

2009-011611

Klamath County, Oregon

After Recording Return To:

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



00071854200900116110020027

08/31/2009 09:07:00 AM

Fee: \$26.00

NOTICE OF PENDENCY OF AN ACTION

Pursuant to ORS 93.740, the undersigned states:

1. As plaintiff PremierWest Bank has filed an action in the Circuit Court for Klamath County, State of Oregon.
2. The defendants are United Mortgage Acceptance Corporation, an Oregon corporation; Brandon Bowers; and Sylvia Cook.
3. The object of the action is suit on promissory note and foreclosure.
4. The description of the real property to be affected is:

SEE ATTACHED EXHIBIT "A"

DATED this 26<sup>th</sup> day of August, 2009.

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

By:

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 26<sup>th</sup> day of August, 2009.



Nancy L. Harris  
Notary Public for Oregon

My Commission expires: 11-19-2009

**PARCEL 1:**

Beginning at a point 264 feet East of an iron pin driven into the ground near the SW 1/4 of the NW 1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, on the property of Otis V. Saylor, which pin is 30 feet East of the center of a road intersecting the Dalles-California Highway from the North, and is also 30 feet North of the center of said Highway; thence North 330 feet; thence East 66 feet; thence South 330 feet; thence West 66 feet to the place of beginning.

**LESS** the following described Parcel:

A parcel of land lying in the SE 1/4 of the NW 1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being a portion of that property described in that deed to Benjamin D. and Sylvia C. Malong, recorded in Volume 235, Page 141, Deed Records of Klamath County, Oregon; thence said parcel being that portion of said property included in a strip of land 40 feet in width, lying on the Northerly side of the centerline of the Klamath Falls-Lakeview Highway as said highway has been relocated which centerline is described as follows:

Beginning at Engineer's centerline Station 125+80, said Station being 0.69 feet North and 315.00 feet West of the West quarter corner of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence South 89° 52' 30" East, 676.19 feet; thence on a spiral curve right (the long chord of which bears South 37° 10' East) 500 feet; thence on a 1762.95 foot radius curve right (the long chord of which bears South 67° 59' 30" East) 346.67 feet; thence on a spiral curve right (the long chord which bears South 45° 49' East) 500 feet to Engineer's centerline Station 150+22.26 back equals 150+21.50 ahead. The Northerly line of said strip of land crosses the West and East line of said property approximately opposite Engineer's centerline Stations 131+10 and 131+80, respectively.

**ALSO** the following described real property in Klamath County, Oregon:

A portion of the SW 1/4 of the NW 1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, as follows:

Beginning at a point 330 feet East of an iron pin driven in the ground just outside the fence corner at the SW 1/4 of the NW 1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, on the property of Otis V. Saylor being the Southwest corner of said property abutting on the Dalles-California Highway, running thence North 330 feet; thence East 132 feet; thence South 330 feet; thence West 132 feet to the place of beginning.

**EXCEPTING** that portion conveyed to the State of Oregon by instruments recorded August 13, 1964 in Deed Volumes 335, Page 285 and 355, Page 287, Deed Records of Klamath County, Oregon.

CODE 043 MAP 3909-001BC TL 83600 KEY #507534

**PARCEL 2:**

That portion lying in the SW 1/4 NW 1/4 Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, More particularly described as follows:

Beginning at a point 528 feet East of an iron pin driven into the ground just inside the fence corner at the Southwest corner of the NW 1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, on the property of Otis V. Saylor being the Southwest corner of said property abutting on the Dalles-California Highway; thence North 330 feet; thence East 132 feet; thence South 330 feet; thence West 132 feet to the point of beginning.

**ALSO**

Beginning at a point 462 feet East of an iron pin driven into the ground just inside of the fence corner at the Southwest corner of NW 1/4 of Section 1, Township 39 South, Range East of the Willamette Meridian on the property of Otis V. Saylor, being the Southwest corner of said property abutting on the Dalles-California Highway; thence North 330 feet to a point; thence East 66 feet to a point; thence South 330 feet to a point; thence West 66 feet to the point of beginning.

**SAVING AND EXCEPTING** there from any portion lying within the highway right-of-way as contained in Warranty Deed recorded June 23, 1964 in Volume 354, page 75, Deed records of Klamath County, Oregon.

CODE 043 MAP 3909-001BC TL 83500 KEY# 507525

Exhibit

A