

2013-004925

Klamath County, Oregon



00135426201300049250030033

05/07/2013 11:25:44 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 defendant is: JON G. MCKELLAR;
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

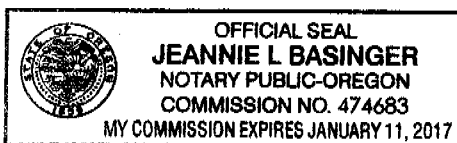
Justin Emerson Kidd
Assistant Attorney General

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 SW¼NW¼ of Section 1, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property described in that Statutory Warranty Deed to Jon G. Mckellar, recorded March 28, 2012 in Book 2012, Page 003215, Klamath County Record of Deeds; said parcel being that portion of said property lying Southerly of the following described line:

Beginning at a point opposite and 45.00 feet Northerly of Engineer's Station 133+04.00 on the center line of the relocated Klamath Falls – Lakeview Highway; thence Easterly in a straight line to a point opposite and 45.00 feet Northerly of Engineer's Station 133+29.00 on said center line; thence Easterly in a straight line to a point opposite and 41.00 feet Northerly of Engineer's Station 134+14.00 on said center line; thence Easterly in a straight line to a point opposite and 41.00 feet Northerly of Engineer's Station 135+05.00 on said center line.

The center line of the relocated Klamath Falls – Lakeview Highway is described as follows:

Beginning at center line station 128+15.00, said station being the West quarter corner of Section 1, Township 39 South, Range 9 East W.M.; thence South 89° 51' 00" East 360.50 feet; thence on a spiral curve right (the long chord of which bears South 87° 08' 35" East 499.55 feet) 500.00 feet; thence on a 1,763.64 foot radius curve right (the long chord of which bears South 67° 58' 42" East 838.38 feet) 846.48 feet; thence on a spiral curve right (the long chord of which bears South 48° 48' 48" East 499.55 feet) 500.00 feet; thence South 46° 06' 23" East 69.88 feet to Engineer's center line station 150+91.86 Back equals 150+92.02 Ahead; thence South 46° 06' 23" East 4,093.12 feet to center line station 191+85.14, on said center line.

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

This parcel of land contains 426 square feet, more or less.

Parcel 2 – Permanent Easement for Slopes

A parcel of land lying in the SW¼NW¼ of Section 1, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property described in that Statutory Warranty Deed to Jon G. Mckellar, recorded March 28, 2012 in Book 2012, Page 003215, Klamath County Record of Deeds; said parcel being that portion of said property lying Southerly of the following described line:

Beginning at a point opposite and 48.00 feet Northerly of Engineer's Station 133+04.00 on the center line of the relocated Klamath Falls – Lakeview Highway; thence Easterly in a straight line to a point opposite and 55.00 feet Northerly of Engineer's Station 135+05.00 on said center line, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

This parcel of land contains 1,667 square feet, more or less.

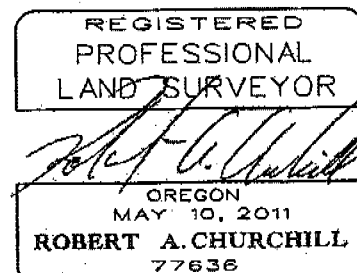
Parcel 3 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the SW¼NW¼ of Section 1, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property described in that Statutory Warranty Deed to Jon G. Mckellar, recorded March 28, 2012 in Book 2012, Page 003215, Klamath County Record of Deeds; said parcel being that portion of said property lying Southerly of the following described line:

Beginning at a point opposite and 50.00 feet Northerly of Engineer's Station 130+06.00 on the center line of the relocated Klamath Falls – Lakeview Highway; thence Easterly in a straight line to a point opposite and 65.00 feet Northerly of Engineer's Station 135+05.00 on said center line, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

This parcel of land contains 3,282 square feet, more or less.



RENEWS: 12/31/2013