



NOTICE OF PENDENCY

09/30/2013 08:24:47 AM

Fee: \$47.00

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: BRIAN R. MILLER,
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 20th day of September, 2013.


J. NICOLE DEFEVER
Assistant Attorney General

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

J. Nicole DeFever
Assistant Attorney General

Address: 1515 SW Fifth Avenue, Suite 410
Portland, OR 97201


Phone No.: (971) 673-1880

STATE OF OREGON, County of Multnomah

The foregoing instrument was acknowledged before me this 20th day of September, 2013, by

J. Nicole DeFever.




Notary Public for Oregon
My Commission Expires 7/30/2017

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 SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 38 South, Range 11 East, W.M., Klamath County, Oregon and being a portion of that property described in that Quitclaim Deed to Brian R. Miller, recorded June 23, 2011 in Book 2011, Page 007571, Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land, variable in width, lying on the Southeasterly side of the center line of the relocated Klamath Falls – Lakeview Highway, TOGETHER WITH that portion of said property lying Northeasterly of a line at right angle to the center line of the relocated Klamath Falls – Lakeview Highway at Engineer's Station 1442+25.00, which center line is described as follows:

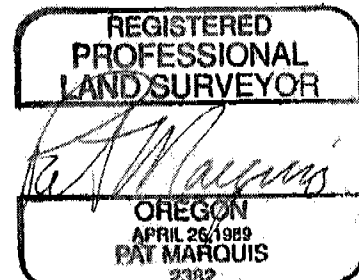
Beginning at Engineer's center line Station 1426+71.20 P.T., said station being 4,446.37 feet South and 1,308.36 feet West of the East Quarter corner of Section 33, Township 37 South, Range 11 East, W.M.; thence South 73° 12' 06" East 573.07 feet; thence on a spiral curve left (the long chord of which bears South 76° 34' 03" East 274.62 feet) 275.00 feet; thence on a 780.00 foot radius curve left (the long chord of which bears North 56° 05' 53" East 1,015.21 feet) 1,105.42 feet; thence on a spiral curve left (the long chord of which bears North 8° 45' 49" East 274.62 feet) 275.00 feet; thence North 5° 23' 52" East 856.57 feet; thence on a spiral curve left (the long chord of which bears North 4° 26' 35" East 299.97 feet) 300.00 feet; thence on a 3,000.00 foot radius curve left (the long chord of which bears North 5° 24' 34" West 829.08 feet) 831.74 feet; thence on a spiral curve left (the long chord of which bears North 15° 15' 43" West 299.97 feet) 300.00 feet; thence North 16° 13' 01" West 406.93 feet to Engineer's Station 1475+94.93 P.S. on said center line.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on the Southerly Side of Center Line
1438+00.00		1441+65.00	105.00
1441+65.00		1442+25.00	105.00 in a straight line to 115.00

Bearings are based upon CS 7047, Surveyed Records of Klamath County.

This parcel of land contains 30,674 square feet, more or less.



EXPIRES 12-31-2012

Parcel 2 – Fee

A parcel of land lying in the SW¼NW¼ of Section 3, Township 38 South, Range 11 East, W.M., Klamath County, Oregon and being a portion of that property described in that Quitclaim Deed to Brian R. Miller, recorded June 23, 2011 in Book 2011, Page 007571, Klamath County Record of Deeds; the said parcel being that portion of said property lying Northerly and Easterly of a line described as follows:

Beginning at a point opposite and 350.00 feet Southeasterly of Engineer's Station 1441+16.00 on the center line of the relocated Klamath Falls – Lakeview Highway; thence Westerly in a straight line to a point opposite and 327.00 feet Southeasterly of Engineer's Station 1440+94.00 on said center line; thence Northerly in a straight line to a point opposite and 170.00 feet Southeasterly of Engineer's Station 1442+25.00 on said center line, which center line is described in Parcel 1.

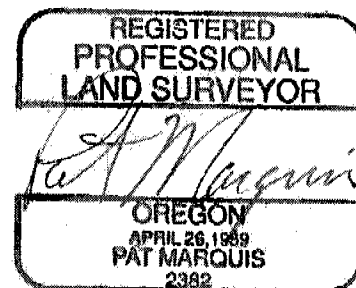
This parcel of land contains 6,132 square feet, more or less.

Parcel 3 – Temporary Easement for Work Area (5 years or duration of Project, whichever comes sooner)

A parcel of land lying in the SW¼NW¼ of Section 3, Township 38 South, Range 11 East, W.M., Klamath County, Oregon and being a portion of that property described in that Quitclaim Deed to Brian R. Miller, recorded June 23, 2011 in Book 2011, Page 007571, Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land, 125.00 feet in width, lying on the Southeasterly side of the center line of the relocated Klamath Falls – Lakeview Highway, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1 and Parcel 2.

This parcel of land contains 6,631 square feet, more or less.



Expires 12-31-2012