

AMENDED NOTICE OF LIS PENDENS
CIVIL NO. 74-894

NOTICE IS HEREBY GIVEN that on the 15th day of November, 1974, the United States of America filed in the United States District Court for the District of Oregon a Declaration of Taking as to the taking of the estate set out in Exhibit "A" attached hereto, in certain lands in Klamath County, Oregon, which are identical to those described in the attached Exhibit "A", except for two changes hereinafter set forth; and on the same day the United States of America, in said Court, deposited the estimated just compensation for the taking of said estate in said lands and filed a Complaint in Condemnation based upon said Declaration of Taking, in condemnation proceedings entitled UNITED STATES OF AMERICA, Plaintiff, versus THE UNITED STATES NATIONAL BANK OF PORTLAND, also known as The United States National Bank of Oregon, TRUSTEE FOR THE ENROLLED MEMBERS OF THE KLAMATH TRIBE WHO HAVE ELECTED TO REMAIN IN THE TRIBE; KLAMATH COUNTY, a municipal corporation and political subdivision of the State of Oregon; UNKNOWN OWNERS; and 139,960.62 ACRES OF LAND, MORE OR LESS, in Klamath County, Oregon, Defendants, Civil No. 74-894, to acquire said estate in said lands, to determine the just compensation to be paid therefor, and to distribute the just compensation among those entitled thereto.

Subsequent thereto, the United States District Court for the District of Oregon ordered that Exhibit "A" attached to said Declaration of Taking and Complaint in Condemnation be amended, because of clerical error, as follows:
(1) on page 5, line 11 (regarding Section 11, T. 34 S., R. 9 E., W.M.), change "E₂NE₄," to read "E₂NE₄,"; and (2) on page 9, line 23, following the words

RECEIVED JAN 30 1975
12:45 pm

1 "December 31, 1974.", add the words "Extended by letter to December 31, 1975."
2 The corrected Exhibit "A" is attached hereto.

3 DATED this 29th day of January, 1975.

4 SIDNEY I. LEZAK
5 United States Attorney
6 District of Oregon

7 By Joseph E. Buley
8 JOSEPH E. BULEY
9 Assistant United States Attorney
10 Attorneys for Plaintiff

11 506 U.S. Courthouse
12 P.O. Box 71
13 Portland, Oregon 97207
14 (telephone: 221-2101)

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26 PAGE 2 - AMENDED NOTICE OF LIS PENDENS

EXHIBIT A

1 The land which is the subject matter of this proceeding aggregates 134,960.62
2 acres, more or less, situate and being in Klamath County, State of Oregon.
3 A description of the land together with names and addresses of purported
4 owners thereof, and a statement of the sum estimated to be just compensation
5 thereof, are as follows:

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Page

Fee simple title to the following described real property in Klamath County,
Oregon, to wit:

Township 31 South, Range 7 East, Willamette Meridian, Oregon:

Sec. 27: $W\frac{1}{2}E\frac{1}{2}$, $W\frac{1}{2}$. Sec. 28: $NE\frac{1}{4}$, $S\frac{1}{2}$. Sec. 29: $W\frac{1}{2}$. Sec. 30: Lots 1,
2, 3 and 4. Sec. 31: Lots 1, 2, 3, and 4. Sec. 32: All. Sec. 33:
All. Sec. 34: $NW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}$, $SE\frac{1}{4}$, containing 3,545.36 acres, more
or less.

Township 32 South, Range 7 East, Willamette Meridian, Oregon:

