

2013-003689

Klamath County, Oregon



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04/08/2013 12:50:27 PM

Fee: \$67.00

RECORDING COVER SHEET

(Per ORS 205.234 or ORS 205.244)

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any errors in this cover sheet do not effect the transaction (s) contained in the instrument itself

This space reserved for use by
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After recording return to:

Robinson Tait, P.S.
710 2nd Avenue, Suite 710
Seattle, WA 98104
(206) 676-9640

1. Title(s) of Transaction(s) ORS 205.234(a) NOTICE OF PENDENCY OF ACTION

2. Direct Parties ORS 205.125(1)(a) and ORS 205.160

Bank of America, N.A.

3. Indirect party/Grantee(s) ORS 205.125(1)(a) and ORS 205.160

David J. Kasik

Frances J. Kasik

Persons or Parties Unknown in
Possession of or Claiming any Right,
Title, Lien, or Interest in the Property
Described in the Complaint herein

4. Trustee Address: (If required): N/A

5. True and Actual Consideration ORS 93.030 N/A

6. Send Tax Statements to: N/A

7. If this instrument is being Re-Recorded, complete the following statement, in accordance with ORS 205.244:
N/A

1 Craig Peterson, OSB #120365
2 Zachary Bryant, OSB #113409
3 Robinson Tait, P.S.
4 710 Second Avenue, Suite 710
5 Seattle, WA 98104
6 Phone: (206) 676-9640
7 Facsimile: (206) 676-9659
8 Email: cpeterson@robinsontait.com
9 Email: zbryant@robinsontait.com

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CIRCUIT COURT OF OREGON FOR KLAMATH COUNTY

BANK OF AMERICA, N.A.,

Plaintiff,

v.

DAVID J. KASIK; FRANCES J. KASIK;
AND PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN OR
INTEREST IN THE PROPERTY
DESCRIBED IN THE COMPLAINT
HEREIN,

Defendants.

NO. 1301157CV

NOTICE OF PENDENCY OF AN ACTION

PURSUANT to ORS 93.740 the undersigned states:

1. As plaintiff, Bank of America, N.A., has filed an action in the Circuit Court of Oregon for Klamath County.

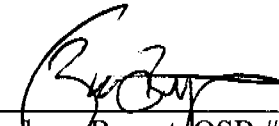
2. Defendants are David J. Kasik; Frances J. Kasik; and Persons or parties unknown claiming any right, title, lien or interest in the property described in the complaint herein.

3. The object of the action is to foreclose that certain Deed of Trust recorded on June 29, 2009, under Klamath County recording number 2009-008905, Oregon.

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

2 SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT
3 A.

4
5 IN WITNESS WHEREOF, the undersigned has executed this instrument this 12 day of
6 March, 2013.

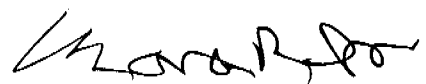
7
8 
9 Zachary Bryant, OSB #113409
10 Robinson Tait, P.S.
11 Attorneys for Plaintiff

12 State of Washington)

13 County of King)

14 The foregoing instrument was acknowledged before me this 12 day of March, 2013 by
15 Zachary Bryant.



29 
30 NOTARY PUBLIC in and for the State of Washington,
31 residing at ~~Bonney Lake~~ Spanish County of ~~Pierce~~ Spanish

32 ~~Michelle E. Zimney~~ Mara R. Clark
(printed or typed name)

