

2008-007131

Klamath County, Oregon



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05/14/2008 09:53:04 AM

Fee: \$31.00


AFTER RECORDING, RETURN TO:

Edwin C. Perry  
Tonkon Torp LLP  
1600 Pioneer Tower  
888 SW Fifth Avenue  
Portland, OR 97204-2099

**Partial Release of Lis Pendens**  
(Without Dismissal of Pending Action)

Klamath Properties, LLC, through its undersigned attorney of record, as a defendant in the Klamath County Circuit Court Action entitled *JBO Properties, LLC v. Klamath Properties, LLC and Klamath Development, LLC*, Case No. 07-02934-CV (the "Action"), hereby releases that certain real property located in Klamath County, Oregon and more particularly described on Exhibit A attached hereto, from the lien of that certain Notice of Pendency of An Action recorded in the records of Klamath County, Oregon on November 2, 2007, at Document No. 2007-018806 (the "Notice"). The foregoing release (i) does not release the balance of the real property subject to the Notice from the lien of the Notice, and (ii) is given without dismissal of the Action.

DATED this 9 day of May, 2008.

  
\_\_\_\_\_  
Edward P. Fitch  
Bryant Emerson & Fitch  
Of Attorneys for Defendants

STATE OF OREGON           )  
  ) ss.  
County of Klamath        )

On May 9, 2008 before me, E. Mary C. Martin,  
personally appeared Edward P. Fitch, personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is subscribed to the within instrument and  
acknowledged to me that he executed the same in his authorized capacity,

and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal,



*Mary C. Mattive*  
\_\_\_\_\_  
Signature of Notary

## **EXHIBIT A**

### **PARCEL 2**

Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

The NW1/4SE1/4 and the NE1/4SE1/4 of said Section, Township and Range, Klamath County, Oregon, SAVING AND EXCEPTING therefrom that portion thereof more particularly described as follows: Beginning at a point on the line between Section 16 and 17 of said township and range, which point is 660 feet North of the corner common to Sections 16, 17, 20 and 21 of said township and range; thence Westerly along a line parallel to the South line of said Section 17 a distance of 1634.0 feet; thence at right angles North a distance of 660 feet; thence at right angles East and parallel to the South line of said Section 17 a distance of 990 feet; thence at right angles North a distance of 330 feet; thence East at right angles and parallel to the South line of said Section 17 a distance of 644 feet, more or less, to the East line of said Section 17; thence South along the East line of Section 17 a distance of 990 feet, more or less, to the point of beginning.

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