

2013-010664

Klamath County, Oregon

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Fee: \$57.00

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2 PITE DUNCAN, LLP
3 621 SW Morrison Street, Suite 425
4 Portland, OR 97205
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9 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**
10 **FOR THE COUNTY OF KLAMATH**

11 CITIMORTGAGE, INC., ITS SUCCESSORS
12 AND/OR ASSIGNS,

13 Plaintiff,

14 v.

15 CHRISTOPHER L. PAHL; LES SCHWAB
16 TIRE CENTER; AND ALL OTHER
17 PERSONS OR PARTIES UNKNOWN
18 CLAIMING ANY RIGHT, TITLE, LIEN, OR
19 INTEREST IN THE REAL PROPERTY
20 COMMONLY KNOWN AS 8221 HWY 66,
21 KLAMATH FALLS, OR 97601

22 Defendants.

Case No. 1302430CV

**NOTICE OF RELEASE OF PENDENCY
OF ACTION**

23 **NOTICE IS HEREBY GIVEN** that consistent with the Notice of Voluntary Dismissal and General
24 Judgment of Dismissal, attached hereto as Exhibit A, entered on 9/4/2013, Plaintiff hereby release
25 the Notice of Pendency Action recorded on July 1, 2013, in the official records of
26 Klamath County as instrument number 2013-007474.

Plaintiff: CITIMORTGAGE, INC., ITS SUCCESSORS AND/OR ASSIGNS;

Defendants: CHRISTOPHER L. PAHL; LES SCHWAB TIRE CENTER; AND ALL OTHER
PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN, OR
INTEREST IN THE REAL PROPERTY COMMONLY KNOWN AS 8221 HWY 66,
KLAMATH FALLS, OR 97601;

1 **Object of Action:** Judicial Foreclosure of a deed of trust, which was recorded on May 27, 2003
2 in the official records of Klamath County as instrument number Volume M03 Page 35675;

3 **Description of the Real Property:** real property commonly known as 8221 Hwy 66, Klamath
4 Falls, OR 97601 ("Subject Property"), and legally described as follows:

5 PARCEL 1:

6 A PORTION OF THE SW1/4 NW1/4 OF SECTION 23, TOWNSHIP 39
7 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH
8 COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

9 BEGINNING AT A POINT ON THE NORTH LINE OF THE KLAMATH
10 FALLS-ASHLAND HIGHWAY AND DISTANT ALONG SAID LINE OF
11 HIGHWAY 277.9 FEET FROM THE INTERSECTION OF SAID LINE AND
12 THE EAST LINE OF SAID SW1/4 NW1/4; THENCE SOUTHWESTERLY
13 ALONG SAID LINE OF HIGHWAY, 1050 FEET TO THE MOST EASTERLY
14 CORNER OF THE PROPERTY HEREIN CONVEYED WHICH IS THE TRUE
15 POINT OF BEGINNING; THENCE NORTH 40 DEGREES 00' WEST 400
16 FEET; THENCE SOUTHWESTERLY AND PARALLEL TO SAID LINE OF
17 HIGHWAY 150 FEET; THENCE SOUTH 40 DEGREES 00' EAST 400 FEET
18 TO SAID LINE OF HIGHWAY; THENCE NORTHEASTERLY ALONG SAID
19 LINE OF HIGHWAY 150 FEET TO THE POINT OF BEGINNING.

20 PARCEL 2:

21 A PORTION OF THE SW1/4 NW1/4 OF SECTION 23, TOWNSHIP 39
22 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH
23 COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

24 BEGINNING AT A POINT ON THE NORTH LINE OF THE KLAMATH
25 FALLS-ASHLAND HIGHWAY AND DISTANT ALONG SAID LINE OF
26 HIGHWAY 277.9 FEET SOUTHWESTERLY FROM THE INTERSECTION
OF SAID LINE AND THE EAST LINE OF SAID SW1/4 NW1/4; THENCE
SOUTHWESTERLY ALONG SAID LINE OF HIGHWAYS, 1200 FEET TO
THE MOST EASTERLY CORNER OF THE PROPERTY HEREIN
CONVEYED WHICH IS THE TRUE POINT OF BEGINNING; THENCE
NORTH 40 DEGREES 00' WEST 400 FEET; THENCE SOUTHWESTERLY
AND PARALLEL WITH SAID LINE OF SAID HIGHWAY 150 FEET;
THENCE SOUTH 40 DEGREES 00' EAST 400 FEET TO SAID WESTERLY
LINE OF SAID HIGHWAY; THENCE NORTHEASTERLY 150 FEET TO THE
POINT OF BEGINNING.

PITE DUNCAN, LLP

24 Dated: *August 19, 2013*

By: *Christina C. Benton*
Christina C. Benton, OSB #103380
(858) 750-7736
(858) 412-2186 (Facsimile)
Cbenton@piteduncan.com

1 Trial Attorney
Not designated at this time

2 Rochelle L. Stanford, OSB #062444
3 (619) 326-2404
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5 Pite Duncan, LLP
6 621 SW Morrison Street, Suite 425
Portland, OR 97205

7 Of Attorneys for Plaintiff

8 PURSUANT TO ORS 194.565(2)(c) AND CAL. CIVIL CODE § 1189:

9 STATE OF California
COUNTY OF San Diego

10 On AUG 19 2013 before me, BRETT TAYLOR WRAY a
Notary Public, personally appeared Christina C. Benton, who proved to me on the
11 basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized
12 capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF
PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

13 WITNESS my hand and official seal.

14 Signature [Signature] (seal)

15 Notary Public

My Commission Expires: 5/18/2017



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5 **FOR THE COUNTY OF KLAMATH**

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KLAMATH FALLS, OR 97601,

15 Defendants.

Case No. 1302430CV

NOTICE OF VOLUNTARY DISMISSAL

16 **NOTICE OF VOLUNTARY DISMISSAL**

17 Plaintiff, CITIMORTGAGE, INC., ITS SUCCESSORS AND/OR ASSIGNS, hereby gives
18 notice, pursuant to ORCP 54A(1) of plaintiff's voluntary dismissal of this action. Such dismissal
19 should be without prejudice and without an award of attorney fees, costs and disbursements to either
20 party. Plaintiff therefore respectfully requests this Court to dismiss this action without prejudice and
21 enter a General Judgment of Dismissal.

22 PITE DUNCAN, LLP

23 Dated: *August 19, 2013*

By: *Christina C. Benton*
Christina C. Benton, OSB #103380
Cbenton@piteduncan.com

25 Rochelle L. Stanford, OSB #062444
Rstanford@piteduncan.com

26 Of Attorneys for Plaintiff

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6 CITIMORTGAGE, INC., ITS SUCCESSORS
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KLAMATH FALLS, OR 97601,

14 Defendants.

Case No. 1302430CV

GENERAL JUDGMENT OF DISMISSAL

15
16 **GENERAL JUDGMENT OF DISMISSAL**

17 Based upon Plaintiff's Notice of Voluntary Dismissal and the records and files herein, it is hereby
18 ordered and adjudged that this matter is dismissed without prejudice and without an award of
19 attorney fees, costs and disbursement to either party.

20 Dated: August 23, 2013

/s/ Cameron F. Wogan

JUDGE OF THE CIRCUIT COURT

21 Respectfully Submitted,
22 PITE DUNCAN, LLP

23 By: Christina C. Benton
Christina C. Benton, OSB #103380
24 Cbenton@piteduncan.com

25 Rochelle L. Stanford, OSB #062444
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26 Of Attorneys for Plaintiff