

## 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: Lonnie Sanborn, also known as Lonnie William Sanborn; Federal Deposit Insurance Corporation, successor to Federal Savings & Loan Association Insurance Corporation, successor to Umpqua Savings & Loan Association, an Oregon corporation; and William Fitzgerald;

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 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

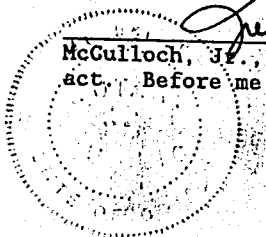
July 25, 1990. Personally appeared the above named John R. McCulloch, Jr., who acknowledged the foregoing instrument to be his voluntary act. Before me:

Jo Dodge  
Notary Public for Oregon

My commission expires: 2-9-91

'90 AUG 10 AM 11 31

Rel:



## EXHIBIT A

File R6050032  
 Lonnie Sanborn and  
 Chris Sanborn  
 KEK 07-11-90 98-34-14

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

## PARCEL 1 - Access Only

A tract of land lying in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 33, Township 34 South, Range 7 East, W.M., Klamath County, Oregon and being that property described in that deed to Lonnie Sanborn and Chris Sanborn, recorded in Book M-88, Page 7792 of Klamath County Record of Deeds.

## PARCEL 2 - Permanent Easement for Slopes, Water, Gas, Electric and Communication Service Lines, Fixtures and Facilities

A parcel of land lying in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 33, Township 34 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being that portion of said SE $\frac{1}{4}$ NE $\frac{1}{4}$  lying Southerly of that property described in that deed to the State of Oregon, by and through its State Highway Commission recorded May 10, 1947 in Book 206, Page 169 of Klamath County Record of Deeds; Northerly of a line at right angles to the center line of the relocated The Dalles-California Highway at Engineer's Station 3081+50 and included in a strip of land variable in width, lying on the Westerly side of said center line 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 Westerly Side of Center Line
3069+70		3077+75	55 in a straight line to 70
3077+75		3081+50	70 in a straight line to 50

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

The parcel of land to which this description applies contains 9,875 square feet, more or less, outside of the existing right of way.

(CONTINUED ON PAGE 2)

EXHIBIT A CONTINUED - Page 2

File R6050032

rlr

07-11-90

NOTE: Parcel 1 Access Controlled to Highway.  
Parcel 2 Access Not Controlled. Prior file RW8441 restricts access to highway.  
Outside Area: 7.42 acres, more or less, right.  
Prior file RW8441.

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 AM., and duly recorded in Vol. M90,  
of Mortgages on Page 16089.

Evelyn Biehn County Clerk

FEE \$15.00

By

Doreen Mullender