

After Recording Return to:
Albert C. Depenbrock
Department of Justice
1162 Court Street N.E.
Salem, Oregon 97301-4096

NOTICE OF PENDENCY OF AN ACTION

Pursuant to ORS 93.740, the undersigned states:

1. As plaintiff, Southview Properties Development LLC, has filed an action in the Circuit Court for Klamath County, State of Oregon;
2. The defendant is: State of Oregon by and through Department of Transportation.
3. The object of the action is: inverse condemnation among other things, to put the property to the defendant and obtain just compensation therefore.
4. The description of the real property to be affected is attached as Exhibit A.

DATED this 11 day of July, 2001.


 ALBERT C. DEPENBROCK #78035
 Assistant Attorney General
 Of Attorneys for Defendant State of Oregon
 1162 Court Street NE, Room 100
 Salem, OR 97301-4096
 Telephone: (503) 378-6313

STATE OF OREGON)
) ss.
 County of Marion)

The foregoing instrument was acknowledged before me this 11 day of July, 2001 by
 Albert C. Depenbrock.

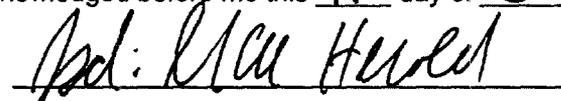

 Notary Public for Oregon
 My commission Expires: 09/20/2003



EXHIBIT A
DESCRIPTION OF PROPERTY

All of the following described real property situated in Klamath County, Oregon:

Township 38 South, Range 8 East of the Willamette Meridian,
Section 36: The SE $\frac{1}{4}$ NE $\frac{1}{4}$, and all of the SE $\frac{1}{4}$, also the SW $\frac{1}{4}$ NE $\frac{1}{4}$

Township 38 South, Range 9 East of the Willamette Meridian,
Section 31: The SW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$

Township 39 South, Range 9 East of the Willamette Meridian,
Section 6: The N $\frac{1}{2}$ N $\frac{1}{2}$

Township 39 South, Range 8 East of the Willamette Meridian,
Section 1: A portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of the Section described as follows:

Beginning at the Northeast corner of the Section; thence West along the North boundary of the section to the North-South center line of said Section; thence south to the intersection of the North-South center line of the Section with the Northerly boundary of State Highway 140; thence following the Northerly boundary of Highway 140 Southeasterly to its intersection with the south boundary of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 1; thence East on the South boundary of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 1 to its intersection with the East boundary of Section 1; thence North to the point of beginning.

Section 1: Also the Easterly 40 feet of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ that lies Northerly of Highway 140.

Section 1: Also a portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the North line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ from which the Northeast 1/16 corner of said Section 1 bears S. 89° 31' 34" E. 40.00 feet; thence S. 00° 08' 01" E. parallel to the East line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, 432.41 feet to a 5/8 inch iron pin on the Northeasterly right of way line of said State Highway 140; thence N. 56° 11' 22" West along said right of way line, 146.70 feet to a 5/8 inch iron pin in an existing fence; thence N. 11° 57' 35" E., generally along said exiting fence, 358.95 feet to a 5/8 inch iron pin on the North line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; then S. 89° 31' 34" E. 46.50 feet to the point of beginning.

That portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying Northeasterly of Highway 140 of Section 1,
Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

And the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

State of Oregon, County of Klamath
Recorded 07/17/01 at 8:26 a.m.
In Vol. M01 Page 34717
Linda Smith,
County Clerk Fee\$ 26⁰⁰