33 11-29-13
34 My appointment expires ~~March 19, 2013~~

EXHIBIT A

EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF KLAMATH, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATED IN SECTION 14, TOWNSHIP 34 & SOUTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON PIN FROM WHICH THE SOUTHWEST CORNER OF THE NE1/4 OF THE NW1/4 OF SAID SECTION 14 BEARS THE FOLLOWING TWO BEARINGS AND DISTANCES: SOUTH 89° 35' 57" WEST, 2208.05 FEET, NORTH 00° 10' 16" EAST, 1201.15 FEET; THENCE FROM SAID POINT OF BEGINNING SOUTH 89° 16' 54" EAST 1129.61 FEET TO A POINT ON THE EAST LINE OF THE S1/2 OF THE SE 1/4 OF THE NE1/4 OF SAID SECTION 14; THENCE SOUTH 01° 53' 14" EAST ALONG THE EAST LINE OF THE SAID W1/2 OF THE SE1/4 OF THE NE1/4 103.45 FEET TO THE NORTHEAST CORNER OF THE NW1/4 OF THE NE1/4 OF THE SE1/4 OF SAID SECTION 14; THENCE SOUTH 01° 44' 46" WEST ALONG THE EAST LINE OF THE SAID NW1/4 OF THE NE1/4 OF THE SE1/4 OF SECTION 14 608.11 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILROAD; THENCE SOUTHWESTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID SOUTHERN PACIFIC RAILROAD AND ALONG THE ARC OF A 1665.76 FOOT RADIUS CURVE TO THE LEFT (D=04° 42' 04", LC = SOUTH 65° 17' 04" WEST 136.64 FEET) 136.68 FEET TO A POINT ON THE SOUTH LINE OF THE SAID NW1/4 OF THE NE1/4 OF THE SE1/4 OF SECTION 14; THENCE SOUTH 89° 35' 57" WEST ALONG THE SOUTH LINE OF THE SAID NW1/4 OF THE NE1/4 OF THE SE1/4 AND THE SOUTH LINE OF THE N1/2 OF THE NW1/4 OF THE SE1/4 OF SAID SECTION 14, 990.30 FEET TO A 5/8" IRON PIN; THENCE NORTH 789.45 FEET TO THE POINT OF BEGINNING, IN THE COUNTY OF KLAMATH, STATE OF OREGON.

TOGETHER WITH EXHIBITS A, B, C, D, E, F, G, H AND I.

EXHIBITS

EXHIBIT A:

AN EASEMENT 60 FEET IN WIDTH MEASURED AT RIGHT ANGLES, FOR PURPOSES OF INGRESS AND EGRESS OF WHICH THE CENTERLINE IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NW1/4 NW1/4 OF SECTION 14 AND THE CENTERLINE OF AN EXISTING ROAD, FROM WHICH THE SOUTHEAST CORNER OF THE NW1/4 NW1/4 OF SAID SECTION 14 BEARS SOUTH 89° 59' 40" EAST 626.00 FEET; THENCE FROM SAID POINT OF BEGINNING NORTHEASTERLY ALONG THE CENTERLINE OF AN EXISTING ROAD, THE FOLLOWING SIX BEARINGS AND DISTANCES; NORTH 18° 16' 56" EAST 31.94 FEET, NORTH 26° 36' 26" EAST 66.98 FEET, NORTH 45° 16' 11" EAST 133.72 FEET, NORTH 52° 35' 15" EAST 257.59 FEET, NORTH 38° 56' 57" EAST 65.21 FEET, SOUTH 89° 54' 02" EAST 246.55 FEET TO A POINT ON THE WEST LINE OF THE NE1/4 NW1/4 OF SAID SECTION 14 FROM WHICH THE SOUTHEAST CORNER OF THE NW1/4 NW1/4 OF SAID SECTION 14 BEARS SOUTH 00° 10' 16" WEST 391.19 FEET.

EXHIBIT B:

AN EASEMENT FOR PURPOSES OF INGRESS AND EGRESS LYING 30 FEET NORTHERLY MEASURED AT RIGHT ANGLES AND ADJACENT TO THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE WEST LINE OF THE NE1/4 NW1/4 FROM WHICH THE SOUTHWEST CORNER OF THE NE1/4 NW1/4 OF SECTION 14 BEARS SOUTH 00° 10' 16" WEST 391.19 FEET; THENCE FROM SAID POINT OF BEGINNING SOUTH 89° 54' 02" EAST 1300.46 FEET; THENCE SOUTH 89° 54' 30" EAST 1980.00 FEET TO A POINT ON THE EAST LINE OF THE SW1/4 NE1/4 OF SAID SECTION 14.

EXHIBIT C:

AN EASEMENT FOR PURPOSES OF INGRESS AND EGRESS LYING 30 FEET SOUTHERLY, MEASURED

AT RIGHT ANGLES, AND ADJACENT TO THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE WEST LINE OF THE NE1/4 NW1/4 OF SECTION 14, FROM WHICH THE SOUTHWEST CORNER OF THE NE1/4 NW1/4 OF SAID SECTION 14 BEARS SOUTH 00° 10' 16" WEST 391.19 FEET; THENCE FROM SAID POINT OF BEGINNING SOUTH 89° 54' 02" EAST 1097.61 FEET TO A POINT.