Sec. 3: Lots 1, 2, 3 and 4, $S\frac{1}{2}N\frac{1}{2}$, $SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, less and except the
 $SE\frac{1}{4}NW\frac{1}{4}SE\frac{1}{4}SW\frac{1}{4}$ and the $NE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}SW\frac{1}{4}$. Sec. 4: All. Sec. 5: All. Sec. 6:
Lots 1, 2, 3 and 4. Sec. 7: Lots 1, 2, 3 and 4. Sec. 8: All. Sec. 9:
All. Sec. 10: $W\frac{1}{2}W\frac{1}{2}$, $SE\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$, less and except the $SE\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$.
Sec. 15: All. Sec. 16: All. Sec. 17: All. Sec. 18: Lots 1, 2, 3
and 4. Sec. 19: Lots 1, 2, 3 and 4. Sec. 20: All. Sec. 21: All.
Sec. 22: All. Sec. 27: All. Sec. 28: All. Sec. 29: $E\frac{1}{2}$, $E\frac{1}{2}W\frac{1}{2}$,
 $W\frac{1}{2}NW\frac{1}{4}$. Sec. 30: Lots 1 and 2. Sec. 32: $NE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$,
 $SE\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$. Sec. 33: All. Sec. 34: $NE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$,
 $N\frac{1}{2}N\frac{1}{2}S\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}S\frac{1}{2}SW\frac{1}{4}$, $S\frac{1}{2}N\frac{1}{2}S\frac{1}{2}SW\frac{1}{4}$, containing 10,998.50 acres, more or less.

Township 33 South, Range 7 East, Willamette Meridian, Oregon:

Sec. 1: Lots 1 and 2, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}$. Sec. 3: Lots 3 and 5, $S\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$,
 $S\frac{1}{2}NW\frac{1}{4}$. Sec. 4: Lots 1, 2, 3 and 4, $S\frac{1}{2}N\frac{1}{2}$, $SE\frac{1}{4}$. Sec. 12: $E\frac{1}{2}$.
Sec. 13: $NE\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}$. Sec. 24: $E\frac{1}{2}E\frac{1}{2}$. Sec. 25: $NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}$.
Sec. 35: $E\frac{1}{2}SE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$. Sec. 36: All, containing 2,939.94 acres,
more or less.

Township 34 South, Range 7 East, Willamette Meridian, Oregon:

Sec. 1: All. Sec. 2: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$. Sec. 11:
NE $\frac{1}{4}$ NE $\frac{1}{4}$. Sec. 12: NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, containing 1,195.47
acres, more or less.

Township 32 South, Range 8 East, Willamette Meridian, Oregon:

Sec. 31: All. Sec. 32: NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$. Sec. 33: NE $\frac{1}{4}$,
E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$. Sec. 34: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ (incorrectly shown as
SW $\frac{1}{4}$ NE $\frac{1}{4}$ in deed dated 3-3-59), NW $\frac{1}{4}$, S $\frac{1}{2}$. Sec. 35: SW $\frac{1}{4}$,
containing 2,520.36 acres, more or less.

Township 33 South, Range 8 East, Willamette Meridian, Oregon:

Sec. 1: S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$. Sec. 2:
Lots 1, 2 and 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$. Sec. 3:
All. Sec. 4: All. Sec. 5: All. Sec. 6: All. Sec. 7:
All. Sec. 8: All. Sec. 9: All. Sec. 10: All.
Sec. 11: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$. Sec. 12: W $\frac{1}{2}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$. Sec. 13: W $\frac{1}{2}$. Sec. 14: All. Sec. 15: All.
Sec. 16: All. Sec. 17: All. Sec. 18: All. Sec. 19:
All. Sec. 20: All. Sec. 21: All. Sec. 22: All.
Sec. 23: All. Sec. 24: All. Sec. 25: All. Sec. 26: All.
Sec. 27: All. Sec. 28: All. Sec. 29: All. Sec. 30: All.
Sec. 31: All. Sec. 32: All. Sec. 33: All. Sec. 34: All.
Sec. 35: All. Sec. 36: All, containing 21,471.25 acres,
more or less.

Township 34 South, Range 8 East, Willamette Meridian, Oregon:

Sec. 1: All. Sec. 2: All. Sec. 3: Lots 1, 2, 3 and 4,
 $S\frac{1}{2}N\frac{1}{2}$, $SE\frac{1}{4}$. Sec. 4: Lots 1, 2, 3 and 4, $S\frac{1}{2}N\frac{1}{2}$, $SW\frac{1}{4}$. Sec. 5:
 All. Sec. 6: All. Sec. 7: Lots 1 and 2, $NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$.
 Sec. 8: $N\frac{1}{2}$. Sec. 9: $W\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}$. Sec. 10: $E\frac{1}{2}$, $NE\frac{1}{2}NW\frac{1}{4}$,
 $E\frac{1}{2}SE\frac{1}{2}NW\frac{1}{4}$, $E\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}$. Sec. 11: All. Sec. 12: All. Sec. 13:
 All. Sec. 14: All. Sec. 15: $N\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{2}NE\frac{1}{4}$,
 $E\frac{1}{2}NE\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $N\frac{1}{2}N\frac{1}{2}S\frac{1}{2}SE\frac{1}{4}$. Sec. 24: $N\frac{1}{2}N\frac{1}{2}$, containing
 7,774.18 acres, more or less.

