

2013-007334

Klamath County, Oregon



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**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

06/27/2013 10:00:44 AM

Fee: \$57.00

This space reserved for use by  
the County Recording Office

After recording return to:

Robinson Tait, P.S.  
710 2<sup>nd</sup> 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 and addresses ORS 205.125(1)(a) and ORS 205.160

The Bank of New York Mellon, f/k/a  
The Bank of New York as successor  
trustee to JPMORGAN CHASE BANK,  
N.A., as Trustee for Soundview Home  
Loan Trust 2005-CTX1, Asset-Backed  
Certificates, Series 2005-CTX1

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

Michael D. LaBounty  
Susan D. LaBounty  
PERSONS OR PARTIES UNKNOWN  
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: "RERECORDED AT THE REQUEST OF \_\_\_\_\_

TO CORRECT  
PREVIOUSLY RECORDED IN BOOK \_\_\_\_\_ AND PAGE \_\_\_\_\_, OR AS FEE  
NUMBER \_\_\_\_\_"

1 Craig A. Peterson, OSB #120365  
2 Zachary Bryant, OSB #113409  
3 Brandon Smith, OSB #124584  
4 Robinson Tait, P.S.  
5 710 Second Avenue, Suite 710  
6 Seattle WA 98104  
7 Phone: (206) 676-9640  
8 Fax: (206) 676-9659  
9 Email: cpeterson@robinsontait.com  
10 Email: zbryant@robinsontait.com  
11 Email: bsmith@robinsontait.com

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CIRCUIT COURT OF OREGON FOR KLAMATH COUNTY

THE BANK OF NEW YORK MELLON,  
F/K/A THE BANK OF NEW YORK AS  
SUCCESSOR TRUSTEE TO JPMORGAN  
CHASE BANK, N.A., AS TRUSTEE FOR  
SOUNDVIEW HOME LOAN TRUST 2005-  
CTX1, ASSET-BACKED CERTIFICATES,  
SERIES 2005-CTX1,

Plaintiff,

v.

MICHAEL D. LABOUNTY; SUSAN D.  
LABOUNTY; PERSONS OR PARTIES  
UNKNOWN CLAIMING ANY RIGHT,  
TITLE, LIEN OR INTEREST IN THE  
PROPERTY DESCRIBED IN THE  
COMPLAINT HEREIN,

Defendant(s).

NO. 1302383CV

NOTICE OF PENDENCY OF AN ACTION

PURSUANT to ORS 93.740 the undersigned states:

1. As plaintiff, THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF NEW  
YORK AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE FOR  
SOUNDVIEW HOME LOAN TRUST 2005-CTX1, ASSET-BACKED CERTIFICATES, SERIES  
2005-CTX1, has filed an action in the Circuit Court of Oregon for Klamath County.

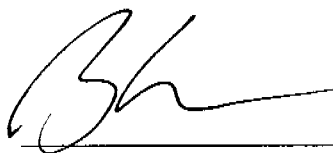
2. Defendants are MICHAEL D. LABOUNTY; SUSAN D. LABOUNTY; PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN.

3. The object of the action is to foreclose that certain Deed of Trust recorded on August 1, 2005, under Klamath County records volume M05, pages 60140-58.

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

SEE LEGAL DESCRIPTION ATTACHED HERETO AS **EXHIBIT A**

IN WITNESS WHEREOF, the undersigned has executed this instrument this 12 day of June, 2013.


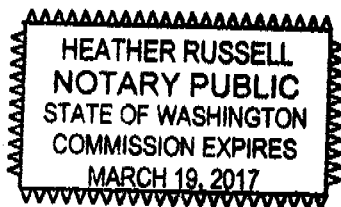


~~Craig Peterson, OSB #120365~~  
~~Zachary Bryant, OSB #113409~~  
Brandon Smith, OSB #124584  
Robinson Tait, P.S.  
Attorneys for Plaintiff

State of Washington )

County of King )

The foregoing instrument was acknowledged before me this 12 day of June, 2013 by Brandon Smith.



NOTARY PUBLIC in and for the State of Washington,  
residing at Kent, County of King

Heather Russell  
(printed or typed name)

My appointment expires March 19, 2017

## **EXHIBIT A**

**LEGAL DESCRIPTION:**

A tract of land situated in the S1/2 SE1/4 SE 1/4 of Section 8, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, being a portion of the S1/2 SE1/4 SE 1/4 of said Section 8, lying East of an existing graveled road described in Deed Volume M75, page 15158, Microfilm records of Klamath County, Oregon, and being more particularly described as follows: Beginning at the Northeast corner of the S1/2 SE1/4 SE 1/4 of said Section 8; thence South 01°06'22" West 75 feet; thence South 75°51'11" West, 747.04 feet more or less to the centerline of said existing graveled road; thence along the centerline of said existing road the following courses: Northerly along the arc of a curve to the left (radius - 500.00 feet, central angle 25°08'35") 219.41 feet; thence along the arc of a curve to the left (radius - 500 feet, central angle 01°42'00") 14.84 feet; thence North 31°16'01" West 57.18 feet more or less to the North line of the S 1/2 SE1/4 SE1/4 ; thence South 87°31'08" East 833.01 feet along said North line to the point of beginning.

TOGETHER WITH permanent non-exclusive easements 60 feet in width over across the S1/2 NE1/4 and NW1/4 SE1/4 Section 17; the S 1/2 NW1/4 NW of Section 16 and S 1/2 NE1/4 NE1/4 of Section 17; the N1/2 NW 1/4 NW1/4 of Section 16; all in Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described in Instrument recorded February 7, 1975 in Volume M75, page 1604, Microfilm records of Klamath County, Oregon,

ALSO TOGETHER WITH an easement for that existing cinder road in its present location as contained in easements recorded June 18, 1974 in Volume M74, page 7514, and recorded March 7, 1979 in Volume M79, page 5220 and 5222, Microfilm records of Klamath County, Oregon.