

NOTICE OF PENDENCY

OF AN ACTION

Pursuant to ORS 93.740, the undersigned states:

1. As plaintiff, State of Oregon, by and through its Department of Transportation, has filed an amended action in the Circuit Court for Klamath County, State of Oregon;

2. The defendants are: L. A. Gienger and Pauline H. Gienger, doing business as Gienger Investments; and Alyson Casey, Trustee of the Gienger Liquidating Trust;

3. The object of the action is: To acquire interest(s) in the property described below by Eminent Domain;

4. The description of the real property to be affected is as set out in the Exhibit A attached hereto and by this reference made a part hereof;

Dated this 16 day of March, 1990.

John R. McCulloch, Jr.
Plaintiff's Attorney

Name: JOHN R. McCULLOCH, JR.

Address: 450 Justice Building
Salem, Oregon 97310

Phone No.: (503) 378-6313

STATE OF OREGON)
) ss.
County of Marion)

The foregoing instrument was acknowledged before me this 16 day of March, 1990, by _____.

John Dodge
Notary Public for Oregon

My commission expires: 8-9-91

'90 APR 12 AM 11 30

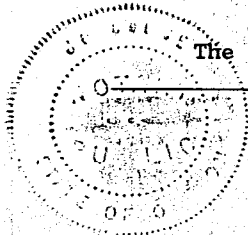


EXHIBIT A

File 58107

L. A. and Pauline H. Gienger

AFD 7-14-89 9B-31-21

Survey Approval Project

Section: Forge Rd.-Robert Rd. (South Unit)

Highway: The Dalles-California
Throughway

PARCEL 1 - Access Only

A tract of land lying in Lots 33 and 38 of Section 16, Township 35 South, Range 7 East, W.M., Klamath County, Oregon; the said tract being that portion of said lots lying Easterly of the Easterly line of the relocated the Dalles-California Highway and Southerly of that property described in that deed to Fred W. Koehler, Jr., recorded in Book M-77, Page 15301 of Klamath County Record of Deeds.

PARCEL 2 - Excess

A parcel of land lying in Lot 38 of Section 16, Township 35 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being that portion of said lot lying Southwesterly of the Southwesterly line of the relocated Crater Lake Highway (formerly the old The Dalles-California Highway).

The parcel of land to which this description applies contains 0.65 acre, more or less.

ael/

7-20-89

NOTE: Parcel 1 Access Controlled (to Highway).

Parcel 2 Makes an Entire Taking on the Southwesterly Side of Crater Lake Hwy.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of State of Oregon the 12th day
of April A.D., 19 90 at 11:30 o'clock A.M. and duly recorded in Vol. M90
of Mortgages on Page 6807

Evelyn Biehn County Clerk

By Pauline Mueller

FEE \$13.00