

20143

NOTICE OF PENDENCY

Vol. m90 Page 18488

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 defendant is: Quentin L. Breen, Trustee of Train Mountain Foundation;
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 15<sup>th</sup> day of August, 1990.

John R. McCulloch, Jr.  
Plaintiff's Attorney

Ret: Name: JOHN R. McCULLOCH, JR.  
Address: 450 Justice Building  
Salem, Oregon 97310  
Phone No.: (503) 378-6313

STATE OF OREGON, County of Marion

August 15 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

SEP 14 PM 12 36

## EXHIBIT A

File R6050026  
 Glenger Enterprises, Inc.  
 CLM 12-14-89 9B-34-14

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

## Fee

A parcel of land lying in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 28 and in the N $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$  and the N $\frac{1}{4}$ S $\frac{1}{4}$ NE $\frac{1}{4}$ 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 subdivisions included in a strip of land variable in width, lying on the Westerly 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 2942+98.43, said station being 1014.12 feet North and 368.64 feet West of the Southeast corner of Section 16, Township 34 South, Range 7 East, W.M.; thence South 2° 47' 55" West 9599.37 feet; thence on a spiral curve right (the long chord of which bears South 2° 55' 25" West 250 feet) 250 feet; thence on a 19,098.59 foot radius curve right (the long chord of which bears South 4° 38' 41.5" West 980.73 feet) 980.83 feet; thence on a spiral curve right (the long chord of which bears South 6° 21' 58" West 250 feet) 250 feet; 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
3046+00		3057+00	80
3057+00		3059+20	80 in a straight line to 150
3059+20		3069+70	150 in a straight line to 55

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

The parcel of land to which this description applies contains 2.18 acres, more or less, outside of the existing right of way.

rlr  
 01-10-90

NOTE: Access Controlled to Highway  
 Outside area: 32.39 acres, more or less, right.  
 Prior file RW8428

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of State of Oregon the 14th day  
 of Sept. A.D., 19 90 at 12:36 o'clock P.M., and duly recorded in Vol. M90  
 of Mortgages on Page 18483.

FEE \$10.00

Evelyn Biehn County Clerk

By Pauline Miller