

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 action in the Circuit Court for Klamath County, State of Oregon;

2. The defendants are: Mary Cecelia Ewing, Daniel D. Ewing, John D. Ewing, and David B. Ewing.

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 as Parcel 1 in the Exhibit A attached hereto and by this reference made a part hereof;

Dated this 25 day of July, 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, County of Marion

July 25, 1990. Personally appeared the above named John R. McCulloch, Jr., who acknowledged the foregoing instrument to be his voluntary act. Before me:

John Dodge
Notary Public for Oregon

My commission expires: 2-9-91

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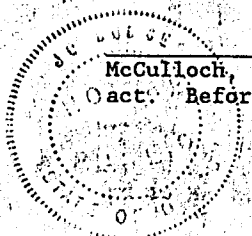


EXHIBIT A

File R6050037
 Mary Cecelia Ewing, et al.
 RWN 2-13-90 9B-34-14
 Parcels 1 and 2

Survey Approval Project
 Section: Forge Rd.-Lobert (North Unit)
 Highway: The Dalles-California
 Throughway

PARCEL 1 - Fee

A parcel of land lying in Lot 7, Section 4, Township 35 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Mary Cecelia Ewing, Daniel D. Ewing, John D. Ewing and David B. Ewing, recorded in Book M-84, Page 16988 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Easterly side of the center line of the relocated The Dalles-California Highway which center line is described as follows:

Beginning at Engineer's center line Station 3053+78.63, said station being 511.58 feet North and 803.30 feet West of the Southeast corner of Section 28, Township 34 South, Range 7 East, W.M.; thence South 6° 29' 28" West 7321.37 feet to Engineer's center line Station 3127+00.

The widths in feet of the strip of land above referred to are as follows:

| Station | to | Station | Width on Easterly Side of Center Line |
|---------|----|---------|------------------------------------------|
| 3119+00 | | 3123+00 | 90 in a straight line to 70 |

Bearings are based upon the Oregon Co-ordinate System of 1927, South Zone.

The parcel of land to which this description applies contains 3,580 square feet, more or less, outside of the existing right of way.

PARCEL 2 - Excess

A parcel of land lying in Lot 7, Section 4, Township 35 South, Range 7 East, W.M., Klamath County, Oregon and being that property described in that deed to Mary Cecelia Ewing, Daniel D. Ewing, John D. Ewing and David B. Ewing, recorded in Book M-84, Page 16988 of Klamath County Record of Deeds.

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 17,740 square feet, more or less, outside of the existing right of way.

(OVER)

EXHIBIT A CONTINUED - Page 2

File R6050037

rlr

02-13-90

NOTE: Parcel 1 Access Controlled to Parcel.
Parcel 2 Access Not Controlled.
Parcel 2 Makes Entire Taking.
Prior file 11908

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Oregon Dept. of Transportation the 10th day
of Aug. A.D., 19 90 at 11:31 o'clock A M., and duly recorded in Vol. M90,
of Mortgages on Page 16086.

FEE \$15.00

Evelyn Biehn, County Clerk

By Pauline Muelendorfs