

After recording return to:  
MH JUDICIAL FORECLOSURE DEPT.  
920 SW 3rd Ave, 1st Floor  
Portland, OR 97204  
Phone: (971) 201-3200  
Fax: (971) 201-3202

**2017-000012**  
Klamath County, Oregon  
01/03/2017 11:34:01 AM  
Fee: \$52.00

**NOTICE OF PENDENCY OF AN ACTION**

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF KLAMATH

BANK OF AMERICA, N.A.,

Plaintiff,

vs.

THE UNKNOWN HEIRS AND DEVISEES  
OF NANCY J. KERSH; FALCON HEIGHTS  
CONDOMINIUM ASSOCIATION, INC.;  
MELVIN K. EMERT; OCCUPANTS OF  
THE PROPERTY,

Defendants.

Case No.: 16CV42630

NOTICE OF PENDENCY OF AN ACTION

**PURSUANT TO ORS 93.740, THE UNDERSIGNED STATES:**

- 1.) NOTICE IS HEREBY GIVEN that the above-named Plaintiff has commenced an action against the above-named defendants in the Circuit Court of Klamath County by filing a Complaint. This is notice of pendency of that action.
- 2.) The names of the parties to the action are set forth above.
- 3.) The object of the action is to foreclose a Deed of Trust. The Deed of Trust was recorded on 03/24/2010 with the Clerk of Klamath County Deeds and Records under Instrument No. 2010-003644.
- 4.) The description of the real property encumbered by this Deed of Trust and affected by the action is attached as Exhibit 1. The property is commonly known as 10727 Vincent Drive, Klamath Falls, OR 97603, and has APN No. R885970.

All persons dealing with the real property subsequent to the recording of this Lis Pendens will take subject to the Plaintiff's rights as established in the action.

DATED:

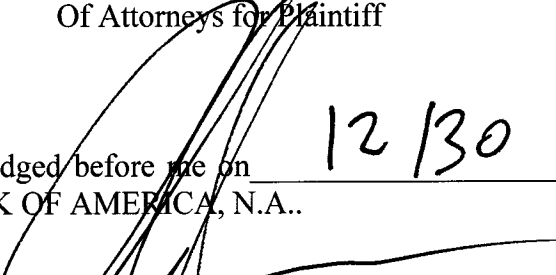
12/30/16

  
**McCarthy & Holthus, LLP**

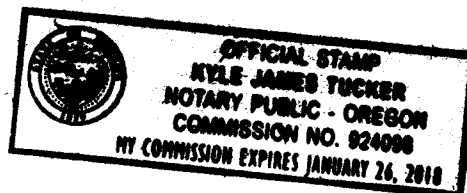
Robert B. Hakari, OSB No. 114082  
920 SW 3rd Ave, 1st Floor  
Portland, OR 97204  
Phone: (855) 809-3977  
Fax: (971) 201-3202  
E-mail: rhakari@mccarthyholthus.com  
Of Attorneys for Plaintiff

State of OREGON  
County of MULTNOMAH

This instrument was acknowledged before me on 12/30, 2016 by  
Robert B. Hakari as attorney for BANK OF AMERICA, N.A..

  
Notary Public – State of Oregon

My commission expires: 1/26/18



# **EXHIBIT “1”**

Unit 10727 (Vincent Drive), Tract 1365 – FALCON HEIGHTS CONDOMINIUM STAGE 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.