real property situated in the said County and State, to-wit:

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Commonly known as:

5975 REEDER ROAD KLAMATH FAL OR 97603

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Monthly payment \$1,052.14 Monthly Late Charge \$42.09

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NOSOR.DOC

REV. 04/07/2006

Page 1 of 2

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Beginning at a point on the West line of the SE1/4 of said Section 17 which is North 00 degrees 07' 58" Bast 830.00 feet from a brass cap monument marking the S1/4 corner of said Section 17; thence South 89 degrees 52' 02" East 30.00 feet to a 5/8 inch iron pin; thence continuing South 89 degrees 52' 02" East 1272.70 feet to a 5/8 inch iron pin; thence continuing South 89 degrees 52' 02" East 30.00 feet to the East line of the W1/2 of the SE1/4 of said Section 17; thence North 00 ° 07' 21" East along said East line 260.00 feet; thence North 89 degrees 52' 02" West 30.00 feet to a 5/8 inch iron pin; thence continuing North 89 degrees 52' 02" West 1272.65 feet to a 5/8 inch iron pin; thence continuing North 89 degrees 52' 02" West 30.00 feet to the West line of the SE1/4 of said Section 17; thence South 00 degrees 07' 58" West 260.00 feet to the point of beginning.

EXCEPTING THEREFROM a parcel of land situated in the W1/2 of the SE1/4 of Section 17 Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8" from pin on the Easterly right of way line at that certain road known as Reeder Road, from which the S1/4 corner of said Section 17 bears the following two bearings and distances: North 89 degrees 52' 02" West 30.00 feet, South 00 degrees 07' 58" West 830.00 feet; thence from said point of beginning South 89 degrees 52' 02" East 624.69 feet to a 5/8" iron pin, thence North 00 degrees 44' 18" East 260.02 feet to a 5/8" iron pin, thence North 89 degrees 52' 02" West 627.43 feet to a 5/8" iron pin on the Easterly right of way line of said Reeder Road, thence South 00 degrees 07' 58" West along the Easterly right of way of said Reeder Road, 260.00 feet to the point of beginning.

Account No.:

3910-01700-02300-000

Key No.:

597606