

2009-002656

Klamath County, Oregon



00061253200900026560050051

02/23/2009 10:00:20 AM

Fee: \$41.00

1 After recording return to:

2 Michael J. Mayerle, Esq.  
3 Foster Pepper LLP  
4 601 SW 2<sup>nd</sup> Ave., Suite 1800  
5 Portland, OR 97204  
6  
7  
8

9 IN THE ARBITRATION SERVICE OF PORTLAND, INC.

10 DAVE GENTRY and ADAM  
11 RUTHERFORD,

Claimants,

12 vs.

13 SCOTT JOHNSTON,

14 Respondent.

ASP No. 081226-2

NOTICE OF PENDENCY OF AN  
ACTION

15 Pursuant to ORS 93.740, the undersigned states:

16 1. As claimants, Dave Gentry, an individual, and Adam Rutherford, an  
17 individual, have filed an action with the Arbitration Service of Portland (ASP No. 081226-2).

18 2. The respondent is Scott Johnston, an individual.

19 3. The object of the action is to determine the rights and obligations of the  
20 parties pursuant to an Agreement to Secure Entitlements for Subdivision of Real Estate,  
21 including each party's interest in, and title to, the real property that is the subject of the  
22 action.  
23

24 ///

25 ///

1           4.     The description of the real property to be affected is:

2                   a.   Commonly known as: 13619 Hwy 66, Klamath Falls, OR 97601

3                   b.   Legal description is attached hereto as EXHIBIT A.

4           DATED this 16th day of February, 2009.

5  
6                                   FOSTER PEPPER LLP

7  
8                                   Richard L. Baum, OSB # 980327  
9                                   E-mail: baumr@fosterpdx.com  
10                                  Michael J. Mayerle, OSB #03390  
11                                  E-mail: mayem@fosterpdx.com  
12                                  Of Attorneys for Claimants

13       STATE OF OREGON       )

14       County of Multnomah    )

14                                  )   ss.

15  
16           This instrument was acknowledged before me on the 16th day of February, 2009 by  
17       Michael J. Mayerle, attorney for Claimants.



18                                  Notary Public for Oregon

19                                  My Commission Expires: May 2, 2012

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

PARCEL 1:

W1/2 SW1/4 Section 29, all that portion of the NW1/4 Section 32 lying Northerly and Westerly of the Greensprings Highway and Westerly of that parcel of land conveyed by Ralph A. Johnston et ux to Erwin Heim et ux by deed recorded on page 214 of Volume 245 of Deeds, records of Klamath County, Oregon, ALSO all that portion of SE1/4 SW1/4 Section 29 lying Westerly of said parcel conveyed to Heims; all in Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

ALSO the following described portion of NW1/4 SW1/4 Section 32, described as follows:

Beginning at the 1/4 section corner of the West line of said Section 32; thence South along the Section line 870 feet; thence East 879 feet, more or less, to the West line of the State Highway; thence Northerly along said line of Highway to a point which is 1100 feet East and 206 feet south of said 1/4 section corner, thence North 206 feet to the North line of said NW1/4SW1/4; thence West along said line 1100 feet to the said 1/4 section corner.

EXCEPTING THEREFROM those portions of Sections 29 and 32 conveyed to the United States of America for canals and laterals by deed recorded December 24, 1907 in Volume 23, page 410, Deed Records of Klamath County, Oregon.