Township 32 South, Range 9 East, Willamette Meridian, Oregon:

Sec. 31: $S\frac{1}{2}SE\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{2}SE\frac{1}{4}$, containing 60 acres, more or less.

Township 33 South, Range 9 East, Willamette Meridian, Oregon:

Sec. 1: All. Sec. 2: All. Sec. 3: All. Sec. 4: All.
 Sec. 5: All. Sec. 6: Lots 1, 2, 3, 4, 5 and 6, $S\frac{1}{2}NE\frac{1}{4}$,
 $SE\frac{1}{2}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$. Sec. 7: Lots 2, 3, 4 and 5,
 $NE\frac{1}{4}$, $NE\frac{1}{2}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$. Sec. 8: All. Sec. 9: All.
 Sec. 10: All. Sec. 11: All. Sec. 12: All. Sec. 13: All.
 Sec. 14: All. Sec. 15: All. Sec. 16: All. Sec. 17: All.
 Sec. 18: All. Sec. 19: All. Sec. 20: All. Sec. 21: All.
 Sec. 22: All. Sec. 23: All. Sec. 24: All. Sec. 25: All.
 Sec. 26: All. Sec. 27: All. Sec. 28: $N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$, $SW\frac{1}{2}SW\frac{1}{4}$,
 $SE\frac{1}{2}SE\frac{1}{4}$. Sec. 29: All. Sec. 30: All. Sec. 31: All.

1 Sec. 32: All. Sec. 33: NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 2 S $\frac{1}{4}$. Sec. 34: All. Sec. 35: N $\frac{1}{4}$, W $\frac{1}{4}$ SW $\frac{1}{4}$. Sec. 36: All,
 3 containing 22,406.87 acres, more or less.

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 5 Township 34 South, Range 9 East, Willamette Meridian, Oregon:

6 Sec. 1: All. Sec. 2: Lots 2, 3 and 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$,
 7 E $\frac{1}{4}$ SE $\frac{1}{4}$. Sec. 3: Lots 1, 2, 3 and 4, S $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$,
 8 NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$. Sec. 4: Lots 2, 3 and 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$,
 9 S $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$. Sec. 5: All. Sec. 6: All. Sec. 7:
 All. Sec. 8: All. Sec. 9: All. Sec. 10: N $\frac{1}{4}$, SW $\frac{1}{4}$. Sec. 11:
 10 E $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$. Sec. 12: All. Sec. 13: N $\frac{1}{4}$ NE $\frac{1}{4}$. Sec. 16: N $\frac{1}{4}$,
 11 ~~E $\frac{1}{4}$ NE $\frac{1}{4}$~~ , NW $\frac{1}{4}$, SE $\frac{1}{4}$. Sec. 17: N $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ (incorrectly shown in deed dated
 12 3-3-59 as N $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$), SE $\frac{1}{4}$. Sec. 18: Lots 1, 2, 3 and 4.
 13 NE $\frac{1}{4}$, E $\frac{1}{4}$ W $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$. Sec. 19: W $\frac{1}{4}$ Lots 1 and 2,
 14 W $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ E $\frac{1}{4}$ NW $\frac{1}{4}$. Sec. 20: NE $\frac{1}{4}$,
 15 containing 8,992.12 acres, more or less.

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 17 Township 31 South, Range 10 East, Willamette Meridian, Oregon:

18 Sec. 12: Lots 1 and 2, S $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$. Sec. 13: All. Sec. 14:
 19 NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$. Sec. 23: N $\frac{1}{4}$. Sec. 24:
 20 W $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, containing 1,960.88 acres, more or less.

