

2013-004922

Klamath County, Oregon



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05/07/2013 11:21:46 AM

Fee: \$47.00

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: TOWN & COUNTRY CENTER, LLC, an Oregon limited liability company; LSREF2 CLIPPER III, LLC, a Delaware limited liability company; PACPIZZA, LLC, a Delaware limited liability company; FLOWER PETALS INC., an Oregon corporation, doing business as Petals; WASHINGTON FEDERAL, which acquired SOUTH VALLEY BANK & TRUST; U.S. BANK NATIONAL ASSOCIATION which acquired UNITED STATES NATIONAL BANK OF OREGON formerly known as THE UNITED STATES NATIONAL BANK OF PORTLAND;
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 30 day of April, 2013.

Justin Emerson Kidd
Assistant Attorney General

Name: STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION, by

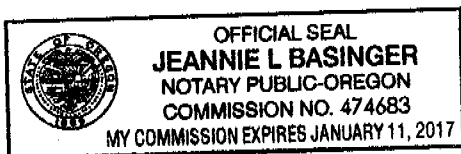
Justin Emerson Kidd
Assistant Attorney General

Address: 1162 Court Street NE
Salem, OR 97301

Phone No.: (503) 947-4700

STATE OF OREGON, County of Marion

The foregoing instrument was acknowledged before me this 30 day of April, 2013, by Justin Emerson Kidd.



Notary Public for Oregon
My Commission Expires 1-11-17

After Recording Return To:

Oregon Department of Transportation
Right of Way Section - Condemnation Unit
4040 Fairview Industrial Dr SE, MS#2
Salem OR 97302-1142

Parcel 1 – Fee

A parcel of land lying in the NE¼SE¼ of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property described in that Bargain and Sale Deed to Town & Country Center L.L.C., recorded March 14, 2002 in Book M02, Page 15183, Klamath County Record of Deeds; said parcel being that portion of said property lying between lines at right angles to the center line of the relocated Klamath Falls – Lakeview Highway at Engineer's Stations 62+22.00 and 62+89.00 and included in a strip of land 41.00 feet in width, lying on the Southerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 24+00.00, said station being 1,973.05 feet West and 1,304.43 North of the Center quarter corner of Section 3, Township 39 South, Range 9 East W.M.; thence South 55° 50' 25" East 1,765.50 feet; thence on a spiral curve left (the long chord of which bears South 59° 31' 15" East 469.22 feet) 470.00 feet; thence on a 1,219.06 foot radius curve left (the long chord of which bears South 72° 54' 28" East 255.81 feet) 256.28 feet; thence on a spiral curve left (the long chord of which bears South 86° 17' 41" East 469.22 feet) 470.00 feet to Engineer's center line Station 53+61.77 Back equals 53+70.60 Ahead; thence South 89° 58' 31" East 2,150.39 feet to Engineer's Station 75+20.99 Back equals 75+21.60 Ahead, on said center line.

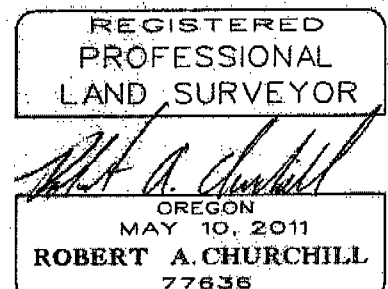
Bearings are based on County Survey No. 7892, filed January, 2012, Klamath County, Oregon.

This parcel of land contains 67 square feet, more or less.

Parcel 2 – Fee

A parcel of land lying in the NE¼SE¼ of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property described in that Bargain and Sale Deed to Town & Country Center L.L.C., recorded March 14, 2002 in Book M02, Page 15183, Klamath County Record of Deeds; said parcel being that portion of said property lying easterly of a line at right angles to the center line of the relocated Klamath Falls – Lakeview Highway at Engineer's Station 66+21.00 and included in a strip of land 50.00 feet in width, lying on the Southerly side of said center line, which center line is described in Parcel 1.

This parcel of land contains 65 square feet, more or less.



RENEWS: 12/31/2013

Parcel 3 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property described in that Bargain and Sale Deed to Town & Country Center L.L.C., recorded March 14, 2002 in Book M02, Page 15183, Klamath County Record of Deeds; said parcel being that portion of said property lying easterly of a line at right angles to the center line of the relocated Klamath Falls – Lakeview Highway at Engineer's Station 66+11.00 and included in a strip of land 60.00 feet in width, lying on the Southerly side of said center line, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 2.

This parcel of land contains 333 square feet, more or less.

Parcel 4 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property described in that Bargain and Sale Deed to Town & Country Center L.L.C., recorded March 14, 2002 in Book M02, Page 15183, Klamath County Record of Deeds; said parcel being that portion of said property lying between lines at right angles to the center line of the relocated Klamath Falls – Lakeview Highway at Engineer's Stations 62+12.00 and 62+99.00 and included in a strip of land 51.00 feet in width, lying on the Southerly side of said center line, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

This parcel of land contains 890 square feet, more or less.