EXHIBIT D:

AN EASEMENT FOR PURPOSES OF INGRESS AND EGRESS LYING 30 FEET SOUTHERLY MEASURED AT RIGHT ANGLES, AND ADJACENT TO THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT FROM WHICH THE SOUTHWEST CORNER OF THE NE1/4 NW1/4 OF SECTION 14 BEARS THE FOLLOWING TWO BEARINGS AND DISTANCES, NORTH 89° 54' 02" WEST 1097.61 FEET, SOUTH 00° 10' 16" WEST 391.19 FEET; THENCE FROM SAID POINT OF BEGINNING SOUTH 89° 54' 02" EAST 202.85 FEET; THENCE SOUTH 89° 54' 30" EAST 902.78 FEET TO A POINT.

EXHIBIT E:

AN EASEMENT FOR PURPOSES OF INGRESS AND EGRESS LYING 30 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES AND ADJACENT TO THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT FROM WHICH THE SOUTHWEST CORNER OF THE NE1/4 NW1/4 OF SECTION 14 BEARS THE FOLLOWING THREE BEARINGS AND DISTANCES; NORTH 89° 54' 30" WEST 902.78 FEET, NORTH 89° 54' 02" WEST 1300.46 FEET, SOUTH 00° 10' 16" WEST 391.19 FEET; THENCE FROM SAID POINT OF BEGINNING SOUTH 89° 54' 30" EAST 1077.27 FEET TO A POINT ON THE EAST LINE OF THE WEST 1/2 NE1/4 NE1/4 OF SAID SECTION 14.

EXHIBIT F:

AN EASEMENT 30 FEET IN WIDTH FOR PURPOSES OF INGRESS AND EGRESS LYING 30 FEET WESTERLY, MEASURED AT RIGHT ANGLES AND ADJACENT TO THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT, FROM WHICH THE SOUTHWEST CORNER OF THE NE1/4 NW 1/4 OF SECTION 14 BEARS THE FOLLOWING TWO BEARINGS AND DISTANCES; NORTH 89° 54' 02" WEST 1097.61 FEET, SOUTH 00° 10' 16" WEST 391.1 FEET; THENCE FROM SAID POINT OF BEGINNING, SOUTH 2372.18 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 NE1/4 SW1/4 OF SAID SECTION 14.

EXHIBIT G:

AN EASEMENT 30 FEET IN WIDTH FOR PURPOSES OF INGRESS AND EGRESS LYING 30 FEET EASTERLY, MEASURED AT RIGHT ANGLES AND ADJACENT TO THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT FROM WHICH THE SOUTHWEST CORNER OF THE NE1/4 NW1/4 OF SECTION 14 BEARS THE FOLLOWING TWO BEARINGS AND DISTANCES; NORTH 89° 54' 02" WEST 1097.61 FEET, SOUTH 00° 10' 16" WEST 391.19 FEET; THENCE FROM SAID POINT OF BEGINNING, SOUTH 2372.18 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 NE1/4 SE1/4 OF SAID SECTION 14.

EXHIBIT H:

AN EASEMENT 30 FEET IN WIDTH FOR PURPOSES OF INGRESS AND EGRESS LYING 30 FEET WESTERLY, MEASURED AT RIGHT ANGLES AND ADJACENT TO THE FOLLOWING DESCRIBED LINE:

BEGINNING A POINT FROM WHICH THE SOUTHWEST CORNER OF THE NE1/4 NW1/4 OF SECTION 14 BEARS THE FOLLOWING THREE BEARINGS AND DISTANCES; NORTH 89° 54' 30" WEST 902.78 FEET, NORTH 89° 54' 02" 1300.46 FEET. SOUTH 00° 10' 16" WEST 391.19 FEET; THENCE FROM SAID POINT OF BEGINNING SOUTH 2362.64 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 NW1/4 SE1/4 OF SAID SECTION 14.

EXHIBIT I:

AN EASEMENT 30 FEET IN WIDTH FOR PURPOSES OF INGRESS AND EGRESS LYING 30 FEET EASTERLY, MEASURED AT RIGHT ANGLES AND ADJACENT TO THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT FROM WHICH THE SOUTHWEST CORNER OF THE NE1/4 NW 1/4 OF SECTION 14 BEARS THE FOLLOWING THREE BEARINGS AND DISTANCES; NORTH 89° 54' 30" WEST 902.78 FEET, NORTH 89° 54' 02" WEST 1300.46 FEET, SOUTH 00° 10' 16" WEST 391.19 FEET; THENCE FROM SAID POINT OF BEGINNING SOUTH 2362.64 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTH LINE OF THE 1/2 NW1/4 SE 1/4 OF SAID SECTION 14.
