

32410

Vol. 91 Page 14585

NOTICE OF PENDENCY  
OF AN ACTIONFILED  
STATE OF OREGON  
CLERK OF COURT  
1991 JUL 22 PM 4:44

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: LMJ Cattle Company, a partnership consisting of J.R. Owens, Lauren P. Owens and Mark E. Owens;
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

24<sup>th</sup> day of

July

1991

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

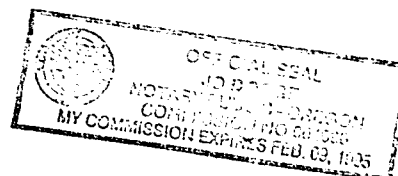
April 24, 1991. Personally appeared the above named John R. McCulloch, Jr., who acknowledged the foregoing instrument to be his voluntary act. Before me:

*[Signature]*  
 Notary Public for Oregon

My commission expires: 2-9-95

After Recording Return To:

Highway Division  
 Right of Way Section  
 Room 409 Transportation Bldg.  
 Salem, OR 97310



## EXHIBIT A

14586

File R6068013  
 LMJ Cattle Company  
 CLM 06-01-90 98-36-12  
 Parcels 1 and 2

Survey Approval Project  
 Section: Crater Lake Boundary-Fort Klamath  
 Highway: Crater Lake  
 Non-Throughway

## PARCEL 1 - Fee

A parcel of land lying in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 8, and in Lot 1, Lot 2, Lot 3, Lot 4, the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , and the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 9, Township 33 South, Range 7 $\frac{1}{2}$  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 Southerly and Westerly side of the center line of the Crater Lake Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 174+65.84, said station being 5498.62 feet North and 8463.12 feet West of the Southeast corner of Section 9, Township 33 South, Range 7 $\frac{1}{2}$  East, W.M.; thence South 88° 54' 39" East 3940.76 feet; thence on a spiral curve right (the long chord of which bears South 84° 57' 14" East 499.05 feet) 500 feet; thence on a 1206.23 foot radius curve right (the long chord of which bears South 53° 01' 50" East 981.44 feet) 1010.75 feet; thence on a spiral curve right (the long chord of which bears South 21° 06' 26" East 499.05 feet) 500 feet; thence South 17° 09' 01" East 2579.71 feet; thence on a 22,918.31 foot radius curve left (the long chord of which bears South 17° 17' 16" East 110.04 feet) 110.05 feet; thence South 17° 25' 31" East 4814.77 feet to Engineer's center line Station 309+21.88.

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

Station	to	Station	Width on Southerly and Westerly Side of Center Line
174+65.84		214+06.60	45
214+06.60		219+06.60	45 in a straight line to 40
219+06.60		229+17.35	40
229+17.35		234+17.35	40 in a straight line to 41
234+17.35		259+97.06	41
259+97.06		261+07.11	41 in a straight line to 40.5
261+07.11		309+21.88	40.5

ALSO that portion of said Lot 1, Lot 2, Lot 3, Lot 4, and NW $\frac{1}{4}$ NW $\frac{1}{4}$  lying Northerly and Easterly of said center line.

(CONTINUED ON PAGE 2)

Bearings are based upon the Oregon Co-ordinate System of 1983, South Zone.

The parcel of land to which this description applies contains 3.41 acres, more or less, outside of the existing right of way.

**PARCEL 2 - Temporary Easement For Work Area (3 years or Duration of project)**

A parcel of land lying in Lot 1, Section 9, Township 33 South, Range 7½ East, W.M., Klamath County, Oregon; the said parcel being that portion of said lot lying between lines at right angles to the center line of the relocated Crater Lake Highway at Engineer's Stations 222+50 and 227+00 and included in a strip of land 60 feet in width, lying on the Southwesterly side of said center line, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 8,627 square feet, more or less.

br  
03-13-91

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Oregon Hwy Div. the 26th day  
of July A.D. 19 91 at 9:24 o'clock A.M. and duly recorded in Vol. M91  
of Mortgages on Page 14585.

FEE \$15.00

Evelyn Biehn . County Clerk

By Pauline M. Mendenhall