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 22 Township 32 South, Range 10 East, Willamette Meridian, Oregon:

23 Sec. 2: S $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$. Sec. 3: All. Sec. 4: All. Sec. 5: All.
 24 Sec. 6: All. Sec. 7: All. Sec. 8: All. Sec. 9: All. Sec. 10:
 25 N $\frac{1}{4}$, SW $\frac{1}{4}$. Sec. 11: NW $\frac{1}{4}$. Sec. 15: W $\frac{1}{4}$. Sec. 16: All. Sec. 17:
 26

amended by order of
 Judge Sullivan filed
 4/27/75

1 All. Sec. 18: All. Sec. 19: All. Sec. 20: All. Sec. 21: All.
 2 Sec. 22: NW $\frac{1}{4}$. Sec. 28: All. Sec. 29: All. Sec. 30: All.
 3 Sec. 31: All. Sec. 32: All. Sec. 33: All. Sec. 34: W $\frac{1}{2}$ NE $\frac{1}{4}$,
 4 SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$. Sec. 35: S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$,
 5 containing 14,550.82 acres, more or less.

6 Township 33 South, Range 10 East, Willamette Meridian, Oregon:
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8 Sec. 2: Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$. Sec. 3: All. Sec. 4:
 9 All. Sec. 5: All. Sec. 6: All. Sec. 7: All. Sec. 8: All.
 10 Sec. 9: All. Sec. 10: All. Sec. 11: All. Sec. 12: W $\frac{1}{2}$, SE $\frac{1}{4}$.
 11 Sec. 13: All. Sec. 14: All. Sec. 15: All. Sec. 16: All.
 12 Sec. 17: All. Sec. 18: All. Sec. 19: All. Sec. 20: All.
 13 Sec. 21: All. Sec. 22: All. Sec. 23: NE $\frac{1}{4}$. Sec. 24: All.
 14 Sec. 25: All. Sec. 26: S $\frac{1}{2}$. Sec. 27: All. Sec. 28: All.
 15 Sec. 29: All. Sec. 30: All. Sec. 31: All. Sec. 32: All.
 16 Sec. 33: All. Sec. 34: All. Sec. 35: All, containing
 17 20,330.92 acres, more or less.

18 Township 34 South, Range 10 East, Willamette Meridian, Oregon:
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20 Sec. 2: All. Sec. 3: All. Sec. 4: All. Sec. 5: All.
 21 Sec. 6: All. Sec. 7: All. Sec. 8: All. Sec. 9: All.
 22 Sec. 10: All. Sec. 11: All. Sec. 14: All. Sec. 15: All.
 23 Sec. 16: All. Sec. 17: All. Sec. 18: All. Sec. 19: All.
 24 Sec. 20: All. Sec. 21: All. Sec. 22: All, containing
 25 12,091.96 acres, more or less.

1 Township 31 South, Range 11 East, Willamette Meridian, Oregon:

2 Sec. 7: Lots 3 and 4, SE $\frac{1}{4}$. Sec. 8: W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17: W $\frac{1}{2}$.
 3 Sec. 18: Lots 1, 2, 3 and 4. Sec. 19: Lots 1, 2, 3 and 4, SE $\frac{1}{4}$.
 4 Sec. 20: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$. Sec. 30: Lots 1 and 2, NE $\frac{1}{4}$,
 5 N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, containing 1,922.36 acres,
 6 more or less.

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 8 Township 33 South, Range 11 East, Willamette Meridian, Oregon:

9 Sec. 8: S $\frac{1}{2}$ S $\frac{1}{2}$. Sec. 17: All. Sec. 18: All. Sec. 19: All.
 10 Sec. 20: NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$. Sec. 30: Lots 1 and 2, W $\frac{1}{2}$ NE $\frac{1}{4}$,
 11 E $\frac{1}{2}$ NW $\frac{1}{4}$, containing 2,200.63 acres, more or less.

12
 13 The above described real property consists of 134,960.62
 14 acres, more or less, according to the General Land Office
 15 Survey,

16
 17 together with all the improvements thereon and the appurtenances
 18 thereunto belonging.

19
 20 Names and addresses of purported owners:

21 United States National Bank of Portland, also known as the
 22 United States National Bank of Oregon, Trustee for the
 23 enrolled members of the Klamath Tribe who have elected to
 24 remain in the Tribe.

