

00193521201600107810050055

10/12/2016 08:44:58 AM

Fee: \$62.00

1 After Recording Return To:
MALCOLM ♦ CISNEROS, A Law Corporation
2 2112 Business Center Drive, Second Floor
Irvine, California 92612

3 Mail Tax Statement to:
MALCOLM ♦ CISNEROS, A Law Corporation
4 2112 Business Center Drive, Second Floor
Irvine, California 92612
5 Consideration: \$0.00

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10 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**
11 **FOR THE COUNTY OF KLAMATH**
12

13 CIT BANK, N.A.,

14 Plaintiff,

15 vs.

16 ESTATE OF HOWARD B. KIMPEL, an
Estate; JAY KIMPEL, an heir; VALARIE
17 KIMPEL, an heir; JIMMY ELLIS, an heir;
AARON ELLIS, an heir; TERRY EYSTAD,
18 an heir; UNKNOWN HEIRS OF HOWARD
B. KIMPEL, individuals;; and all other
19 persons, parties, or occupants unknown
claiming any legal or equitable right, title,
20 estate, lien, or interest in the real property
described in the complaint herein, adverse to
21 Plaintiff's title, or any cloud on Plaintiff's title
to the Property.

22 Defendants.
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CASE NUMBER: 16CV32702

NOTICE OF PENDENCY OF AN ACTION

1 **NOTICE IS HEREBY GIVEN** that, pursuant to ORS 93.740, the undersigned states that
2 the above-entitled action concerning and affecting real property as described below was commenced
3 in the above-named Court by CIT Bank, N.A., against Defendants ESTATE OF HOWARD B.
4 KIMPEL, JAY KIMPEL, VALARIE KIMPEL, JIMMY ELLIS, AARON ELLIS, TERRY
5 EYSTAD, UNKNOWN HEIRS OF HOWARD B. KIMPEL AND ALL OTHER PERSONS,
6 PARTIES, OR OCCUPANTS UNKNOWN. The action is now pending in the above-named Court.

7 The action affects title to the real property situated in Klamath County, Oregon, commonly
8 known as 710 ROOSEVELT STREET, KLAMATH FALLS, OREGON 97601 and legally
9 described as follows:

10 **Attached hereto as Exhibit "1"**

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1 Plaintiff's Complaint seeks judicial foreclosure of the written Note dated May 18, 2006,
2 secured by a Deed of Trust of same date and recorded in Official Records of the Klamath County
3 Recorder's Office on May 23, 2006, as Recording Number M06-10395.

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5 DATED: 10/4, 2016

Respectfully Submitted,
MALCOLM ♦ CISNEROS, A Law Corporation

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7 By:

Nathan F. Smith, OSB #120112
Attorney for Plaintiff
MALCOLM ♦ CISNEROS, A Law Corporation
2112 Business Center Drive, Second Floor
Irvine, California 92612
Phone: (949) 252-9400
Fax: (949) 252-1032
Email: nathan@mclaw.org

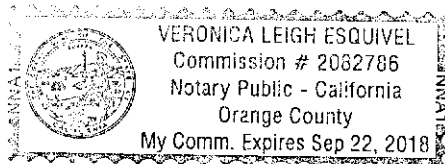
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13 A notary public or other office completing this
14 certificate verifies only the identity of the
15 individual who signed the document to which this
certificate is attached, and not the truthfulness,
accuracy, or validity of that document.

16 State of California

17 County of Orange

18 Subscribed and Sworn to (or affirmed) before me on this 4 day of October, 2016,
19 by Nathan F. Smith, proved to me on the basis of satisfactory
(insert name of signer)
20 evidence to be the person(s) who appeared before me.

21 (Seal)



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Signature

[Handwritten Signature]

EXHIBIT 1

Legal Description

Lot 5 in Block 20 of First Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.