|  |      | رم <sup>ر</sup>   |  | Vol <u>mal</u> Page<br>Vol <u>mal</u> Page_        | 1136 _ 58/06  |  |  |
|--|------|---|--|--|---|--|--|
|  |      | 24924<br>,25147 (1  |  | 이 가지 않는 것 같은 것 같은 것 같은 것 같은 것 같이 많이 있는 것 같이 많이 있다. |   |  |  |
|  |      | х <b>ре</b> лич /   | ASPEN  | 34694  | ALAMATH CO. CHORE COURT   |  |  |
|  | 1    | . <b>~ J. '</b> ? CI  | RCUIT COU  | JRT OF OREGON                                      | 1951 JAN -9 PH 3= 33  |  |  |
| ŝ  | 2    | KLAMAT  |  | H COUNTY   | CLERK OF COURT  |  |  |
|  | 3    | STATE OF OREGON, by and<br>through its Department<br>of Transportation, |  |  | BY  |  |  |
|  | 5    | Plaintiff,  | la de tradición<br>La electro de<br>Tárico encorre | )<br>)<br>) No. 9001489C                           | n de la companya de<br>La companya de la comp |  |  |
| HUP  | 6    |   |  |  |   |  |  |
|  | 7    |   |  | ) STIPULATED FINAL<br>) JUDGMENT                   |   |  |  |
|  | 8    | California limited partnership; )                                       |  |  |   |  |  |
|  | 9    | and UNITED STATES NATION<br>BANK OF OREGON, a nation                    |  | 3  |   |  |  |
| ÅN 11 13   | 10   | banking association,  |  |  |   |  |  |
|  |      | Defendants. )   |  |  |   |  |  |
|  | 11   | The above-entitled matter having come on regularly upon                 |  |  |   |  |  |
|  | 12   | stipulation of the parties, plaintiff appearing by and through          |  |  |   |  |  |
| Rig  | 13   | Robert A. Petersen of its attorneys and defendant Klamath               |  |  |   |  |  |
| 03   | 14   | Country Corners appearing by and through Michael L. Brant, its          |  |  |   |  |  |
|  | 15   | attorney; and   |  |  |   |  |  |
|  | 16   | It appearing to the court and the court now finds that an               |  |  |   |  |  |
|  | 17   | Order of Default has been entered herein against United States          |  |  |   |  |  |
|  | 18   | National Bank of Oregon, defendant herein; and                          |  |  |   |  |  |
| DEPARTMENT OF JUSTICE<br>JUSTICE BUILDING<br>SALEM, ORECON 97310<br>PHONE 378-4400 | 19   | It appearing to the court and the court now finds that the              |  |  |   |  |  |
|  | 20   | acquisition described in Paragraph 3 of plaintiff's Complaint           |  |  |   |  |  |
|  | 21   | on file herein is necessary for public use; and                         |  |  |   |  |  |
|  | 22   | It appearing to the court and the court now finds that the              |  |  |   |  |  |
|  | 23   | plaintiff, prior to the commencement of this action and                 |  |  |   |  |  |
|  | 24   | pursuant to its resolution, attempted to acquire said real              |  |  |   |  |  |
|  | 25   | property by agreement and purchase, but was unable to do so; and        |  |  |   |  |  |
|  | 26   | It appearing to the court from the records and files                    |  |  |   |  |  |
|  | Page | 1 - STIPULATED FINAL JU   | JDGMENT  |  |   |  |  |
|  |      | 이야지 아파에서 문서 그렇게 가지 않는 것이 같이 많이      |  |  |   |  |  |

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herein and the stipulation of the parties that the sum to be awarded to the defendants for the appropriation of the property hereinafter described is the sum of \$2,500, and

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It further appearing to the court that plaintiff, on May 14, 1990 deposited with the clerk of this court the sum of \$500 for the use and benefit of the defendants; and

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DEPARTMENT OF JUSTICE

7 It further appearing that plaintiff has deposited with the 8 clerk of this court the balance of the amount for the 9 appropriation which is over and above the \$500 heretofore 10 deposited, to wit: the sum of \$2,000, plus interest at the 11 rate of 9% per annum from May 18, 1990, the date the plaintiff 12 took possession of the property described herein, to the date 13 of payment, and that plaintiff is now entitled to judgment, 14 appropriating the acquisition hereinafter described, to the 15 State of Oregon, by and through its Department of 16

Transportation, free and clear of all liens and encumbrances; 17 now, therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by this court 19 as follows: 20

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22 That the acquisition hereinafter described be, and the 23 same hereby is, appropriated for public purposes; and title to 24 said acquisition, together with all rights and easements 25 therein, be, and the same hereby is vested in the State of 26 Oregon, by and through its Department of Transportation, free Page 2 - STIPULATED FINAL JUDGMENT