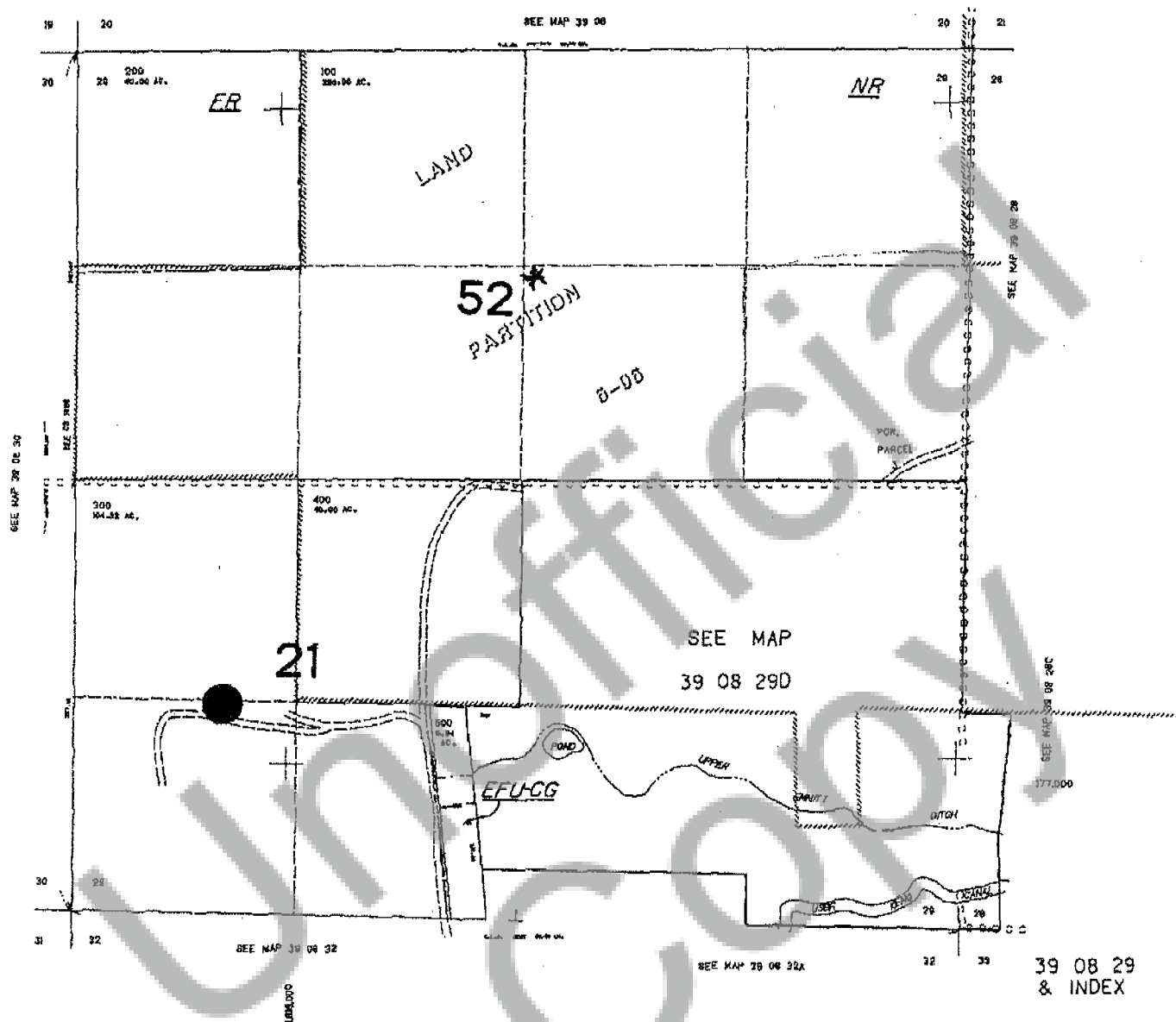
Tax Account No:	3908-02900-00300-000	Key No:	498839
Tax Account No:	3908-03200-00100-000	Key No:	501674
Tax Account No:	3908-03200-00100-000	Key No:	579859

THIS SKETCH IS MADE SOLELY FOR THE  
PURPOSE OF ASSISTING IN LOCATING  
CERTAIN PREMISES AND NO LIABILITY IS  
ASSUMED FOR VARIATIONS IF ANY, IN  
DIMENSIONS AND LOCATIONS ASCERTAINED  
BY ACTUAL SURVEY

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

## 1502

39 08 29  
& INDEX



# AmeriTitle

THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING CERTAIN PREMISES AND NO LIABILITY IS ASSUMED FOR VARIATIONS IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY A.C. SURVEY.