

After recording return to:  
Miller Nash Graham & Dunn LLP  
c/o David A. Foraker  
111 S.W. Fifth Avenue, Suite 3400  
Portland, Oregon 97204-3699

**2017-008660**  
**Klamath County, Oregon**  
08/02/2017 09:18:00 AM  
Fee: \$57.00

### **NOTICE OF PENDENCY OF AN ACTION**

Pursuant to ORS 93.740, the undersigned states:

1. As a Cross-Claimant and Third-Party Plaintiff, Rabo AgriFinance LLC, formerly known as Rabo AgriFinance, Inc., has filed crossclaims and a third-party action in the Circuit Court for Klamath County, State of Oregon, Case No. 17CV16718.

2. The crossclaims filed by Rabo AgriFinance LLC were filed against: MICHAEL E. NOONAN; KARIN M. NOONAN; STATE OF OREGON, Employment Division; and UNITED STATES DEPARTMENT OF THE TREASURY, Internal Revenue Service.

3. The Third-Party Defendants are: NOONAN ELEVATORS, INC., an Oregon corporation; NOONAN FARMS TRUCKING, INC., an Oregon corporation; and SPRINGLAKE DAIRY LLC, an Oregon limited liability company.

4. The objects of both the crossclaims and the third-party action are: Breach of Contract and Action on Promissory Note, Foreclosure of Personal Property Security Interests, Foreclosure of Real Property Liens Under Trust Deeds, Claim and Delivery, Injunctive Relief, and Appointment of Receiver.

5. The land referred to is situated in the County of Klamath, State of Oregon, and is described in the attached Exhibit A.

Dated this 2nd day of August, 2017.

MILLER NASH GRAHAM & DUNN LLP

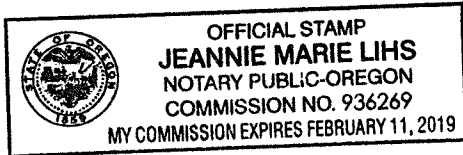


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Attorneys for Rabo AgriFinance LLC, f/k/a  
Rabo AgriFinance, Inc.

STATE OF OREGON                    )  
  )  SS  
COUNTY OF MULTNOMAH)

          This record was acknowledged before me on August 2, 2017, by David A.  
Foraker as attorney for Rabo AgriFinance LLC, f/k/a Rabo AgriFinance, Inc.



Jeannie Lihs  
Notary Public for Oregon  
My commission expires: 2/11/19

**EXHIBIT A**  
(Real Property Legal Description)

**Parcel 1: (Sayles)**

The W1/2 of the NW1/4 of section 2, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

**Parcel 2: (Negrevski)**

A tract of land situated in Section 1, Township 40 South, Range 9 East of the Willamette Meridian, Klamath county, Oregon, described as follows:

Beginning at the Southeast corner of the SE1/4 SW1/4 of Section 1; thence North along the North-South centerline of said section to the Southerly right of way line of the Southern pacific railroad company right of way; thence Northwest along said right of way line to the West line of the SE1/4 NW1/4 of said section; thence South to the Northeasterly right of way line of the South branch of the "C" Canal as now located; thence Southeasterly along said right of way to the South line of said section; thence East to the point of beginning. Excepting therefrom, that portion lying within the boundaries of the Lower Lake Road.

**Parcel 3: (Negrevski)**

The South 10 acres of the NW1/4 SW1/4 (or S1/2 S1/2 NW1/4 SW1/4), and Lot 4, Section 6, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

Excepting thereof that portion conveyed to the state of Oregon, by and through its Department of Transportation, Highway Division in Warranty Deed, recorded April 5, 1988 in Volume m88, page 4912, microfilm records of Klamath County, Oregon.

**Parcel 4: (Manning)**

**Parcel A:** The E1/2 SE1/4 of Section 2, Township 40 South, Range 9 East of the Willamette Meridian Saving and excepting therefrom 5 acres forming a square in the Southwest corner of the SE1/4 SE1/4 conveyed for cemetery

**Parcel B:** All that portion of the NE1/4 of the NE1/4 of Section 2, Township 40 South, Range 9 East of the Willamette Meridian, lying Southwesterly right of way line on the C4 (formerly E) Canal;

Also the SE1/4 of the NE1/4 of Section 2, Township 40 South, Range 9 East of the Willamette Meridian lying Southwesterly right of way line of the C4 (formerly E) Canal.

**Parcel 5: (Manning)**

**Parcel A:** The SW1/4 of the NW1/4 and the W1/2 of the SW1/4, in Section 1, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; EXCEPT 2.34 acres in the SW1/4 of the NW1/4 conveyed to Modoc Northern Railway Company in Volume 30, page 479, deed records of Klamath County, Oregon; and except those portions lying within Homedale Road.

And Except that portion thereof lying in the Southern Pacific Railroad right of way.

And Excepting that portion thereof conveyed to the California Oregon Power Company by deed recorded September 21, 1946 in Volume 196, page 72, deed records of Klamath County, Oregon being a strip of land of undisclosed width for a power line right of way, the centerline of which is described as follows:

Beginning at a point on the Northeasterly right of way boundary of the U.S.R. S. South Branch Canal and 1-B drain, said point being South 63° 42' East 1463.0 feet from the Westerly quarter corner of Section 1, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence from said point of beginning North 0° 32' West 989.0 feet; thence North 71° 32' West 125.0 feet to the end of said power line.

Parcel B: That portion of the Southeast quarter of the Northwest quarter lying Northwest of the "C" canal in Section 1, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon

Parcel 6: (Zupan)

Real property located in Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Section 29: the SW 1/4 of the SW 1/4

Section 30: the SE 1/4 of the SE 1/4; Except that portion conveyed to Klamath County on January 31, 1958 in volume 297, page 256, deed records of Klamath County, Oregon.

Section 31: the E 1/2 of the NE 1/4, Excepting the following described property: Beginning at the Southwest corner of the SE 1/4 NE 1/4 of Section 31, thence East 150 feet; thence North 150 feet; thence West 150 feet; thence South 150 feet to the place of beginning

Section 32: the NW 1/4 NW 1/4