1525 1 and clear of all liens and encumbrances. Said acquisition so 2 appropriated is described on the attached Exhibit A. 3 The use to be made of each parcel is as follows: 4 All abutter's rights of access to, from and between the The Dalles-California Highway and 5 the property described as Parcel 1, and to the east side of the Crater Lake Highway south of 6 the north line of Lot 34, EXCEPT, however; 7 Reserving access rights, for the service of defendants' remaining property, to and from said 8 remaining property to the Crater Lake highway at the following place, in the following width: 9 Hwy. Engr's Sta. 10 Side of Hwy. Width 1294+35 Easterly 11 35' 1299+25 Easterly 35' 12 All abutter's rights of access to, from and between the right of way of the highway project 13 and the property described as Parcel 2, and to the west side of the Crater Lake Highway from 14 defendants' remaining property south of the south line of Lot 34. 15 16 2. 17 That none of the parties shall recover costs or attorney 18 fees incurred herein. DATED this # 1 day of annulum. 1991. 19 20 DEPARTMENT OF JUSTICE JUSTICE BUILDING SALEM, OREGON 97310 PHONE 375-4400 21 CIRCUIT COURT JUDGE 22 IT IS SO STIPULATED: 23 24 Robert A. Petersen 25 Michael L. Brant Of Attorneys for Plaintiff Of Attorneys for Defendant 26 8674T/dsk Page 3 - STIPULATED FINAL JUDGMENT

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OPP 

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EXHIBIT A

File 58106 Fred W. Koehler, Jr. and Alex D. Krentel, doing business as Klamath County Corners RDS 11-3-88 9B-31-21

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

## PARCEL 1 - Access Only

A tract of land lying in Lots 33 and 34 of Section 16, Township 35 South, Range 7 East, W.M., Klamath County, Oregon; the said tract being that portion of said lots lying Westerly of the Westerly right of way line of the relocated the Dalles-California Highway and Northeasterly of the Northeasterly right of way line of the relocated Crater Lake Highway (formerly the old The Dalles-California Highway).

PARCEL 2 - Access Only

STATE OF OREGON - 1 County of Kierstin Y

The stand of land lying in Lot 37 of Section 16, Township 35 South, A tract or land lying in bot 57 of otection said tract being that Range 7 East, W.M., Klamath County; Oregon; the said tract being that portion of said lot lying: Southwesterly of the Southwesterly right of way line of the relocated Crater Lake Highway (formerly the old The Dalles-California Highway).

ī, ael/ 0 41 5 11-9-88 Hunny NOTE: Parcels 1 and 2 Access Controlled (to Highway).

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Glock of Louis Clock of Louis

Exhibit A

Construction and the proceeding of the

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.211a 5810a Fred M. Asallser, Jr. and Alex D. Mrantel Aslag busiques Misselt Casety Currey 805-11-24-55 58-21-21

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STATE OF OREGON ) County of Klamath ) I, LYN G. HARDY Clerk of the Circuit Court of the County of Klamath and the State of Oregon do hereby certify that the foregoing copy has been by ma compared with the originable of state is a transcript interation, and of the whole of such circuit certa semicloper a cardia or or record in my office and Klamath, ore and custory.

office antiking core and custory: IN TEST MARKED WHENEOF, Unave hereuntal using hand and officed mesocher said Court this \_\_\_\_\_ day of \_\_\_\_\_\_ A.D/ 19\_\_\_\_ SAN G. HARDY ) /Clerk of Coort ATE OF OUN 

## STATE OF OREGON: COUNTY OF KLAMATH: ss.

| Filed for record at request of           | Aspen Title Co.  | the   | <u>    17th     </u> day   |
|--|--|---|--|
| с Тап <u>к</u> г                         | D., 19 <u>91</u> at <u>11:13</u>   | o'clock AM., and duly recorded in V   | ol. <u>M91</u> ,   |
| or A.L                                   |  | on Page1136   |  |
| SHITE SHITE                              |  | Evelyn_Biehn · County Clerk   |  |
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| STATE OF OREGON: COUNTY                  | OF KLAMATH: ss.  |   |  |
|  |  |   |  |
| Filed for record at request of           | Aspen Title  | co. the   | 24th day   |
| of Jan. A.I                              |  |   |  |
|  |  | on Page <u>1523</u> .   | 01,  |
| <b>01</b>                                | <u> </u>   |   |  |
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| (Re-recorded to corre                    | ct book)   | - 2011년 1998년 1<br>1998년 1998년 199<br>1999년 1998년 199 |  |