



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: TESORO REFINING AND MARKETING COMPANY, LLC, a Delaware limited liability company, which acquired title as Tesoro Refining and Marketing Company, a Delaware corporation; and ABS OR-O LLC, a Delaware limited liability company,
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

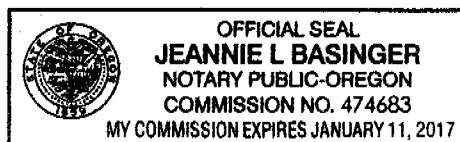
Justin Emerson Kidd
Assistant Attorney General

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 NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property designated as Parcel 1 and described in that Statutory Bargain and Sale Deed to Tesoro Refining and Marketing Company, a Delaware Corporation recorded February 22, 2012 in Book 2012 Page 001951, 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 117+09.00 and 117+33.00 and included in a strip of land 48.00 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 75+21.60, said station being 131.80 feet East and 1.47 feet South of the West quarter corner of Section 2, Township 39 South, Range 9 East W.M.; thence North 89° 44' 04" East 2,984.00 feet; thence South 89° 52' 38" East 2,309.15 feet to Engineer's center line Station 128+14.75 Back equals 128+15.00 Ahead, on said center line.

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

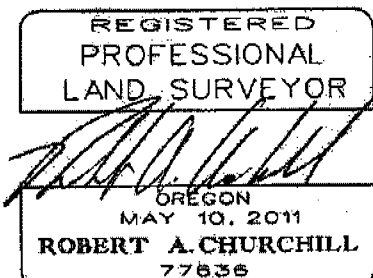
This parcel of land contains 192 square feet, more or less.

Parcel 2 - 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 2, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property designated as Parcel 1 as described in that Statutory Bargain and Sale Deed to Tesoro Refining and Marketing Company, a Delaware Corporation, recorded February 22, 2012 in Book 2012 Page 001951, 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 116+99.00 and 117+43.00 and included in a strip of land 58.00 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 529 square feet, more or less.



RENEWS: 12/31/2013