

2008-006173

Klamath County, Oregon



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04/29/2008 10:58:35 AM

Fee: \$21.00

After Recording Return To:

Joseph E. Kellerman

Hornecker, Cowling,

Hassen & Heysell, L.L.P.

717 Murphy Road

Medford, OR 97504

**NOTICE OF PENDENCY OF AN ACTION**

Pursuant to ORS 93.740, the undersigned states:

1. As plaintiff Klamath Limited Partnership has filed an action in the Circuit Court for Klamath County, State of Oregon.
2. The defendants are Industrial Property Group, LLC, Carreen R. Powless, Aaron Powless, Garrett Powless and Industrial Property Group, LLC, an Oregon limited liability company, 1305 Main, LLC, Harry Mauch, Don Downing, individually and dba The Bargain Outlet and Muhlheim Boyd, LLP dba Muhlheim Boyd.
3. The object of the action is foreclosure, constructive trust, and injunction.
4. The description of the real property to be affected is:

LOTS 1 THROUGH 26, INCLUSIVE, BLOCK 7, SECOND HOT SPRINGS ADDITION TO THE CITY OF KLAMATH FALLS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

EXCEPTING THEREFROM THE EASTERLY 10 FEET OF LOTS 1, 2, 3 AND 4 AS CONVEYED TO THE CITY OF KLAMATH FALLS BY DEEDS RECORDED NOVEMBER 17, 1948 IN VOLUME 226, PAGES 431 AND 433 RESPECTIVELY.

TOGETHER WITH THE VACATED ALLEY WHICH INURED THERETO BY OPERATION OF LAW.

DATED this 23<sup>rd</sup> day of April, 2008.

HORNECKER, COWLING,  
HASSEN & HEYSELL, L.L.P.

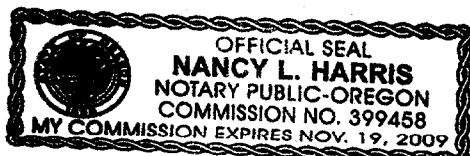
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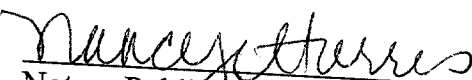
Joseph E. Kellerman, OSB #92199  
Of Attorneys for Plaintiff

Name: Joseph E. Kellerman  
Hornecker, Cowling, Hassen & Heysell, L.L.P.  
717 Murphy Road  
Medford, OR 97504

STATE OF OREGON            )  
                                          ) ss.  
County of Jackson         )

The foregoing instrument was acknowledged by Joseph E. Kellerman before me this 23<sup>rd</sup> day of April, 2008.



  
Notary Public for Oregon  
My Commission expires: 11-19-2009