1 Trust Division (Head Office)
2 321 S.W. Sixth Avenue
3 P.O. Box 3168
4 Portland, Oregon 97208
5

6 Names and addresses of additional parties having or claiming an interest
7 in the land:

8 Klamath County
9 Klamath County Courthouse
10 Klamath Falls, Oregon 97601
11

12 Unpaid ad valorem taxes, if any, or taxes which may be
13 a lien but not yet payable at the time of filing of the
14 Declaration of Taking.
15

16 Title to the above described property is hereby taken subject to the following
17 outstanding rights:

- 18 1. Southern Pacific Company microwave site. Case No. 64-87L,
19 Circuit Court of the State of Oregon, Klamath County.
20 2. Pacific Power and Light Company powerline easement - Case
21 No. 61-173, Circuit Court of the State of Oregon, Klamath
22 County.
23 3. Pacific Gas Transmission Company pipeline easement. Case
24 No. 70-175L - Circuit Court of the State of Oregon, Klamath
25 County.
26

- 1 4. Roads of public easement granted to Klamath County from
2 the Bureau of Indian Affairs dated July 6, 1960.
- 3 5. Existing Southern Pacific Railway found in Solomon Butte area.
- 4 6. Temporary road use permit granted to Continental Forest Products
5 Company dated November 22, 1973.
- 6 7. Temporary road use permit granted to Mazama Timber Products
7 dated July 31, 1974.
- 8 8. Range lease granted to Dayton O. Hyde dated July 16, 1973
9 and extended by letter to October 14, 1974.
- 10 9. Range lease granted to Perry Langer dated July 19, 1974.
- 11 10. Range lease granted to Donal H. Dean dated June 26, 1973 and
12 extended by letter to December 31, 1974.
- 13 11. Range lease granted to Bertland Stanley dated April 16, 1973
14 and extended by letter to September 30, 1974.
- 15 12. Range lease granted to Ora Summers dated February 25, 1965
16 and extended by letter to October 30, 1974.
- 17 13. Range lease granted to Carroll Owens dated June 1, 1974.
- 18 14. Range lease granted to George Pondella, Sr. dated March 14, 1974.
- 19 15. Range lease granted to Modoc Lumber Company dated July 1, 1974.
- 20 16. License agreement between the U.S. National Bank of Portland
21 and Paul and Robert Wampler dated May 14, 1968.
- 22 17. Solomon Butte pine timber sale contract to D. G. Shelter Products.
23 Expiration date is December 31, 1974. *Extended by letter to December 31, 1975.*

*amended by order of
Judge Bellis filed
11/27/75*

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Page 9

18. Solomon Butte fir sale #2 timber sale contract to Columbia Plywood Corporation of Klamath Falls, Oregon. Expiration date of contract is December 31, 1974.
19. East Calimus timber sale contract to Columbia Plywood Corporation. Expiration date of contract is December 31, 1974.
20. Annual sanitation salvage to D. G. Shelter Products. Expiration date of contract is December 31, 1974.
21. South Applegate timber sale contract to D. G. Shelter Products. Expiration date of contract is December 31, 1975.
22. State Highway #232 easement.
23. "Head of the River" paved county road.
24. Agreement dated May 18, 1961 between Klamath Fire Protection Agency and the U.S. National Bank of Portland.
25. Rights of Dayton O. Hyde in the existing telephone line along the "Head of the River" county road.
26. Rights of Donal Dean in and to an existing irrigation ditch and/or pipeline.
27. Christmas tree cutting contract to Eddie E. Anderson dated October 21, 1974. Expiration date of contract is December 20, 1974.
28. Rights of the State of Oregon in and to an existing quarry site, material source, and haul roads as indicated by instruments recorded among the land records of Klamath County, Oregon, in Volume 311 of Deeds, at page 186, and Volume M-67 of Deeds, at page 4632.

ESTIMATED JUST COMPENSATION: \$49,000,000.00

Page 10

*Rev. Joseph E. Burey, Atty
PO Box 71
Portland, Ore*

FPI-81-8-6-74-7500-1200

Form No. USA-40-45-1
(Rev. 7-74)

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of U.S. DEPARTMENT OF JUSTICE

this 30th day of January A. D., 1975 at 12:45 o'clock P. M., and duly recorded in Vol. M 75 of MORTGAGES on Page 1300

FEE \$ 24.00

By *WM. D. MILNE* County Clerk Deputy