

2013-006845

Klamath County, Oregon



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06/18/2013 08:41:35 AM

Fee: \$42.00

NOTICE OF PENDENCY OF ACTION

Pursuant to ORS 93.740, the undersigned states:

1. As Plaintiff, the State of Oregon, acting by and through its Department of Human Services, and State of Oregon, Acting by and through the Circuit Court for the County of Klamath;
2. The defendants are: Daniel Tworek, Michael Tworek, and Klamath Irrigation District;
3. The object of the action is the Reformation of Trust Deed, Reformation of Promissory Note, Breach of Promissory Note, and Foreclosure of Trust Deed;
4. The description of the real property to be affected is:

See EXHIBIT A attached hereto.

DATED this 13th day of June, 2013.

Kristen A. Berberick #082617
Assistant Attorney General
Department of Justice
1162 Court Street NE
Salem, OR 97301-4096
Telephone: (503) 934-4400

STATE OF OREGON)
) ss.
County of Marion)

The foregoing instrument was acknowledged before me on this 13th day of June, 2013, by Kristen A. Berberick.

Notary Public for Oregon
My Commission Expires: 4/27/15

After recording return to:
Department of Justice
Civil Recovery Section
1162 Court Street NE
Salem, OR 97301-4096

KAB/mew/CED4339900



EXHIBIT A

A piece or parcel of land situate in the N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Tp. 39 S. R. 9 E.W.M., in Klamath County, Oregon, containing 0.50 acres, more or less, and more particularly described as follows: Beginning at a point in the center line of a 60 foot roadway, from which the section corner common to Sections 2, 3, 10 and 11, Tp. 39 S.R. 9 E.W.M., and as marked on the ground by an iron pin driven therein bears S. $89^{\circ} 44' \frac{1}{2}''$ W. along the said roadway center line 1682.3 feet to a point in the West boundary of the said Section 11; and N. $0^{\circ} 13' \frac{1}{2}''$ W. 1662.5 feet to said section corner, and running thence S. $0^{\circ} 01'$ E. 331.25 feet; to a point in the southerly boundary of the said N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11; thence N. $89^{\circ} 42'$ E. along said boundary line 65.7 feet; thence N. $0^{\circ} 01'$ W. 331.2 feet, more or less to an intersection with the center line of the above mentioned roadway; thence S. $89^{\circ} 44' \frac{1}{2}''$ W. along said road way center line 65.7 feet, more or less, to the said point of beginning. Subject to: All contracts and agreements with the United States of America and the Klamath Irrigation District relative to irrigation and/or drainage and any existing rights of way for ditches or canals heretofore conveyed or used in connection therewith. Reservations in deed from George H. Burton and Sarah Burton, husband and wife, to Ida Duke, a widow, dated February 2, 1948, recorded February 6, 1948, on page 457 of Vol. 216 of Deeds, records of Klamath County, Oregon, as follows: "Subject, however, to the following easements and reservations: 1. Easement of $\frac{1}{2}$ of the right of way of the above mentioned 60 foot roadway. 2. Easement for ditches and/or drainage purposes for the benefit of adjoining property owners. 3. That no dwelling house shall be placed upon said land to cost less than \$1000.00; that such dwelling shall be finished in a workmanlike manner, and shall be painted outside; that all buildings shall be set back at least 60 feet from the center of Burton Land."